

Gauri Devi Bista, member of the Women Human Rights Forum in Dipayal Silgadhi Municipality-7 in Doti district (Nepal).
Photo: UN Women Nepal/Uma Bista

Enhancing Women's Access to Justice in Asia Pacific WA2J Brief, April – November 2021

INTRODUCTION

If we are serious about achieving “equal access to justice for all,” as per target 16.3 of the Sustainable Development Goals (SDGs), the key question is: How can we ensure justice for all by 2030 when 5 billion people cannot access justice today?¹ This is not realistic without rethinking, redesigning, and massively expanding the reach of justice, and the understanding of what justice is and how it is done. Women's rights will not flourish in a broken system. It is therefore important to strengthen women's leadership and skills to actively contribute to justice for all.

Over the last six months our project utilized a people-centred approach by supporting both formal and community-based justice mechanisms to cater to the justice needs of women. Working with women lawyer associations, community-based justice providers, women's rights defenders and the judiciary, and by partnering with ministries across the region as well as national and international human rights mechanisms, we promoted women to activate their citizenship and encouraged decision makers to become agents of change to advance justice for women, men and children.

Our work to create a regional long-term vision on gender-responsive justice for all has also advanced over the last six months. Discussions with civil society partners, UN Women country offices, UN sister agencies and other global justice experts allowed us to identify justice gaps in the region and identify potential people-centred solutions including the application of gender-responsive legal technology, a stronger focus prevention of legal problems, evidence-based standardization, and a shift towards more effective financing for justice. In 2022, further discussions and expert roundtables will be conducted which will lead eventually to the development of a regional strategy for women's access to justice.

I would like to thank all our partners, especially the women's rights organizations and women's human rights defenders (WHRDs) across the region, for their amazing work in 2021. I wish you all a happy and healthy 2022, hopefully COVID-19 free.

Doreen Buettner, Programme Specialist
Access to Justice, UN Women Regional Office for Asia and the Pacific

If you would like further background to initiatives highlighted in this newsletter or would like to explore opportunities for collaboration, please reach out via: doreen.buettner@unwomen.org



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COMMUNICATION & ADVOCACY

LAUNCH OF THE “WE FOR US” EXHIBITION

[“We for Us” a Women’s Access to Justice digital art exhibition is now live!](#)

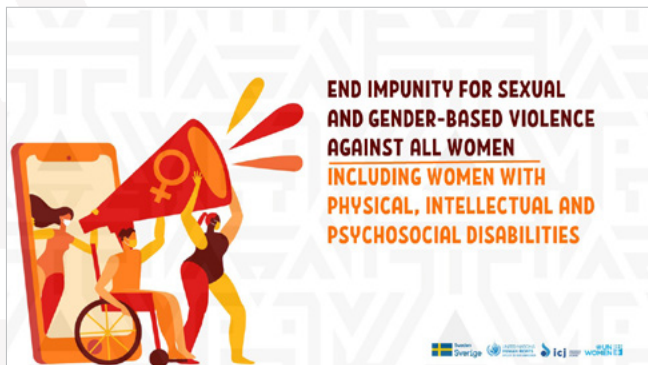
The initiative “We For Us” is an art and storytelling co-creation project between two gender equality activists, four artists and a curator from Nepal. The body of artwork narrates the journey of resilience and empowerment of Rekha Devi Yadav and Gauri Bista, two activists, who shift social and cultural norms to establish a more enabling environment for women who seek justice. “We for Us” was delivered in collaboration with local NGO Srijanalaya. The digital exhibition has gathered much visibility and



Rekha Devi Yadav and Gauri Bista
Image: Stephen Tierney

positive response, including a [feature in the Kathmandu Post](#), a national daily in Nepal. The art works covering the journey of Rekha Devi Yadav and her leadership role

in promoting access to justice have been featured in the Kathmandu Global Forum Satellite Event on 10 November of the Reykjavik Global Forum 2021.



