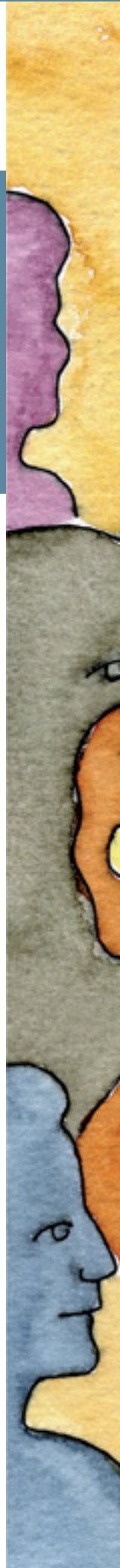




# The Policies of the European Union on the Gender Aspects of Democracy Building in South East Asia

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## Abstract

A two-track strategy on gender has been adopted by the European Union (EU) and its member states: the mainstreaming of gender equality into all policies, strategies and actions; and the financing of measures that directly support women's empowerment. Apart from the Philippines, the major countries in South East Asia do not perform particularly well on gender equality. Considerable improvements, however, have been achieved since 1990, in terms of the participation of women in policymaking and decision making, and there is a clear trend for a growing awareness of gender equality by women themselves and society as a whole. Nonetheless, it would be inaccurate and too simplistic to conclude that this implies a uniform situation for all women and a similar degree of attention to gender equality across the region. Asian governments and civil society organizations became involved in democracy promotion networks and with bodies that covered gender issues in their programme areas in the 1980s. In reach, scope and focus, the United Nations agencies – in particular UNDP and UNIFEM – have played the leading role in promoting gender equality in the region. The EU, on the other hand, has not been that visible in this area in the region. An EU-wide policy was adopted only relatively recently and the first step to a coordinated approach, the Communication on Gender Equality and Women Empowerment in Development Cooperation, was taken only in 2007. The EU's 2007 Strategy Paper for Asia (2007–2013) explicitly lists the promotion of human rights and democracy, and gender equality as cross-cutting issues. There is, however, no mention of gender or democracy promotion in the Multi-Annual Indicative Programme for 2007–2010 and no budget allocation corresponding to these areas. In light of the above, this paper examines whether the EU's position is persuasive, redundant or marginal in the network of externally driven initiatives on gender equality in the region, whether the EU is an effective promoter of democracy and its gender aspects, and how its role is perceived in the region.

## Summary of Recommendations

It is recommended that the EU take a two-pronged approach to promoting gender equality with its partner countries in South East Asia. It should work at the national

level, in terms of assistance in policy formulation, the creation of relevant bodies and the development of women political leaders, but parallel work must also be undertaken at the grassroots and community levels, targeting not only women but, as importantly, local leaders, community council members, village chieftains, and the like. The EU can effectively advance gender interests by promoting the idea of legislation on representation quotas at all levels of policymaking and decision making. Quotas aim to increase women's representation in elected and appointed positions at the national level, and in regional and local institutions and councils. The EU can also aim to assist in improving awareness through education and training for local government institutions. Technical assistance in the implementation of international commitments, especially in the formulation of appropriate legislation, can also be considered. The EU can undertake a study on the possibility of an ASEAN-wide instrument to promote gender equality. At the regional level, ASEAN has been and remains the only political body with the potential to take on a coordinating and monitoring role with regard to the implementation of international commitments. Most important, the EU must establish gender as a distinct component of all existing and future development cooperation programmes, with dedicated financial support. The design of programmes must incorporate gender-inclusiveness and improved gender content. The establishment of an EU funding facility for gender programmes may be considered. Alongside these initiatives, EU strategy will benefit greatly from a comprehensive mapping of key actors, such as donors and international institutions, as well as of related activities in the region and in each country. The identification of potential partners, including academic institutions, will be useful in programming gender-related initiatives and will aid future collaboration efforts. Capacity building and strengthening on gender reporting, analysis and data collection have been identified by countries as a need, and which EU would do well to support.

## 1. Introduction

Gender equality is acknowledged as a fundamental human right by the European Union (EU). It is enshrined in the EU Treaty and in the EU Charter of Fundamental Rights, article 23 of which affirms that: 'Equality between men and women must be ensured in all areas, including employment, work and pay. The principle of equality shall not prevent the maintenance or adoption of measures providing for specific advantages in favour of the under-represented sex' (European Union, 2000).

In 2005, the EU defined its framework for cooperation policy in the European Consensus on Development.<sup>1</sup> The framework lists gender equality as one of the common principles of EU development cooperation. Several instruments were developed to promote gender equality in the EU's external activities, including *Gender Equality and Women's Empowerment in Development Cooperation* to help promote equal political, civil, economic, social and cultural rights for women and men. The Toolkit on Mainstreaming Gender Equality was developed to provide concrete operational guidelines on how to mainstream gender equality into country programming as well as the different modalities of aid implementation. Finally, the EU Roadmap for Equality between Women and Men identifies the promotion of gender equality in external and

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<sup>1</sup> See the Europa summaries of legislation website, <[http://europa.eu/legislation\\_summaries/development/general\\_development\\_framework/r12544\\_en.htm](http://europa.eu/legislation_summaries/development/general_development_framework/r12544_en.htm)>

development policies as a priority area for the period 2006–2010. A two-track strategy has been adopted by the EU and its member states: the mainstreaming of gender equality into all policies, strategies and actions; and the financing of measures that directly support women's empowerment.

