



# **Women and Children: The Human Rights Relationship Guide to Panel Discussions**

**9 – 10 December 2007**

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**DAY ONE**  
**9 December 2007**

### **Panel One: Women and Children: The Human Rights Relationship**

Many provisions of the CEDAW and the CRC are interrelated, inter-dependant and mutually reinforcing. The two conventions, read together, protect the rights of women throughout their life cycles. Both conventions prioritize the best interests of the child, prohibit discrimination in the public and private spheres and call for temporary special measures to achieve substantive equality. In practice, linking the two conventions has sometimes been problematic. This panel sets out to examine and expand creative strategies that address these challenges in a way that strengthens the human rights relationship between women and children.

**Panelists: Shanthi Dariam, Saisuree Chutikul, Aurora Javate De Dios, Heisoo Shin**

**Moderator: Savitri Goonesekere**

#### **Objectives**

- \_ To identify the intersections of women's and children's rights and address the challenges to the linkages

#### **General Questions**

- \_ Can women's rights and children's rights agendas be linked?
- \_ What are the key areas in which the linkages are most significant?
- \_ What are the greatest challenges to linking the two agendas?
- \_ What are some innovative strategies to address those challenges? Please provide concrete case studies from your own work experience.

### **Panel Two: Treaty Body Mechanisms in the United Nations: Addressing the Human Rights Relationship Between Women and Children**

A mapping of recent Concluding Observations of the CEDAW and Concluding Observations of the CRC (see the matrix provided by WCW in your background materials) reveals similar and overlapping concerns in multiple areas. Some of the cross cutting areas include concerns over: discriminatory and inconsistent minimum ages of marriage for girls; harmful traditional practices; violence and trafficking of women and children; and sex role stereotyping that inhibits access to education and other resources. In light of current U.N. reforms including the reform of the treaty body system, these common areas of concern play an important role in harmonizing human rights reporting.

**Panelists: CRC and CEDAW Members from the Asian region and the Chairpersons of the two Treaty Bodies: Dubravka Simonovic, Yanghee Lee, Heisoo Shin, Ferdous Ara Begum, Kamal Siddiqui, Saisuree Chutikul and Shanthi Dariam.**

**Moderator: Elizabeth Gibbons, UNICEF New York**

**Objectives:**

- To strengthen the linkages between the CEDAW and CRC and other human rights treaties through the work of the CRC and CEDAW treaty bodies.

**General Questions to Dr. Lee and Dr. Simonovic, Chairpersons of the CEDAW and CRC Committees:**

- How have the two treaty bodies so far linked the CEDAW and CRC?
- What have been the new initiatives taken to strengthen the relationship between the CEDAW and CRC?
- What are the opportunities and challenges in exploring joint work, such as issuance of General Comments, Day of discussions on issues of common interest, etc.?
- In overlapping areas, how can Concluding Comments/ Observations, General Comments and constructive dialogues be cross-systematized?
- What are the opportunities and challenges in the current debate on the reform of the Treaty body system for linking the two agendas?
- Given the current debate on U.N. reforms, what are the opportunities and challenges envisaged in harmonizing human rights reporting? How do you link UN agencies, NGO's and multi-state agencies in connecting the two rights agendas?

**Suggested Individual Questions:**

**Heisoo Shin- Korea**

Your work on sexual slavery and your leadership role in drafting the sexual violence law and domestic violence law in Korea have exposed the ways in which children and women are at significant risk of sexual exploitation.

How can the two committees address violence and sexual exploitation against women and children in a more comprehensive manner?

The enactment of the Korean Juvenile Protection Act, 2000 which aims to penalize those purchasing sexual services from children, is not being effectively implemented. The CRC Committee is also concerned by reports of the widespread phenomenon of “wonjokyuje” in which adolescent girls engage in sexual relationships with older men for money. Can you discuss ways in which both committees can address these cross-cutting concerns?

**Ferdous Ara Begum- Bangladesh**

You are currently engaged in drafting the domestic violence law in Bangladesh. What are the provisions you recommend to protect children from domestic violence? What are the resources needed to operationalize those remedies? How can the two committees address these dual needs?

The CEDAW and CRC Committees have both focused on the dual challenges of gender-based discrimination and sex role stereotyping in education. Please speak briefly about the Food for Education program and the novel Grameen Bank programs in Bangladesh and how they can enhance children's educational opportunities and help

prevent child marriage and child labour. What are your recommendations for the region and to both committees?

**Kamal Siddiqui- Bangladesh**

Your work has focused on children in the criminal justice system. What model programs would you suggest to prevent sexual exploitation of children? What are the programs set up to re-integrate trafficked children? How can the two treaty bodies reinforce these concerns?

**Shanthi Dariam- Malaysia**

Your work has focused on integrating the CEDAW into policymaking. Can you speak to the benefits and challenges of integrating both the CEDAW and CRC into policymaking? How do you see the Committees reconciling any perceived or actual contradictions?

What good practices can you share in order to transform workplaces and work-related policies to achieve the complementary objectives of safeguarding the best interests of the child and enhancing gender equality in the workplace and home? Please share one recommendation on how the Committees can best strive to ensure these complementary objectives.

