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ANNUAL REPORT



IWRAW ASIA PACIFIC

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MAKING A DIFFERENCE TO WOMEN'S ACTIVISM

CELEBRATING 20 YEARS • IWRAP ASIA PACIFIC

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We acknowledge also the support of our network of resource persons, our Board of Directors and our Advisory Committee, who have made significant inputs into the different portfolios of activities. We look forward to the continued support of this amazing network of women and men whose commitment to gender equality helps IWRAW Asia Pacific expand the reach of our strategies and build initiatives that impact on the lived experience of women in the global south especially, though not exclusively. We celebrate the courage and commitment of the various women's rights organisations we have had the privilege to work with in 2016. We hope we have served you well and that our collaborations will continue well into the future.

Priyanthi Fernando

Executive Director

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 aim to achieve 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 to address gender inequality 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 the activism of non-governmental organisations demanding government accountability at the national level, and to strengthen both normative content and processes of global and regional law and policy instruments that 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 2016, our list of country level partners working on CEDAW has grown to 215 organisations, with further 9 international and country level organisations with whom we collaborate with, on various strategies to promote women's human rights. We have facilitated participation of more than about 981 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 processes and tools that support law reform/policy analysis, regional convenings to create more alternative spaces for the women's movement to galvanise thinking and momentum on specific priorities, and litigation initiatives that we carry out in partnership with women's groups at the local and state level.

IWRAW Asia Pacific's ideology continues to be framed around its role as a capacity builder of women's groups and networks, a convenor of alternate spaces for women's voices, an advocate for strengthening the environment for the respect, protection and fulfilment of women's rights, and a negotiator for state accountability.

EXECUTIVE SUMMARY

Our work in 2016: One year in CEDAW implementation and women's human rights advocacy

From Global to Local

Since 2004, we have been the NGO recognized officially to support the CEDAW process and have been running the *From Global to Local* programme for the 19th successive year since 1997, with the support of various donors including the Oak Foundation, Foundation for Open Society, Channel Foundation and Swiss Agency for Development and Cooperation. The programme connects the international treaty body process to women's national level activism, and vice versa.

This year we worked to ensure participation of 98 women from at the 63rd - 65th sessions, from Czech Republic, Haiti, Iceland, Japan, Mongolia, Sweden, United Republic of Tanzania, Vanuatu, Albania, France, Mali, Myanmar, Philippines, Trinidad and Tobago, Turkey, Uruguay, Argentina, Armenia, Bangladesh, Belarus, Bhutan, Burundi, Canada, Estonia, Honduras, Netherlands, and Switzerland to engage with the CEDAW Committee's review of their governments.

By the end of 2016 we have been able to facilitate the participation of about 981 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.

Countries that were reviewed by the CEDAW Committee in 2016: Albania, Argentina, Armenia, Bangladesh, Belarus, Bhutan, Burundi, Canada, Czech Republic, Estonia, France, Haiti, Honduras, Iceland, Japan, Mali, Mongolia, Myanmar, Netherlands, Philippines, Sweden, Switzerland, Tanzania, Trinidad & Tobago, Turkey, Uruguay, Vanuatu



Our engagement with CEDAW has also extended to informing the setting of global standards and norms, encouraging the use of the CEDAW framework to monitor the gender equality commitment of other global and regional processes, supporting women's rights groups advocate for changing discriminatory laws and practices, and working with a range of actors to eradicate discrimination and promote women's human rights.

Global norms and standards

In 2016, the CEDAW Committee developed an update to its General Recommendation on Violence against women, and began formulating a General Recommendation on Disaster Risk Reduction in the context of climate change. IWRAW Asia Pacific made inputs into both. There is an ongoing discourse on the global normative standards for gender based violence against women, and we contributed to that discussion by organising a global consultation on gender based violence against women, as well as collating the responses of women's rights groups to the update of the General Recommendation. In 2016 we were also able to finalise and share widely our shadow report guideline on GR30 on women in conflict prevention, conflict and post-conflict situations. Participation of CEDAW Committee Members in almost all of our convenings in 2016, contributed to strengthening their understanding of the challenges that women face in different contexts.

Regional Impacts

Our location in Kuala Lumpur has influenced our regional strategising, and we have worked with a range of ASEAN partners to counter some of the contextual factors that have constrained women from enjoying their human rights in the region. Our programme on Women's Economic Leadership in collaboration with OXFAM and supported by the Australian DFAT, has looked at issues relating to the impact of ASEAN integration on women's economic rights. Our partners in Cambodia, Laos, Myanmar, Vietnam, Thailand and the Philippines have identified three critical economic issues for women in the region: women's participation in global value chains, women migrant workers, and the issue of natural resource governance and land grabs. Our convenings in 2016 on two of these issues (global value chains and women migrant workers) created opportunities for stronger analysis and peer learning and facilitated conversations between institutional actors and women's rights activists. They also provided an opportunity for participating CEDAW Committee members to interact with women who were directly experiencing discriminations and violations.

Several ASEAN countries have reported to CEDAW in the last few years, and we have worked with our partner groups in those countries to follow up on Concluding Observations including those related to the legal framework to address domestic violence. The work has resulted in changing legislation in Cambodia and Myanmar. In Timor Leste the review has stimulated a change to the electoral law to facilitate greater representation of women. We have also interacted with the ASEAN regional bodies, the ASEAN Intergovernmental Commission on Human Rights (AICHR) and the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC).

While ASEAN seems to be the natural region for IWRAW Asia Pacific to work in, our engagement at the CEDAW review results in many demands from other regions that we are not always able to meet, even though we have worked with women from very different countries and regional groupings of women's rights groups (e.g. the sex worker groups in the CEE/CIS region).

Marginalised Women

In the From Global to Local programme we have prioritised representation of women from marginalised groups. Several marginalised groups participated in the 2016 CEDAW reviews. With our support, sex worker groups, rural women, LBTQI groups, women with disabilities, indigenous and/or ethnic minority activists, and migrant women were able to engage with the CEDAW Committee, link their rights context to the CEDAW framework and make their claims for equality and non-discrimination. This prioritisation has had the impact of bringing issues of marginalised groups into the forefront of the constructive dialogue between the CEDAW Committee and the states, paving the way for advocacy at the national level. The CEDAW Committee continues to adopt an intersectional approach to the issue of discrimination and has unearthed the hidden challenges of the groups of invisibilised women, invisible to law and policy due to systemic and cultural discrimination.

In 2016 IWRAW Asia Pacific worked closely with women sex workers to develop a framework through which their rights could be articulated to the CEDAW Committee. An expert group meeting of 40 international participants

representing sex worker groups and organizations that work with sex workers, individual human rights and CEDAW experts and including a CEDAW Committee member, helped conceptualise and language the Framework for the Rights of Sex workers under CEDAW. This was followed up by a regional meeting for sex workers and women who use drugs from 10 countries in the CEE/CIS region to share knowledge and the successes and challenges of having engaged in CEDAW advocacy. In 2016 we also deepened our relationships with women with disabilities, by engaging actively with the International Disability Alliance, and Handicap International to strengthen their capacity to advocate for the rights of women with disabilities through CEDAW and CRPD. We also actively participate in the Global Network of Sex Work Projects.

Thematic Areas

IWRAW Asia Pacific's work around the CEDAW review process is complemented with portfolios that serve to expand and deepen our knowledge on contextual issues that have an impact on women's human rights, with a view to strengthening the capacity of our partner organisations to be able to address these issues also in their advocacy. In 2016, we explored the impact of global value chains and migrant workers on women's economic rights, focusing on the ASEAN region. We also increased our understanding of Corporate Accountability, and the impact of business practice on women's human rights in general, and women's economic rights in particular. We have an ongoing relationship with the UN Working Group on Business and Human Rights. The convening on Corporate Accountability brought together a diverse group of women who shared good practices and challenges from around the world.

Our engagement with the 2030 Agenda and the Sustainable Development Goals dates to the point when the UNGA was debating the goals. Now that the SDGs are a *fait accompli*, IWRAW Asia Pacific's SDG portfolio is critically examining what are the potential gaps in implementation, how important it is to integrate gender equality as a cross cutting issue as well as a stand alone goal in itself, and responding to the need for a space for women's voices to be heard. The inaugural Global South Women's Forum on Sustainable Development held in Phnom Penh in 2016 created such a space, and will become an annual event.

In addition to influencing the economic environment that impinges on women's human rights, IWRAW Asia Pacific also facilitates women's access to justice, by working towards creating a more conducive legal environment for women's rights. The Court watch programme which was designed to monitor how courts deal with women's issues did not take off as planned in Pakistan 2016 due largely to resource constraints, but is being actively pursued by our partner in Lebanon.

Country impacts

The impact at the national level is the result of long term commitment and concerted activism on the part of women's rights groups. Tracking changes at the national level is not easy, but in 2016 we have seen the impact of the CEDAW review process on changes in law and policy at the national level. The proposals for the Gender equality law in Malaysia and the Nigerian law for ensuring girls' access to education, freedom for women to participate in any economic activity and their right to freedom from sexual abuse, and violence in public and domestic spaces, in its second reading in Parliament in 2016, shows that it can take a decade for local legislation to be harmonized with CEDAW. Malaysia was last reviewed in 2007 and Nigeria in 2008.

Concerted lobbying by women's rights groups have resulted in changes to the legal provisions for violence against women in several jurisdictions: Cambodia, Myanmar, China, New Zealand and the United Kingdom are in the process of changing their laws on domestic violence.

Several countries have succeeded in eliminating some discriminatory laws and practices, whether it be addressing underage marriage (Tanzania and South Africa), introducing temporary special measures to ensure women's representation in public life (Sweden, Timor Leste, Vanuatu) or addressing intersectional discrimination (Malta).

Actors

IWRAW Asia Pacific's strength is our ability to work seamlessly with actors working at very different levels – local level women's human rights defenders, to activists lobbying national governments, to actors operating in global and regional institutions. In 2016, we have consolidated our relationship with our partners in the ASEAN region, and developed new links with networks of marginalized women, sex workers and women with disabilities in particular. Our work has been supported by the CEDAW Committee and the team at OHCHR, as well as the many women in the funding agencies that help finance our work, especially the Swiss Agency for Development Cooperation (SDC). Institutionally, we have developed positive relationships with the Working Group on Business and Human Rights, with institutions in the ASEAN region such as AICHR and ACWC, and networked with a range of like-minded organizations and networks such as AWID, ESCR-Net, ARROW, APWLD, Women's Major Group, APWAPS and others. Our Board of Directors, our Advisory Committee and resource persons are other key actors that bring with them a history of women's rights activism and involvement in grassroots mobilizing, legal reform, and conceptual thinking in very different contexts and whose advice and contributions considerably enhance the effectiveness of IWRA Asia Pacific's programme. Our partners and the targets of our advocacy also vary considerably, from local activists, to legal actors such as lawyers and judges, to state officials, and officials of international agencies, in Asia, Africa, Latin America, Europe and North America.

Tools

IWRAW Asia Pacific has a toolbox of CEDAW related conceptual and practical tools that have been developed over the years, and which continue to be adapted and updated to changing contexts and circumstances. In 2016, we finalized the CEDAW Compliance Toolkit, the Guidelines on using GR 30 and developed a range of documents that would help clarify the ongoing discussions around Gender Based Violence against Women. We also produced a series of videos that unpack the concepts around women's economic rights, and the frameworks of business and women's human rights that complement our understanding CEDAW videos and are available on our YouTube channel. In 2016 we began a discussion with the University of New Mexico about designing a blended learning programme that includes an online training on OP-CEDAW.

Movement building and politics and voice

IWRAW Asia Pacific is a facilitator and convenor, and our aim is to ensure that the voices of women are heard in different spaces. The principle of facilitating women to speak for themselves that we adopt in our CEDAW review work and which we strengthen through our From Global to Local training, is replicated in all our other activities. Our contribution to movement building derives from our capacity to bring diverse actors together, and to facilitate dialogue between state and citizens, between UN agencies and women's rights activists, and between different strands of the women's movement itself.

With a new team in place in IWRAW Asia Pacific in 2016, a new strategy developed for the next phase of our existence, we aim to make even a greater contribution to promoting gender equality and non-discrimination in all the countries of the world.

THREE YEAR PLAN OBJECTIVES

A wide gap continues to exist between commitments and legal obligations and the lived realities for women, thus continued focus on enforcement of rights and working with various stakeholders to effect systemic change is still a key step in the path towards gender equality. IWRAW Asia Pacific's three year plan from 2014-2016 was designed to address the need to effectively monitor laws for CEDAW compliance, to strengthen government agencies mandated to promote gender equality, to support women's organisations' advocacy for positive legal environment for gender equality including removal of discriminatory laws, to 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.

The year 2016 is the last year of IWRAW Asia Pacific's 2014-2016 Three Year Plan, and much of the work of the organisation during this period was focused on completing the activities planned for this period, as well as to develop a new strategic plan for the period 2017-2019. We continued our efforts to enhance the understanding of CEDAW as an instrument that adds concrete significance to the concepts of substantive equality, non-discrimination, to strengthen the relevance of treaty law, to strengthen national level action plans geared towards social justice, women's equality and empowerment of marginalised groups and to deepen our contribution to 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: 2016

The year saw many developments in the social, cultural, civil, political and economic environment, internationally as well as nationally, that are causing a regression on commitments made to human rights. The shift to the Sustainable Development Goals approach of Agenda 2030 and to the language of equitable and sustainable development without a strong focus on human rights could be interpreted as weakening the accountability of governments and responsibility of private actors to protecting the rights of people, and women, especially those most vulnerable to natural disasters, resource shortages, financial instability and risky and dangerous forms of work. The rising authoritarianism of populist conservatism, the challenge to freedom of expression, the dominance of corporate interests, the continuing 'war on terror' and the 'refugee crisis' that is its consequence, and the international geopolitical shifts, particularly with the election of the 45th President of the United States, and the UK's movement out of the EU, are reconfiguring the spaces available for civil society and for women's human rights activism.

Violence continues to dominate the global space. Fifteen years after western coalition forces first sought revenge for 9/11, Afghanistan and Iraq remain locked in bloody turmoil, the Palestinian struggle shows no sign of abating, the heightening conflict in Yemen and the tragedy of Syria continue to horrify the world. In all parts of the world, the extremisms of religion, culture, conservatism and heteronormativity lead to women facing multiple discriminations and acts of marginalization. Gender based violence against women is also on the rise, with the major focus in recent



Khaled Abdullah / Reuters

times being on the impunity in sexual violence cases of extreme brutality, the 'sensational' rapes and murders, whilst "everyday" acts of violence remain unchallenged. This focus has led to greater policing and harsh punishments for perpetrators with little focus on inequality, non-discrimination, institutional and structural biases that are at the root of gender based violence against women.

The policy conversations in Agenda 2030 and other forums on equal and inclusive economic development have the potential to improve women's conditions, at the same time as they are seen as key catalysts for more equitable economic growth and social justice. The

world's economy in 2016 was characterized by extreme economic inequality between and within states. The negative effects of inequality on economic growth, poverty reduction social cohesion, in conjunction with the failure of trickledown economics has led to dire consequences for women. Gender gaps in economic opportunity and wages are a consequence of patriarchal institutions and systems, gender stereotypes, gender disparities in education, technology and information, burden of unpaid care work, the behaviour of firms and the nature of policy interventions. We have been told that gender equality in the world could add USD 12 trillion to the global GDP by 2025¹. If the policy conversation on gender equality is limited to the contribution to economic growth and is focused on instrumental changes that encourage women's participation in labour markets and development processes and do not address the complexity of the issues women face, it can be inherently exploitative. There is an alternative discourse that recognizes that globalization premised largely on macro-economic growth undermines the fundamental nature of women's economic, social and cultural rights. Deregulation and privatization of health and education in the current climate of out-sourcing government responsibilities can have detrimental effects on women and girls. In economic terms, the gender wage gap, low labour force participation rates, lack of access to capital or business opportunities and disproportionate participation in the informal economy are key concerns for women. It is the cumulative effect of these issues that exacerbate income inequality, and the ability of women and girls to access other human rights.