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The EU first recognized the importance of integrating gender issues into development cooperation in a Communication and a Council Resolution in 1995. This was followed by an EC Regulation in 1998 that set out guidelines on integrating gender issues into development cooperation, which applied until 2003. A Programme of Action was put in place to provide capacity building within the EU. The 2007 Communication on Gender Equality and Women's Empowerment in Development Cooperation places gender equality 'firmly in an EU context and is intended to send the strongest possible signal regarding the importance of Gender Equality in all future EU development cooperation efforts.' It also sets out in detail the strategy to accomplish this. Three fronts have been identified: country and regional programming; thematic programmes and other financial instruments; and monitoring of the new strategy. The EU, however, has not been that visible in this area in the region. The EU-wide policy was adopted only relatively recently and the first steps towards a coordinated were taken only in 2007.

This paper examines the implementation of this policy framework by the EU in its development cooperation strategies in South East Asia. To the extent possible, it assesses the impact of the policy framework and whether the EU's approach has been effective in driving gender equality in the region. Section 2 provides contextual background through a summary of the gender architecture of South East Asian countries, including the presence of development institutions and donors working on gender equality issues. Section 3 examines the EU's approach to gender equality in South East Asia. An overview of EU cooperation in the region is provided as well as an analysis of the extent to which gender equality has been integrated into, or at least considered in, EU strategies. Particular focus is placed on the EU's role in the complex network of donors and international institutions engaged in the issue in South East Asia, and whether this is proving effective. Based on this analysis, the remaining challenges are identified and a set of recommendations provided.

## **2. Gender Equality in South East Asia**

A snapshot of the region's performance on gender equality is provided by the country rankings in the 2009 Gender Gap Index of the World Economic Forum, which looked at 115 countries. According to the rankings (see Table 1), apart from the Philippines, which had previously been placed sixth, the major countries in South East Asia do not perform particularly well. This trend, however, masks achievements since the idea of gender equality was first introduced to the region through development cooperation in the 1980s.

**Table 1. Ranking of South East Asian Countries in the Gender Gap Index, 2009**

Country	Ranking
Philippines	9th place
Thailand	59th place
Vietnam	71st place
Singapore	85th place
Indonesia	93rd place
Malaysia	101st place
Cambodia	104th place

Source: World Economic Forum, 2009

The implementation of gender mainstreaming strategies in Asia has been pursued in earnest since the Fourth International Women's Conference, which was held in Beijing in 1995. Gender mainstreaming is the internationally agreed strategy for governments and development organizations promoting gender equality. The core idea behind it is the promotion of equal participation by both men and women in planning, decision making and agenda-setting processes.

**The core idea behind gender mainstreaming is the promotion of equal participation by both men and women in planning, decision making and agenda-setting processes. Gender equality has four dimensions: access to economic resources, decision making, the elimination of discrimination and gender capacity building.**

Gender equality has four dimensions: access to economic resources and assets; decision making at all levels; women's rights and the elimination of discrimination in areas where it exists, such as in customary law, formal legislation and social, political and economic institutions; and gender capacity building (AusAid, 2007). Gender equality and democracy interact in many areas, but where they have the most potential to bring about change is in policymaking and decision making, legislative representation and representation at all levels. When women are excluded from the decision-making process, it is unlikely that a balance of the interests of women and men will be achieved. Participation in political life is a fundamental principle of gender equality and women's empowerment (International IDEA, 2005).

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Regionwide, the most significant development to institutionalize gender equality is the ratification by the countries in South East Asia of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).<sup>2</sup> CEDAW is considered to be the

international Bill of Rights for women, and is similar in status and importance to other global human rights treaties such as the Convention on the Rights of the Child. Most of the South East Asian countries are also signatories to related international

<sup>2</sup> As of January 2007, these are Brunei Darussalam, Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar, Philippines, Singapore, Thailand, Timor-Leste and Vietnam.

conventions such as the International Labour Organization's Convention on Equal Remuneration. As signatories to these conventions, especially CEDAW, the countries bind themselves legally to fulfilling their obligations to women. Because CEDAW is the unifying basis for national frameworks on gender equality, this paper cites relevant parts of the reports on progress with the implementation of CEDAW in South East Asian signatory countries whenever information or relevant studies from other sources are not available.

A 2008 report by the United Nations Development Fund for Women (UNIFEM, 2008) shows that higher levels of awareness of discrimination and understanding of women's rights are demonstrated among programme beneficiaries in CEDAW signatories in South East Asia. As a representative sample of the population in the region, this is an indication of improvement. Increased awareness includes knowing about the obligations of the respective countries resulting from ratification of the convention. The same report finds that there has been an evolution in the way gender equality is perceived. Gender equality is now considered 'a human rights issue rather than a question of individual preference, goodwill, political choice, etc.'

Among the South East Asian countries, Cambodia, Indonesia, the Philippines, Thailand, Vietnam and Timor-Leste have used CEDAW and relevant agreements as a basis for national legislation and policy. In the Philippines, a Magna Carta for Women was signed into law in August 2009, the provisions of which are consistent with CEDAW and aim to become comprehensive legislation on eliminating discrimination against women. A new Gender Equality Law is in place in Vietnam. The application of CEDAW in these countries is either by the removal of discriminatory sections from existing laws or by the development and passage of new laws or legal frameworks. There are also examples of governments making improvements to existing CEDAW implementation and monitoring mechanisms, including new resource allocations.

Considerable improvements have been achieved since 1990 in terms of the participation of women in policymaking and decision making, although in varying degrees according to country. Table 2 shows the proportion of parliamentary seats held by women across the region. Vietnam and Lao PDR consistently had the highest rates from 1990 to 2007, although these two countries are not democracies. Singapore was the laggard in the region before 2007, with a women's participation rate below 5 per cent. The other countries demonstrate an improving trend, despite still falling below the Inter-Parliamentary Union (IPU) average of 18.5 per cent.

