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**Promotion and protection of all human rights,
civil, political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by the Asia Pacific Forum on Women, Law and Development (APWLD), a non- governmental organization on the roster

The Secretary-General has received the following written statement, which is circulated in accordance with Economic and Social Council resolution 1996/31.

[10 May 2013]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

Women's participation in public and political life in the Asia Pacific: Achievements, challenges and visions

The Asia Pacific Forum on Women Law and Development welcomes the first report of the Working Group and its efforts to promote women's participation in public and political life. APWLD made an effort to inform the report and thinking of the working group by holding a consultation in 2012 with 45 women human rights defenders from seventeen (17) countries in Asia, Pacific and Africa¹. Our theme was 'Women's Public and Political Life: Towards Substantive Equality, Human Rights, Democracy and Development.

The Asia Pacific region does not fare well when measuring women's formal representation in national parliaments. The combined representation of women in the both the upper and lower house is about 18% in Asia and a dismal 3% representation in lower houses of parliaments in the Pacific Islands. This is well below the 30% considered to be a minimal target to create the critical mass necessary to bring about the cultural and political changes that would allow women to be accepted as democratic representatives.

In addition the main pathways to women's election remain patriarchal and undemocratic. The overwhelming majority of women heads of state in the region come from family dynasties and this remains the most common pathway to elected representation. APWLD supports moves to increase quota legislation to ensure women's political participation and the countries in the region with the highest representation of women: Timor Leste and Nepal have introduced quotas as well, have stronger engagement of women's movement in decision making and enable cross party women's caucuses which should be examined by other states. But we think far more needs to be done, beyond quotas, to make democratic decision making rights a reality for women.

APWLD has urged the working group to take an expansive view of the field of 'public and political life'. Many women in the region play little to no role in making decisions over their lives, regardless of how public and political space is defined. Most critically, women are often excluded from development decision making, decisions over the use of their lands, over environmental policy, over public and private infrastructure. The exclusion of women in decision making processes often results in a lack of gender perspective in the design of development programmes. Thus, poverty reduction, rural development, peacebuilding efforts continue to fail as large percentage of those who design it are men and do not account for women's experiences. Practices of male privileging and marginalisation of women in the access, ownership, and decision over resources are also not examined, neglected and unquestioned.

We believe a new model of democratic development governance is essential at the local, national, regional and international levels and this model of democratic governance and genuine decision making power must give space to women's movements, not just women as a sex. We believe that multi-stakeholder decision making bodies involving civil society are critical and that such bodies should reserve 20% of representative space for feminist organisations / women's movements as well as at least 50% of spaces for women as a sex. This model has been adopted by the Civil Society Partnership on Development Effectiveness and should be replicated elsewhere.

¹ Country Representation for the Regional Consultation Burma, Cambodia, Malaysia, Philippines, Timor Leste, Indonesia, Vietnam, Bangladesh, India, Nepal, Pakistan, Sri Lanka, China, Japan, Korea, Kyrgyzstan, Fiji and Tanzania

Women’s movements are critical for increasing women’s democratic, public and political lives.

Patriarchy together with globalisation, fundamentalisms and militarisation create hostile conditions for women’s transformative leadership. Traditional notions of gender that confine women in the homes, being assigned a lower status than men limit their participation in decision making in the home as well as ‘public’. In the consultation participants shared examples of intersectional forms of violence because of their race and ethnicity that hinder their full and active participation. Violence against women continues to be a major inhibitor of full participation with the experience of sexual harassment and domestic violence a way of controlling women in their exercise of leadership.

Women within militarised states such as Fiji and Myanmar shared the various challenges they face. Women human rights defenders experience different forms of violence, hostility and threats. Leaders of women’s organisations have experienced being assaulted, detained and tortured by military as they are known to be women human rights activists. They also experience being discredited as “active dissident” women’s groups by not being allowed into spaces of government engagement or through media attacks on them. This not only creates an environment for hostility and intimidation for their organisations but serves as a warning to women in general. In Myanmar women for decades have experienced violence because of gender discrimination and also as a direct result of military rule and the constitutional requirement providing a substantial quota of representative seats to the military is both a direct and indirect limitation on women’s political representation. Blasphemy laws are also used in the region to silence women and those who defend their rights and are a direct limit on women’s enjoyment of public and political rights.

Violence and discrimination needs to be addressed as these deter women’s participation in various aspects of life. While progress has been made in the development of policy and legislation on violence against women, we need to look into who it has served. APWLD recommends for the review and monitoring of these laws in how they appreciate violence in its structural and intimate forms and whether these have been responsive to the needs of the most marginalised women in the region.

The consultation also affirmed the need to break dichotomies of public/ private and considered the impact of this dichotomy on women’s democratic rights. Women domestic workers, the largest category of employment of women in the region, for example are relegated to the private sphere and denied democratic rights. Very few countries in the region recognise their work as work given the historical sexual division of public and private spheres and of work. As a result they are denied fundamental labour and democratic rights. A key recommendation we provided was to recognise the need to understand the enabling conditions for public participation. For domestic workers this is to see the home as a workplace, to understand that the right to organise may require the right to communications technology like mobile phones and to see those as fundamental democratic rights.

In light of all of these issues faced by women in the region, we affirm the recommendations put forth by the Working Group to States, but also ask the following questions:

- What does the working group see as the ‘enabling environment’ required to bring about changes in discriminatory laws and practices in public and political life. In particular what are the enabling conditions that states must assure for civil society to effectively organise and operate?
- What role do non state actors, particularly the private sector and religious institutions play in constructing discriminatory environments and limit women’s enjoyment of public and political life;

- What ‘capabilities’ are required to enable the most marginalised women to engage in public and political life?
 - What forms of development governance does the working group believe are necessary to actively promote women’s decision making and democratic rights?
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