¹ <http://www.mckinsey.com/global-themes/employment-and-growth/how-advancing-womens-equality-can-add-12-trillion-to-global-growth>

It is important for globalization to be seen, not just as an economic process involving the State and the corporate sector but as a complement to other global processes such as the development of universal norms, expansion of human rights standards and the role of civil society. The latter must be recognized as central to good governance and people centered development, and for ensuring that women's voices are heard. The shift from aid to investment, the corresponding increase in public-private partnerships and the more formal demands on the private sector to be a partner in eradicating poverty and ensuring sustainable development, has meant that development actors, the corporate sector and philanthropists are now building models of social enterprise, and are working on leveraging the market and value chains to create 'innovative solutions' for women and girls. Despite the resources that these processes are generating, the funding situation for a large majority of women's organisations remain bleak, and the space for attracting funds for a rights based, transformative approach to women and girls, is contracting.

Strong global-governance institutions are crucial for addressing the world's strategic, economic, and sustainability challenges, and for ensuring that human rights are respected, protected and fulfilled. And yet international institutions such as the UN, are in crisis as more countries seek solutions to major global problems elsewhere. We've seen this on many issues – Syria, terrorism, cyber security, asylum-seekers and refugees, migration, Ebola, and the reduction of support to humanitarian crises and to women's issues.

Despite these challenges to the UN, the treaty body system continues to be the main recourse to state accountability. In 2016, the CEDAW Committee itself has taken some of these global issues into account, revising its General recommendation on Violence against women, and developing a new recommendation on Disaster Risk Reduction in the context of Climate Change. More and more groups of women, especially groups of marginalised women, whether they are women with disabilities, first nations women, LGBTIQ women, migrant women or women working in the sex industry, are seeing CEDAW as an instrument that enables their voices to be heard, and their issues acted on. Supporting women realise the promise of CEDAW, and to address the national, regional and international challenges to gender equality, has continued to be the bedrock of IRAW Asia Pacific's work in 2016. This report will highlight some of the key activities and outcomes of our efforts.

Changing context for human rights advocacy

Changes to the treaty body review process and related aspects of the ongoing treaty body strengthening and reform requires civil society organisation advocacy to ensure that evolving systems, harmonization of procedures and belt tightening by the UN does not jeopardise the human development agenda or the focus on ensuring that all people can and are enabled to exercise their human rights (and specifically women's human rights) and fundamental freedoms. Member states of the UN have made various proposals to limit international and expert scrutiny of their human rights record and to prevent the legitimate expectations of civil society organisations to take part, provide submissions, alternative solutions and perspectives in UN processes as well as hold their States accountable at the national and international level for human rights implementation.

Gender stereotypes and rising fundamentalism and conservatism

The changing political landscape at the domestic level greatly creates significant threats and dangers to the work with national groups. Law reform based on extremely retrogressive interpretations of religion, lack of recognition of gender equality and erosion of women's political power, representation and role in the reform movement requires that the impact of culture and religion in the promotion and protection of the rights of women be addressed.

The political strategies employed by women's human rights groups who use the framework of State secularism as a means for evolving the concept of rights, gender equality and relevant protections and steps needed to correct the environment must work in juxtaposition with those women's groups who seek to articulate feminist perspectives and rights. Continued challenges from fundamentalism based on specific interpretations of religion and culture have

a direct impact on women, limiting education and employment, imposing strict cultural standards, constraining women's legal capacity, limiting sanctions for violence against women, denying freedom and choice when it comes to matters of sexual and reproductive rights, and restricting universal access to services for women living with HIV/AIDS and women who use drugs. IRAW Asia Pacific's work has been to address the concerns of women's rights organisations in countries that are impacted by the push for recognition of specific religious interpretations as opposed to the principle of universality of rights, and which impedes the acceptance of internationally recognised standards for human rights.

Changes in global funding priorities

Financial support to women's human rights organization has shrunk as the emphasis has shifted to the promotion of the development agenda with a focus on economic empowerment of women. While there seems to be a renewed interest in women especially among the bilateral and multilateral donors, the neoliberal perspective that informs this interest, instrumentalises women, emphasises their economic contribution and power, and see them as "agents of change" and "economic actors" with the current financial and economic system. It might be necessary to advocate for strengthening the understanding of bilateral and multilateral donors on the importance of incorporating women's human rights within their agenda and action plans.

The civic and political futures for women

States have pursued gender mainstreaming and initiated specific actions to address inequalities and discrimination faced by women, but the progress is extremely slow. The deficit in women's political participation, in women's voice and influence in society, and in their representation in public policy, needs to be corrected if women are to enjoy the payoffs from policy changes and development. Gender equality must be at the centre of any development policy and national action plans for growth and progress. Compliance with gender equality standards can only occur in a society that is based on the rule of law, good governance, access to justice and recognition of the legitimate role of civil society actors in advancing the policy discourse on any issue relating to the role of citizens, states and the international community. Women from across all sectors and marginalised groups need to be able to debate these obstacles as a matter of public interest and as a matter of their inherent rights.

CEDAW Framework for gender equality

CEDAW is recognized by both State and non-state parties as a framework for institutionalizing gender equality and change in public policy, but more work needs to be done to ensure that the constraining factors to the practical realisation of women's human rights are identified, monitored, addressed and eliminated and that strengthening and enabling processes are put in place. CEDAW is needed especially as an enforcement mechanism, to prevent regression from what women's rights activists and advocated have gained and achieved thus far 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. Another key area of our work is to ensure that the CEDAW principles are incorporated and implemented through the stages of state restructuring, constitutional reforms, and conflict resolution and peace building. This would require fair, adequate and effective participation and representation of women in each of the processes; reflection of CEDAW principles in new constitutions and laws adopted; adherence to CEDAW standards in establishment of new institutions and structures or reformation of existing ones.

Challenges in engaging with the state on realising women's human rights standards

From our work linking international standard setting processes with women's rights advocacy at the local/national level, several endemic and emerging areas of concern have been identified that urgently need CSO strategies and policy responses.

- The executive (which represents the state at the CEDAW reviews) use state structures and separation of powers to argue they have limited mandate and powers to influence Parliament, minority communities or decentralized /local governments.
- The emphasis placed only on extreme (sensationalised) forms of violence while 'regular/everyday' cases are being sidelined in law, policy and public discourse; and the continuing lack of political will to address violence against women
- Cultural and other justifications for violence and differential treatment against women and girls.
- The impact of the global neoliberal economic system on obligation of states to promote and protect women's rights, including the state obligation to monitor and regulate private sector impact on women's rights.
- The reduction in advocacy and policy leadership spaces for women's rights networks at national and also global UN processes.
- Reduction in resources for work on gender equality at national and international level - this has affected women's groups ability to challenge the regressive normative environment
- Neglect of women's economic rights as a key area for rights protection.
- Weak CEDAW accountability framework for the implementation of the SDG goals at the country level
- Key elements of CEDAW have not been yet incorporated into the domestic legal framework. CEDAW decisions under the Optional Protocol procedure is still weak.

Report and analysis of Strategies and Activities in 2016

To effect the four strategic outcomes of our three year plan, we utilised various approaches and the report below shares our implementation results and impact.

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

1.1 CEDAW Convenings and Trainings with WROs

- a. CEDAW and Violence against Women Training- Support to [Association for Emancipation, Solidarity and Equality of Women \(ESE\)](#), Macedonia

The Association for Emancipation, Solidarity and Equality of Women – ESE has developed and assisted female and civil leadership for development and implementation of human rights and social justice. IWRAP Asia Pacific has worked with ESE since 2013, on their follow up strategy in monitoring and strengthening the implementation of CEDAW Concluding Observations. Our collaboration included a CEDAW strategy workshop, an the development of an access to justice monitoring strategy and a judicial training from 2013-2015.

In 2016, we provided strategic support in a training ESE held for women’s rights partner organisations in Macedonia, focused on CEDAW and violence against women. Macedonia had recently (in 2012) adopted a law on domestic violence and at the 2013 workshop on CEDAW strategy, the groups in Macedonia identified the monitoring the use of the law as a priority. ESE’s strategy and impact of their advocacy on using CEDAW Concluding Observations is documented [here](#), which include legal strategies to address the laws on domestic violence, trainings with the legal community and with women’s groups on priority issues.

- b. In November 2016, IWRAP Asia Pacific provided technical support to **a CEDAW Advocacy workshop in Yangon, Myanmar**, organised by the [International Women’s Development Agency \(IWDA\)](#) and the Women’s League of Burma for participants from CSOs from Myanmar, Cambodia and Fiji. The workshop provided space to build a stronger Myanmar women’s rights movement with alliances around CEDAW, drawing on lessons and experiences from women’s rights organizations from the region, particularly Cambodia and Fiji. Shanti Uprety represented IWRAP Asia Pacific and provided inputs on IWRAP-AP’s regional experience in the implementation of concluding observations, experience of joint advocacy or programs around CEDAW implementation, SDGs and their link with CEDAW and provided support in developing CEDAW strategies. The workshop [helped shape a joint strategy plan](#) on developing key advocacy points to share with the CEDAW Committee as well as space to build relationships within the CSO community which is critical in the potential divisive politics occurring in Myanmar today.

1.2 Strengthening state institutions on CEDAW and women’s human rights implementation

- a. The **Strategic Government- NGO Dialogue on (Women’s) Access to Justice for Economic, Social and Cultural Rights in Timor Leste** was conducted on 5 August 2016 by ALFeLa and JSMP with support from IWRAP Asia Pacific. The Dialogue comprised 21 participants and was a follow up to the ‘Promoting Justice for Women’s Economic, Social and Cultural Rights in Southeast Asia: A Government-NGO Dialogue’ held in 2013. The Dialogue resulted in advancing discussions with the Government of Timor Leste on the ratification of the OP ICESCR as well as the identifying concrete follow up actions for local CSO advocacy at the national level.

Timor Leste has to date ratified seven (7) core international human rights treaties. Out of these, only two conventions are being implemented properly- the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Convention on the Rights of the Child (CRC). More recently, steps have been taken to comply with obligations under the International Covenant on Civil and Political Rights (ICCPR) and to submit a report under the Universal Periodic Review (UPR) mechanism. The Dialogue provided an opportunity to identify some of the challenges to implement international human rights standards, particularly those relating to Women's Economic, Cultural and Social rights (WESCR).



There are many gaps in protection of several ESC rights in Timor Leste. Children's right to education is impeded by lack of clarity in the educational curriculum and by issues arising from having multiple languages and mediums of instructions. The challenge of access to clean and safe drinking water is worst for communities living in remote and rural areas. Women and children are further differentially impacted as they have to bear the responsibility of fetching the water long distances. As a result,

children are unable to go to school because they lose so much time fetching water.

The consultation clarified the opportunities for improving access to justice for ESC rights through the Optional Protocol on the International Covenant on Economic Social and Cultural Rights (OP ICESCR) and pushed towards a Ratification Strategy for Timor Leste. The entry into force of the OP ICESCR brought a paradigm shift in the human rights discourse. It reinforced the idea of justiciability of ESC rights through an international mechanism that would make available remedies for violations of ESC rights. Subsequent discussions can focus on identifying solutions for overcoming challenges to ratification and implementation of OP ICESCR, including bringing relevant UN agencies to the table and seeking their commitment and technical support towards this issue.

Some key outputs from the Dialogue include:

- Commitment from the government stakeholders present to continue discussions on this issue of ratification of the OPICESCR #
- Recommendation made by CSOs present to the representative of the Ministry of Foreign Affairs and Cooperation to constitute a ministerial working group on OP ICESCR ratification
- Request from all key CSO stakeholders present for a follow up discussion with a larger network of CSOs aimed at providing information on the issue of OP ICESCR ratification as well as putting it on the national advocacy agenda.

Outcomes of the Dialogue:

- Identified local partners that are committed to advancing an advocacy campaign on ratification of OP ICESCR in Timor Leste
- Identified follow up actions for advancing the advocacy strategy, including through organizing meetings with local CSOs and the government.

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

IWRAW Asia Pacific's has an ongoing strategy on the use of law and litigation that aims to enhance legal environment for strengthening women's access to justice, including but not limited to strengthening initiatives for legal and judicial reforms, monitoring application of law and engendering adjudicative processes.

a. Supporting women's human rights litigation strategies

We worked with the [Initiative for Strategic Litigation in Africa \(ISLA\)](#)'s Women's Land and Property Rights Programme, as a technical resource on CEDAW in a programme that supported the legal community in Africa to understand the use of different types of litigation strategies to challenge discrimination faced by women for land and property rights. This was held in South Africa from 29 May until 10 June. This was linked to our participation in ISLA's 2014 strategic meeting in South Africa where we agreed to work with the groups to ensure that there was sufficient knowledge on use of CEDAW in their strategic discussions and to provide them with (best practice) info on CEDAW processes related to the issue. This activity contributed to building a continued relationship with other legal resources groups in Africa and to sharing our CEDAW Framework for legal analysis and advocacy. The connection and follow up with African litigating groups enables IWRAW Asia Pacific to monitor the jurisprudence and the strategies of WHR groups from the region. It also provides a source for identifying case law for legal resources (good practices on women's rights norms from different regions).

b. Court Watch strategy

IWRAW Asia Pacific's Court Watch project support of partners employing a court-watch strategy to monitor how specific women's rights issues are being decided in courts. It is an attempt to address the gaps and lacunae in addressing women's human rights violations by the legal and judicial systems through systematic monitoring and creation of a concrete evidence base. It is a strategy being adopted by IWRAW Asia Pacific and its partners as part of larger advocacy on implementation and application of CEDAW at the national level and in direct follow-up to initiatives for strengthening capacities of lawyers.

The Court Watch strategy is being pursued through pilot projects with partners in Lebanon and Pakistan, who were identified on the basis of skills and interest expressed towards engaging with the justice sector in implementing CEDAW. In countries such as Pakistan where legal advocacy on CEDAW was pre-established, the strategy will be implemented in partnership with legal groups such as [Aurat Foundation](#) as part of follow-up on implementation of Concluding Observations issued by CEDAW in 2013. [Avenir Liban](#) from Lebanon is engaged in the Court Watch project following a National Workshop for Lawyers on Use of CEDAW. Both partners have identified violence against women to be a key area where regressive judgements are being delivered by the courts in complete violation of rights under CEDAW.

A Court Watch Partners' Meeting was held in Bangkok from 2-4 April 2016 with our partners from Pakistan and Lebanon. At the meeting participants developed and agreed an overall strategy and monitoring work plan; developed a set of templates to support collection of information and the analysis of court watch issues using a CEDAW approach on access to justice; and shared knowledge on how court watch strategies have been implemented in Macedonia.

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

a. Enabled Participation of Women's Rights NGOs in the CEDAW review process

In 2016, with funds from Swiss Development Fund, Channel Foundation, Oak Foundation and other donors we were able to provide targeted technical and programme support through the From Global to Local Programme to 95

country level women's NGOs from 27 different countries to advance their advocacy agendas at the global level. This support makes a difference to the advocacy of the NGOs. It ensures that they cover a broad range of issues under all articles of the Convention and facilitates better strategic linkages, partnerships and normative agreement between mainstream women's rights groups and marginalised, thematic and/or sectoral groups. In this year we **facilitated the participation of 124 women's right activists** (121 women, 3 men) at the 63rd – 65th CEDAW Committee review sessions of their governments.

Participation and inclusion of marginalised women and their issues into mainstream women's rights reports and advocacy



IWRAW Asia Pacific's From Global to Local Programme aims to ensure that **marginalized women and their invisibilised issues** have a place and space in the CEDAW review process. Marginalised groups face many obstacles in accessing policy spaces and lack political influence, so the CEDAW constructive dialogue is an important conduit to bring their issues to the attention of the state. This year we were able to facilitate the sharing and advocacy of **25 activists from marginalised communities** with the broader community of women's rights activists as well as with the state. In the 2016 CEDAW reviews sex work activists from Bangladesh, Canada, Czech republic, rural women's activists from Mongolia and Bangladesh, women with disabilities from Mongolia, Vanuatu, and Haiti, indigenous and/or ethnic minority activists from Myanmar, Philippines, Uruguay, and migrant women from Turkey and Netherlands were able to engage with the CEDAW Committee, link their rights context to the CEDAW framework and make their claims for equality and non-discrimination. Their participation supported the recognition and protection of rights of minority groups, sex workers, sexual minorities, religious minorities, migrant workers, LGBT, HIVAIDS, by the mainstream groups and worked toward a common platform for advocacy that ensured that the CEDAW review process addresses women's discrimination through an intersectional approach. This happened for countries like Mongolia and Bangladesh on issues of disability rights and sex work respectively, as marginalized

women and the mainstream women's groups shared training, mentoring and lobbying spaces, as well as developed joint strategies to leverage individual organizational strengths and networks.

