## 10th Informal ASEM Seminar on Human Rights

**“Human Rights and Gender Equality”**

7-9 July 2010
Manila, The Philippines

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### Day 1 - 7 July 2010

<table>
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<tr>
<th>Time</th>
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<tr>
<td>09:00 - 18:00</td>
<td>Arrival of Participants, Registration and Welcome Reception</td>
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<tr>
<td>10:00 - 12:00</td>
<td>Rapporteur’s meeting (Invitation only to members)</td>
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<tr>
<td>14:30 - 17:30</td>
<td>Registration of Participants</td>
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<tr>
<td>18:00 - 19:30</td>
<td>Opening Plenary</td>
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<th>Chair:</th>
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<tr>
<td>Amb. Dominique Girard</td>
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<td>Executive Director, Asia-Europe Foundation</td>
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**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 of the Board of Directors
International Women Rights Action Watch Asia Pacific

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<tr>
<td>19:30 - 19:45</td>
<td>Open Discussion</td>
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<td>19:45 - 21:00</td>
<td>Reception</td>
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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)*
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)
Vice President, Hungarian Women’s Lobby
*Rapporteur: Ms. Mary Shanthi Dairiam (Malaysia)*
Ms. Mary Shanthi Dairiam, Member of the Board of Directors 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)

11.00-11.15 Coffee Break

11:15-12:30 Plenary Discussion

12:30-14:00 Lunch and Group Photo (venue to be confirmed)

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)
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<th>Time</th>
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<tr>
<td>Morning</td>
<td>Cultural Visit (Optional)</td>
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<td>Noon</td>
<td>Departure of Participants</td>
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ANNEX
CONCEPT NOTE & WORKING GROUP QUESTIONS

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 CEDAW\(^1\), States are required to eliminate discrimination that women confront, not only by revising existing laws that are directly or indirectly discriminate women, but also by ensuring that all policy instruments are in place to allow women to fully enjoy 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 ASEM countries. In some societies, prejudice and discriminatory practices against women continue to exist. 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. Whether this contributes to achievement of the broader equality and freedom from discrimination in any form, including discrimination based on sexual orientation, needs further investigation.

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

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\(^1\) 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 childcare)

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?

2.12 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 workplace 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 against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1975)
- The Declaration on The Elimination of Violence against Women (1993)
- UN Declaration on sexual orientation and gender identity

Other references:

http://www.ighrc.org/cgi-bin/iowa/article/pressroom/pressrelease/821.html
http://www.c-fam.org/publications/id.905/pub_detail.asp