**Table 2. Proportion of Parliamentary Seats held by Women, 1990, 2000 and 2007**

Country	1990	2000	2007
Brunei Darussalam	NA	NA	NA
Cambodia	5.8 (1997)	8.2	9.8
Indonesia	12.4	8.0 (2001)	11.3
Lao PDR	6.3	21.2	25.2
Malaysia	5.1	10.4 (2001)	9.1
Myanmar	NA	NA	NA
Philippines	9.1	12.4	15.3
Singapore	4.9	4.3	24.5
Thailand	2.8	5.6	8.7
Vietnam	17.7	26	27.3

Source: Asian Development Bank, Key Indicators 2008

Thus, from the indicators above, two of which are direct and measurable, it could be argued that there is a clear trend in South East Asia for a growing awareness of gender equality by women themselves and society as a whole. This is a positive development across the region that seems to have been encouraged and driven by national obligations in international treaties, the proliferation of donor-driven initiatives and an increased awareness among women of their rights. It would, however, be inaccurate and too simplistic to conclude that this implies a uniform situation for all women and a similar degree of attention to gender equality across the region. The above indicators conceal problems of implementation, which are significant in most of the countries for a number of reasons that range from relatively straightforward bureaucratic limitations to more complex cultural biases.

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### **National Contexts**

This section briefly describes the national contexts, focus and initiatives in gender equality, as well as the challenges that remain across the region. Annex 1 provides a more detailed profile of each country. In *Cambodia*, a basic legal framework is in place and international donors and programmes are active. Gender inequality is still high, however, and poverty and especially the exploitation of women continue to pose serious challenges. In *Indonesia*, a comprehensive framework is in place, both legal and institutional. The level of commitment to international treaties seems to be low, however, with difficulties at the local level. Particular challenges are identified in the areas of marriage, health and economic rights.

In *Lao PDR*, an enabling environment exists, and there is a high level of representation of women in the legislature and widespread support for gender equality at the national



and policy levels, but it is unclear whether this is reflected at lower and operational levels where role rigidities remain considerable.

In *Malaysia*, a comprehensive framework is in place, and gender awareness is promoted and supported extensively through highly visible initiatives such as gender desks in government, gender sensitization programmes and the inclusion of gender considerations in the national budgeting process. Despite all this, however, legislative participation in Malaysia is still significantly lower than in its neighbours in the region. The *Philippines* scores highly in international gender equality measures and indices, and has a comprehensive framework in place, including a newly enacted Magna Carta for Women, but implementation has been slow and patchy. It is a striking fact that despite apparently extensive support for gender equality, the reproductive health needs and rights of women remain fundamentally unmet.

Little information is available for *Singapore*. It is not a recipient of official development assistance (ODA) and thus external drivers in the form of donor programmes do not exist. It is a signatory to international agreements but there is some resistance to the full implementation of its international obligations. The government view is that the rights of women are addressed as part of the whole, and not treated as a separate issue. Since 2007, women legislators have made up a quarter of the parliament, which is a vast improvement on the previously very low 5 per cent.

In *Thailand*, the basic framework and legislative measures are in place. There is, however, a continued prevalence of traditional, discriminatory attitudes to women, which is evident in the low level of representation of women in leadership positions from the national to the community level. This deeply rooted cultural and religious bias against women manifests itself not only in poor participation rates but also in weak policy support for women.

In *Vietnam*, there is a high level of representation of women in parliament, and women's participation is well integrated into national frameworks and institutions, with quite extensive reach at the local level through political committees and the active collaboration of non-governmental actors with government to promote gender equality.

### ***External Assistance and Donor Presence in South East Asia in the Area of Gender Equality***

Asian governments and civil society organizations became involved in democracy promotion networks and with bodies that covered gender issues in their programme areas in the 1980s. In reach, scope and focus, however, the United Nations agencies – in particular United Nations Development Programme and UNIFEM – have played the leading role in the region in promoting gender equality. The role of UNIFEM grew substantially on the heels of the ratification of CEDAW by South East Asia countries. This is mainly due to the commitment of the United Nations to assist and support these countries in implementing their international obligations on gender equality.

Non-governmental organizations (NGOs) in all the South East Asian CEDAW-signatory countries are reported to have established, expanded or solidified watch groups, thereby symbolically confirming and formalizing their commitment to working together in the monitoring of and advocacy for CEDAW implementation. Regional exchanges between governmental and NGO actors have increased on a bilateral or

multilateral basis. The CEDAW South East Asia Programme (SEAP) has supported the drafting, adoption or amendment of legislation in these countries, in particular on domestic violence laws or bills in Indonesia, Thailand and Vietnam. SEAP is also supporting an amendment to the Law on Political Parties in Indonesia and support is being provided to a nationwide study of domestic violence in Cambodia. In terms of advocacy, support is being provided to address aspects of women's political participation at the national and local levels in Cambodia and Thailand. Awareness-raising programmes on domestic and other forms of gender-based violence are being supported in Timor-Leste and Vietnam. However, in the four years since CEDAW SEAP came into being, the number of NGOs and civil society organizations focusing on women's human rights and gender equality issues operating at the regional level has remained small.

**Gender equality is regarded as a 'cross-cutting' issue in aid assistance, that is, it has to be taken into account when investment is being made regardless of sector.**

Gender equality is regarded as a 'cross-cutting' issue in aid assistance, that is, it has to be taken into account when investment is being made regardless of sector (e.g. in health, livelihoods and enterprise, education and agriculture). External donors started to promote gender-related development in the region in the 1970s, with the United States Agency for International Development (USAID) being one of the earliest to support relevant work, together with AusAID, Australia's overseas aid program. Other donors engaged in women's rights issues as specific priorities in South East Asia include CIDA (implementing CEDAW) which has been in South East Asia for the last 20 years, and the Norwegian Agency for Development Cooperation (Norad). In comparison, the EU does not have the depth and extent of engagement on the issue as yet in the region.