NGO oral statements submitted to the CEDAW Committee and lunch briefings with the CEDAW Committee.



Oral statements are public and political positions made by women's NGOs. NGOs use this space to emphasise priority women's rights issues to ensure the Committee and the state will pay more attention. In 2016 **110 such oral statements** were submitted by women's rights organisations highlighting a gamut of women's rights priorities. We also supported women's groups and other NGOs to conduct **26 of the lunch briefings** with the CEDAW Committee. In these hour long briefings, the Committee was able to obtain greater detail and information from NGOs to balance the gap in information from non-state sources.

NGO shadow reports submitted to CEDAW Committee

Shadow reports provide an alternative NGO perspective and supplemental information to the CEDAW Committee on the priority issues and status of implementation of women's rights. In the 2016 review we facilitated submission of **102 shadow reports** by NGOs and women's groups. We provided feedback and technical input to 30 of these reports to strengthen their information and recommendations to the Committee.

Impact of NGO information on CEDAW review

Finally we look at the impact of NGO information by looking at whether specific NGO priorities and recommendations informed the CEDAW Committee's development of the key recommendations to the State in the Concluding Observations. We observed at least 2 and in many cases many more ways in which women's groups impacted the review process. (see Annex)

Sharing information to enhance access of women's rights activists to the review through webcasting and disseminating the results of the review.

We were able to highlight the [new webcasting procedure of the UN](https://webtv.un.org) @webtv.un.org for all the 28 reviews through emails, [Facebook](https://www.facebook.com) and our dedicated listservs cedaw4change and global2local. Access to the webcasting broadens the reach of the review process and ensures that women's groups are able to monitor the review remotely from their location without being in Geneva and be able to disseminate the output of the review. This increases the possibility of women's groups seeing their impact in shaping policy recommendations on gender equality with their state, and supports the state and NGOs to follow up on the Concluding Observation when they are made available on the OHCHR website

Plans/processes for monitoring and advocacy on Concluding Observations developed by country level women's rights groups

Immediately after the review we were able to support NGOs to develop immediate strategies to disseminate the Concluding Observations and use the Concluding Observations to strengthen monitoring and advocacy with their

governments on CEDAW priorities. All the 124 activists supported contributed to developing country level action plans. Thus all NGOs from the **27 countries supported by the From Global to Local programme developed their own action plans**. In the months that have followed, the team from IWRAW Asia Pacific has been engaging with the different groups that were at the CEDAW reviews in Geneva, to support their follow up and advocacy.

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

a. Strategies to support rights of marginalised groups

i. Sex workers, women who use drugs, and women living with HIV/AIDS

Based on IWRAW Asia Pacific's commitment to strengthen the rights of marginalised women in our strategy of 2013-2016, and in response to their interest and requests, we began working with groups advocating for sex worker rights and for the rights of women who use drugs, to build strategies and activities based on the positive, immediate, and short term outcomes of engagement with CEDAW, sustaining advocacy for enhanced recognition and realization of rights through the treaty and its monitoring body. In 2016 we organised two advocacy meetings that focused on:

1. Mobilising greater support amongst CSOs for supporting the rights agenda of sex workers, women who use drugs and women who live with HIV/AIDS
2. Supporting the expansion of the CEDAW framework to address the rights context and discrimination faced by sex workers, women who use drugs and women who live with HIV/AIDS
3. Developing clear strategies for engaging with the state and other institutions, on implementation of Concluding Observations from the CEDAW Committee on rights issues related to sex workers, women who use drugs and women who live with HIV/AIDS.

At the **Expert Group Meeting on Rights of Sex Workers under CEDAW, June 2016 in Bangkok**, the groundwork was done to develop conceptual clarity on the CEDAW framework and how it applies to the rights of sex workers. The expert group meeting was organized as a cross-movement consensus-building initiative, focused on gathering expert insights from women sex workers' groups, to identify common ground and lay the foundation for advocacy under the CEDAW framework. The meeting included 40 participants, including sex workers, members of sex worker advocacy groups, individual experts and members of women's rights and/or human rights organizations from Asia, Africa, Eastern Europe and Central Asia (EECA), Western Europe, Latin America and North America. CEDAW Committee Member Ms. Patricia Schulz also participated in the meeting.

The meeting identified key issues that IWRAW Asia Pacific and the sex worker rights networks should address:

- Enhancing the understanding of CEDAW and its framework for protection of rights of marginalized women, with specific focus on the language and approach to sex work under CEDAW
- Analysing the challenges and opportunities relating to advocacy on rights of sex workers, including a discussion on specific contexts such as in advocacy spaces related to HIV/AIDS and trafficking and in the context of civil society cross-movement mobilization for the rights of sex workers
- Analysing the existing regulation around sex work, the Swedish model and the New Zealand model, the existing contexts of sex work- organized and individual sex work, and the impact of legal frameworks on sex work
- Need for a mapping of rights of sex workers under CEDAW and review of the draft Framework on Rights of Sex Workers under CEDAW

Discussions at the EGM resulted in review and revision of the Framework of Rights for Women Sex Workers under CEDAW to reflect the contextual realities of women sex workers as well as the advocacy opportunities and challenges they envision in advocating for their rights under CEDAW. Building on outcomes of earlier meetings that aimed at expanding the language of rights of sex workers under CEDAW beyond the traditionally accepted parameters of Article 6 and Article 12 on issues related to sex work, the EGM undertook a full analysis of rights and state obligations under Articles 2 – 16 of CEDAW and the framing of sex workers' rights under each of these. Additionally, in discussion with the sex workers' rights groups present it was decided that the Framework would also have a section drafted by sex workers' rights groups themselves that contains their articulation of key approaches and terminologies related to sex work.

The **Regional Meeting on CEDAW Concluding Observations and Rights of Women Sex Workers and Women who Use Drugs** in November 2016 in Hungary was organized as a knowledge-sharing and strategizing platform for groups working on rights of sex workers and women who use drugs to exchange and share the successes and challenges of having engaged in CEDAW advocacy. Thirty (30) participants representing groups working to advance the rights of sex workers and women who use drugs from 10 countries in the CEE/CIS region, including Bosnia & Herzegovina, Georgia, Hungary, Macedonia, Kazakhstan, Kyrgyzstan, Lithuania, Russia, Tajikistan and Ukraine took part in the meeting.

Key results from these two activities include:

- *Strong interest and uptake by sex workers' rights groups in viewing the CEDAW advocacy space as critical to the enforcement of their rights and their increased participation in CEDAW review sessions.*

Accordingly, in 2016, sex workers' rights groups from Canada, Switzerland, Netherlands and Bangladesh participated in the CEDAW review session and groups from Ukraine, Ireland and Sri Lanka are expected to participate in the first session in 2017.

- *Cross-movement consensus building to identify common ground and lay the foundation for advocacy under the CEDAW framework*

Through partnership with the Global Network of Sex Work Projects (NSWP) and by strengthening collaboration with the Sex Workers Rights Advocacy Network (SWAN), IRAW Asia Pacific has facilitated inclusive participation of the sex workers' rights groups in influencing the practice of the CEDAW Committee.

As an organization that draws its mandate and strategic agenda from partners and national groups from across the world on a needs and requirements basis the EGM was a critical milestone in building a consensus based framework and agreed set of advocacy goals for formulation of programmes and strategies to broaden support for groups of women sex workers in implementing CEDAW. The EGM validated IRAW Asia Pacific's advocacy strategy on ensuring protection of rights of sex workers under CEDAW and provided an opportunity for groups working on sex workers' rights globally and regionally to come together with women's rights groups to articulate a vision for common advocacy goals.

Consensus based framework of rights is crucial for sustainability of advocacy strategies on issues relating to women sex workers. Additionally, the process of dialogue and exchange of perspectives allow for broadening actor-base across movements in support of advocacy for rights of women sex workers at national, regional and international standard setting processes.

On sharing and formulating strategies to ensure implementation of CEDAW Concluding Observations relating to rights of women sex workers and women who use drugs at the national level

The regional meeting provided a platform to the various groups engaged or planning to engage in CEDAW advocacy, including IRAW Asia Pacific to take stock of their strategies in this area. Discussions over the duration of the

regional meeting resulted in the participating groups sharing and learning from each other's best practices and formulating separate country action plans that set out three key actions to be undertaken to ensure implementation of CEDAW Concluding Observations in their respective countries.

At this meeting too, the expertise and experience of each participating NGO was emphasized as being critical to the achievement of the objectives of the meeting overall. Relying on the participants' expertise, the discussions were guided so that participants acted as change advocates as between themselves in identifying opportunities and challenges for conducting CEDAW advocacy. This approach was deliberately adopted, and its success can be assessed not only from the voluntary commitments made by each country group in taking forward CEDAW advocacy at the national level, but also from the fact that one of the most critical discussions that came about at the meeting focused on the need to address stigma against sex workers and women who use drugs, including addressing self-stigma.

Working to support the advancement of rights of marginalized groups, necessary entails the understanding that any and every advocacy strategy is premised on the groups' ownership of the strategy. Acknowledging this and demonstrating belief in the groups' ability to assess their situations for themselves and base their advocacy strategies on their realities is an important step towards trust building and ensures sustainability of advocacy strategies. The regional meeting was successful in enabling this.

ii. Rights of women with disabilities

Our strategy in support of specific marginalised women's groups has included supporting the advocacy of women with disabilities. Following a recent request from the disability rights networks including the International Disability Alliance and Handicap International to collaborate with IWRAW Asia Pacific, we participated at a strategic meeting with these networks.

Engaging with the People in and working with Disability Networks

In October 2016 IWRAW Asia Pacific participated in the International Conference on the Implementation of the Convention on the Rights of Persons with Disabilities (UN CRPD) and Women with Disabilities— One Decade after the UN CRPD and Going Forward. Discussions with women with disability groups drew several responses and ideas for potential collaborations including working together on litigation, capacity building and cross movement building as a priority for the women with disability rights groups. We also gave input on potential strategies moving forward and contributed to the problem assessment that helped with development of country and global strategies. We provided a mapping of complementary areas on which we could collaborate in the future. We shared ideas about the conceptual framework of CEDAW including specific areas of protection for women with disability under the CEDAW Committee's practice.

b. Strategies addressing critical and/or emerging issues (thematic areas)

i. Global response to Gender Based Violence Against Women (GBVAW)

Engaging with GBVAW networks to discuss common approaches and strategies

In December IWRAW Asia Pacific engaged with the International Network to Eliminate Violence against Women and Girls (INVEVAW) in a 4 day meeting where the network discussed the current global context and prioritization of issues related VAW, as a precursor to developing their global strategy.

The meeting provided a space for women's groups to analyse the factors that perpetuate GBVAW, from political, technological, social, economic, environmental, and intersectional perspectives. Political issues raised included the increasing shift of global politics towards conservatism and its impact on its women, particularly on minority groups. This paved the way to the discussion on the emergence of the 'surveillance state' globally, and its role in further

shrinking the democratic spaces of women's rights movement. Related to this, the rise of religious extremism and nationalism was also highlighted as key contributing factors in exacerbating VAW. The coupling of aid and trade departments in the western countries, and the lack of a gendered assessment of government trade policies were also discussed. The meeting highlighted the increasing role of technology as a medium to perpetuate violence, and also the opportunities it presents in women's rights advocacy. It was noted that the way in which VAW is translated into the virtual context, and the impact it has on women's human rights needs to be demystified in order for WROs to further understand the role of technology in facilitating VAW.

Patriarchy is still pervasive in most cultures where bodies of women are still viewed as sexual objects and a means of control. In the African context child marriage is still common, and anti-homosexuality laws can be found in many states. The impact of colonialization and religion on women's human rights was highlighted, including land grabbing, acquisition of resources and denial of healthcare for indigenous women in the Pacific islands. The role of young women in addressing VAW was also explored, leading to a conversation on the disconnect between 'older' feminist activists and young feminists. The economic factors exacerbating VAW that were highlighted included the shifting role of state in acting in the interest of the private sector (plutocracy), the instrumentalisation of women human rights issues, and exploitation of resources by governments. The need for an intersectional approach in addressing VAW was stressed, and the issue of 'elite capture' within the feminist movement was explored.

The former UN Special Rapporteur on VAW and its causes and consequences presented the findings of her 2014 report to the UN Security Council on the main challenges in addressing VAW globally. They included: the shift of the state to a 'gender neutral' approach, the continuing dichotomy of public and private, the failure of state to act with due diligence, lack of transformative remedies, austerity measures, the shift of focus to men and boys, instrumentalisation of women, stereotype of masculinity and the lack of an international legally binding instrument. Particular attention was given to the issue of the 'normative gap' within international law to address VAW. CEDAW recommendations were perceived to be soft law instruments and the Committee was said to be silent on legality. CEDAW's approach to VAW was viewed as problematic because it 'forces victims to jump through two hoops by first requiring the victim to establish discrimination, and then violence.'

IWRAW Asia Pacific contributed to the discussion on priority areas for the work of the network which were narrowed down to: accountability, conceptual & ideological change, transformative change at the level of the state and economy, movement building, media and ICT.

Developing a Global Response on Combatting Violence Against Women

In December 2016, IWRAW Asia Pacific held a Strategic Consultation on Developing a Global Response on Combatting Violence Against Women that brought together women's rights groups and networks, experts and practitioners from various regions as well as representatives from UN agencies. The Consultation discussed the contextual challenges in addressing GBVAW globally and unpacked the current divergent discourses surrounding VAW globally and in this light, identified strategies to holistically respond to it. This included the consideration of the previous UN Special Rapporteur's report to the UN General Assembly analysis in 2014, in relation to the existence of a 'normative gap' in International Law, and the need for global instrument on violence against women specifically.

The meeting was helpful in informing IWRAW's global advocacy strategy on VAW as it provided clarity on the socio political context for GBVAW advocacy. It also gave an opportunity for WROs to look at different arguments that are currently being used to advocate for the creation of a new treaty, and provided insight into the thoughts of national WROs in relation to the 'normative gap' and creation of an international treaty.

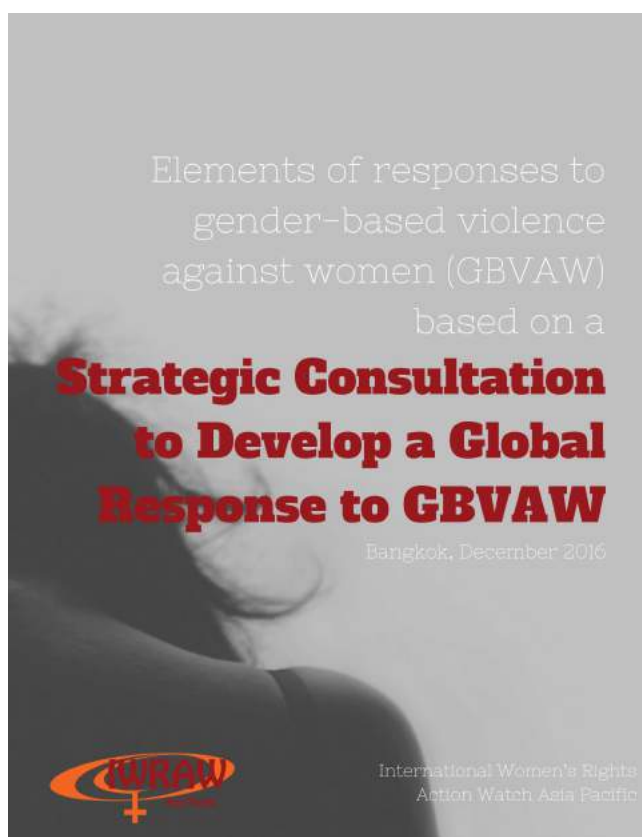
Some of the substantive learnings and highlights of the meeting included:

- Realisation that the problem that remains is not the lack of an international normative framework, but rather *the lack of implementation of the normative framework at the national level*.
- Continuation of gender neutrality as an issue, and awareness of a strong lobby of men coming up, especially fathers that use children to push back on women's rights.
- Understanding that the erosion of democracy meant a strong lack of trust of institutions at all levels: women are tired of reporting and of not having institutional support
- Recognition that International law is often detached from the realities of movements and women on the ground.
- Agreeing that there is a need to build on the gains that have been made by the women's movement so far. The development of international instruments in addressing GBVAW over the last 25 years highlighted the importance of strengthening the international human rights standards, rather than watering them down. Several options were considered, including the creation of a treaty.
- With regards to the creation of a global instrument, there were concerns about the appropriate form, content and role of the instrument, and its ability to address the implementation gaps and contextual challenges. If the instrument were to be based on manifestations of violence, it could run the risk of taking violence out of the matrix of discrimination and inequality that underpins VAW, making it difficult to operationalize a comprehensive response to VAW.
- The need to frame the response to GBVAW as part of political question of WHR activism, and to rethink how to mobilize our outrage and energy.
- Our work on strengthening the norms on VAW at domestic level should include creating awareness of GBVAW laws in society which would also require addressing how tools/language around cultural rights can be used to shape the norms around VAW.
- Broadening the space for VAW advocacy: using the SDGs as a platform to comply with international human rights obligation to address GBVAW and strengthening the work of existing structures such as Cultural rights rapporteur/ VAW rapporteur / WG on Discrimination in Law and Practice, CEDAW and new Gr19, and other

mechanism on VAW. It is also important to frame our responses so that they address the rights contexts of the most marginalized women and enable their meaningful inclusion of their voices/ activism.