**Saisuree Chutikul- Thailand**

Your work in the area of both children's rights and women's rights and both Committees epitomizes the very core values of this conference.

How can the CEDAW and CRC Committees better link with other human rights treaties including ILO Conventions?

**Panel Three: Migration and its Related Consequences: the Impact on Women and Children**

Starting in the 1990's with the tiger economies of East Asia, the high percentage of women in contract migration became one of the most important characteristics in the Asian region and has had negative consequences on children and families.

- The disenfranchisement of children in both cross-border and internal migration has resulted in their restricted access to education, health care and other social services.
- Trafficking and migration are separate but intersecting problems. While migration may take place through regular or irregular channels and may be led by choice or coercion, trafficking involves the movement of people for the sole purpose of exploitation and includes forced prostitution, domestic servitude, unsafe labor and sweatshop labor. According to recent U.S. State Department statistics, approximately 30 percent of commercial sex workers in Southeast Asia are under 18 years of age and account for one third of the domestic and international child trafficking. Gender-specific problems in trafficking include the lack of access to birth control, rape, forced abortions and contraceptive use, etc.
- Women and children in forced prostitution also suffer disproportionately from sexually transmitted infections including HIV/AIDS. In 2000, UNAIDS and WHO

estimated that over 140,000 children in Asian the region had been orphaned by AIDS.

**Panelists: Aurora Javate De Dios, Charm Tong Nang, Salma Ali, Wu Qing, and Heisoo Shin (if present on day 2) and Juree Vichit-Vadakan.**

**Moderator: Anna Wu**

**Objectives:**

- To understand the impact of migration and trafficking and its related consequences on women and children and to identify synergistic strategies to address these problems.

**Suggested Individual Questions:**

**Aurora Javate de Dios- Philippines and former CEDAW Committee member**

You founded the Coalition against Trafficking of Women in Asia Pacific (CATWAP) and you have helped lobby for the Philippines Anti- Trafficking in Persons Act and are now in the process of monitoring its implementation. Please discuss some of the best practices to prevent the trafficking and sexual exploitation of women and children in Asia.

The Philippines law requires that the government, in cooperation with NGO's, provide social, economic and legal services to help women and their children in their rehabilitation. Can you discuss some of these programs? In which ways do these programs address the concerns of both women's and children's rights advocates? We know you have developed innovative ways in which to engage men and youth in your advocacy. Can you share some of these case studies?

**Charm Tong Nang- Burma**

Given your pioneering work with sexually exploited and trafficked women and children across the Burma- Thai border, can you speak about the way in which regional governmental and non- governmental organizations can strengthen the protection of women and children in conflict situations?

**Wu Qing- China**

The Chinese government recently announced that it plans to set up the first national mechanism for combating trafficking as a measure to protect women and children from forced labor and prostitution. The highlight of this new measure is the multi- agency response to trafficking which will involve joint efforts by 21 ministries, including the Ministries of Public Security, Labor and Social Security, Education and Supervision. These new developments in the law are extremely urgent given that mass migration in China has heightened concerns about forced labor and sexual exploitation of trafficked women. Can you discuss these new developments and what concrete steps are still missing?

Can you speak to the way in which sex selective abortion, inadequate resource allocation for the girl child and migration of women to urban areas has exacerbated trafficking in women and girls? What are your suggestions to address the dual challenges of trafficking in women and the devaluing of the girl child?

**Juree Vichit Vadakan- Thailand**

The Thai law is one of the strongest laws in Asia on trafficking and attempts to prevent the re-victimization of trafficked children. Can you discuss some of these successful provisions? You have also developed projects to provide counseling, vocational training, health care and rehabilitation for HIV positive victims of prostitution. Can you discuss two examples very briefly?

**Ferdous Ara Begum:**

Cyclone SIDR has recently had a devastating impact on women and children of Bangladesh in rural areas and urban slums. Women and children are most vulnerable to natural disasters due to poverty, illiteracy and low status. The displaced women and children on the coastal belt are vulnerable to trafficking. Please discuss two rapid response strategies you recommend in this crisis?

Cyclone SIDR like other natural disasters, heighten the threat of violence against women and children. Can you discuss an effective program of policy put into place to prevent and address violence against women and children?

**Panel Four - Non- Discrimination and the Elimination of Violence in Economic and Social Policies, Legislative Reform, and Cultural and Traditional Practices Affecting Women and Children**

Exciting new developments in law and policy in the Asian region seek to prohibit violence against women and children; as well as abolish laws, practices, traditions and customs that directly or indirectly discriminate against women and children both in the family and in the workplace. These good faith efforts have, however, been hamstrung by a lack of corresponding enforcement mechanisms. Strong anti- discrimination and anti-violence laws and processes can contribute toward increasing women's, girls' and children's capabilities by giving them equal access to health care, education, training and employment, property and inheritance rights, better access to credit, and increased political participation and representation. This panel will focus on ways in which these initiatives can best advance the rights of both women and children.

