



## CONCEPT NOTE

### **REGIONAL DIALOGUE ON FEMINIST LEGAL THEORY AND PRACTICE (FLTP) GRADUATES OF CEDAW SEAP**

7 - 8 April 2016

Angkor Century Resort & Spa in Siem Reap, Cambodia

#### **Background**

With their ratification of CEDAW, Southeast Asia countries have an obligation to take steps to eliminate discrimination against women and girls on the basis of gender and ensure substantive equality. A common manifestation of inequality is in laws. A review of several laws in South East Asia exhibits direct and indirect discriminatory clauses against women. The existence or absence of laws in some areas of women's lives are another challenge in eliminating discrimination. Legal protections and policies are varied across Southeast Asia. While domestic violence laws in several countries have improved, some countries are yet to develop comprehensive laws on violence against women, especially covering women in specific situations of vulnerability to violence. Family laws, including marriage, divorce, custody laws routinely discriminate against women. Freedom of movement for some women, of sexual autonomy and reproductive rights are also often curtailed by regressive laws and practices despite some advances in some countries. Law and justice systems both nationally and regionally, have been a focus of CEDAW SEAP because women have recognized both the potential and failings of it. In cases where laws are missing or discriminatory or broke, ending discrimination against women means more than simply helping women to access the existing justice system. Equality and equity are also conflated as interchangeable concepts. This leads to measures of equality stopping at formal equality and not translating into substantive equality outcomes for women.

Many countries have few lawyers, policy makers with the knowledge and skills to advance women's rights from the perspective of substantive equality, and other principles enshrined in CEDAW. Where laws exist, due to intrinsic stereotypes, cultural norms, internalised by duty bearers and rights holders alike, legal interpretations remain limited. Many lawyers and para-legal professionals are not equipped to challenge and critique discriminatory laws and practices from feminist and rights perspective or to use human rights standards in their work. A stronger pool of knowledgeable legal advocates are required who can collaborate across the region and share challenges and knowledge.

In 2013, UN Women through its Regional Programme on Improving Women's Human Rights in Southeast Asia (CEDAW SEA Phase II) entered into partnership with Asia Pacific Forum on Women, Law and Development (APWLD) to train a pool of practitioners on the Feminist Legal Theory and Practise Methodology. APWLD has been conducting legal training using a feminist lens for two decades, training over 500 lawyers, judges, social activists, paralegals, administrative personnel and trainers to effectively challenge discriminatory laws and practices in their countries by applying international conventions and precedents as well as applying a critical lens to the barriers women face.

The initiative of building a pool of trained practitioners aimed to enhance the capacity and skills of legal professionals and gender advocates in the region to analyse and critique discriminatory laws against women from feminist and rights perspectives; to campaign for feminist legislation and policy formulation with an ultimate aim of empowering women, especially of those belonging to rural, indigenous and other marginalized communities, to challenge structural inequality and to defend their own rights; and to strengthen non-governmental or educational institutions in the region to enhance their capacity development programmes in this area.



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The project concluded in December 2015. By the end of the project period, it was expected that the project initiatives increased capacity of legal professionals and gender advocates in the region to use human rights concepts, as enshrined in CEDAW, other relevant human rights instruments and domestic laws to engage in legal and judicial reform, strategic litigation and bring impact cases that promote the rights of women, especially of those belonging to rural, indigenous and other marginalized communities. It was expected that the expanded pool of trainers would be available in the region as well as specific training modules would be made widely available.

### Objectives

- Invite graduates of the APWLD FLTP programme under the partnership with UN Women, for a discussion
- Reflecting on the trainings and how the trainings assisted change in knowledge, attitude, perceptions and skills
- Exchange of impact stories, significant milestones, work and advocacy since the graduation of FLTP;
- Develop action plan for an expanded pool of trainers available in the region and further initiatives by the trainers, including potential for development of online platform and network of women's rights advocates working together through the sharing and exchange of strategies to advance women's rights.

### Expected Results

- Strengthened/Expanded feminist legal expertise and network in Southeast Asia for effective protection and promotion of women's human rights;
- Action plan developed for an expanded pool of trainers available in the region and further initiatives by the trainers, including potential for development of online platform and network of women's rights advocates working together through the sharing and exchange of strategies to advance women's rights.

### Participants

1. Asia Pacific Forum on Women, Law and Development (APWLD)
2. **Cambodia**, SILAKA
3. **Indonesia**, Solidaritas Perempuan
4. **Lao PDR**, Lao Women's Union
5. **Philippines**, Women's Legal and Human Rights Bureau Inc. (WLB)
6. **Thailand**, Foundation for Women and Rural Development
7. **Timor-Leste**, Center for Women and Gender Studies (CWGS)
8. **Viet Nam**, Institute for Gender and Development (InGAD)
9. UN Women team from Cambodia, Indonesia, Philippines, Lao PDR, Timor Leste, Viet Nam