○ **Creating resources on current global issues on GBVAW**

The following resources on current global issues on GBVAW were developed in 2016



1. [Elements of Responses to Gender Based Violence Against Women, based on a "Strategic Consultation to Develop a Global Response to GBVAW" Bangkok, December 2016](#)
2. A Report on the Strategic Consultation to Develop a Global Response to GBVAW, Bangkok, December 2016
3. [Submission of Comments and Suggestions by IWRAP Asia Pacific to the draft update on the CEDAW Committee's General Recommendation No 19 on Violence Against Women made to the CEDAW Committee](#)
4. [Response to the Call of the Special](#)

[Rapporteur on Violence against Women for submissions on the adequacy of the international legal framework](#) (a collation of responses from our partners)

ii. Strategy on Sustainable Development Goals (SDGs) and accountability for gender equality

IWRAW Asia Pacific's engagement with Agenda 2030 and the Sustainable Development Goals began in 2012 and focused on the need to ensure that these global development frameworks will be based on a gender equality and human rights approach and that they could be linked to a stronger accountability mechanism for gender equality. Following the finalisation of the SDG framework and processes our strategy throughout 2016 has been to analyse its structural and normative gaps, and to inform women's rights organisations so they can actively engage in addressing these challenges.

○ *Creating an alternative space (The Inaugural Global South Women's Forum on Sustainable Development)*

To ensure gender equality is prioritized and localized in the SDGs, meaningful, reciprocal communication channels must be forged to facilitate vital exchange between local and global on current information on the progress on gender equality worldwide. Such a structure can create coherence between the SDGs, human rights treaties and civil society on gender equality. Structures can also create barriers. So our strategy has been to facilitate a space for women in the south that is both living and growing; that is organic, dynamic and symbiotic with other existing processes.

The first of these spaces was an 'alternative' forum that linked local experiences to global processes, and was held in Cambodia in September 2016. The forum mobilised women's rights groups to develop strategic links and



collaborative approaches for advancing gender equality through the SDGs and human rights processes, for reinforcing accountability and ensuring a strong focus on demonstrating results for gender equality. At the forum we agreed an outline for an annual outcome document that reflects inputs at the Forum. Encouraging WROs to examine the bigger picture and the neo liberal politics that drives it, and to use that analysis to get into specific issues and context, stimulated

participants to have a more political engagement with the SDGs. Seeing how gender equality cuts through the 3 Pillars of Sustainable Development (economic growth, social inclusion and environmental protection) was extremely powerful and rich, and achieved the purpose of generating a sense of ownership of the process of setting up the Forum. A second forum in the African region was planned for 2017.

Sharing strategic information and knowledge on SDGs

To deepen our understanding on the SDGs, we conducted a survey with women's rights groups about how they would like to engage with the sustainable development agenda. This formed the basis for a participative approach to developing the Forum as an alternative space for discussing and strategizing on WHR linked to the SDG framework and processes at the global, regional and country level.

A critical assessment of the SDG framework ([Position Paper on SDGs and the Development Agenda](#)) and its limitations and gaps was shared with WROs to drive further engagement with the SDG process.

In 2016 women's rights groups participating in the Forum worked together to [deliver a position paper on the SDGs](#) – The Declaration of the Inaugural Global South Women's Forum on Sustainable Development.

The development of a *Shadow Report Guideline on women's human rights priorities* using CEDAW was initiated in 2016 and will be completed in 2017. This technical resource is for women's organizations to navigate between the SDGs and human rights treaties with the purpose of holding state and non-state actors accountable to women's human rights.

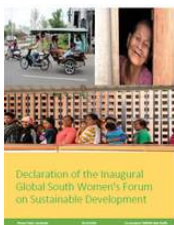
Influencing SDG processes to strengthen accountability for gender equality

IWRAW Asia Pacific participated in the Asia Development Alliance (ADA) and Asia Democracy Network (ADN) meeting, **Asian Civil Society Forum on SDGs 16** (ACSF on SDG 16) in August 2016. This meeting facilitated our engagement with the wider CSO community focused on using the SDGs Goal 16 as an entry point to strengthen country level institutional capacity and knowledge to deliver on development outcomes with a human rights based approach. Our contribution was a presentation on CEDAW as a mechanism for gender equality accountability, which needs to be linked to the SDG process.

In May 2016 IWRAW Asia Pacific participated in **Starting Strong: First 1000 Days of SDGs** by [Southern Voice](#). This was part of a series of three regional dialogues meant to support the development of platforms for monitoring SDG implementation. Our participation in this meeting of global south development actors was to input into the discussion the potential of CEDAW compliance through SDG processes at national regional and international level. We showed how the linkages between international human rights mechanisms such as CEDAW and the SDG process could be strengthened and highlighted the critical need for this.

By participating in the processes of different development actors, we learned that:

- There is agreement that the development agenda has only superficially looked at issue of gender equality and discrimination as a guiding factor to designing the goals and indicators. SDGs need to be strengthened progressively to ensure focus on gender equality and to use the human rights framework to ensure a balance between the functional/instrumental aspects of development outcomes and Human Rights outcomes.
- Institutions approach to SDG monitoring especially on gender equality is necessary since a major component of SDG implementation will be sourced domestically. Thus there should be more impetus for domestic monitoring of SDG goals - but NHRIs, Gender machinery and other state institutions other than economic planning directly responsible for SDGs will require capacity building and linking to international regional and national discourse and strategies for SDG monitoring using a HR approach



iii. Women's Economic Social and Cultural Rights

Networking and movement building with ESC rights networks to strengthen approaches on women's ESC rights

ESCR-Net

IWRAW Asia Pacific participated in the Global Strategy Meeting of ESCR-Net from in November in Buenos Aires, Argentina. The Global Strategy Meeting brought together over 100 social movements, civil society organizations and advocates from more than 40 countries to confront global systems that perpetuate inequality, impoverishment and dispossession, explore alternatives that ensure collective well-being and build a global movement to make human rights and social justice a reality for all.

We contributed to the collective discussions and decisions. As one of the few WRO in the network we were able to influence the network to integrate a feminist analysis into all its working groups and thematic areas of work.

At the meeting we also committed to several areas of collaboration with the ESCR Network, including participating in the Working Group on WESCR, participating in the NGO Coalition on OP ICESCR, updates to the Litigation Manual and Joint Shadow Report Guidelines. The network was also a space for us to learn from different models of building support and solidarity with women's rights activists. Their System of Solidarity is a model for our own strategies for supporting women's human rights defenders at risk.

AWID Forum 2016: Session on Natural Resource Exploitation and Women's Rights

IWRAW Asia Pacific organised a session on Natural Resource Exploitation and Women's Rights at AWID's flagship event, the AWID Forum 2016 in Brazil, in collaboration with Women's Legal and Human Rights Bureau in the Philippines. The session was chaired by IWRAW Asia Pacific's chairperson Lesley Ann Foster, and panellists included Chang Jordan from Philippines collaborator, and Shanti Upirety and Sanyu Awori from IWRAW Asia Pacific. The event attracted about 20-30 participants. While the panellists' presentations focused largely on the ASEAN region, the aim of the discussion as well as the questions raised on the 'sticky wall' looked for broader answers to the following three questions:

- What are the priority issues for natural resources and women's human rights in your country/region?
- How are other regional human rights mechanisms working on these issues?
- How are women's groups/movements organising especially given the challenges of working on these issues?

The group identified several priority issues: the lack of consultation of women and also their limited access to information on contracts and development processes; the violence against women, especially targeted violence against women human rights defenders, and the militarised response by the State to women's resistance to mining in some countries; the erosion of land sovereignty, problems of land tenure, the dumping of toxic waste and fracking; the cycles of displacement, and the impact on water and food security; problems with trade agreements such as the Trans Pacific Partnership and the need to use treaty body processes such as CEDAW and ICESCR to pressure states to address human rights violations in natural resource exploitation.

Some examples of how other regional mechanisms were working on these issues included an example of a Communication on violence against women and mining brought by the Native Women's Association of Canada to the Inter-American Commission on Human Rights; the work of the Council for Trade and Economic Development in Caricom (the Caribbean Community) and the inclusion of Marikana voices in shadow reports by South African civil society to the treaty bodies. The group also spoke about women in Cambodia who were leading protests against land grabbing and forced evictions, and the CSO networks working on documentation of women's voices and strategies.

Focus on women's economic rights through the Women's Economic Rights Empowerment and Leadership Project (WEL) in collaboration with SEA partners.

The WEL project is being implemented together with national partners in selected ASEAN countries Oxfam and supported by the Australia Department of Foreign Affairs and Trade. The purpose of the project is to:

- Strengthen the capacity of women and WROs in ASEAN to develop their analysis of the impact of ASEAN on women in the formal and informal economy;
- Challenge discriminatory laws and practices against women in ASEAN and to advocate for progressive laws and socio-economic policies and programmes which promote women's human rights, women's economic leadership and empowerment in the informal and formal sectors of the ASEAN economy and
- Strengthen WROs network and mobilisation for advocacy with their state and with ASEAN.

Built capacity of partners on women's economic rights issues and framework

Around 134 WRO representatives (22 from the Philippines; 35 from Thailand; 27 from Cambodia 20 from Laos; and 30 from Myanmar²) from national to provincial/district level attended trainings in five countries. The knowledge resources developed in the initial phase of the project implementation and the country level trainings supported the WROs capacity to build their strategies on the priority issues. Training participants were interested in the topics selected and methods applied in national trainings as these topics are related to the current context of ASEAN. After the national trainings most participants said that their knowledge on CEDAW particularly on women's economic rights and ASEAN had improved. Site/field visits were also organized during the training in some countries (Thailand, Philippines, and Cambodia) with the objective of enhancing practical understanding about the areas that were covered by the training. Some countries are also planning to have follow up meetings with the training participants to discuss the progress of their advocacy. In Cambodia, the [training activities and some of its objectives were featured by a TV channel-Cambodia News Channel](#)

National trainings in Myanmar on ASEAN integration, CEDAW and Myanmar's Concluding Observations in October/ November 2016 deepened the knowledge and capacity of WROs in the country on the CEDAW process, framework and recommendations. The training in October was a follow-up training on women's economic rights that aimed to strengthen the knowledge and capacity of WROs in Myanmar on economic rights, the ASEAN Economic Community, CEDAW and Concluding Observation of CEDAW 2016. There were 30 participants in this training. The second meeting in November focused exclusively on the CEDAW Concluding Observations and deepened the understanding of WROs on CEDAW and the Concluding Observations 2016 so they could draw up a Monitoring Plan on the implementation of CEDAW Concluding Observations. There were 25 participants at this meeting. The training enabled participants to shift their understanding of economic rights and empowerment from a welfare approach to income generation and to understand women's economic rights from a rights-based substantive equality approach.

The national training workshop in Laos held in October 2016, was implemented in partnership with the government and focused on strengthening the knowledge of WROs and civil society on ASEAN economic integration, labour migration, human trafficking and gender equality. The objective of the training was to strengthen the capacity of WROs to apply this knowledge in their work and program as well as build the capacity to exchange information and experiences of shaping recommendations to government stakeholders. There were 61 participants, 39 of which were women from across 8 provinces.

IWRAW Asia Pacific's partners on the WEL project were part of the [CSO groups in Philippines who, in early 2016 issued their outcome statement](#) on the post 2015 economic integration of ASEAN and included several key

issues of women's economic rights. Their outcome statement represents a strong CSO common position on several women's economic rights issues. They include:



Paragraph 14: ASEAN must have women's human rights agenda in the event that globalization and neoliberal policies continue to aggravate inequality and disparity between the rich and poor countries. ASEAN should be able to protect women from all forms of – whether direct and indirect – discrimination and human rights violations. Clear and sound human rights guidelines that adhere to international human rights standards must

² The national training in Vietnam will be held in end of April (25-28 April 2017).

be in place while ASEAN ventures into market-oriented development schemes and agreements.

Paragraph 15: ASEAN member-states should strive to create jobs and support local economies as a way to address poverty that pushed many women to find work away from their country, community, and family. States should also be able to maximize the gains of migration and minimize the pains or costs of migration through genuine community development which includes policies and programs for women.

Regional convenings on the selected priority issues of women's economic rights in ASEAN: the rights of migrant workers, gender and value chains and natural resource governance.

In 2016 we collaborated with partners to hold 2 regional dialogues. The third will be held in 2017.

The **Regional Dialogue on Women Migrant Workers in ASEAN** was organised by IWRAW Asia Pacific and the Foundation for Women in Bangkok, Thailand in December 2016. Fifty nine women (mainly) and men from the region participated, including the national partners from six countries, women's rights organisations (WROs), regional civil society and trade union networks, migrant workers' networks, private sector, representatives from ASEAN human rights mechanisms, State representatives and UN CEDAW Committee members. The dialogue examined the disproportionate impact of the ASEAN economic integration on the rights of women migrant workers. The discussions greatly benefited from the diverse experiences and perspectives of the participants, in particular the testimonies from women migrant workers from Thailand and Myanmar that helped provide a deeper understanding of the severity of the problem and the real challenges that women migrant workers are facing in this region. The discussion also examined how ASEAN's economic integration disproportionately impacts women migrant workers and how the lack of cohesion in ASEAN pillars further exacerbates such impact.

ASEAN is a complex mix of cultures and diversities and many migrants move between countries creating multiple conflicts of interest for destination and origin countries. The vast majority of women migrant workers are undocumented and therefore subject to legal action, since existing regional and domestic legislation and mechanisms deal almost entirely with documented workers. The absence of a legal status means that women migrant workers cannot enjoy their human rights, especially the right to safe migration and employment. The issues of women migrant workers are complex and multi-layered, and require an equally multi-layered intersectional response.

In terms of results, the meeting consolidated key areas of concern for women migrant workers in the ASEAN context and provided human rights compliant recommendations targeted to specific actors accountable to uphold the rights of women migrant workers. These concerns are a basis for further advocacy and action at both national and regional level, especially because of the cross border character of the context of women migrant workers.

Another output from the meeting was an Outcome Document that will be used to support the women's and migrant rights movement in ASEAN. The dialogue also provided a space to engage with State, ASEAN institutions and private sector actors to strengthen understanding on State Obligation and due diligence to uphold the rights of women migrant workers. Participants were able to advocate to State agencies, particularly representatives from the labour ministry and national human rights institutions and emphasize the priority issues and concerns for women migrant workers.

Critical issues for future advocacy were synthesized into eight key areas:

1. Care and domestic work (equal pay for work of equal value)
2. Lack of access to justice for documented and undocumented women migrant workers; health; sexual and reproductive rights; information; social protection; formal sector
3. Families and children of women migrant workers (including pregnancy, marriage, migration, stateless children)
4. Lack of data (disaggregation for women migrant workers)
5. Violence against women (sexual violence and harassment)

6. Extra territorial Obligations (transboundary issues; cross-border access to justice)
7. Representation of women migrant workers
8. Need to engage on Legal frameworks

Regional Dialogue on Multinationals, Gender and the Value Chain was held in June 2016. The context for the dialogue was a global economy, increasingly structured around global value chains, with multinational and transnational corporations at the centre of these operations. In fact, global value chains coordinated by transnational corporations are reported to account for 80% of global trade. Multinational corporations face competitive pressures to produce more for less within shorter periods of time, with informal and flexible work arrangements as the norm in export-driven sectors controlled by global value chains.