### **3. EU Initiatives on Gender Equality in South East Asia**

Relations between the EU and the South East Asian countries through the Association of South East Asian Nations (ASEAN) date back to the early 1970s, with the cooperation formalized in 1980. Individual EU member states have been active in development cooperation in South East Asia for much longer.<sup>3</sup> As is noted above, a comprehensive strategy for the region was adopted by the EU in 2003. The strategic priorities adopted in the Communication on a 'New Partnership with South East Asia' (European Commission, 2003) included: (a) supporting regional stability and the fight against terrorism; (b) human rights, democratic principles and good governance; (c) mainstreaming justice and home affairs issues; (d) new dynamism in regional trade and investment relations; (e) development in less prosperous countries; and (f) intensified dialogue and cooperation in specific policy areas.<sup>4</sup>

The EU's 2007 Strategy Paper for Asia (2007–2013) explicitly confirms the promotion of human rights and democracy, and gender equality as cross-cutting issues. These issues are to be 'addressed at regional level and streamlined throughout the programme'. Democracy and human rights are to be considered thematic programmes. In the Multi-

<sup>3</sup> Currently across ASEAN, the EU is involved in programmes and projects in higher education, intellectual property rights and standards, energy, the environment, economic cooperation, trade and investment, IT&C, and financial and social sector reform.

<sup>4</sup> Such as economic and trade issues, justice and home affairs matters, science and technology, higher education and culture, transport, energy, environment, and information society.

Annual Indicative Programme for 2007–2010, which accompanies the Strategy Paper, priority activities include those which support regional integration. Cross-cutting issues and those pertinent to business ‘will be promoted’, such as corporate and social responsibility, decent working conditions and social protection in line with ILO conventions, small and medium-sized enterprises, intellectual property rights, and so on. There is, however, no mention of gender or democracy promotion, and no budget is allocated to these areas.

Individual South East Asian country strategies were drafted based on the Asia Strategy Paper. In these strategies, gender equality is a cross-cutting issue, and democracy and human rights are thematic programmes. In *Cambodia*, training on gender and the recruitment of women is to be encouraged, as well as dialogue with the education sector which is expected to raise the awareness of policymakers with a view to incorporating gender issues into education strategies. In terms of ongoing projects, the EU is highly visible in assistance related to human rights. Among the countries of South East Asia, the EU contributes most to development cooperation in *Indonesia*. One of the priorities of the Indonesia strategy since 2002 has been to encourage political dialogue to support the anchoring of democracy. According to the current Indonesia-EU cooperation strategy, gender will be considered ‘in each and every action foreseen in the framework of the Country Strategy.’ For *Lao PDR*, all cooperation activities in governance and human rights will be linked to policy dialogue with the government. There is no specific action recommended in relation to gender equality. For *Malaysia*, the EU will mainstream gender in the design of the policy dialogue. In 2005, the EU implemented two projects on gender equality linked to democracy promotion. In the *Philippines*, the EU has been involved in human rights-related initiatives, and has provided assistance in the implementation of gender-related commitments in donor assistance programmes. Earlier thematic issues addressed some reproductive health rights, and gender was included in government budget lines. *Thailand* is no longer a recipient of ODA and has moved beyond the traditional donor-beneficiary relationship with the EU to one of partnership. Gender remains a cross-cutting issue, and democracy and human rights considered as thematic programmes. In *Vietnam*, gender will figure prominently in policy dialogue, and the recruitment and training of women are encouraged. The health sector seems to be a focus, including awareness-raising initiatives on women’s reproductive and health issues. A more detailed summary of EU strategies in the region is presented in Annex 2 .

In light of the above, questions arise as to whether the EU’s position is persuasive, redundant or marginal in the network of externally driven initiatives on gender equality in the region, whether the EU is an effective promoter of democracy and its gender aspects, and how its role is perceived in the region. A rough profile of donor activities in the countries of the region reveals that within this complex and largely donor-driven environment, the EU currently has a marginal role in driving the gender equality issue – either within the framework of the EU’s democracy promotion agenda or as a separate thematic programme. Other donors, particularly USAID, CIDA and AusAid, are highly visible and have established themselves directly or through local NGOs as promoters of this issue across the region, having identified gender equality and the promotion of women’s issues as priority areas many years before the EU did. Apart from a tiny handful of projects dedicated to gender equality, there is little by way of accomplishments that can be claimed by the EU so far. This observation is supported by

the findings of Braithwaite (2003), which showed that constructive work has been done by the EU in the area of gender equality but specific policy goals and actual integration into development cooperation have been weak. Moreover, the financial resources allocated to this issue have been negligible, even absent in some cases, compared to resources channelled to other horizontal issues. As financial support is a good gauge of commitment, the lack of it from the part of the EU reflects weak or unclear policy.

**A rough profile of donor activities in countries in the region reveals that in this complex and largely donor-driven environment, the EU currently plays a marginal role in driving the gender equality issue. There is very little by way of accomplishments that can be claimed by the EU so far.**

A broader definition of gender equality which assumes that social development assistance translates into a general improvement in the lives of beneficiaries, for example, in the health or education sectors, and that this ‘empowers’ women indirectly to gain better control of their lives, could give the EU a more significant role across the region. This broad approach, however, no longer reflects the prevailing

international view on gender equality. Evolving thinking on gender in the past 30 years means that gender equality is now considered a human right that cannot and should not be treated as subordinate or peripheral, or as merely a fortunate outcome of donor assistance targeted at a social objective. It has therefore become imperative for development cooperation to refocus its interventions and design strategies that reflect this.

Until recently, the EU did not have a clear policy on gender equality in its external relations, which is perhaps one reason why corresponding instruments to carry out this policy have not been fully elaborated as yet. Within its own membership, the process of mainstreaming gender was neither fast nor easy, with individual countries varying in its pace and approach. The EU as newcomer in the SEA region in the area of gender equality may thus be traced to the rather slow evolution of gender policy itself in the EU. It took time starting from 1995 when the issue was first recognized in the Community as worth considering in EU’s development cooperation until it became policy in 2007. Since then, the necessary political statements, declarations, and intentions have been made and later on incorporated in regional and country strategies.

