



ENHANCING ACCESS TO JUSTICE FOR WOMEN IN ASIA AND THE PACIFIC


Bridging the gap between formal
and informal systems through
women's empowerment
2018-2023

PROGRAMME BRIEF



AT A GLANCE

PHOTO COURTESY OF ELYDA MEY



The right of access to justice for women is a fundamental component of the rule of law, good governance, and human rights guarantees. Enhancing the ability of women to access justice is essential for reducing gender inequality and discrimination, and for furthering development and human security. Women's empowerment in every aspect of their lives is reliant upon systems of law and justice that work for women. To effectively enhance women's access to justice in Asia Pacific, approaches must focus on combatting gender stereotypes and discriminatory practices and on engaging women from the grassroots to inform and lead change.

UN Women, the International Commission of Jurists (ICJ) and the Office of the United Nations High Commissioner for Human Rights (OHCHR) are jointly implementing a five-year programme, generously funded by the Government of Sweden, entitled Enhancing Access to Justice for Women in Asia and the Pacific: Bridging the gap between formal and informal systems through women's empowerment. The project will be implemented at the regional level, with initially six countries of focus: Indonesia, Philippines, Nepal, Sri Lanka, Timor-Leste and the Pacific Island Countries. The project aims to enhance access to justice for women in formal and informal systems by ensuring laws and court decisions are consistent with international standards, including CEDAW; combatting gender discriminatory attitudes in the justice system; and empowering grassroots women's organizations to better document, monitor and liaise with justice providers in their communities.

ENHANCING WOMEN'S ACCESS TO JUSTICE IN ASIA PACIFIC

This project focuses on the idea that if there is a legally enabling environment for women to access gender-responsive justice, where plural justice systems are gender-responsive and grassroots women organizations are empowered and resilient, then, women's access to justice will be enhanced in the Asia Pacific region.

ADVOCACY

The programme will work to encourage parliamentarians and judges in Asia and the Pacific to use international human rights law and standards, including CEDAW, in developing domestic laws and judicial decisions to enhance access to justice for women. This will be done through bilateral briefings with parliamentarians on laws that explicitly discriminate against women and hence hinder their access to justice; and interventions (through amicus briefs and expert legal opinions) in court cases wherein the issues involve challenging existing practices on women's access to justice or developing new standards at the domestic level.

CAPACITY BUILDING

UN Women, ICJ, and the OHCHR will jointly contribute towards the building of capacity and awareness of judges, police, prosecutors, and informal justice adjudicators (e.g. tribal councils, village elders) on how they may effectively use the Bangkok General Guidance for Judges in Applying a Gender Perspective to enhance women's access to justice. For frontline justice actors from both formal and informal justice systems, focus of the trainings shall be on their roles under international law to uphold and respect women's human rights and enhance their access to justice.

LEARNING, KNOWLEDGE PRODUCTION AND KNOWLEDGE SHARING

All partners will work to jointly convene practitioners and experts for dialogues around new evidence, emerging practices, and learning from approaches implemented and evaluated through this project across the region.

DIALOGUE

Project partners will facilitate dialogues between frontline justice actors and women human rights defenders, so that the former would know obstacles the latter face in accessing justice. This programme shall also provide common platforms so that formal justice actors and informal justice actors are able to exchange ideas on how they can link and collaborate with each other to enhance women's access to justice.

EMPOWERMENT

Building on UN Women's previous work in this area, grassroots women human rights defenders and women-led community organizations shall be empowered through financial support, so that they can engage better with formal and informal justice adjudicators.

BY THE NUMBERS

2016

Year the Bangkok General Guidance for Judges on Applying a Gender Perspective was adopted.

80%

Of the poor and disadvantaged in developing countries utilize customary justice systems for dispute resolution.

6 COUNTRIES

In Asia and the Pacific have made reservations on Article 16 of CEDAW, which guarantees women's rights within marriage and family.

ABOUT HALF

Of countries in the region have discriminatory statutory and customary laws with respect to inheritance and property rights.

FOCUS AREAS

Human rights

Democracy

Gender Equality

Environment

Climate Change

PROGRESS TOWARDS THE SUSTAINABLE DEVELOPMENT GOALS:



WORKING REGIONALLY WITH ENVIRONMENT, GENDER EQUALITY AND A HUMAN RIGHTS BASED APPROACH

This programme recognizes that the mutual interaction between human rights, gender equality and environment and climate impacts can be especially pronounced for women and girls. Eliminating gender inequalities in environmental action is a critical component of building resilient communities. Women face unequal impacts from climate change on multiple fronts. The livelihoods of women are often dependent on the agricultural sector, placing their economic engagement and wellbeing at increased risk from climate impacts. Women can face unequal access to land, water, and natural resources, due to patriarchal traditions of land ownership and discriminatory laws, that can heighten their vulnerability to climate change. In the event of a disaster, there is increased risk of violence against women. Yet there is often limited opportunity for women to access justice, and a lack of legal service provision due to the breakdown of systems and services in disaster settings, and institutional priorities that often ignore women's needs. The programme seeks to pursue women's access to justice with an emphasis on protection and promotion of women's rights across all spheres, especially due to climate and disaster-based inequalities.

PROGRAMME HIGHLIGHTS



PHOTO: UN WOMEN/PIYAVIT THONGSA-ARD

- Capacity building trainings with frontline formal justice actors (e.g. court personnel, police and prosecutors, legal aid providers) will be held in at least five countries to raise awareness of gender discriminatory attitudes and behaviors of justice sector actors towards women and how to eliminate them, including where women face multiple forms of discrimination.
- National dialogues will be held in Indonesia, Philippines, Nepal, Sri Lanka, and the Pacific Islands to provide platforms for dialogue aimed at building consensus on how justice systems can be more gender-responsive and promote gender-sensitive attitudes in their institutions.
- Grassroots women's organizations in at least three countries will be provided with financial support so that they are able to conduct work engaging with formal and informal justice adjudicators.

REGIONAL ENGAGEMENT

This programme will be implemented through a collaboration of three organizations – UN Women, ICJ and OHCHR – to work at the regional and local level, utilizing the expertise of each organization to achieve results. These regional partners bring to the table unique knowledge, capacity and strong networks, which complement and reinforce the strengths of each respective organization. They are thus uniquely placed to offer the platforms needed for all actors to come together, build trust and provide expertise and advocacy to achieve programme goals and to support the implementation of the Sustainable Development Goals.



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[http://asiapacific.unwomen.org/en/focus-areas/
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