The meeting was attended by over 30 participants, mainly from the ASEAN region and provided an opportunity for WROs to interrogate how to influence competitive advantage perspectives of businesses which often becomes prioritised over the implementation of human rights and labour standards. This is particularly evident when we examine women's human rights and where women are located in global value chains. This has had clear implications for the type of work opportunities available to women.

The meeting also explored how international human rights instruments and standards can be used to address the gaps in women's rights within the context of global value chains and explore how to address the accountability of the State and corporations to ensure the protection and promotion of women's human rights. Some of the outputs from this meeting included:

- A unique opportunity to workshop and consider what are the women's human rights issues within value chains within ASEAN contexts, something that has not been done in other fora.
- Opportunities for greater connectivity and collaboration between CSOs at the national, and regional and international level, to address state and corporate accountability through the different dimension of the value chain. E.g. Greater connection on UPR processes, treaty body processes, connecting local CSO efforts with regional and global CSO campaigns (e.g Oxfam, trade unions, Asia Floor Campaign etc.)
- Opportunities for greater connectivity and collaboration between different CSO groups e.g women's rights groups, trade unions, business and human rights groups, academics, regional and international CSO etc.

Knowledge resources on women's economic rights

We added to the base of knowledge resources on Women's economic rights, leadership and empowerment focused on the ASEAN context

- Developed and disseminated the [Framework on Women's Economic Rights](#). This has been translated into national languages in Myanmar, Thailand, Laos, Vietnam and Cambodia and widely disseminated to partners and other stakeholders in six countries.
- Development of Training Materials on Women's Economic Rights The materials are presented in four sections that cover – CEDAW and CESC: Setting the Standard for Women's Rights, ASEAN, Women's Economic Rights- Three Thematic Areas and Advocacy
- The research paper on women migrant workers' rights titled: "The Missing Women: Implications of the ASEAN integration on women migrant workers' rights"- commissioned by the Women's Legal and Human Rights Bureau and IWRAW Asia Pacific was published and widely disseminated, including at the Dialogue on Women Migrant workers, described above
- A study on the rights of foreign migrant women domestic workers in Thailand was published by the national partner in Thailand in the Thai language and shared with civil society, government and ASEAN stakeholders in the country.
- The advocacy brief on natural resources and women's rights that was published by GADC in Khmer and shared widely with civil society, government and private sector stakeholders in the country.

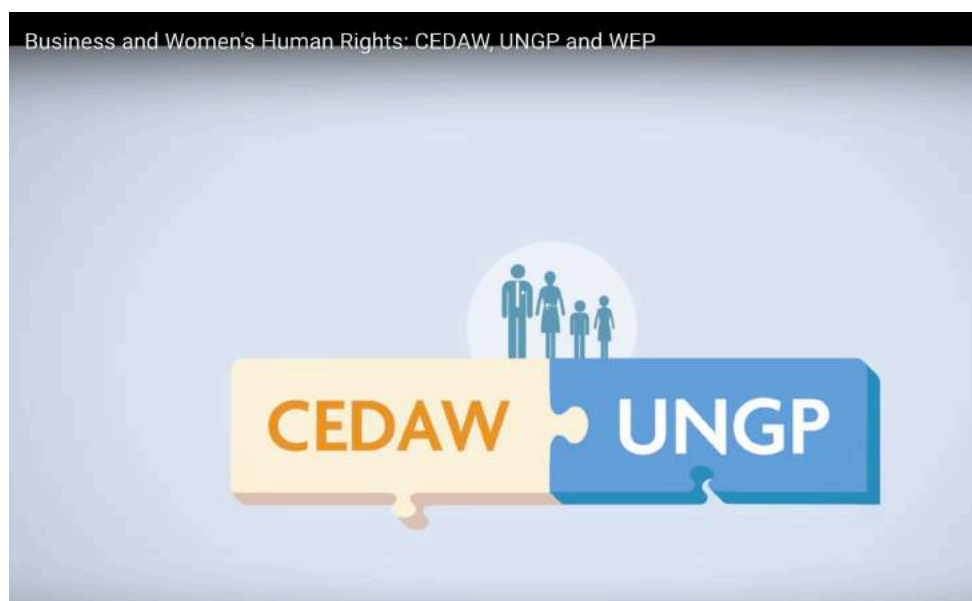
Advocacy on women's economic rights at regional forums

IWRAW Asia Pacific organised a side event "The Missing Women: Implications of ASEAN Integration to Women Migrant Workers' Rights" with partners from Vietnam, Thailand and the Philippines during the ASEAN People's Forum 2016. The event raised the cross border issues of women migrant workers in Thailand, Vietnam and the Philippines. The meeting called for an immediate adoption of the ASEAN Framework on the protection of rights and welfare of migrant workers and other regulatory frameworks. Partners from Vietnam, Thailand and Philippines were the speakers of the event and partners from Laos and Cambodia also extended their support by attending the event.

c. Enhanced access to tools and resources on CEDAW

i Development of resources on Women's ESC rights (linked to Women's Economic Leadership Project)

- Videos on specific issues related to women's economic rights and available frameworks available on **IWRAW Asia Pacific's** [Youtube channel](#)
 - o Business and Women's Human Rights: CEDAW, UNGP and WEP
 - o Business and Women's Human Rights: Women Migrant Workers
 - o Business and Women's Human Rights: Women in the Value Chain
 - o Business and Women's Human Rights: Natural Resource Governance
 - o Business and Women's Human Rights: Natural Resources & Intl Standards



iii. Online portal on CEDAW

In 2016 IWRAW Asia Pacific began discussions with researchers at the University of New Mexico to develop an online portal for deploying our training resources. This will enable us to share our training resources on CEDAW and women's human rights with a wider audience and enable us to continuously support capacity building on CEDAW and followup with activists who use our resources, while reducing our financial costs and environmental footprint by reducing the amount of face-to-face trainings we would need to hold. The initial training course is focused on lawyers training course materials. Please refer to the description in the section above.

iv. **CEDAW Compliance Framework (CCF) Toolkit**



A toolkit was completed and shared in mid 2016 to disseminate and share information about the CCF and to share the learnings from the project. This toolkit provides activists with an interesting toolkit for law and policy analysis using CEDAW as the primary interpretive lens, de-mystifies the notion that only those with a legal background can be involved in law and policy analysis, and attempts to showcase the interconnectedness of different laws/policies and its impact on the advancement of women's human rights.

v. **Guidelines on using General Recommendation 30 of CEDAW to strengthen advocacy on rights of women in conflict/post-conflict**

In 2016 we were able to develop a guideline on GR30 to support women's rights groups to use the CEDAW process to strengthen accountability for WHR in context of conflict and post conflict. This guideline will be shared with our partners in 2017.

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

a. **Advocacy at the Commission on the Status of Women (CSW60)**

A member of the programme team Sanyu Awori, and a Board Member, Shanthi Dairiam, participated in the CSW60 in New York in March. IWRAP Asia Pacific organised a parallel event on *Implementing the 2030 Agenda for Sustainable Development: moving from commitments to results*. Sanyu Awori participated in an event on Women human rights defenders and feminist organisations organised by CIVICUS, and Shanthi Dairiam also participated in an event entitled *Achieving Gender Parity in International Representation*, organised by CEJIL/GQual Campaign. Board Members, AMal Hadi and Lesley Ann Foster, were also in New York.

Implementing the 2030 Agenda for Sustainable Development: moving from commitments to results

This event was organised to inform our approach to our work on the SDGs and the 2030 Agenda, and followed a similar initiative that took place alongside the UNGA session in September 2015 when the 2030 Agenda for Sustainable Development was formally adopted by the UN Member states. The objectives were to:

1. To discuss and identify the frameworks and processes to develop indicators that ensure gender equality and women's human rights cuts across the implementation of the 2030 agenda for sustainable development

2. To discuss strategies for ensuring the accountability of governments to translate commitments to results, through the use of CEDAW and other human rights and treaty body mechanisms.
3. To develop tentative plans and next steps for setting up women's human rights monitoring networks at national level with the aim of engaging effectively with the implementation of the SDGs.

Shanthi Dairiam, and Bianca Pomeranzi, then a sitting member of the CEDAW Committee, were the panellists. The panel was facilitated by Lesley Ann Foster.

Some interesting points in the discussion included questions about the possibility of a CEDAW General Recommendation on the SDGs; the role of the private sector; issues of extra-territorial obligations; the challenges of trade agreements such as the TPP; state funded militarism; actions of fundamentalist groups; the shrinking CSO space and the reprioritize funding to boost civil society, the need to energise and inform WROs, and encourage mass mobilization of women's groups so that they become a political force presenting a feminist vision, and integrate SDGs into our ongoing work.

b. Advocacy with regional mechanisms

i. Impacting ASEAN, its mechanisms and related Civil society processes

- **Regional Consultation on ASEAN and Human Rights**

Participation in the **9th Regional Consultation on ASEAN and Human Rights** "Strengthening Human Rights Protection through CSOs Participation in the ASEAN Human Rights Mechanism", organized by Solidarity for Asian People's Advocacy (SAPA) and lead by FORUM-ASIA, in September 2016 in Jakarta, Indonesia allowed us to engage with a range of civil society organizations (CSOs) from the ASEAN countries and representatives from the ASEAN Intergovernmental Commission on Human Rights (AICHR) and ASEAN Commission for the Promotion and Protection of the Rights of Women and Children (ACWC). The consultation provided an opportunity for critical assessment of the progress and gaps in engaging with the ASEAN human rights mechanisms, specifically AICHR and ACWC to the participating CSOs as well as identifying means of improving engagement. The main recommendations emanating from the discussions were the importance of clearly streamlining and institutionalizing the CSO engagement process by the AICHR, increasing the number of CSOs with consultative status with the AICHR, greater coordination between AICHR and ACWC vis-à-vis CSO engagement and increased efforts by CSOs to engage with their national representatives to the AICHR and ACWC. The discussion concluded with a general consensus that CSO engagement with ASEAN human rights mechanisms, especially to ground the human rights agenda of the ASEAN, and the CSO processes in implementing state's obligations to address gender equality and women's human rights should continue despite the many challenges.

IWRAW-Asia Pacific also participated in the regional consultation with the strategic advocacy objective of engaging with regional standard setting institutions, and specifically to identify opportunities for furthering advocacy on the ASEAN RPA on ERAW and the OP ICESCR ratification campaign. In this meeting we met with partners in Timor Leste to plan for the consultation on OPICESCR.

- **ASEAN Peoples' Forum**

In August 2016, IWRAW Asia Pacific along with the OP-ICESCR NGO Coalition, Forum Asia, ALfeLA (Timor Leste), WAO and the ASEAN Women's Caucus organized a two-hour thematic workshop during the ASEAN Peoples' Forum. One of the main objectives was to highlight how the international human rights framework could lend positive standards and mechanisms for redressing violations of peoples' rights in ASEAN, especially through ICESCR and OP-ICESCR. The workshop raised awareness among CSOs of state obligations through ICESCR and the value of OP-ICESCR ratification, and presented possible strategies for advocating for OP-ICESCR ratification. It also was the opportunity for CSO groups to agree on a signature campaign, officially endorsed by APF 2016 calling on ASEAN governments to ratify both ICESCR and its Optional Protocol.

c. Advocacy with UN human rights bodies

- i. Substantive inputs into processes of CEDAW in evolving the applicability of the Convention to emerging issues of WHR
 - In 2016 IRAW Asia Pacific provided [substantive feedback](#) to the Draft update of General Recommendation No. 19 on Violence Against Women by Committee on the Elimination of All Forms of Discrimination against Women.
- ii. Substantive inputs into processes of UN Special Procedures
 - We provided inputs to the Special Rapporteur on VAW's call to [provide our analysis](#) of the need for an international treaty to address VAW.
- iii. UN Forum on Business and Human Rights
 - In 2016 we also engaged with the Un Forum on Business and Human Rights in order to impact their agenda and substantive framework to address and prioritise gender equality obligations of UN member states . See below for details.

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

a. Engagement with other stakeholders in private sector responsible for women's human rights

This strategy has several elements: one of the key elements is to strengthen the framework for addressing corporate accountability for women's human rights, supporting women's rights organisations to monitor and develop strategies to influence policies on corporate accountability for WHR and to strategise on specific thematic areas of women's human rights impacted by the private sector.

i. Engaging the UN Forum on Business and Human Rights

In November 2016, IRAW Asia Pacific attended the annual UN Forum on Business and Human Rights that was held in Geneva, Switzerland. The UN Forum is the world's largest annual gathering on business and human rights and had over 2,500 participants from government, business, community groups and civil society, law firms, investor organisations, UN bodies, NHRIs, trade unions, academia and the media. The Forum was established by the UN Human Rights Council, under paragraph 12 of its resolution 17/4, to serve as a key global platform for stakeholders to "discuss trends and challenges in the implementation of the Guiding Principles and promote dialogue and cooperation on issues linked to business and human rights." It is guided by the Working Group on Business and Human Rights. IRAW Asia Pacific engages with the Working Group to influence its agenda to address women's human rights and link its processes to the treaty body process for gender equality accountability of member states and responsibility of private sector. Sanyu Awori, representing IRAW Asia Pacific, spoke at a session called: "Embedding gender in the business and human rights agenda" where she elaborated the gendered dimensions of value chains and examined their impact on women's human rights.

Discussions at the forum on state leadership and leverage, focused on the need for Governments to step up their efforts to protect human rights and lead by example in their own business-related operations. The sessions unpacked the dual concepts of leadership and leverage across the company value chain and in business relationships with various stakeholders, and looked at the role of financial institutions, and how human rights intersect with capital markets and explore the responsibility of financiers to drive respect.

ii. Meeting on Women's Human Rights and Corporate Accountability

It is important to strengthen the understanding of corporate abuses of human rights in general, and women's rights in particular, because the multidimensional impact of corporate power on the lived realities of women, and the lack

of robust frameworks to hold corporations accountable for their actions, put the protection of women's human rights in jeopardy. IWRAW Asia Pacific convened a global meeting in December 2016 in Kuala Lumpur, Malaysia on women's human rights and corporate accountability.

The meeting brought together diverse stakeholders from women's rights organisations, civil society organisations and networks, UN experts and academia to deliberate how to infuse women's human rights into strategies on corporate accountability. Two CEDAW Committee members attended the meeting. The convening provided an opportunity to identify entry points for engagement on women's human rights in the discourse on corporate accountability and explored ways to strengthen collaboration and impact. Cases on the impact of corporate capture connected the issues of collusion between the State and corporate actors, violations of labour rights, poor working conditions, weak enforcement of safeguards, State Obligation, the role of trade unions and the lived realities of women workers were also identified as knowledge tools and shared.

BROADER IMPACT OF CEDAW AND OUR WORK

Some of the direct impact of our strategies and activities have already been highlighted in the above section of the report. Here we highlight higher level changes in the environment.

Linking the activism of women's groups to impact global human rights processes including CEDAW

Throughout 2016 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 human rights framework generally, and CEDAW in particular, for driving policy change. The programme builds the 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. NGO information provides the CEDAW Committee with alternative and supplemental sources of information which they may not have access to. It also supports the ability of the CEDAW Committee to critically assess state compliance by a balanced and differential analysis of issues, viewpoints and achievements.

The priority issues raised by the CEDAW Committee in the constructive dialogues with the states, and the Committee's Concluding Observations show a continued focus on identifying and amending discriminatory laws and policies. The practice of the Committee has been to address structural gaps as well as past discrimination and to strengthen the states capacity to implement its obligations. The Committee has been informed by the perspectives and information from women's rights organisations. The dialogue and the concluding observations are the basis for developing national action plans for monitoring by NGOs and other stakeholders, and also the basis for creating work plans or engagement strategies with state actors for prioritizing specific action points.