The strategies for South East Asia and individual countries in the region covering 2007–2013 have just been adopted and as of this writing, are only in the second year of implementation. It is, thus, too early to make assessments or gather perspectives from within the countries about the impact of EU’s gender-related assistance. Nonetheless, a close look at these strategies is useful to examine how seriously gender equality is pursued by the EU in the region.

Gender equality is a cross-cutting issue but a closer look at the individual country strategies and a comparison of the strategies show that although treatment varies between countries, only minimal or even token EU involvement is required. In the case of Cambodia, for example, a gender element is present only in dialogue with the education sector to raise awareness among policymakers in the expectation that gender may be considered in future policymaking. In the case of Lao PDR, nothing is mentioned by way of a strategy. In Thailand, the issue may be considered in future plans and programmes, largely a prerogative by either party. In other countries in the region, dialogues are the extent to which commitment has been made.

From this, there is a seeming disconnect between EU policy, in which gender equality is said to be a priority issue, and the country strategies, in which it is supposed to be treated as a cross-cutting issue but only receives vague assurances for its consideration in future and planned interventions. That this seems to be paying only lip service to gender equality can be seen even more clearly in the indicative multiple year budgets that accompany each country strategy. No specific allocation is made for gender equality interventions. In none of these documents can gender equality be seen as a distinct project or budget item.

**There is a seeming disconnect between EU policy, in which gender equality is said to be a priority issue, and the country strategies, in which it is treated as a cross-cutting issue but receives only vague assurances for its consideration in future and planned interventions.**

It seems that the EU wants to be seen as an involved and relevant partner that adopts politically correct positions on issues that have gained global currency. This has led to considerable strides being made at the political and diplomatic levels. However, at the operational level, the strategy for gender equality is either unclear, non-committal, weak or non-existent. Either this is a deliberate strategy – with the intention of allowing flexibility for the EU and/or the partner country to define and design relevant interventions, with the strategy serving only as a guide – or the EU is unsure about how it intends to proceed in concretizing gender equality as a priority area in cooperation strategies.

Jahan (quoted in OECD, 1998) differentiates between two types of approach to gender equality: integrationist and agenda-setting. The first builds the gender issue into existing development paradigms through which women's concerns are taken into account in a broad range of sectors. The second aims to transform the development agenda from a gender perspective, achieved mainly through the participation of women as decision makers. By identifying gender equality as a cross-cutting issue, the EU seems to be adopting the integrationist approach. Whether this will prove effective remains to be seen, but at the current low levels of involvement and commitment that the EU has shown in its strategies in South East Asia the impact will be limited at best.

A case study of Indonesia, Cambodia, Vietnam and Timor-Leste shows that 'while there were some parts of government machinery and civil society strongly committed to securing greater gender equality, many other influential policy actors were indifferent or even openly resistant' (Eyben et al., 2007). It also observed that although support is strong at the policy and national levels, this is not necessarily the case at the provincial or local levels. The degree of involvement of civil society also varies across the region, which has implications for how well awareness is disseminated – especially among women in more remote areas.

#### **4. Remaining Challenges in Gender Equity in South East Asia**

Gains have been made since gender equality was introduced as a focal issue of development cooperation in South East Asia two decades ago, but much remains to be done. Gender bias in the judiciary in Thailand, in laws regarding women's economic rights in the Philippines, and in legislation on women's participation in politics in Indonesia are some of the challenges that must be addressed.

**There seems to be no lack of rhetoric from the EU on the importance of gender equality. This, however, is yet to be matched by action on the ground.**

There seems to be no lack of rhetoric from the EU on the importance of gender equality. This, however, is yet to be matched by action on the ground. As no concrete results have yet come about from the country strategies and little expected to be forthcoming on the basis of the faint assurances and minimal commitment stated therein, a more useful approach to be adopted by the EU is to focus on

specific areas where it has the potential to become a significant cooperation partner. The EU can achieve a more effective position in the region if it takes account of the following factors:

- South East Asian countries are signatories to international frameworks (CEDAW, the relevant ILO conventions, the Beijing Declaration and the UN Millennium Development Goals), which should help to facilitate gender equality objectives and provide the necessary impetus to kick-start concrete initiatives from the government, civil society and international donors. Their implementation is another story, however, and a lack of resources, skills and knowledge are the main obstacles.
- South East Asian countries seem to have sound legal frameworks, although they vary in terms of the scope of their institutional and policy frameworks. Experts observe that understanding of gender equality and non-discrimination is still limited, and that while on the surface legislation appears to promote women's interests it may actually only preserve the 'formal equality' (International Knowledge Network of Women in Politics, 2008).
- Financial resources for publishing educational materials, campaign activities, and participation in international meetings and forums, among other things, are limited, which hampers advocacy work.
- Political problems and unrest can disrupt the implementation of gender-related programmes by external actors or governments. Examples of this include the south of Thailand and the south of the Philippines.
- Decentralization may be an issue in some South East Asian countries. At issue is the degree to which decentralization allows local authorities to pass local laws that have little consideration for women's rights or that reinforce traditional or illegal practices that have a negative impact on women.
- Gender reporting, gender analysis and data monitoring and collection are identified as weak areas in most South East Asian countries.

## **5. Conclusions and Recommendations**

In light of the finding of this study that the EU lacks any clear or coherent implementation strategy for gender equality in South East Asia, the recommendations below address potential areas that the EU might consider incorporating into its programmes in the region.

