

10TH INFORMAL ASEM SEMINAR ON HUMAN RIGHTS "HUMAN RIGHTS AND GENDER EQUALITY"

7-9 July 2010
Manila, The Philippines

Conference Venue:
InterContinental Hotel Manila

Day 1 – 7 July 2010

Arrival of Participants, Registration and Welcome Reception

09:00 - 18:00

Arrival of Participants

10:00 - 12:00

Rapporteur's meeting (Invitation only to members)

14:30 – 17:30

Registration of Participants

Venue: InterContinental Hotel Manila

Opening Plenary

18:00-19:30

Chair:

Amb. Dominique Girard
Executive Director, Asia-Europe Foundation

Introduction to the Seminar on Behalf of the Organisers (15 min)

Mr. Frederic Tiberghien
Technical Coordinator & Representative of the Ministry of Foreign Affairs,
France, State Counselor (Conseil d'Etat)

Keynote Speeches

H.E. Leila de Lima
Secretary of the Department of Justice, the Philippines (20 min)

Mrs. Lena Hjelm Wallén
Former Deputy Prime-Minister and Foreign Minister of Sweden (20 mins)

Presentation of Background Paper by Main Rapporteurs (15 mins)

Ms. Mary Shanthi Dairiam, Member and Board of Directors
International Women Rights Action Watch Asia Pacific

19:30-19:45

Open Discussion

19:45-21:00

Reception

Day 2 – 8 July 2010

08:00 - 09:00 Registration of Participants (continued)

Venue: InterContinental Hotel Manila

Simultaneous Working Groups

09:00-11:00

Discussion on Workshop- *Cross-Cutting Questions*

Working Group 1: Political rights and political empowerment

Chair: Amb. Rosario Manalo (the Philippines)

Philippine Representative to the ASEAN Inter-Governmental Commission on Human Rights (AICHR) and Asia-Europe Foundation Board Governor for the Philippines

Rapporteur: Ms. Erika Kvapilova (Slovakia)

Regional Programme Director, UNIFEM (United Nation Development Fund for Women), Regional Office for Central and Eastern Europe, Bratislava

Working Group 2: Civil status & economic empowerment

Chair: Prof. Göran Melander (Sweden)

Professor Emeritus, Honorable Chairman of the Board of the Raoul Wallenberg Institute

Rapporteur: Ms. Naoko Otobe (Japan)

Senior Gender and Employment Specialist, International Labour Organisation (ILO)

Working Group 3: Cultural practices and social empowerment

Chair: Ms. Anjali Gopalan (India)

Executive Director, The Naz Foundation

Rapporteur: Dr. Malgorzata O. Gorska

International Relations Officer – European Commission Human Rights Unit, DG External Relations

Working Group 4: Gender-related violence

Chair: Ms. Eniko Pap (Hungary)

Legal expert Women's Program, Open Society Initiative

Rapporteur: Ms. Mary Shanthy Dairiam (Malaysia)

Director, International Women Rights Action Watch Asia Pacific

11:00-11:15

Coffee Break

11:15-13:00

Workshops continued

13:00-14:00

Lunch

14:00-15:30

Workshops continued- *Specific Questions*

15:30-16:00

Coffee Break

16:00-18:00

Workshops continued and Wrap-up

18:00-19:30

Report Preparation & Free Time for Participants

19:30-21:00

Dinner

Day 3 – 9 July 2010

Venue: InterContinental Hotel Manila

Closing Plenary

- 09:30-11:00 Main Rapporteurs' Summary on Each Workshop
Moderator:
Ms. Sol Iglesias, Director for Intellectual Exchange, Asia-Europe Foundation
- Working Group 1: Political rights and political empowerment**
Presentation (10 min)
Discussion (10 min)
- Working Group 2: Civil status & economic empowerment**
Presentation (10 min)
Discussion (10 min)
- Working Group 3: Cultural practices and social empowerment**
Presentation (10 min)
Discussion (10 min)
- Working Group 4: Gender-related violence**
Presentation (10 min)
Discussion (10 min)
- 11:00-12:30 **Plenary Discussion**
- 12:30-14:00 Lunch and Group Photo
- 14:00-15:30 **Special Panel on "Addressing the Trafficking of Women in ASEAN"**
- 15:30-15:45 Coffee Break
- 15:45-16:45 **Special Panel** (continued)
- 16:45-17:15 **Concluding Remarks from the Organisers**
Prof. Carlos P. Medina, Executive Director
Ateneo Human Rights Center
- Mr. Rolf Ring,
Deputy Director, Deputy Director, Raoul Wallenberg Institute, Lund University
- Mr. Frederic Tiberghien
Technical Coordinator & Representative of the Ministry of Foreign Affairs,
France, & State Counselor (Conseil d'Etat)
- Amb. Dominique Girard
Executive Director, Asia-Europe Foundation
- 17.30-18.30 **Steering Committee Meeting** (Invitation only to members)
- 19.00-21.00 **Steering Committee Dinner** (Invitation only to members)

Day 4 – 10 July 2010

Morning	Cultural Visit (Optional)
Noon	Departure of Participants

Background

The Vienna Declaration and Programme of action reaffirmed the rights of women as an inalienable, integral and indivisible part of universal human rights. The Fourth World Conference on Women in Beijing proved to be a successful forum in mobilizing worldwide attention towards gender equality and the advancement of women as well as in establishing a comprehensive framework in the formats of Declaration and Platform of Action along with the UN Declaration on Sexual Orientation and Gender Identity.