16 DAYS CAMPAIGN

Improving access to justice for women with disabilities is fundamental to ending impunity for sexual and gender-based violence against all women— leaving no one behind. Legislative change, hand-in-hand with social norms change in communities, is needed to create a more enabling and responsive environment for women with disabilities to seek remedies. We must do more to elevate the voices of disability rights activists across the Asia Pacific region. Listen to the voices of Dewi Tjakrawinata and Sharada Bista, two disability rights activists from our region. [Learn more...](#)



WOMEN IN CONFLICT WITH THE LAW VIDEO AND RESOURCE PAGE

A lack of gender-differentiated policies in the prison system, combined with the gender gap in the justice chain, deprives women in conflict with the law of meaningful access to justice. In addressing gender-differentiated needs of women in conflict with the law ‘Enhancing Women’s Access to Justice’ promotes non-custodial measures as an alternative to incarceration. Watch the video below to learn more about the gender-differentiated needs of women and the particular challenges they face during imprisonment and in their communities. This video is part of the Women in Conflict with the Law awareness raising and advocacy efforts in the Philippines. [Learn more...](#) & [Watch the video here:](#)

STRENGTHENING OF FORMAL JUSTICE SYSTEMS



FIJI

WOMEN HUMAN RIGHTS DEFENDERS TRAINING WORKSHOP FOR THE FIJI WOMEN LAWYERS ASSOCIATION

The OHCHR Regional Office for the Pacific, in partnership with the International Commission for Jurists (ICJ), facilitated a WHRD training Workshop for the Fiji Women Lawyers Association, titled Eliminating Gender-Discriminatory Attitudes and Behaviours Towards Women and Enhancing Access to Justice for Women. The workshop was attended by 35 lawyers based in Fiji. Discussions were centred around their role as lawyers in applying CEDAW principles. The event also kickstarted discussions around the 16 Days of Activism campaign (from November 25), the high rates of violence in the Pacific and how lawyers can contribute towards eliminating violence against women. The workshop focused in particular on the important role of lawyers to apply CEDAW principles in domestic courts to advance women's rights and substantial gender equality.

SRI LANKA

CALL TO REPEAL THE VAGRANTS ORDINANCE

The International Commission of Jurists (ICJ), under the Access to Justice project, is determined to work towards the repeal of the Vagrants Ordinance legislation in Sri Lanka. While the law as a whole is oppressive towards all economically marginalized groups in society, the contemporary application of the law results in directly discriminating women, specifically lesbian and trans women. The vague and overly broad nature of several provisions of the Vagrants Ordinance invariably results in their arbitrary use by the police. For instance, trans women and other sexual and gender minorities are often arrested on suspicion of commercial sex work without any evidence on arbitrary grounds. In most instances charges are not filed against them and they are seldom taken to court. Instead, they are harassed and ridiculed and often made to pay bribes to secure their release. In close cooperation with human rights defenders (HRDs) already working with those who are impacted by this law, the ICJ is supporting advocacy efforts to repeal the vagrancy laws.

COMMUNITY-BASED MECHANISMS



Members of the Pokjas for the Peace Villages in Central Java at a celebration ceremony during a field visit from the minister of Women's Empowerment, the vice Governor of Yogyakarta and the Country Representative and Liason Officer of UN Women (November, 2021)

Photo: UN Women Indonesia/Pomi Moges

INDONESIA

NEXT PHASE OF THE PEACE VILLAGES PILOT

The first Peace Villages, established in 2017, aimed to strengthen local leadership and active citizenship for sustaining peace and enhancing justice with women's full participation. The number of declared Peace Villages has increased from an initial 10 to 18. Of the newly declared eight villages, four have established their working groups for justice and implementation, known as Pokjas. In addition to the Pokjas role as conflict transformation mechanisms, they also monitor the implementation of the Village Action Plans and coordinate with the local level government structure to increase the participation of women in decision making. The focus for the upcoming year is to deepen the knowledge by Pokjas and women's groups of national and the international women's rights framework, and to apply the protection and referral guidelines (developed through this project) to address and prevent discrimination against women within the Peace Villages.

SOLOMON ISLANDS

PROMOTING WOMEN'S PARTICIPATION AS AUTHORIZED JUSTICES – Solomon Islands

UN Women, in collaboration with The Ministry of Justice and Legal Affairs and the Ministry of Women, Youth, Children and Family Affairs, is working towards a more enabling environment for women to seek remedies under the Family Protection Act (2014). The Act is aimed at curbing domestic violence and closing loopholes in existing Family Law in the country. Over the past 6 months training sessions were conducted with women in rural communities in Guadalcanal and Malaita provinces to increase their awareness on how to navigate the forms associated with claim protection under the Family Protection Act (FPA). In parallel, UN Women is advocating for amendment to the Family Protection Act and providing recommendations to allow women authoritative powers as authorized justices in communities. The position was created by the 2014 Family Protection Act (Section 9), in response to the lack of accessible formal justice mechanisms. The Act empowers authorized justices to issue, vary or



revoke interim protection orders for women and children affected by domestic violence. At this point, this role of authorized justices is only granted to traditional chiefs, who are historically only men. From evaluations conducted previously, it was found that most women prefer to seek help from female authorized justices. Promoting the appointment of women as authorized justice once the regulation is amended would be an important step to advance women's meaningful access to justice in the community setting.