The focus areas of state obligation included as priorities by the CEDAW Committee have included:

- a. Identifying gaps in originating instruments (constitutions)
- b. Identifying conflicting provisions to be resolved to ensure applicability and visibility of CEDAW
- c. Identifying discriminatory laws and policies that need to be removed
- d. Promoting Gender Equality Legislation as a means for domesticating CEDAW norms
- e. Identifying intersectional discrimination, emerging issues and new forms of violations
- f. Focused recommendations to the states on women's access to justice, to enable realization of rights under CEDAW through national court systems.
- g. Focused recommendations to states on addressing harmful practices and violence against women as a central pillar in eradicating discrimination against women.
- h. Focus on rights fulfillment (using the RFP framework for state obligation) as well as negative obligations
- i. Due diligence in addressing violence against women
- j. Conflicts of law, and the challenges of plural legal systems
- k. Functioning mechanisms for implementation and accountability
- l. Harmful practices and Violence Against Women as a critical priority of state obligations
- m. Ways to accelerate and protect women's human rights through temporary special measures and special measures
- n. Results oriented compliance – monitoring, data, evidence based policies
- o. Gender responsive and compliant Budgets; Austerity
- p. Refugees, stateless and migrants, rights of "non-citizens"
- q. Right to Safe abortion in four instances

Bringing marginalised issues to the fore

1. Prioritising participation of marginalised groups

The prioritisation of support to marginalised women's groups in the CEDAW process has had the impact of bringing their issues into the forefront of the constructive dialogue between the CEDAW Committee and the states, paving the way for them to advocate for their rights at the national level. The CEDAW Committee continues to adopt an intersectional approach to the issue of discrimination and has unearthed the hidden challenges of the groups of invisibilised women, invisible to law and policy due to systemic and cultural discrimination. Facilitating the participation of marginalized women alongside other women's rights activists in the CEDAW Review process enabled this process to have positive outcomes. In Mongolia for example, difficult issues such as that of LBT rights, have been included in the dialogue and recommendations of the Committee as a result of this process.

Our support to sex worker rights organizations, as representatives of a marginalized group of women, has had an important impact in three areas. It has created space for the CEDAW Committee to consider its approach to the rights of sex workers; it has generated strong interest among sex workers' rights groups to consider the CEDAW advocacy space as critical to the enforcement of their rights. Sex worker groups from Canada, Switzerland, Netherlands and Bangladesh participated in the 2016 CEDAW review sessions and groups from Ukraine, Ireland and Sri Lanka are expected to participate in the first session in 2017. It has increased the substantive language for addressing the rights of sex workers in the CEDAW Concluding Observations. With greater articulation and engagement, the substantive language around the rights of sex workers can move away from the protectionist and instrumental policies that diminish their agency and voice, and evolve into a more comprehensive approach.

Impacting on domestic law and policy reform

The ground impact of the activism on women's human rights can be observed in changes in the law and policy environment at a national. Below are some examples from what we have learned through monitoring and following up on NGOs that attended our From Global to Local programmes in the past, and who engaged with the CEDAW Committee and made recommendations which the state later implemented.

1. Harmonising legal environment for CEDAW Compliance

In the **Malaysia review in 2006**, the Committee addressed the need for Malaysia's legal framework to be aligned with its obligations under CEDAW and in late 2016, discussions were held on drafting a gender equality law to implement this legal framework.

Nigeria's bill to incorporate CEDAW into the domestic legal framework was in its second reading in Parliament in 2016. The bill has specific elements to ensure girls' access to education, freedom for women to participate in any economic activity and their right to freedom from sexual abuse, and violence in public and domestic spaces. This is a response to the CEDAW Committee's recommendation in 2008, which was to place a "high priority" on ensuring a clear legal framework that recognized gender equality and women's human rights³.

2. Laws addressing violence against women and girls

In **Cambodia** – our partners CEDAW NGO Network initiated a process to discuss the implementation of the problematic domestic violence law. In 2016 the Ministry of Women's Affairs made a decision to review the implementation of the law as well as its substance, so that the gaps could be filled and the response to gender-based violence cases could be more effective. In their 2013 review of Cambodia, the CEDAW Committee had emphasised the procedural gaps and the limited scope of the current law and pointed out concerns over the judicial system, enforcement mechanisms, lack of social awareness on the issue and lack of shelters for victims.

³ Para 12 CEDAW Concluding Observations, CEDAW/C/NGA/CO/6.

A new bill on violence against women is awaiting consideration by Myanmar's Parliament in 2017. The draft law provides a legal framework to address five major forms of violence against women, physical, mental, sexual, economic and cultural, that would cover domestic and intimate partner violence, marital rape, stalking, cyber abuse, and harassment both in public places and work environments. This was a priority issue highlighted by the CEDAW Committee in its review in July 2016⁴ and a priority issue raised by NGOs, including the Women's League of Burma, in their shadow reports.

In March 2016 a new law came into effect in **China** legally defining domestic violence as physical and psychological abuse of family members and cohabitating non-family members. While there are still gaps (does not cover divorced couples or former partners, nor does it address sexual abuse or economic control) the law is still a step forward in addressing violence as a form of discrimination. The new law also highlights other changes in intervention procedures. The new law was a key recommendation from the 2014 CEDAW Concluding Observation.⁵

In 2016 New Zealand made a raft of changes related to laws and policies addressing domestic violence, focused on strengthening the system for protection orders and increasing the scope and forms of domestic violence under the existing Act. Many cases had shown gaps in the implementation of protection orders and the lack of recognition of rights of victim/survivors to exclude the alleged perpetrator from the shared housing. The CEDAW Committee's recommendation in 2012 was to allow police to issue on-the-spot safety orders to protect victims of domestic violence and for criminal courts to also issue protection orders. The New Zealand state will make more than 50 relevant changes to the law, across the Domestic Violence Act, Care of Children Act, Sentencing Act, Bail Act, Crimes Act, Criminal Procedure Act and the Evidence Act. The safety of victims will be at the centre of all bail decisions, as well as parenting and property orders. The National Council of Women New Zealand has provided input into the official law reform process in the last 15 years and from 2012 focused on ensuring compliance with CEDAW obligations as per their report to the Ministry of Justice on law reform and based on their strategy to monitor compliance with the CEDAW Concluding Observations.

The United Kingdom added to its domestic violence laws to define a new form of violence , 'coercive control', and beginning 2016 the law will address patterns of threat and abuse which is defined as a complex and sustained pattern of behaviour intended to create fear. The coercive control offence, which carries a maximum penalty of five years' imprisonment and a fine, can be invoked if a victim suffers serious alarm or distress that impacts on their day-to-day activities, or if they fear violence will be used on at least two occasions.

3. Addressing existing discriminatory laws/policies

In **Tanzania**, the age of marriage was increased to 18 years in July 2016 through recognition by the Supreme Court of the unconstitutionality of provisions in the Tanzanian Marriage Law that allow girls of 14 to be married. NGOs in their submissions had provided information to CEDAW about the seriousness of this problem (Tanzania has the highest number of underage marriage in the world) See reports by WLAC Tanzania for their analysis and recommendations. This was a key recommendation of the CEDAW Committee in the 2016 Concluding Observation⁶.

⁴ Para 27 of Concluding Observations to Myanmar (2016)

27. Recalling its general recommendation No. 19 (1992) on violence against women, and its previous recommendations (see CEDAW/C/MMR/CO/3, para. 25), the Committee recommends that the State party:

(a) Make full use of the Convention, the general recommendation and related jurisprudence when reforming domestic laws, including the Penal Code, to ensure that the definitions of rape and marital rape are in full compliance with the Convention;

(b) Repeal all laws that perpetuate impunity for sexual violence committed during and after conflict and expedite the investigation and prosecution of crimes of sexual violence perpetrated by the military and armed groups;

⁵ CEDAW Concluding Observations for China Para 27. [CEDAW/C/CHN/CO/7-8](#)

⁶ Tanzania Concluding Observations Para 48 and 49.

48. While noting the proposed amendment to the Law of Marriage Act (1971) to establish the legal minimum age of marriage for girls and boys at 18 years instead of 15 years for girls (and even 14 years under a court order) and 18 years for boys as it currently stands under section 13 of the Act, the Committee is concerned at the delay in passing the amendment. It is also

The impact of international standards can be seen working harmoniously with regional mechanisms. At the regional level, the **Southern African Development Community** effected a model law on child marriage to ensure compliance with international standards including CEDAW,⁷ recognising the need to criminalise child marriages, and to ensure the human rights of girls. The model law is to be implemented by SADC countries including Tanzania, Zambia, Malawi, Zimbabwe, South Africa, Swaziland, Namibia, Botswana, and will be monitored through African Union processes.

- **Temporary special measures as critical to realise gender equality**

In Sweden a new policy on gender quotas was proposed in September 2016. The CEDAW Committee in its Concluding observation on legislated quotas, recommended that Sweden continue the progress of gender balance in institutions and higher management levels in Sweden. This was also a key recommendation by NGOs including the Swedish Women's Lobby.

Timor Leste remodels its election law to allow for greater participation of women especially at local level politics, in line with the recommendation by the CEDAW Committee in 2015 to ensure temporary special measures⁸ to enable women's participation in politics and public life, as well as greater parity in the level of village chiefs.

Vanuatu is preparing for a system of reserved seats for women in government. This move is in line with the CEDAW Committee's recommendation⁹ to enact legislation to reserve at least 30 per cent of seats in Parliament for women, to provide platforms for women's equal and meaningful participation in law and policy making.

4. Addressing intersectional discrimination, strengthening rights for marginalised and/or vulnerable groups.

In 2016, the Government of Malta passed a new law addressing trans and intersex rights protection and the right to emergency contraception. The Committee's 2010 Concluding Observation's included key recommendations about reproductive rights.

5. Civil society movement building on CEDAW priorities

At the 63rd session in February 2016, Icelandic NGOs identified the issue of wage equality as a key area for change. . In October of last year a massive rally was held where women left work early to demonstrate against the inequality and to show the impact on the economy.

concerned that discriminatory customary laws and practices persist with regard to marriage and family relations, including concerning inheritance by widows and daughters and property ownership.

49. The Committee urges the State party to revise its legislation in order to ensure that the minimum age of marriage is established as 18 years for both girls and boys, regardless of the outcome of the constitutional review process, and to take all measures necessary to eliminate child marriage. The State party should also raise awareness among families, traditional and/or religious leaders and the general public of the negative consequences of child marriage and the importance of girls' education.

⁷ Stated in the preamble of the model law

⁸ Concluding Observations of CEDAW Committee to Timor Leste(CEDAW/C/TLS/CO/2-3),

Para 23. The Committee recommends that the State party:

(a) Adopt measures, including temporary special measures, and provide support services to promote the equal representation of women in political and public life at all levels, especially in decision-making positions, including specific measures to eliminate stereotypes and discrimination against such participation;

(b) Adopt measures, including temporary special measures, to increase the percentage of female village chiefs through the new village election law, which is to be discussed by the National Parliament in 2016, and develop targeted training and mentoring programmes on political campaigning, leadership and negotiation skills for current and potential women candidates and women holding public office.

⁹ CEDAW Concluding Observations to Vanuatu (CEDAW/C/VUT/CO/4-5) Para 25.

6. Mechanisms for monitoring and compliance

In April 2016 Japan instituted a new law to compel companies to enact gender quotas and to monitor and publish data on this issue to ensure that gender parity in the workplace, especially in large corporations was addressed in the longer term.

In 2016 the United Arab Emirates created a mechanism for reviewing equal opportunities in the workplace including measuring gender balance, including instituting 45 days of paid maternity leave.

7. Domestic legal standards enhanced using CEDAW through the judicial system

CEDAW Compliance was cited as a clear ground for Italy's Constitutional Court to state in 2016 that laws which mandated that children had to be given surnames following the paternal last name were unconstitutional. This addressed the issue of parental parity and legal means to allow agreements made between parents on naming of children to be upheld in the law.

8. Recognition of women's economic social and cultural rights

Agreed principles for progressing equal pay cases were agreed and released publicly in June 2016 following a decision of the courts in New Zealand that extended the application of the Equal pay Act to allow women in the care work industry and their related unions (and other sectors which were predominantly female occupations and suffered from pay inequality) to file claims against their employers for the industry's low pay scales. The Court decision and the subsequent mechanism and process for resolving the pay gap also strengthened institutional processes for collective bargaining. The judgment was made based on expanding the process for deciding on the legal comparator allowing gender neutral job comparisons with jobs performed by males outside of the female-dominated care sector.¹⁰

Supporting the creation of new interpretations of CEDAW standards through the General Recommendations

In 2016 the Committee considered various substantive issues and we disseminated information and collated inputs from women's rights organisations to be submitted to the process.

- The Committee held a side event on Promoting and Protecting Women Migrant Workers' Labour and Human Rights through CEDAW and CMW in July 2016. In this process it adopted a joint statement to seek state action in addressing critical and emerging areas of concern due to large scale movements of refugee and migrants.
- The Committee considered a general recommendation on gender-related dimensions of disaster risk reduction and climate change. In 2016, we submitted a briefing paper on the issue to the Committee based on our analysis and in consultation with partners.
- In 2016, the Committee began a process to update the General Recommendation 19 on violence against women. IWRAW Asia Pacific shared the call for inputs to the GR19 widely, and collated information from 16 partners to submit to the Committee as part of the drafting process. The submission proposed that GR19 address some key legal questions related to violence against women, as well as the need to ensure implementation of many laws recognising violence against women, as the standards embedded in the law were not being operationalised.

¹⁰ Bartlett v Terranova (2016)

Conclusions and Lessons learned

In 2016, IRAW Asia Pacific went through some important organizational and governance changes. A new Executive Director and three new programme officers were recruited into the office in Kuala Lumpur, allowing the organization to allocate its different portfolios of work to a full complement of staff. The recruitment of a Communications Officer in 2017 will complete the team in the office.

2016 also saw the election of a new Chairperson, and the recruitment of two new Board Members, and two new members to the Advisory Committee.

The programme team together with the Executive Director, Board Members and Members of the Advisory Committee invested considerable time developing a new three year strategy for the organization that response to the many contextual challenges of the realization of women's human rights. This three year plan addressed several of the issues that emerged from our work throughout 2014-2016.

These issues are:

1. Sustainable development, women's rights and business.
2. Integrating CEDAW and equality framework into the peace and security agenda
3. Focus on supporting women from marginalised groups
4. Sustaining women's human rights movement and activism.
5. Achieving implementation/ accountability through law, policy and institutions.
6. Engaging with international and regional standard setting institutions.

These are some lessons and core questions about rights we have surfaced from the work in 2016.

1. IRAW Asia Pacific's continued engagement strategy with CEDAW and with women's rights organisations

At the CEDAW review IRAW Asia Pacific maintains a unique role in ensuring space and access to all groups, given the increasing number of CSOs participating. IRAW Asia Pacific's key programme in supporting WROs is now more focused on the procedural, practical and tactical aspects of advocacy with the CEDAW Committee and the usefulness of the CEDAW review process and the output from the review (the Concluding Observations) as a means for driving advocacy and change at the country level. The change in focus of the programme is a response to the feedback we have received about the balance between the substantive versus procedural knowledge that is required for a successful mission to frame women's rights priorities from the national context, make recommendations to the Committee and collaborate with other groups at country level to organize responses and strategies around the outputs of the review.

It is critical to build greater opportunities for action planning and networking among the women's groups themselves and with other actors (including media at the UN, Office of the High Commissioner, other human rights mechanisms) who may be able to address the priority issues (for example, cases of violations through the Special Rapporteur (SR) on Violence Against Women, SR on Trafficking, Education, etc) and so increase the potential of women's rights groups to strategise using the international standards and mechanisms.

From our evaluations we learned the importance of providing technical and strategizing support and resources to women's groups to link CEDAW advocacy with their local strategies. The resource requirements for strategising are very high and so our tactic would be to link the groups to any regional resources that can support them. We can also see how our other internal programmes and strategies can contribute. For example, if there are possible cases where domestic remedies have been exhausted and which could benefit from using the OP CEDAW procedure then

we can consider providing technical support through legal trainings and litigation surgeries so that the groups can use the CEDAW framework to frame a legal claim or file a case under OPCEDAW.

2. Challenges related to global responses to GBVAW

There are several issues being considered by the women's movement related to GBVAW. Adequacy of the international legal framework is one issue, and a list of issues related to the lack of political will and resources to implementing existing laws and policies to eliminate VAW. The CEDAW process continues to be one avenue to raise accountability for a results oriented approach to GBVAW which can often be superficial and rhetorical.