However gender inequality remains a widespread form of discrimination that is not restricted to particular countries, regions, or religions. Around the world, women continue to be victims of human rights violations who have been the most vulnerable group during the economic recessions with limited access to rights, resources and opportunity.

Women's rights are regarded as freedoms inherently possessed by women. These rights encompass the right to education, the right to vote and the right to equal wages and employment opportunities—among others. Though such rights have been progressing, disparity between ASEM countries still exist.

Under CEDAW¹, States are required to eliminate the many different forms of discrimination that women confront, not only by making sure that there are no existing laws that directly discriminate women on grounds of sex or sexual orientation, but also by ensuring that all necessary arrangements are put in place that will allow women to experience equality in their lives.

Based on relevant international standards and on comparisons between ASEM countries, the seminar will examine how to improve women's rights putting an end to the social, political and economic discrimination based on sex. Moreover, the seminar will try to identify the current trends in Europe and Asia regarding women's rights and gender equality. Attaining gender equality and the process of gender mainstreaming requires enhancing cooperation with stakeholders such as employers, NGOs, academia, media and other civil society actors. While broader questions of sexual orientation and gender identity have been tackled in the past, this seminar will certainly be the first attempt to link Human Rights and gender equality within the ASEM framework—in an informal and unofficial manner.

There have traditionally been great differences in the participation of women in society in the ASEM countries. In some societies, there still exist prejudice and discriminatory practices against women ignoring the dignity of women due to the remnants of the patriarchal society. Whether this extends to broader equality with respect to discrimination based on gender identity or sexual orientation needs further investigation. Nevertheless, there has been remarkable progress in achieving gender equality in laws and institutions that could provide positive examples to fully implement international standards on gender equality.

Despite the progress over the past decade, we need to strengthen our efforts to enhance women's rights of integrity as well as sexual self-determination.

General objective

¹ The key international agreement on women's rights is the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), which is also described as the international bill of women's rights. Ratified by 185 UN Member States, CEDAW encompasses a global consensus on the changes that need to take place in order to realise women's human rights.

The seminar aims at developing a human rights approach to the issues raised by gender equality and share good practices in ASEM countries and discuss ways of better protecting women's rights.

Specific objectives

- To identify trends on how women's rights and gender equality are protected across ASEM countries
- To find common challenges between two regions in terms of women's rights and gender equality.
- To formulate recommendations for relevant institutions at a national, regional, inter-regional and international level.

Working Group Questions

Cross-cutting questions

1. What are the relevant legal frameworks on all aspects of women's rights and gender equality?
2. How can we accelerate the implementation and effectiveness of relevant international human rights treaties, including conventions, and remove reservation to it?
3. What kinds of judicial remedies exist to promote and protect gender equality? Do national human rights institutions have a role in promoting and protecting gender equality?
4. How can diverse discriminatory acts based on gender be addressed? How do existing international conventions and national legislations addressing multiple forms of discrimination against women contribute to the elimination of other gender-based discrimination?
5. What are the emerging issues related to gender equality and identity?
6. What are the relevant statistics/trends?
7. What positive experiences or good practices have been effective in the promotion of equality?
8. How is the integration of a gender perspective in all levels of public and private institutions promoted through public awareness-raising and education?
9. How can we strengthen the existing machinery for gender equality by providing adequate human and financial resources at all levels and in all areas?
10. What roles do cultural practice and tradition play in advancing gender equality?

1. Working group 1: political rights and political empowerment

- 1.1 What measures are in place to promote gender equality in political representation and decision-making (including voting at elections, referenda)?
- 1.2 How can we create discussion platforms that bring all relevant stakeholders to participate in order to enhance the representation of women in political arenas e.g. the legislature, executive, judiciary as well as on national and local level?
- 1.3 What measures are in place to support increasing the number of women at executive positions in public agencies and institutions?
- 1.4 Are specific legislation or temporary special measures needed? Are programmes encouraging political participation necessary to better implement human rights in the long run?
- 1.5 What sanctions apply when quotas are not reached?
- 1.6 What measures are in place to encourage women to join collective organisations (trade unions, political parties, NGOs etc.) and increase the representation of women in their management?
- 1.7 What measures are in place to grant asylum to anyone facing persecution in their home country because of their sexual orientation and/or gender identity?