NEPAL

LOCAL ACTORS TAKE THE LEAD TO ADVANCE WOMEN'S ACCESS TO JUSTICE

The aim of the Access to Justice project's extensive capacity-building efforts and ongoing technical support is to encourage local actors, such as Judicial Committees, to take leadership in advancing the gender-responsive approach to community-based justice.

The Judicial Committees in the Kailari Rural Municipality and Bhajani Municipality have taken on new initiatives to mobilize additional resources and to strengthen justice mechanisms in their local units. In Kailari, legal literacy classes were organized for women belonging to vulnerable communities. The outreach initiative reached more than 200 women across the six wards in the municipality. The two-day legal literacy orientation programme provided

basic information on existing laws, provisions and services with regard to issues around gender equality and women's empowerment, including gender-based violence and violence against women, as well as attention to the nature of civil versus criminal cases.

In another district, Sarlahi District of southern Nepal, the local government of Chandranagar Rural Municipality allocated funds for the roll-out of a seven-day training for mediators. Acknowledging that well-conducted mediation can transform conflict and prevent escalation, 35 selected mediators from across the seven wards in the municipality form a roster of mediators. The roster is made up of 18 women and 17 men and includes representatives from historically marginalized groups. They work closely with the Judicial Committee and are instrumental in advancing gender-responsive approaches and delivering justice in the community-based justice setting. The training was delivered by two master trainers who were trained under the Women's Access to Justice project with the support of local NGO Legal Aid and Consultancy Centre (LACC) and UN Women Nepal. In addition to Chandranagar, the local unit of Haripurwa has allocated funds for a similar training roll-out for 45 mediators.

These new initiatives, driven by the Judicial Committees and the allocation of resources by local governments, show important progress towards sustainability beyond the Access to Justice project.



Paralegal training event in Davao City
Photo: PHILSSA-TAMBAYAN, 2021

THE PHILIPPINES

PARALEGAL TRAINING FOR COMMUNITY LEADERS IN QUEZON CITY AND DAVAO CITY

UN Women, in collaboration with the Partnership of Philippine Support Service Agencies (PHILSSA), implemented a series of paralegal trainings for community leaders to equip them with skills and knowledge to facilitate referral of cases. Navigating COVID-19 restrictions, the programme followed different approaches across the regions. In Davao City, face-to-face community meetings were possible while observing COVID-19 protocols, whereas in the National Capital Region, delivery of trainings in Quezon City was switched to virtual mode using Zoom. The 62 community leaders who participated in the trainings have received continuous support through the roll-out of legal clinics in the communities. At the legal clinic sessions, the community leaders discuss complex cases with the facilitators or receive technical assistance on justice procedures. While the community leaders were equipped with new skills to provide support to women in conflict with the law, the training also aimed to reduce negative perceptions and stigma associated with women and girls accused of breaking the law.

TIMOR-LESTE

INSTITUTIONALIZATION OF THE GENDER-RESPONSIVE MEDIATION GUIDELINES

UN Women concluded a comprehensive capacity-building programme for gender-responsive mediation in the last quarter of 2020. Since then, ongoing technical support has been provided to the line ministries in Timor-Leste to support the institutionalization of the guidelines and make them applicable to all mediators in the country, as well as to support the roll-out of a nation-wide mediation case management. Facilitators for this training roll-out are selected mediators from the National Directorate for Community Conflict Prevention (DNCCP) who have attended the gender-responsive mediation training and are experienced mediators in community conflicts. A train-the-trainer workshop has been conducted at the national and sub-national levels in 12 municipalities for mediators and practitioners from security institutions, the Ministry of Justice, community leaders (village councils), leaders of civil society organizations (CSOs), the Ombudsman for Human Rights and Justice, and the Ministry of Social Solidarity and Inclusion.



