



## Ensuring women's rights and advancing gender equality through the ASEAN Economic Community

November 2017

The achievement of the goal of the ASEAN community of “living in peace, stability and prosperity, bonded together in partnership in dynamic development and in a community of caring societies” is not possible if one half of humanity continues to be denied its full human rights and opportunities. Women's issues have been housed in ASEAN Socio-Cultural Community (ASCC) rather than ASEAN Economic Community (AEC) and ASEAN Political Security Community (APSC) in both the structure of ASEAN and the discourse that underpins it. However, women's issues are not separate from economic and political concerns. This advocacy brief outlines concrete recommendations to ASEAN, particularly its economic pillar, on how to incorporate a focus on women's rights – civil, political, economic, social, and cultural – and acknowledge the compounding impact of intersectionality on women's economic autonomy,<sup>1</sup> through regional economic policy and across all of ASEAN's policy frameworks.

From regional and global experiences, we know that increased economic integration alone is unlikely to ensure social mobility, human security and empowerment for all. Despite the prosperity the region has gained, the neoliberal paradigm of economic development intensifies inequalities among and within countries, including gender inequality. Dominant patriarchal beliefs, reinforced by gender inequality in social and economic structures, systems, and practices, combine with capitalist strategies to exploit human, financial and natural resources of the less advantaged for profits.

Unpaid household chores and care of the family are disproportionately responsibilities of women and girl-children, resulting in lower labour force participation of women than men in ASEAN. Women, who are projected to continue to earn 20 percent less than men through 2025,<sup>2</sup> continue to serve as cheap labour. Violence against women and girls remains high. Sexual violence and exploitation of women and girls, one of the worst forms of this violence, has been neglected in economic discussions, with clear linkage to regional connectivity issues such as tourism and trafficking. Developing economic self-determination for women is essential, to enable women to take control of their resources and contribute to equitable economic growth.<sup>3</sup> Deliberate national and regional efforts are required in AEC to respect, protect, and promote human rights, particularly of women and girls, to ensure economic and gender justice.

### **Achieving gender justice in the AEC**

AEC Blueprint 2025 lacks a gender-sensitive framework that ensures transformative equality that is inclusive, substantive, and addresses structural gender barriers and discrimination in economy. The AEC

---

<sup>1</sup> Largely based on CEDAW General Recommendation no. 33 on Women's Access to Justice. Grounds for intersecting or compounded discrimination may include ethnicity/race, indigenous or minority status, colour, socioeconomic status and/or caste, language, religion or belief, political opinion, national origin, marital and/or maternal status, age, urban/rural location, health status, disability, property ownership, and lesbian, bisexual, transgender, or intersex identity. These intersecting factors make it more difficult for women from those groups to gain economic empowerment and access justice.

<sup>2</sup> International Labor Organization (ILO) and Asian Development Bank (ADB) (2014), ASEAN Community 2015: Managing Integration for Better Jobs and Shared Prosperity, Bangkok, Thailand: ILO and ADB.

<http://www.adb.org/sites/default/files/publication/42818/asean-community-2015-managing-integration.pdf>

<sup>3</sup> AWID, “A Vision: Economic Justice in a Feminist World.” <https://www.awid.org/our-vision-economic-justice-feminist-world>

(and other Declarations and treaties) requires an enforcement mechanism to ensure de facto equality in the region and translate to enhancing the economic livelihoods of Southeast Asian people, particularly women.

The rising incidence of violence is both an affront and impediment to the acceleration of development and upholding of justice and the rule of law, which the ASEAN promotes. Physical, sexual and mental violence as well as forced labor and child labour are violation of human rights, and therefore criminal activity. Violence also restricts women's economic rights by constraining their access to work, and better job opportunities and affecting their job productivity.<sup>4</sup> According to one study, "the global economic impacts and costs resulting from the consequences of physical, psychological and sexual violence against children can be as high as \$7 trillion."<sup>5</sup> In addition, "sexual violence survivors experience reduced income in adulthood as a result of victimization in adolescence."<sup>6</sup> Those who implement AEC policy and related activities must be aware of concerns of violence and ensure their economic interventions will also prevent and eradicate violence against students, vocational trainees, students, workers, migrants, and residents in affected communities, particularly women and children.