- To take a two-pronged approach to its cooperation with partner countries in South East Asia. First, at the national level in terms of national legislation and policies

on the creation of relevant bodies and the development of women political leaders. Experts argue that in South East Asia, the legitimacy of initiatives emanates from the stamp of official approval (International Knowledge Network of Women in Politics, 2008) which makes it easier to facilitate related activities at lower levels of implementation. This, of course, does not ensure acceptance by the community or even by the women themselves, but it is still the most effective way to harness resources and assist target groups. Second, work at the grassroots and community levels must also be undertaken, targeting not only women but, as importantly, local leaders, community council members, village chieftains, and the like. It is important to look at the entire community as a unit, where all members – men and women – must be aware of gender issues.

- To promote the idea of legislation on representation quotas at all levels of policymaking and decision making. Quotas aim to increase women's representation in elected and appointed positions at the national level, and in regional and local institutions and councils. Care must be taken to avoid loopholes in the legislation, such as when parliamentary seats have been reserved for women but without the mandate for filling them. In parliament, it is important to ensure the inclusion of a gender perspective in budget making and programme planning, and women will be best placed to push for this. The experience of countries in other regions (e.g. Latin America and Africa) has shown that introducing quotas for electoral seats by way of legislation is an effective tool for ensuring that women are involved in decision making (International IDEA, 2005). The EU should therefore support lobbying and advocacy work by women's groups to this end.
- To assist in improving awareness through education and training for local government institutions. Men must be included in public awareness-raising activities to change attitudes of both men and women toward gender relations, where necessary. In places where women's awareness is still low, such as Indonesia, it is recommended that the EU assist women's groups with access to the media to provide advocacy and shape public opinion on gender issues.
- To assist in the implementation of international commitments such as CEDAW, especially in the formulation of appropriate legislation. Collaboration with UNIFEM within the framework of CEDAW could have more far-reaching impacts. To study the possibility of an ASEAN-wide instrument to promote gender equality. At the regional level, ASEAN has been and remains the only political body with the potential to play a coordinating and monitoring role with regard to the implementation of international commitments such as CEDAW in its member states. An ASEAN partnership would also provide a number of opportunities for international development organizations to support ASEAN in fleshing out and putting into action related provisions of the newly ratified ASEAN Charter and the newly established ASEAN Human Rights Body. The number of regional organizations working on and interested in women's human rights has remained limited, but it includes a variety of different organizations. Some new opportunities for partnership have emerged recently, such as the Asian Institute of Technology's interest in gender equality as a Millennium Development Goal (UNIFEM 2008).
- To address transboundary challenges affecting women. A regional instrument would be useful in the area of female labour migration to enable adoption of regulatory

frameworks for protection in places of work. The EU could offer its support in establishing such instruments.

- To establish gender as a distinct component of all existing and future development cooperation programmes, with dedicated financial support. The design of programmes must incorporate gender-inclusiveness and improved gender content. A gender plan or strategy should be adopted as a requirement for project development with corresponding budget allocation. This would operationalize the 2007 EU Communication, which states that the focus of gender equality must go beyond the health and education sectors.
- To consider establishing an EU funding facility for gender programmes globally, similar to the Asian Development Bank Gender and Development Cooperation Fund.
- To undertake a comprehensive mapping of key actors, such as donors and international institutions, as well as related activities in the region and in each country. The identification of potential partners, including academic institutions, will be useful in programming gender-related initiatives and will aid future collaboration efforts.
- To support capacity building and strengthening on gender reporting, analysis and data collection.

The above recommendations aim to address the gaps identified in the promotion of gender equality in South East Asia. It is, however, important to note that all these initiatives must be carried out in close cooperation with national and local governments, relevant NGOs, women's organizations and academe. The EU is a recent player in this field in the region and the workload is vast, but the significant challenges present an opportunity for the EU to make itself relevant through directed and targeted assistance – including putting its money where its mouth is.

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## Annex 1

### Country Profiles: The Situation of Women, National Focus and Initiatives in Gender Equality, Selected South East Asian Countries, 2009

#### *Cambodia*

The country's constitution guarantees equality between men and women. Since 1995, the Ministry for Women's Affairs has been coordinating women's concerns in social action, education and economic development. While the basic framework seems to be in place, women face serious challenges. The most pressing concerns relate to the impacts of poverty, high levels of illiteracy, high maternal mortality rates, widespread and underreported domestic violence, and sexual exploitation. Cambodia is a major centre in the regional sex trade. Government institutions are relatively new and women's NGOs are relatively well organized, working mainly on issues related to violence against women. In terms of representation, the number of women elected to local government seats has increased, due mainly to advocacy by the Committee to Promote Women in Political Participation, but is still a long way from attaining genuine equality in this area.<sup>5</sup> Gender inequality in Cambodia is still high by regional and global standards. It ranked 104th out of 134 countries in the Global Gap Index of 2009.

#### *Indonesia*

Indonesia ratified CEDAW in 1984 and is a signatory to other related international conventions. Legislation on violence against women is in place. Women's concerns are covered in the national development plans. A dedicated agency, the Ministry for Women's Empowerment, was formed in 1999 with the overall objectives of achieving gender equity, child protection and welfare. A Gender Coordination Forum between the government and donors takes place regularly. Gender budgeting is acknowledged to be in its early stages.<sup>6</sup> A law on Gender Mainstreaming in National Development was signed in 2000, and a law on political parties requires 30 per cent of seats to be contested by women. There are gender focal points in government agencies, and gender analysis tools are being used to facilitate gender mainstreaming. Despite the existence of policy frameworks and a commitment to international conventions, there is a general feeling of lack of commitment on the part of the government. A closer reading of government policies shows that gender discrimination still exists, such as in the areas of marriage, economic rights and health. Although a Ministry for Women has existed since the 1970s, decisions to establish local offices have been decentralized. The situation thus varies widely from place to place, according to local authorities' perceptions of the importance of the issue.<sup>7</sup>