Discussion held with women Informal Justice Actors of Chandranagar and Brahmapuri Rural Municipality
Photo: UN Women Nepal/ Laxmi Singh

NEPAL

A NEW DAY: WOMEN'S PARTICIPATION AS INFORMAL JUSTICE ACTORS

As a result of the training on gender-responsive justice conducted for informal justice actors earlier in the year, traditional informal justice actors in Sarlahi took concrete action to advance gender responsiveness. Across four wards in the Chandranagar Rural Municipality 65 women were appointed as leaders of *panchayat*, the traditional informal justice system in Sarlahi District. In every *panchayat*, there are 35-40 *panchas* (leaders). This is a significant step to advance participation of women in decision-making roles within the traditional informal justice system. Due to patriarchal norms, up to now the position of *panchas* was solely held by men. The gender-responsive justice training has opened up the conversation about the importance of women's participation as informal justice actors and the significance of their role to advance access to justice for all.

WOMEN'S RIGHTS MOVEMENT

INDONESIA

TRAINING FOR COMMUNITY MEMBERS AND VILLAGE LEADERSHIP ON WOMEN'S RIGHTS

Access to justice is one of the five major entry points into Prevention of Violence Extremism under the Peace Villages Programme in Indonesia (the other entry points being women's economic empowerment, women's participation in leadership, support for the sub-national government, and youth inclusion). To build knowledge and develop capacity in the Peace Villages, a training mechanism was rolled out focusing on two components:

- Training for *Pokja* working group members and community members on women's human rights, from legislation to implementation. This includes women rights, community-based protection mechanisms, and equal access to justice. Roughly 60 people participated in the first round. Participants gained an increased understanding of international standards, Indonesia's legislative framework on women's human rights and services for victims of gender-based violence.
- Training for community leaders and government appointed village heads on women's rights and protection. Prior needs assessment indicated that there is a different understanding of women's rights between community leaders and the *Pokja* working group members.

As a concrete output, community guidelines were developed on how to provide justice for women in their Peace Village, resulting from a co-creation process with all participants. The guidelines include support for women victims of gender-based violence, a mechanism for legal aid, and a community approach to preventing discrimination against women. The trainings were supported by Wahid Foundation, and the community guidelines were created with the participants after the training.

SOLOMON ISLANDS

ADVOCACY FOR AN INCLUSIVE TRADITIONAL GOVERNANCE BILL

UN Women in collaboration with the Ministry of Women, Youth, Children and Family Affairs has supported the Ministry of Traditional Governance, Peace and Ecclesiastical Affairs with the mobilization of women's groups and CSOs and the coordination of consultations with these groups to provide recommendations for the Traditional Governance and Customs Facilitation Bill (TGCFB). This activity was carried out under the Inclusive Governance of National Resources (IGNR) project and will continue under the Access to Justice project. The work forms the groundwork for advocacy efforts to increase women's participation in dispute resolution and overall a more inclusive Traditional Governance bill. The aim is to achieve a bill that effectively addresses women's role in traditional governance, full participation in land management and decision making as well as the myriad ways in which traditional governance affects women's lives. The TGCFB bill aims to give community and clan leaders more leverage in resolving disputes. It encourages active citizenship by engagement, collaboration, and contribution in the dialogues between government and traditional organizations. The final recommendations resulting from the consultations were handed over to the Minister for Traditional Governance, Peace and Ecclesiastical Affairs on 29 October.



Hand over ceremony of the final recommendations to the Minister for Traditional Governance, Peace and Ecclesiastical Affairs
Photo: UN Women Solomon Islands

“The recommendations provide an equitable gendered-based lens and outlook to the ongoing legislative process of the Bill and serve as significant contribution and transformative peacebuilding efforts”

- Hon. Samuel Manetoali, Minister for Traditional Governance, Peace and Ecclesiastical Affairs.

TIMOR-LESTE

NEW AGREEMENT WITH THE MINISTRY OF INTERIOR

On 28 July 2021 UN Women Timor-Leste and the Ministry of Interior signed a memorandum of understanding (MOU) to advance the implementation of the Gender-Responsive Conflict Prevention and Resolution decree (enacted in October 2020) and women's participation in mediation and conflict resolution. The focus of the new MOU builds on previous work to implement gender-responsive

mechanisms for conflict prevention and resolution, with a particular focus on improving policy and an enabling environment to increase women's representation and participation in decision-making. The continuation of the collaboration with the Ministry of Interior is a testament to the commitment of the line ministry to cement gender-responsive conflict prevention and resolution mechanisms as part of the implementation of the National Action Plan (NAP 1325).