3. Engendering the private sector and the engaging on business and women's human rights

The world's leading economic actors are now corporations that are wealthier and have more power than many governments. As corporations grow their capital, they are influence national and international political, economic and social processes. There is the risk that human rights will be undermined in the quest for the consolidation of wealth and power, particularly as governments are looking to corporate investment to drive their economic growth, and corporate actors are being positioned as the panacea to resource constraints.

Trade and investment agreements that are modelled on the neoliberal economic paradigm make more space for corporate interests at the expense of the public interest. These agreements are also eroding the ability of States to regulate corporate activities through clauses that give corporations the right to sue governments through costly investor state dispute settlements. Further, most of these agreements are not transparent and have limited mechanisms for public scrutiny and engagement.

There is a gendered impact to this trajectory of economic development. The recognition and protection of women's human rights is in further jeopardy given the multidimensional impact of corporate power on the lived realities of women and the lack of robust frameworks to hold corporations accountable for their actions. Structural barriers and entrenched discriminatory laws and practices exacerbate gender inequalities, and the consolidation of corporate wealth almost always follows the fault lines of unequal power relations within society. Women are disproportionately impacted by corporate activities both as workers and as communities affected by the actions of corporations. Addressing corporate accountability requires a stronger understanding of gender-sensitive approaches so women's experiences are not rendered invisible. An intersectional human rights-based lens is necessary to understand the gender specific impact of corporate abuses.

4. Critical focus on rights of marginalised women, especially in areas of women's human rights where there are divisions and fundamental differences of opinion

Given the current political context of shrinking democratic spaces and rise of fundamentalisms across the globe, the work of groups protecting the rights of the most marginalized is most critical than ever. There needs to be continued and sustained financial support to these groups and to technical support organizations such as IRAW Asia Pacific, and also the adoption of strategies that will help us continue our work securely.

5. Advocating for women's economic rights

Civil society organisations and movements still lack a women's human rights perspective and approach to the issues of women's economic rights. Our work shows that while the current economic context in the ASEAN brings some opportunities for women, women's economic rights are consistently challenged and there are 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 practice, 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.

Advocacy on the selected theme for the project in ASEAN is challenging. Many economic activities performed predominantly by women are not regulated by the State, such as work in family farms or carrying out small business, domestic workers, undocumented women migrant workers, care work and work in the informal sector. These jobs are

not subject to regulations concerning social security, health and safety standards, minimum pay or protection against exploitation. The increased privatization as a result of economic integration of ASEAN further complicates the situation. The focus should be on addressing systematic patterns of discrimination as well as addressing individual violations, and on law reform as well as implementation, enforcement and structural change. Encouragingly, most of these issues (informal and domestic workers, land grabbing, rural women, value chains etc) have started getting more attention of the treaty body experts such as CEDAW and ICESCR committees.

A key learning is that there is a need to have multifocal strategies addressing different stakeholders. The regulatory frameworks addressing responsibility of private sector to respect WHR and address gender responsiveness in business impact requires working with state and regulators as well as engagement with corporate actors. There is also a need to work in solidarity with workers' unions and to build relationships with community level support groups to strengthen rights literacy and legal literacy of women most at risk of exploitation in migrant work structures and value chains. Approaches being developed on business actors' responsibility to protect women's economic rights need to be supported. Legal frameworks and lack of knowledge limit the possibility of women's rights organisations organising on concerns and violations faced by communities from business practices. There is a need to build the capacity of women's rights organisations to address these issues from an informed position.

6. ASEAN structures and gender equality

A key to strengthening the work of state agencies and WROs on gender equality advocacy includes understanding how to connect at the regional level. The ASEAN Intergovernmental Commission on Human rights (AICHR) and the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC) are forums where issues of gender, women and children's rights can be discussed. There is a need to craft more opportunities to engage on women's economic rights issues since the ASEAN is beginning its next phase on the Community Blueprints within its regional integration plans. Gender is only minimally mainstreamed into the other bodies and mechanisms in ASEAN, except perhaps with regards to labour, where human rights are considered in the context of migration. This lack of consideration of gender issues does impact on the work of national gender machineries and state institutions in terms of receiving regional support to ensure CEDAW compliance.

7. Unfavourable and restrictive environment for CSOs and need for alternative spaces

The environment for open and transparent functioning of independent NGOs is unfavourable and restrictive both globally and nationally. Many countries are drafting laws regulating civil society organizations and are using them to restrict the actions of civil society organizations in all sectors. The situation needs to be monitored and challenged based on the legitimate right to organize and associate.

Advocacy at a national level in ASEAN is particularly challenging, in different degrees in Laos, Vietnam and Myanmar. The political climate of CLMV countries will affect to what extent national partners can undertake rigorous advocacy on controversial and politicized issues such as land grabbing, the accountability of multinational corporations, and women's economic rights more generally. There is a strong concern for the security of WROs in some countries such as Laos, Vietnam and Myanmar. This includes the scrutiny and the restrictive practices imposed by the government including alleged harassment, arbitrary arrests, detention and ill-treatment of women human rights organizations and individuals.

This issue was brought to the attention of the CEDAW Committee members when Vietnam reported in July 2015, and was raised in the recent Concluding Observations for Vietnam and Myanmar. The respective governments were asked to take specific steps to create an enabling environment for women human rights defenders and women's rights organizations. Identifying and engaging in regional and global policy spaces would be a critical strategy for the WROs in the region, to ensure there are opportunities to share information, develop WRO monitoring and advocacy strategies that reflect their issues of concern.

WROs have adopted to different strategies to address this challenge: adoption of a constructive or soft approach of advocacy such as informing the government stakeholders about the issues and working with them as partners on national level activities ; collaboration with international organizations at national level to reduce the scrutiny from the

state; transnational solidarity between women's rights groups in different countries on developing common strategies and positions.

8. Challenges of impacting the sustainable development agenda processes

It is important that the good practices from the CEDAW process feeds into the political spaces of the member states including in the Universal Periodic Review, Human Rights Council and the High Level Panel Forum on Sustainable Development Goals. The CEDAW Committee continues to grow and evolve the application and interpretation of women's human rights norms and standards. It continues to raise accountability of states for women's rights and also references the responsibility of other actors (non-state or business sector) for the protection of women's rights.

The Committee is building its best practices continually, and continues to expand the scope of the Convention to address women's global and context specific priorities. In the development of new General Recommendations, the Committee has focused on climate change, education as a lynchpin right for women and girls, the impact of the development agenda and the need to address resources through gender budgeting and public sector service delivery. New and emergent areas of women's human rights need to be continually assessed to ensure state obligation under CEDAW addresses these contexts.

The 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. Using the SDGs as an entry point for policy discussion is challenging and our advocacy needs to be framed in a way that plugs the gaps. There are few opportunities for civil society groups at all levels to meet and share how to generate alternatives to the current development agenda.

Agenda 2030 acknowledges gender equality as a cross-cutting issue that is integrated, interlinked and indivisible. IRAW Asia Pacific advocates for the integration of women's human rights in the SDGs at a local, national and international level. We do this through developing partnerships from local to global that enhance accountability to women for the protection, promotion and fulfilment of their human rights and fundamental freedoms. Despite lofty ambitions, the SDGs does not have a built-in compliance framework to ensure accountability to the prescribed Sustainable Development Goals. IRAW Asia Pacific believes that for gender equality to be prioritized and localized, meaningful, reciprocal communication channels must be forged to facilitate vital exchange between local and global of current information on the progress on gender equality worldwide. The Annual Global South Women's Forum on Sustainable Development provides an alternative space for this exchange of information and for the generation of ideas for an alternative agenda that looks to implementing the SDGs in line with CEDAW and other relevant human rights standards.

ANNEX 1:

Table on Impact on CEDAW Process

This table compares between recommendations and priorities of the NGOs and the issues highlighted by CEDAW in its questions to the States.[A comparison is usually done against the Concluding Observations but as these are not yet released we have used our own observations of the questions of the Committee]

Country	Issue	Comparison between NGO priorities and CEDAW Comments during the Constructive Review	
Japan	Comfort Women	<p>NGO Information from Korean Council on Sexual Slavery</p> <p>The Japanese military sexual slavery, so-called “comfort women,” issue is a serious matter of violence against women which has been dealt by the Committee on the Elimination of Discrimination against Women (CEDAW) since its consideration on Japan in 1994. Also, it is a long-term unresolved problem that needs to be continuously addressed, including at the 2016 sixty-third session.</p> <p>The women who became the victims of systematic sexual violence before and during the Second World War have been living their lives in constant agony for almost a century and are faced with the last days of their lives.</p> <p>However, the actions of the Japanese government which organized and implemented the sexual slavery system are still going against the desperate hope of the victims who are racing against time.</p> <p>Following the review in 2009, a bill regarding the issue, Promotion of Resolution for the Issues Concerning Victims of Wartime Sexual Coercion Bill, was submitted eight times to the Japanese Diet by the Democratic Party. So when the party that had been</p>	<p>Japan Concluding Observations</p> <p>“Comfort women”</p> <p>28. The Committee recalls its previous concluding observations (CEDAW/C/JPN/CO/6, paras. 37 and 38) and also refers to numerous recommendations on the unresolved issue of “comfort women” made by other United Nations human rights mechanisms such as the Committee on the Elimination of Racial Discrimination (CERD/C/JPN/CO/7-9), the Human Rights Committee (CCPR/C/JPN/CO/6), the Committee Against Torture (CAT/C/JPN/CO/2), the Committee on Economic, Social and Cultural Rights (E/C.12/JPN/CO/3), several United Nations special procedures mandate holders of the Human Rights Council and the universal periodic review (A/HRC/22/14/Add.1, for example, paras. 147-145). While noting the efforts by the State party to attempt to resolve the issue of “comfort women”, most recently through the bilateral agreement between the State party and the Republic of Korea announced on 28 December 2015, the Committee regrets that the State party has not</p>

		<p>putting in efforts to resolve the issue succeeded in regime change after fifty-four years, the victims were hopeful. However, from then to until the current Shinzo Abe-Cabinet took over, the bill was never submitted to the National Diet.</p> <p>Furthermore, human rights violation against the victims worsened after Prime Minister Abe's return to power in 2012, and Japanese Cabinet members and officials including Abe continuously made remarks distorting the nature of the crime and defaming the victims' reputation. The Prime Minister officially denied coercion in the recruitment of "comfort women," and government's official stance was resolved by passing a cabinet resolution which claims that "there is no evidence of coercion." Furthermore, they changed their textbook standard criteria and completely deleted entries regarding "comfort women," and conducted an investigation into the details of the drawing up of the Kono Statement which recognized the Japanese government's responsibility for the Japanese military "comfort women" issue to some extent, thus, defaming it.</p> <p>Recently, on December 28, 2015, the Korean and Japanese Ministers of Foreign Affairs announced at a joint press conference that the two governments have reached an agreement regarding the "comfort women" issue and declared that the issue is resolved "finally and irreversibly." However, the</p>	<p>implemented the aforementioned recommendations and that its position on the issue of "comfort women" does not fall within the mandate of the Committee since the alleged violations occurred prior to the entry into force of the Convention by the State party in 1985. The Committee further regrets:</p> <p>(a) That, recently, there has been an increase in the number of statements from public officials and leaders regarding the State party's responsibility for violations committed against "comfort women"; and the announcement of the bilateral agreement with the Republic of Korea, which asserts that the "comfort women" issue "is resolved finally and irreversibly" and did not fully adopt a victim-centred approach;</p> <p>(b) That some "comfort women" have died without obtaining an official unequivocal recognition of responsibility by the State party for the serious human rights violations that they suffered;</p> <p>(c) That the State party has not addressed its obligations under international human rights law towards "comfort women" victims in other concerned countries;</p> <p>(d) That the State party deleted references to the issue of "comfort women" in textbooks.</p> <p>29. The Committee reiterates its previous recommendations (CEDAW/C/JPN/CO/6, paras.</p>
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		<p>agreement excluded the victims, and it does not reflect their demands and the international human rights principles. As the result, it pushed the victims into deeper despair, and many citizens denounce the agreement and demand a righteous resolution.</p> <p>Even at this moment, the survivors still suffer from the agony, but the perpetrator, the Japanese government, is propagating that the “comfort women” issue is thoroughly settled. Through this session, the Korean Council hopes that an affirmation would be made that the Japanese government’s responses to the issue and the recent agreement between Korea and Japan do not obey the continual recommendations of CEDAW and instead go against them. Hence, adaptation of appropriate recommendations for the victims’ realization of justice is anticipated.</p>	<p>37 and 38) and observes that the issue of “comfort women” gives rise to serious violations that have a continuing effect on the rights of victims/survivors of those violations that were perpetrated by the State party’s military during the Second World War, given the continued lack of effective remedies for those victims. The Committee, therefore, considers that it is not precluded <i>ratione temporis</i> from addressing such violations and urges the State party:</p> <p>(a) To ensure that its leaders and public officials desist from making disparaging statements regarding responsibility, which have the effect of retraumatizing victims;</p> <p>(b) To recognize the right of victims to a remedy, and accordingly provide full and effective redress and reparation, including compensation, satisfaction, official apologies and rehabilitative services;</p> <p>(c) To ensure that, in the implementation of the bilateral agreement announced jointly with the Republic of Korea in December 2015, the State party takes due account of the views of the victims/survivors and ensures their rights to truth, justice and reparations;</p> <p>(d) To adequately integrate the issue of “comfort women” in textbooks and ensure that historical facts are objectively presented to students and the general public;</p> <p>(e) To provide information in its next</p>
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			periodic report on the extent of consultations and other measures taken to ensure the rights of victims/survivors to truth, justice and reparations.
Mongolia	Disability	<p>NGO recommendations from <u>Mongolian National Federation of the Blind,</u> <u>Mongolian National Association for wheelchair Users and the Mongolian National Federation of Disabled People's Organizations</u></p> <ul style="list-style-type: none"> • Mainstream disability in the measures envisaged by the Mid-Term Strategy and Action Plan on the Implementation of the Law of Mongolia on Promotion of Gender Equality (LPGE) (2013-2016), the basic strategic document of Mongolia adopted for the purpose of eliminating discrimination against women. • Enact a law stating that denial of protection, failure to ensure provide reasonable accommodation for persons with disabilities is a form of disability-based discrimination and mainstream the concept of reasonable accommodation into legislation to define forms of reasonable accommodation in areas such as education, work place, health, transportation and others. • Regularly hold awareness-raising and training events for public officers, including state officials, judges, court personnel, lawyers, employers, the private sector, DPOs, women with disabilities and family members, on discrimination based on disability and the duty to 	<p>Mongolia Concluding Observations</p> <p>1. f. The Committee recommends that the State party: Repeal without delay the provisions of the Law on Elections (2015) that restrict the right to vote of persons with disabilities, including women, and ensure that disability is a prohibited ground for discrimination under the Law.</p> <p>Women with disabilities and older women</p> <p>34. The Committee is concerned at the lack of public policies and measures to protect the rights of women and girls with disabilities, including their rights to inclusive education, health care, employment, housing and participation in political and public life, as well as at the absence of mechanisms to protect women and girls with disabilities from intersecting forms of discrimination and from violence and abuse. The Committee is also concerned at the situation of older women and their lack of access to health care and to protection from violence and abuse.</p> <p>35. The Committee calls upon the State party:</p> <p>(a) To adopt comprehensive policies and</p>