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<sup>5</sup> [http://www.unifem-eseasia.org/projects/Cedaw/countryprogramme\\_cambodia.html](http://www.unifem-eseasia.org/projects/Cedaw/countryprogramme_cambodia.html)

<sup>6</sup> [http://www.gendermatters.eu/index.php?option=com\\_content&task=view&id=126&Itemid=110](http://www.gendermatters.eu/index.php?option=com_content&task=view&id=126&Itemid=110)

<sup>7</sup> <http://indonesia.unfpa.org/Gender%20&%20GBV.htm>

### **Lao PDR**

According to a 2006 World Bank report, Lao PDR is highly committed to gender equality. It has an enabling environment in place and the legislative framework to ensure this end is enshrined in the constitution as well as various laws and institutions, such as the Law on Women's Development and Protection and the Lao Commission for the Advancement of Women. Lao PDR has ratified various international conventions, including CEDAW (Lao Women's Union, 2005). At more than 25 per cent, women's representation in parliament is one of the highest in the region, but the extent to which this high level of representation translates into policy priorities that address women's issues is uncertain. The national trend has not been matched at the subnational levels, where gender role rigidities may lie.<sup>8</sup>

### **Malaysia**

According to the Malaysian Ministry of Women, Family and Community Development (2007), prohibition of gender discrimination has been enshrined in Malaysia's Constitution and laws are being reviewed and amended where applicable. The Domestic Violence Act of 1994 is considered a legal landmark in the campaign against gender discrimination. Malaysia is a party to the Convention on the Nationality of Married Women and the ILO Convention on Equal Remuneration for Men and Women Workers for Work of Equal Value. Women's issues have been considered in national development plans since the 1970s but were brought to prominence by the National Policy on Women, which aims to mainstream women's participation and concerns into all aspects of the nation's life. The Ministry of Women, Family, and Community Development was established along with a Cabinet Committee on Gender Equality. All ministries and selected agencies have gender focal points. Gender sensitization programmes have been implemented, and gender is reflected in government budgets. In collaboration with UNDP, in 2004 the Malaysian Government developed Malaysia's Gender Gap Index (MGGI) designed to measure and monitor the extent of gender inequality in the country. It covers health, education, economic activity and the empowerment of women, which is indicated by the number of women parliamentarians and appointed senators, professionals and public officials. Nonetheless, gender inequality remains among the highest in the region. In 2007, elected women parliamentarians constituted only 9.1 per cent of the seats in the Lower House.

### **Philippines**

The constitution guarantees the rights of women, and their role in politics and social progress. The Philippines is a signatory to all the UN legal instruments in which gender equality is enshrined. A Magna Carta for Women was signed into law in August 2009. It is the national framework for the implementation of CEDAW. The country 'can be said to have a political and institutional environment that is conducive to the promotion of women's rights' (UN System in the Philippines, 2005). Gender mainstreaming has been adopted as a strategy since the mid-1980s. The National Commission on the Role of Filipino Women (NCRFW) was established in 1975. It is a government advisory body under the Office of the President, and is in charge of the gender mainstreaming process. The Philippines performs very well in terms

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<sup>8</sup> <http://www.undplao.org/mdgs/mdgs3.php>

of international gender equality measures and indices, and has a favourable policy environment with numerous policies and laws enacted for the protection of women's rights. The implementation of policies, however, is regarded as slow and patchy. There is a lack of access to reproductive health services, resulting in fundamentally unmet reproductive health needs (Asian Development Bank, 2008). This stems largely from the absence of relevant policy by the present government, coupled with the strong advocacy of the Roman Catholic church, which has significant influence on the majority of the population, against the adoption of a population policy. In terms of governance, women have a significantly greater role in public institutions, although in electoral politics their presence frequently has more to do with political dynasty. The Asian Development Bank identifies the need to strengthen gender-responsive governance in the areas of gender budgeting, peacebuilding and disaster risk reduction.

### **Singapore**

There is little information available about the situation of women and gender equality in Singapore. The minutes of a 2007 meeting of the UN General Assembly on CEDAW provide a general picture of the challenges the country faces in this area. There is concern that Singapore's legal framework is not sufficient to counter discrimination against women, and is not fully compliant with the provisions of CEDAW on equal rights in marriage and full equality on employment rights. The country has few women in policymaking roles. There are no specific laws against gender discrimination, although women's rights are protected through the constitution and other general laws (UN General Assembly, 2007).

### **Thailand**

The constitution guarantees equality between men and women, and the legislative measures required by CEDAW (such as on trafficking, prostitution and nationality) are in place. According to UNIFEM South East Asia, although serious efforts have been made to comply with CEDAW, there is a continued prevalence of traditional, discriminatory attitudes to women. This is evident in the underrepresentation of women in politics and decision making, including in the judiciary,<sup>9</sup> and even more striking at the local and community levels. Analysis by Praparpun (2009) refers to a strong and deep-seated cultural bias against women which manifests itself not only in representation but also in weak overall policy support for women. This bias has its roots in traditional conservative attitudes, reinforced by Buddhist views of women as subordinate to men. External and local observers recommend wider, more extensive and more effective measures, from legislation and policymaking to programmes in all sectors that affect women. Women's NGOs have focused on violence against women, trafficking and prostitution. A quota system operates in the appointment of women to government committees and commissions.