TRANSITIONAL JUSTICE

NEPAL

APPLYING A GENDER LENS TO TRANSITIONAL JUSTICE: WOMEN'S VOICES



In April 2021, the ICJ published a briefing paper analysing the Truth and Reconciliation Commission Act and the Commission on Investigation of Disappeared Persons regulations from a gender

perspective, with a view to promoting holistic and effective transitional justice measures that are responsive to the needs of all victims, in particular women, seeking justice and reparation. As a follow-up activity the ICJ, in collaboration with the Conflict Victim Women National Network, organized a virtual consultation on 19 June titled 'Enhancing Access to Justice for Survivors of Conflict-Related Sexual Violence'. Around 80 participants attended the consultation, including HRDs and conflict victims from different parts of the country. Participants stated that victims of sexual and gender-based violence during Nepal's 10-year civil war still face major obstacles to justice. [Learn more about the consultation event...](#)

Publication cover: *Nepal: Transitional Justice Mechanisms with a Gender Perspective* (the ICJ, 2021) The ICJ

DIALOGUE PLATFORMS



Image: Márcia Leite

THE PHILIPPINES

WOMEN IN CONFLICT WITH THE LAW TRAINING & DIALOGUE

From March to July, UN Women in collaboration with local partner StreetLawPh conducted capacity building for women in prison and jail personnel in the Philippine cities of Cebu, Mandaue and Lapu-lapu. The focus of the monthly trainings was to raise awareness among both groups regarding gender-responsive and humane treatment of women in prison, as well as to increase their knowledge of women's rights and international standards that apply to them. In some of the sessions, the women learned about the rights of the accused and the importance of being presented warrants of arrest and having access to legal counsel. With the first phase of the training programme completed, the next phase shifted towards practical sessions where the women had an opportunity to discuss issues around their cases or any concerns about the situation in jail. The trainers provided paralegal support to address their concerns, focusing on procedural guidance and application of relevant policies. This initiative culminated in a dialogue in the Cebu City Jail between the incarcerated women and justice providers from the judiciary and the Public Attorney's Office. Upcoming dialogues are also scheduled for the Mandaue and Lapu-lapu City Jails. In addition, on 19 October the Access to Justice partners brought together justice providers, CSOs and human rights defenders to explore social justice, the need for policy reform, and legal barriers that prevent meaningful access to justice for women in conflict with the law. [Listen to the recorded Women in Conflict with the Law Justice Dialogue here...](#)

TIMOR-LESTE

FIRST MEETING OF THE NATIONAL MEDIATION NETWORK

On 23 September 2021 an inaugural meeting took place bringing together representatives from the Ministry of Interior and civil society organization (CSO) partners under the umbrella of a national mediation network. The aim of the initiative is to create a platform for dialogue and best-practice sharing between CSOs, government and development partners (e.g. the Asia Foundation and the Asia Development Bank) working in the area of mediation for conflict resolution and peace building. UN Women is involved in the establishment of the network, building on to the ongoing technical support and collaboration with the Ministry of Interior on gender-responsive mediation. The network will be further formalized with agreed terms of reference for all participating parties and an official launch in early 2022.



Inaugural meeting of the National Mediation Network in Timor-Leste
Photo: UN Women Timor-Leste



Best practice sharing event of local judicial committees, mediators and informal justice actors of Sarlahi, Kailali and Doti Photo Credit: UN Women Nepal/ Gunjan Jha

NEPAL

LOCAL JUDICIAL COMMITTEES, MEDIATORS AND INFORMAL JUSTICE ACTORS COME TOGETHER TO SHARE BEST PRACTICE ON COMMUNITY-BASED JUSTICE

On 18 March and 20 April 2021, judicial committee members, mediators and informal justice actors from across 10 local units came together to share best practices in their justice-delivery procedures. This is the first time that these three different actors have been brought together. The 60 participants contributed to the two in-person dialogue events, focusing on ways to improve coordination among the different actors in the community-based justice mechanisms. Special attention was paid to the challenges of access to justice by women and excluded groups, as well as experiences and challenges in the COVID-19 context, gender-responsive justice delivery and referral procedures. The events also provided an opportunity to discuss difficult cases and referral mechanisms between mediation and adjudication.