#### Recommendations to ASEAN and its member states

1. Implement a mechanism to ensure cross-checking (in implementation, monitoring, and evaluation) of the AEC from a rights-based approach, based on the ASCC's blueprint and infused with cross-cutting gender concerns.
2. Challenge and modify discriminatory gender stereotypes that position women's work and role as subordinate and secondary to men's, through implementing legislative and judicial protections against discrimination and promoting wide scale awareness raising surrounding women's rights and contributions.
3. Recognize the need for gender responsive implementation of migration and labour policies. Strengthen regulatory and accountability mechanisms to monitor and investigate violations to women migrant worker, and implement adequate and effective remedies for violations of workers' rights.
4. Strengthen the role and resources of the Ministries of Labour in monitoring and ensuring the protection of women migrant workers.
5. Working with the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC) and ASEAN Committee on Women (ACW), develop access to justice mechanisms and redress systems for workers and residents in the communities to address the negative impact of AEC policy with regard to economic, social, and cultural rights, particularly that of women's and children.
6. Address the root causes of forced labour and migration including trafficking and dedicate significant resources from government budgets to provide accessible and equitable services to prevent it.
7. Take steps to create conditions for sustainable development and for safe and decent jobs for women in the region.

---

<sup>4</sup> While gender-based violence against women and girl-children remains high in ASEAN countries, there is still no available comprehensive data that documents its prevalence and pervasiveness. The lack of data in most ASEAN countries suggests that there is a need to take urgent collective action to discuss violence against women and girl-children, as it is bound to remain an invisible issue.

<sup>5</sup> <http://childfundalliance.org/wp-content/uploads/2014/10/ODI-Policy-Brief.-The-cost-and-economic-impact-of-violence-against-children.pdf>

## Align ASEAN economic policy with international and regional instruments

To ensure a rights-based approach in the implementation and review of progress in the AEC, ASEAN's policy instruments should align with existing international and regional agreements to which AMS are signatories. These include:

- The Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW)<sup>7</sup>;
- The 2030 Agenda for Sustainable Development (2015)<sup>8</sup>;
- ASCC obligations, i.e. the Declaration on the Elimination of Violence Against Women in the ASEAN Region (2004),<sup>9</sup> Declaration of the Advancement of Women in the ASEAN Region (1988)<sup>10</sup>; the Declaration against Trafficking in Persons Particularly Women and Children (2004 and 2013), ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers, which includes the right of collective bargaining for all workers (2006), and
- ASEAN Declaration on the transition from informal to formal employment (2016)<sup>11</sup>, among others.

## Develop and uphold civil society engagement

There are no formal mechanisms in place to integrate civil society organizations (CSOs) in the AEC, and women's participation remains particularly constricted. Women's rights groups and CSOs have been advocating for ASEAN to recognise the importance of engaging with independent CSOs and marginalized groups and establish a mechanism to ensure meaningful and substantive participation. Stronger connections between the ASEAN Intergovernmental Commission on Human Rights (AICHR) and among the three bodies that implement ASEAN's vision – AEC, ASCC, APSC – should be solidified to ensure the mainstreaming of human rights and women's rights throughout ASEAN's policies and frameworks.

Recommendations to ASEAN and its member states:

1. Recognize the fundamental rights of civil society in democracies, including the freedoms of expression and assembly, access to information, and freedom of association within the rule of law.
2. Develop partnerships with civil society to ensure development processes that ensure justice, sustainability, peace and security.
3. Promote the accountability of ASEAN member states to its people through the implementation of national laws and policies that advance human rights.
4. Strengthen meaningful engagement and dialogue between CSOs and AICHR by establishing access to AICHR representatives at national level with a mandate to address and ensure human rights protections, and by institutionalising a complaint mechanism for CSOs to report human rights violations to AICHR at national and regional level.

**Weaving Women's Voices in ASEAN (WEAVE)** is a regional group of women's organizations that works in six ASEAN countries: Brunei Darussalam, Cambodia, Indonesia, Myanmar, the Philippines, and Thailand. WEAVE advocates for women's rights issues across all three pillars of ASEAN, including on gender equality, women's political participation, violence against women, trafficking, access to justice, and women's concerns in conflict situations and peace processes. WEAVE also aims to enable and facilitate meaningful and informed participation of women in the ASEAN processes and mechanisms.

<sup>7</sup> See <http://www.un.org/womenwatch/daw/cedaw/>

<sup>8</sup> See [http://www.un.org/ga/search/view\\_doc.asp?symbol=A/RES/70/1&Lang=E](http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/70/1&Lang=E)

<sup>9</sup> See [http://asean.org/?static\\_post=declaration-on-the-elimination-of-violence-against-women-in-the-asean-region-4](http://asean.org/?static_post=declaration-on-the-elimination-of-violence-against-women-in-the-asean-region-4)

<sup>10</sup> See [http://asean.org/?static\\_post=declaration-of-the-advancement-of-women-in-the-asean-region-bangkok-thailand-5-july-1988](http://asean.org/?static_post=declaration-of-the-advancement-of-women-in-the-asean-region-bangkok-thailand-5-july-1988)

<sup>11</sup> See <http://asean.org/storage/2016/09/Vientiane-Declaration-on-Employment.pdf>