		<p>provide reasonable accommodation to ensure that women with disabilities may exercise the same rights as all others.</p> <ul style="list-style-type: none"> • Collect adequate data on women and girls with disabilities and use disaggregated data and results of studies to develop policies and programmes to promote equal opportunities for them in society. • Take steps to establish a formal mechanism recognised in the law to ensure the effective participation of women with disabilities and their representative organization in policy development and decision making, program development implementation, evaluation and the monitoring process of every law and regulation to address disability as well as general women's issues on state and regional level. • Ensure that all national general action plans on any issues of gender and non-disabled women mainstream the rights of women with disabilities, that they are developed in close consultation with disabled women's organizations and that sufficient budget is allocated to each action, with training and awareness raising of all sectors carried out together with them. • Develop and carry out comprehensive awareness-raising strategy and campaigns to inform women and girls with disabilities of their rights and how to invoke them for their enhanced participation as well as undertake awareness raising campaigns aimed at 	<p>programmes to protect the rights of women and girls with disabilities, ensuring their equal access to education, employment, housing, health care and other basic services and social protection and to promote their autonomy and access to community services and their participation in political and public life;</p> <p>(b) To develop partnerships with civil society, community-based organizations and the international community to identify women and girls with disabilities and older women in the State party, including in rural and remote areas, who are facing intersecting forms of discrimination based on their disability, age or other grounds, as well as isolation, confinement and other forms of physical and psychological violence.</p>
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		<p>the government, public and families to promote the positive image of women and girls with disabilities and their role as active participants and contributors to society. Actively involve and consult with women and girls with disabilities and their representative organisations in the development, implementation and evaluation of such strategies and campaigns.</p> <ul style="list-style-type: none"> • In both mainstream legislation and disability-specific legislation, address the heightened risk for women and girls with disabilities of becoming victims of violence, abuse, and exploitation in the home, community and institutions, and adopt measures to ensure the accessibility of services and information to victims with disabilities, including training of police and other interlocutors <p>Article 7-</p> <ul style="list-style-type: none"> • Facilitate the active political participation of women with disabilities by introducing a comprehensive empowerment strategy, particularly awareness-raising campaigns. Adopt measures to ensure that women with disabilities are consulted and participate in leadership roles in policy development. • Remove provisions which restrict the right to vote of women with disabilities and develop appropriate legal measures to ensure women with disabilities can exercise their rights to vote and to be elected as well as participate other political and social life on an equal bases with others 	
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		by making polling stations accessible and providing with adequate support services such as personal assistance, sign language interpreters, accessible information.	
	Discriminatory Legal Framework	<p><u>CIC Bangladesh coalition information</u></p> <p>Discriminatory laws The report has mentioned the policy and measures taken by the Government in order to promote equality but does not clarify the Government's stand on bringing the discriminatory personal laws in conformity with CEDAW provisions.</p> <p>The reservation on Article 2 clearly undermines the spirit of promoting equal legal provisions. The personal laws are governed by religious provisions and the Government apprehends adverse mobilization by the religious fundamentalist groups. The formulation of a Uniform Family Code (UFC) with equal rights on marriage, divorce, maintenance and guardianship, adoption, inheritance has not been taken any far. The report does not give any time frame or intention of the Government to approve the UFC or review and modification of the discriminatory personal laws. The position of the Government in modifying the discriminatory laws is not clear and the Government considers that agreement from religious leaders is essential. CIC - BD observed that change of any discriminatory laws never took place in agreement with religious leaders rather many</p>	<p><u>Bangladesh Concluding Observations</u></p> <p>Legislative framework 10. The Committee notes with concern that many discriminatory laws and provisions remain in the national legislation, such as different definitions of a girl child and boy child in various acts, restrictive scope of marital rape in the criminal code, and the lack of jurisdiction of special tribunals for violence against women to hear cases of discrimination against women. It is also concerned that the personal status laws of the State party regulating marriage, divorce, inheritance, guardianship and custodial rights within various religious groups continue to discriminate against women and girls and that the State party is yet to consider adopting a unified family code. It is further concerned about the State party's failure to adopt the long-awaited Anti-Discrimination Bill and about the lack of implementation of the provisions of the Constitution and existing laws on the women's and girls' rights due in part to prevailing patriarchal attitudes in the State party.</p> <p>11. The Committee urges the State party to: (a) Review and repeal all discriminatory laws and legal provisions without delay, in particular personal</p>

		<p>laws have been reformed with the support from women and human rights movements. CIC- BD is concerned whether the Government wants to keep the religious groups in confidence for promoting equality of women which is realistically impossible. CIC - BD thinks that the Government should proceed to uphold women's rights irrespective of race, religion, cast etc. by reviewing and modifying discriminatory personal laws.</p>	<p>status laws, in order to harmonize it with its obligations under the Convention; (b) Adopt within a clear timeline a unified family code to ensure the equality of women in matters of marriage, divorce, inheritance, and child custody; (c) Accelerate the adoption of the Anti-Discrimination Law, which is in compliance with the Convention within a specific time frame; and (d) Set up accountability mechanisms with sufficient human, technical and financial resources to monitor the full and effective implementation of legislation that provides for the protection of women's and girls' rights.</p>
Netherlands	Rights of migrant women	<p><u>NGO Information by Dutch CEDAW Network</u></p> <p>ABSENCE OF EFFECTIVE REMEDIES FOR VIOLATIONS OF RIGHTS GUARANTEED BY THE CONVENTION</p> <p>As demonstrated the De Blok et al cas, the government does not ensure effective remedies for all women, let alone 'particularly migrant women'</p>	<p><u>Concluding Observations of Netherlands</u></p> <p>17. The Committee is concerned at the potential negative impact of a possible shift from institutional funding of women's non-governmental organisations to project subsidies in the State party, which has resulted in the weakening of women's non-governmental organisations, including organisations of black and migrant women.</p> <p>18. The Committee urges the State party to ensure that the funding of organisations working in the field of women's rights, including organisations of black and migrant women is sustained to enable them to contribute in an efficient manner to the continuing</p>

			<p>implementation of the Convention.</p> <p>Discriminatory stereotypes and hate speech target Muslim, migrant and asylum seeking women in the State party;</p> <p>(d) Women and girls continue to be risk of female genital mutilation, forced marriages and crimes in the name of so-called honour; and</p> <p>(e) Medically irreversible sex-assignment surgery and other treatments are performed on intersex children.</p> <p>22. The Committee recommends that the State party:</p> <p>(a) Adopt a comprehensive strategy to eliminate discriminatory stereotypes on the roles and responsibilities of women and men in the family and in society, which should include a monitoring mechanism to assess the impact of the measures taken and design remedial action;</p> <p>(b) Amend the Media Act in line with articles 2(f) and 5(a) of the Convention so that gender role stereotyping is considered as discrimination;</p> <p>(c) Intensify the engagement with relevant actors and allocate resources to finance effective awareness raising campaigns to enhance positive and non-stereotypical portrayals of women in the media and in advertisements and conduct a study on the possible impact of sexist portrayals of women and girls in the media and the extent to</p>
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			<p>which they exacerbate gender-based violence against women in the State party;</p> <p>(d) Intensify efforts to combat stereotypes against Muslim women, migrant and asylum seeking women who are targets of hate speech and racially motivated violence in the State party;</p> <p>36 c. Provide information in the next periodic report on the labour market participation of women of migrant origin and regularly monitor and investigate and adequately punish exploitative labour practices;</p>
Myanmar	Rights of ethnic Minority Women	<p><u>NGO information from Arakan NGO</u></p> <p>The Rohingya have been subject to long - standing State - sponsored policies of discrimination and exclusion on the basis of their ethnic and religion identity. Rendered stateless, severe restrictions have been imposed on them through local orders, and gross human rights abuses are perpetrated by the authorities with impunity, which have resulted in hundreds of thousands fleeing to Bangladesh and other countries over the past decades.</p> <p>o take immediate steps to eradicate all discriminatory policies and practices against the Rohingya population;</p> <p>♣</p> <p>To combat all acts of incitement to discrimination, hostility or violence</p>	<p><u>Myanmar Concluding Observation</u></p> <p>Constitution, discriminatory laws and lack of legal protection</p> <p>14. The Committee commends the State party on establishing a parliamentary commission for the assessment of legal affairs and special issues, which is currently reviewing more than 140 national laws to ensure compliance with international human rights treaties. The Committee regrets that its previous concluding observations regarding existing discriminatory provisions (see <u>CEDAW/C/MMR/ CO/3</u>, para. 10) have not been fully addressed, notwithstanding efforts to repeal and amend all laws that discriminate against women. The Committee is particularly concerned:</p> <p>(a) That the Constitution still contains</p>

		<p>against religious and ethnic minorities, in particular against the Rohingya, condemn such acts publicly and take swift legal action against perpetrators;</p> <p>♣</p> <p>To take all necessary measures to establish the rule of law in Rakhine State, end impunity, and provide security and equal protection of the law to all, including Rohingya women;</p> <p>♣</p> <p>To engage in a confidence - building process with all communities in Rakhine State, inclusive of women, and to promote interfaith and intercommunal dialogue;</p> <p>♣</p> <p>To ensure that any Action Plan for Peace and Reconciliation in Rakhine State is in line with international human rights principles, especially those relating specifically to women ;</p> <p>On Citizenship and birth registration:</p> <p>♣</p> <p>To review the 1982 Citizenship Law in accordance with international standards in order to prevent and eradicate statelessness in Myanmar, to bring Myanmar law into compliance with the universally respected prohibition of racial discrimination and with Myanmar's obligations under Article 7 of the Convention on the Rights of</p>	<p>references to women as mothers, which may reinforce the stereotype that the primary role of women is to bear children;</p> <p>(b) That Chapter 8, section 352, of the Constitution, despite the prohibition therein of discrimination on the basis of sex in the making of appointments to government posts, still provides that "nothing in this section shall prevent the appointment of men to the positions that are naturally suitable for men only";</p> <p>(c) That, in May and August 2015, the State party adopted the Buddhist Women Special Law, the Population Control and Health-Care Law, the Religious Conversion Law and the Monogamy Law, which discriminate against women and have a negative impact on the enjoyment of their rights under the Convention;</p> <p>(d) That the revision and enactment of several laws that would promote gender equality are still pending, including an anti-discrimination bill, a bill on the prevention of violence against and protection of women, the Penal Code, the Electoral Code and the Citizenship Law of 1982;</p> <p>(e) That there is no comprehensive law guaranteeing protection against forced displacement or programmes focusing on women who are vulnerable to forced evictions, in particular those belonging to ethnic minority groups such as the Rohingya.</p> <p>15. The Committee reiterates its previous</p>
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		<p>the Child (CRC) with the intention of granting citizenship and associated rights to the Rohingyas;</p> <p>♣</p> <p>To urgently resolve the legal status of Rohingyas through a transparent process that will provide incentives to all stakeholders to participate in the process in order to grant citizenship and associated rights to the Rohingyas;</p> <p>♣</p> <p>To issue birth certificates to all Rohingya children born in Myanmar in compliance with domestic law and Myanmar's obligations under the CRC (Article 7.1);</p> <p>♣</p> <p>To immediately register all Rohingya children by removing burdensome requirements which make it difficult to insert their names in their parents' family list.</p> <p>♣</p> <p>To abolish without delay all local orders restricting movement and marriage, and which seek to limit the number of children a family can have, orders which are exclusively applied on the Rohingya in Rakhine State</p> <p>15</p> <p>On freedom of movement:</p> <p>♣</p> <p>To revise and repeal all orders and regulations that restrict the freedom of movement of the Rohingyas;</p> <p>♣</p> <p>To lift the curfew still in place in Maungdaw and Buthidaung Townships;</p> <p>♣</p>	<p>recommendations (see CEDAW/C/MMR/CO/3, para. 11) that the State party, without delay:</p> <p>(a) Amend the Constitution in order to remove stereotypical references to the roles of women and men in the family and in society, as well as all other discriminatory provisions, including regarding appointment to the civil service;</p> <p>(b) Amend or repeal the Buddhist Women Special Law, the Population Control and Health-Care Law, the Religious Conversion Law and the Monogamy Law in order to ensure full compliance with the provisions of the Convention;</p> <p>(c) Enact comprehensive legislation that protects women, in particular women belonging to various ethnic minority groups such as the Rohingya, from forced displacement;</p> <p>(d) Expedite the revision of all discriminatory laws and provisions and the adoption of new laws to promote gender equality.</p> <p>23. The Committee calls upon the State party to use temporary special measures, such as statutory quotas, in accordance with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, as a necessary strategy to accelerate the achievement of substantive equality of women and men, in particular to enhance the rights of women belonging to ethnic minority groups, including the Rohingya, and</p>
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		<p>To establish conditions conducive to the voluntary return of the displaced Rohingyas to their place of origin or to other places of voluntary resettlement in safety and dignity, and to ensure adequate reintegration and security; On access to livelihood and basic services:</p> <p>♣ To substantially improve access to quality health care and education services to Rohingya children, in IDP camps as well as in all other locations;</p> <p>♣ To guarantee unhindered humanitarian access to all Rohingya communities in Rakhine State;</p> <p>♣ To withdraw the Population Control Healthcare Bill in particular, as this law could result in new restrictions targeting Rohingya women as it allows authorities to impose 3 - year birth spacing in any region of the country.</p> <p>♣ in particular as it could further increase discrimination against Rohingya women;</p> <p>♣ To conduct extensive teacher training among Rohingyas, including for women, and to restore access to higher education, including university education, to Rohingya students;</p> <p>♣ To ensure access to food and eradicate malnutrition so that</p>	<p>women with disabilities in all relevant areas of the Convention.</p> <p>Nationality</p> <p>32. The Committee notes that, in January 2015, the State party reinstituted a citizenship verification exercise in order to address citizenship issues in northern Rakhine State. The Committee is concerned, however, that the exercise, which entails the issuance of identification documents to members of the Rohingya Muslim ethnic group, still uses the outdated Citizenship Law of 1982, which is discriminatory since it results in the arbitrary deprivation of nationality. The Committee recalls its previous concluding observations (see CEDAW/C/MMR/CO/3, paras. 30 and 32) and notes with concern that Rohingya women and girls in Rakhine State are being deprived of their nationality and, therefore, rendered stateless, by the Citizenship Law of 1982. The Committee also notes with concern that members of the Rohingya ethnic group, including women and girls, who refused to identify as “Bengali” have been arbitrarily excluded from the verification process, which was first piloted in June 2014.</p> <p>33. The Committee reiterates its previous recommendations (see CEDAW/C/MMR/CO/3, paras. 31 and 33) and recommends that the State party amend the Citizenship Law of 1982 in order to grant citizenship to residents in the State party, in particular</p>
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		<p>women and children can meet their physical and mental needs; On violence against women and access to justice:</p> <p>♣ To establish support mechanisms for women victims of all forms of violence, including sexual and gender - based abuses;</p> <p>♣ To increase training, capacity - building and awareness - raising for all actors involved in assisting women subject to violence, including police forces, health practitioners and teachers, community volunteers and other service providers;</p> <p>♣ To provide legal aid and effective access to justice to encourage women victims of violence to seek redress;</p> <p>♣ Take legal action against perpetrators of sexual violence against women, and, in particular, investigate and prosecute members of State authorities committing rape and sexual harassment against Rohingya women. On ratifying other international human rights treaties:</p> <p>♣ To accede to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness;</p>	<p>women and girls in northern Rakhine State, so that they can freely enjoy all human rights. It also recommends compulsory birth registration of those born in camps for internally displaced persons in order to protect them from being rendered stateless.</p>
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		<p>♣ To become State Party to the Optional Protocol to the Convention on the Elimination of all forms of Discrimination against Women; and,</p> <p>♣ To sign and ratify the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR), the International Convention on the Elimination of All forms of Racial Discrimination (ICERD) and other relevant human rights instruments.</p>	
Philippines	Rape and Sexual Reproductive Health and Rights	<p>NGO information from Engenderights and WLB</p> <p><u>RECOMMENDATIONS:</u></p> <ul style="list-style-type: none"> • Revise the Anti-Rape Law by reviewing the definition of rape law to place lack of consent at its center, remove the requirement in the rape law that sexual assault be committed by force or violence and any requirement of the proof of penetration, redefine sexual assault that require proof by the accused of steps taken to ascertain whether the complainant was consenting and 	Philippines Concluding Observation

		<p>use women's form of resistance and coercive circumstances as basis; extend the prescriptive period for rape and rape-slay;</p> <ul style="list-style-type: none"> • Enact laws and policies ensuring access to ECPs, PEPs, and safe and legal abortion for rape survivors; Allot budget to train service providers to dispense ECPs and PEPs; • Ensure access to DNA Analysis and admission of DNA evidence for cases filed by rape survivors throughout the Philippines; Conduct routine checks of DNA samples of cold cases for rape and rape-slay cases; • Increase the number of PNP medico-legal officers and social workers, psychiatrists, and psychologists who provide psycho-social services for rape survivors; • Establish rape crisis centers in every province and city as provided under Republic Act 8505; • Produce a 	
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		<p>monthly report of the number of rape cases that were dismissed and appealed by the Office of the Solicitor General to the higher courts;</p> <ul style="list-style-type: none"> • Enhance sharing of criminal information between courts and the PNP throughout the country on accused facing criminal charges for rape with unserved warrants of arrest to facilitate the arrest of perpetrators; <p>Enhance the profiling of perpetrators of rape and rape-slay to aid in prevention and prosecution.</p>	