“I am certain that this platform will foster a good relationship between formal and informal justice actors, which will certainly help to make the judicial system more systematic and accessible to those seeking justice” - Man Bahadur Chaudhary, Informal Justice Actor of Kailari Rural Municipality



Two-day regional human rights workshop with HRDs in Nadi, Fiji
Photo: OHCHR Pacific Regional Office

ENGAGEMENT WITH UN HUMAN RIGHTS MECHANISMS

FIJI

RESEARCH ON THE SITUATION OF HUMAN RIGHTS DEFENDERS IN THE PACIFIC

The Office of the United Nations High Commissioner for Human Rights Regional Office (OHCHR) for the Pacific conducted scoping missions in seven Pacific Island Countries to analyze the situation of HRDs, with a special focus on women. The missions were complemented by desk reviews. The countries covered are Fiji, Kiribati, Republic of Marshall Islands, Papua New Guinea, Solomon Islands, Tuvalu and Vanuatu. OHCHR mapped 195 HRDs across these seven countries. It discovered a clear call amongst Pacific HRDs for: a strengthening of networks of defenders and beyond; the expansion of protection mechanisms; the safeguarding of the shrinking civic space and freedoms of defenders to exercise their rights; and for flexible funding models and supportive donor policies. Among the defenders themselves the study found significant commitment but gaps in knowledge, indicating a need for capacity building on international human rights standards and mechanisms and their practical use.

Following validation workshops earlier in the year the findings and recommendations were presented to different audiences to raise awareness of the situational analysis in the selected Pacific Island countries. These presentations included: an event attended by 40 Pacific high commissioners and embassy staff in Canberra; another event with 60 HRD participants in Suva; and a two-day regional human rights workshop with WHRDs in Nadi, Fiji. Following these events, OHCHR will provide regional capacity-building training to HRDs to enable them to further promote human rights work in their respective countries and the region as a whole. The report will be published early 2022.



Launch of the OHCHR Report on the situation of human rights defenders, in Suva
Photo: OHCHR Pacific Regional Office

INDONESIA

STRENGTHENING AWARENESS AND ENGAGEMENT WITH THE CEDAW TREATY BODY

The second half of 2021 marked the final stage of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) review process in Indonesia, with the concluding observations by the CEDAW Committee published in November. The aim was to strengthen engagement with the mechanisms under the UN human rights system, and increase understanding of their role in monitoring and strengthening State compliance with international human rights laws and obligations.

The following are a few highlights from the different activities to drive advocacy, enhance monitoring and address CEDAW non-compliance:

OHCHR led a collaborative effort with the ICJ in bringing together the national human rights institutions (NHRIs), the National Commission on Human Rights (Komnas HAM), the Commission on Violence Against Women (Komnas Perempuan), the Indonesian Ombudsman, and the National Witness and Victim Protection Agency (Lembaga Perlindungan Saksi dan Korban). This is the first time all these bodies came together to discuss CEDAW treaty compliance, their role in promoting and protecting the rights enshrined in the CEDAW treaty, and gender justice perspectives. The engagement of these key bodies was critical in identifying the practical challenges and steps for judges and lawmakers to enhance application of international human rights norms and standards at the national level to advance the rights of women.

To strengthen the engagement of CSOs and WHRDs with the CEDAW review process, OHCHR in collaboration with UN Women facilitated workshops and knowledge sessions on different avenues to interact with the CEDAW Committee. One milestone was the facilitation of oral and written submissions to the Committee's pre-sessional working group, which addressed issues connected to each article of CEDAW, for the Committee's consideration ahead of the review. Those issues were then included by the Committee in the list that it sent on to the Government of Indonesia, and that in turn helped the state's reporting process in compliance with its reporting obligations under CEDAW.

Additionally, the partners supported engagement by the UN Country Team, including submission of reports and an oral statement by the UN Resident Coordinator in Indonesia to the Committee, raising key issues of concern and to inform further action needed by the State to fulfil its obligations under the treaty. Several specific issues raised as part of this effort were included by the Committee in its concluding observations and recommendations. These include protection of indigenous women's rights to access and use natural resources and lands, access to basic services, protection of WHRDs and environmental HRDs, and LGBTQI rights.

The next steps in 2022 will focus on engaging with all stakeholders, including policymakers, legislators, courts, UN agencies, CSOs and the NHRIs to implement the recommendations issued by the CEDAW Committee.