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<sup>9</sup> See the website of the UNIFEM East and Southeast Asia Regional Office, <[http://www.unifem-eseasia.org/projects/Cedaw/countryprogramme\\_thailand.html](http://www.unifem-eseasia.org/projects/Cedaw/countryprogramme_thailand.html)>

## **Vietnam**

A Law on Gender Equality has been in place since 2006, and a Law on Domestic Violence since 2008. Vietnam is also a signatory to human rights conventions guaranteeing equality between men and women. These include CEDAW, the Convention on the Rights of the Child, the Convention on Economic, Social and Cultural Rights, the Covenant on Civil and Political Rights and ILO conventions on Equality and Non-discrimination. Vietnam has a 10-year (2000–2010) Plan of Action for the Advancement of Women and has mainstreamed gender equality considerations into its national economic development plans. Women are represented in Communist Party networks through a dedicated committee, as well as in mass organizations through the Vietnam Women's Union. Partnership across sectors is ensured through the recently established Gender and Community Development Network. A forum, the Gender Action Partnership, brings together development agencies and the government.<sup>10</sup>

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<sup>10</sup> See the UN Millennium Development Goals Achievement Fund website at <<http://sdnhq.undp.org/opas/en/proposals/suitable/191>>

## **Annex 2**

### **EU Development Cooperation Strategies with South East Asian Countries, 2007–2013<sup>11</sup>**

#### ***Cambodia***

The Cambodia-EU Strategy Paper labels good governance, human rights and gender as cross-cutting issues. Training on gender is to be undertaken, recruitment of women encouraged and, through dialogue with the education sector, the awareness of policymakers will be raised with a view to incorporating gender issues into education strategies. Democracy and human rights will be considered under thematic programmes. The EU has implemented a wide range of projects in Cambodia in practically all areas of development assistance. In terms of ongoing projects, the EU is highly visible in assistance related to human rights.<sup>12</sup>

#### ***Indonesia***

Among the countries in South East Asia, Indonesia receives the most in terms of EU development assistance. One of the priorities of the Indonesia strategy since 2002 has been to encourage political dialogue to support the anchoring of democracy, initially to assist in the consolidation of the institutions required after the change in political conditions, including assisting in the decentralization efforts of the government. Individual EU member states, such as the Netherlands, Germany and the United Kingdom, have been major aid donors to Indonesia for decades. The focus has been on a range of sectors, mainly physical infrastructure building and public sector reform. Japan is the largest donor for social infrastructure projects. The United States is the second largest donor. Its focus is on democratic reform, economic growth and the social sectors. Canada concentrates on the environment, the private sector and gender-related issues. Gender is mentioned as a cross-cutting issue in the current Indonesia-EU cooperation strategy, for consideration in 'each and every action foreseen in the framework of the Country Strategy'.

#### ***Lao PDR***

All Lao PDR-EU cooperation activities in governance and human rights will be linked to policy dialogue with the government. No specific action is recommended in relation to gender equality, although the Strategy Paper notes the government initiative to draw up a National Strategy for the Advancement of Women as well as the Guidelines for a National Gender Action Plan.

#### ***Malaysia***

The EU will mainstream gender in the design of its policy dialogue and democracy and human rights will be treated as thematic programmes. The EU projects ongoing in Malaysia in 2005 covered a range of technical areas. Two projects were implemented on gender equality: Building a Greater Democratic Process and Citizens Participation and Community Centres for the Empowerment of Indian Women in Malaysia.

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<sup>11</sup> Based on various individual EU country strategy documents.

<sup>12</sup> EU Delegation to Cambodia website <http://www.delkhm.ec.europa.eu/en/index.htm>



## **Philippines**

Gender issues are integrated into the EU Country Strategy Paper and the related Human Rights and Mainstreaming Strategy Paper. The EU has been involved in various activities related to human rights since 2005. A Country-Based Support Scheme has been in place since 2008. It is ‘designed to support small-scale and innovative actions by civil society organisations in the fields of human rights and democracy’.<sup>13</sup> The EU provided technical assistance in 2008 to help the government comply with provisions in the Women in Nation Building Act related to official development assistance. Support has also been provided to the government’s Committee on Gender Responsiveness in the Judiciary of the Philippine Supreme Court through discussions on gender equality and CEDAW. Earlier thematic programmes addressed gender issues through policies and programmes on reproductive and sexual health and related rights, and by providing a budget line to develop gender mainstreaming capacities.

## **Thailand**

Thailand ceased to be a recipient of official development assistance in 2003.<sup>14</sup> The Thailand-EU Strategy Paper for 2007–2013 thus moves beyond the traditional donor-recipient relationship to a partnership in which the EU acts as a facilitator on issues related to economic relations, scientific and technological cooperation, and higher education and culture. The cooperation will also advance a ‘more modern agenda including good governance, justice and home affairs issues, human rights and mine action’. Gender equality, the rule of law and good governance are considered cross-cutting issues. Democracy and human rights will be treated as thematic programmes where interventions may be considered. Gender equality is only one of many issues that may be considered under human rights and the social development theme. Cooperation assistance is now selective, with some EU member states focusing on small and medium-sized enterprises and the environment.

## **Vietnam**

The EU is the third largest donor in Vietnam. It focuses its activities on technical and scientific cooperation, poverty alleviation and the integration of Vietnam into the world economy, including activities to promote openness to democracy and respect for human rights. Gender will be mainstreamed into all the sectors covered by the EU-Vietnam Strategy Paper. Gender will feature prominently in future policy dialogue and will constitute one of the ‘triggers’ for continued and possibly increased donor support. The recruitment of women staff at all levels will be encouraged. In the health sector the EC will raise awareness among policymakers through sector policy dialogue. Women will be encouraged to participate in the consultation process at all levels of decision making on reproductive health issues, nutrition and socio-cultural or gender-related barriers to access to health services.

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<sup>13</sup> [http://www.delphi.ec.europa.eu/index.cfm?pagename=programme\\_democracy](http://www.delphi.ec.europa.eu/index.cfm?pagename=programme_democracy)

<sup>14</sup> Owing to the country’s impressive economic growth in the 1990s, the Thai government in 2003 announced it will no longer accept foreign development aid.