2. Working Group 2: Civil status & economic empowerment

- 2.1 How is gender equality promoted in:
Marriage, divorce, custody, adoption
Citizenship and transmission of nationality
Determination of conjugal home
Inheritance
Pension policies (linked to marriage)
Family name policy
Co-habitation

Others...
- Work of equal value*
Rights to property, land and other economic resources
Access to credit
Protections in the informal/part-time labour market
Pensions policies (linked to part-time labour and child-care)
- 2.2 Does gender identity change legal capacities?
- 2.3 How can the rights of women in vulnerable groups be protected?
Female irregular workers
Female migrant workers
Disabled women
Impoverished women
Rural women
Female prisoners
Indigenous peoples
Others...
- 2.4 How can women's rights be protected in criminal justice procedures encompassing investigation, prosecution, trials and legal aid services?
- 2.5 What efforts have been made to eliminate the root causes for women's economic dependence (where it exists) and improve economic prospects of women?
- 2.6 Is there a digital divide resulting from gender inequality?
- 2.7 How is women's right to work promoted by guaranteeing fair working conditions and strengthening administrative and judicial remedies? What measures are in place to ensure equal pay and opportunities for women and men in the labour market?
- 2.8 How are working women's maternity leave and benefits protected by labour law or social benefits law? What paternity rights are there?
- 2.9 What measures are in place to improve social welfare services for women outside the social security system?
- 2.10 What measures are in place to develop policies in order to eliminate environmental and occupational health risks for women?
- 2.11 What measures are in place to improve childcare, disabled and elderly care facilities for women?

Working group 3 : cultural practices and social empowerment

- 3.1 How is gender equality promoted in such socio-cultural rights such as:
Access to education
Health and reproductive rights
Religious practice and customary tradition
Right to leisure
Freedom of expression (media and arts)
Freedom of association (women organisations and networks)
Others...
- 3.2 Who are the actors in promoting gender equality in socio-cultural questions and what are their roles?
- 3.3 Who are the major gender equality movements and interest groups, and what have they achieved?
- 3.4 How can gender equality be promoted against stereotyping in the media and advertising?

- 3.5 How can forced marriage and discrimination on the grounds of marital status be prevented?
- 3.6 Are there measures needed to eradicate traditional practices like female genital mutilation?
- 3.7 How can gender sensitivity be enhanced by boosting human rights education within society?
- 3.8 How can equal sharing of domestic and family tasks (including child care, care for the elderly) between women and men be promoted?
- 3.9 What measures are in place to improve men's awareness on sexually transmitted infections and reproductive health for women?

4. Working group 4: gender-related violence

- 4.1 What are the trends regarding violence against women? What about violence based on sexual orientation?
- 4.2. With regard to domestic violence:
What kinds of protection are in place for the victim?
How effective are sanctions, deterrents and preventive measures (telephone hotlines, whistle-blowing...)? What is the scope of state protection?
What non-legislated measures or community practices exist?
How is the issue of marital rape addressed?
- 4.3. How are protections against sexual harassment and violence in the work place implemented? What obstacles are commonly faced in implementation?
- 4.4. What action is being taken to address human rights violations of female domestic workers?
- 4.5. What is the nature of public consciousness/societal attitudes with regard to gender-related violence?
- 4.6. What measures are needed to eradicate exploitation through prostitution caused by poverty & other factors, e.g. human trafficking and irregular migration?
- 4.7. What particular protections need to be in place in conflict situations?

References:

International standards:

- Universal Declaration of Human Rights (1948)
- Convention for Suppression of Traffic in Persons and of the Exploitation of the Prostitution of Others (1949)
- European Convention on Human Rights(1953)
- Convention against discrimination in education (1960)
- Convention on consent to marriage, minimum age for marriage and regulation of marriage (1962)
- International Covenant on Civil and Political Rights (1966)
- International Covenant on Economic, Social and Cultural Rights (1966)
- UN Convention on the Elimination of All Forms of Discrimination against Women (1970)
- UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment(1975)
- The Declaration on The Elimination of Violence against Women (1993)
- The Beijing Platform for Action (1995)
- The ILO Convention No. 100 (Equal Remuneration,1951), No. 111 (Discrimination of Employment and Occupation, 1958), No. 156 (Workers with Family Responsibility, 1981), No. 177 (Home Work, 1996), No. 183 (Maternity Protection, 2000)
- Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (1999)
- UN Declaration on sexual orientation and gender identity

Other references:

<http://www.iglhrc.org/cgi-bin/iowa/article/pressroom/pressrelease/821.html>

<http://www.amnesty.org.au/news/comments/19993/>

<http://www.hrw.org/en/news/2008/12/11/un-general-assembly-address-sexual-orientation-and-gender-identity>

<http://catholicactionuk.blogspot.com/2008/12/un-battle-over-gender-identity.html>

http://www.c-fam.org/publications/id.905/pub_detail.asp