**Panelists: Mu Sochua, Guo Jian Mei, Wendy Zhang, Sashi Adhikari, Salma Ali, Rowena Guanzon.**

**Moderator: Rangita de Silva de Alwis**

**Objectives:**

- To create a more holistic and interconnected framework of non- discrimination and anti-violence to guarantee women's and children's rights.

**General Questions:**

- How do women's and children's rights overlap in the areas of non- discrimination and elimination of violence?

- Discuss non- discrimination in relation to children and girls from minority groups and children and girls with HIV/ AIDS.
- Comment on new developments in legislation, including the drafting of gender equality law, domestic violence and anti- trafficking laws.

**Suggested Individual Questions:**

**Mu Sochua- Cambodia**

You helped draft the Cambodian Domestic Violence in cooperation with women’s NGOs and Children’s NGO with the support of the UNDP and UNIFEM. Please discuss the creative ways in which you brought these multiple networks and agencies together and the concrete results of these collaborations. For example, how does the law capture those multiple perspectives? How does the law reflect the needs of children and women? What were the challenges? What still remains to be done to fill the gaps in the implementation of the law in relation to children?

You also negotiated an international agreement with Thailand to curtail trafficking in Southeast Asia, and launched a campaign to engage NGOs, law enforcement officials, and rural women in a national dialogue. Can you discuss some models that will be most useful in relation to women, girls and children?

**Guo Jian Mei- China**

An exciting new development in China involved the drafting of a national domestic violence law. You helped draft the Law on the Protection of Rights and Interests of Women of 1992 and were involved in its revisions in 2005. Can you tell us what more about what needs to be done? How can laws be better implemented to advance the rights of women and children? What specific remedies are needed to protect women and children from domestic violence in China?

Given your work with provincial level women’s federation organizations and legal aid for landless women, what are your creative recommendations to address the disproportionate representation of women among the rural landless that often results in impoverished families?

Your report on women domestic workers was provided to the CEDAW Committee in 2006. Can you speak about some of the critical areas on women’s and children’s rights in China that the CEDAW and CRC Committees must focus on?

**Salma Ali- Bangladesh**

As the head of the Bangladesh National Women Lawyers Association, your programs enhance the rights of women and children. Your work has addressed acid crimes which affect girl children and girl domestic workers. Can you speak about new developments in Bangladeshi laws and policies, including the drafting of the new domestic violence law to protect children?

**Wendy Zhang- China**

You are the Deputy Director of the premier child rights organization in China. Your organization helped to draft the revisions to the Law on the Protection of Minors. Your work has involved advocating for the rights of migrant children and families. Can you

speak about the implementation of the law on the protection of minors and some of challenges to the education of migrant children?

**Sashi Adhikari of FWLD of Nepal**

FWLD has challenged sexual exploitation of children and women through ground breaking litigation in Nepal which has led to changes in customary practices like *chaupadi* ( a practice that required lactating women and menstruating girls to sleep in cow sheds) and has overturned unequal inheritance laws and citizenship laws that discriminate against both women and children. Can you discuss ways in which litigation, advocacy and shadow reporting under CEDAW and CRC overlap and interconnect in challenging discrimination and violence against women and children?

**Rowena Guanzon- Philippines**

You helped to draft the law preventing domestic violence against women and children. Can you speak to ways in which you tied the two movements and their agendas together in this law making process? One innovative strategy is the way in which the preamble to the law invokes both the CEDAW and CRC. How are the values of the CRC best reflected in the implementation of the law? Are there gaps in your law in relation to remedies and protective orders for children?

Can you tell us how the Magna Carta for Women and the draft amendments to the anti - child abuse law in the Philippines, both of which you are helping to draft, aim to protect women, girls, and children?

**Ferdous Ara Begum- Bangladesh**

Cyclone SIDR like other natural disasters, heighten the threat of violence against women and children. Can you discuss an effective program of policy put into place to prevent and address violence against women and children?

**DAY TWO**

**10 December 2007**

**Panel Five: Laws, Policies, and Budgets: Advancing the Human Rights**

**Relationship between Women and Children**

Several countries around the Asian region have made good faith efforts to bring their legislative and social frameworks in compliance with CEDAW and CRC provisions. Gender- aware laws and policies benefit women, men, and children. The interpretation and implementation of laws and policies that integrate a gender and a child rights perspective will capture the reality of women's and children's lives and advance both gender-friendly policies and children's well being. Budget appropriations and allocations that take into account the human rights relationship between women and children play a major role in operationalizing policies that shape opportunities for all.

**Panelists: Danish Zuberi/Iqbal Haider, Rowena Guanzon, R. Vaigai, Dr. Siti Musdah Mulia.**

**Moderator: Anna Wu**

**Objectives:**

- \_ To mainstream gender and a child rights perspective into laws, policies and budgets.



**General Questions:**

- How do legal institutions link the women’s rights and children’s rights agendas?
- How does the legal framework and processes facilitate the connections between women’ rights and children’s rights?
- Discuss specific law reform initiatives in which the CRC and CEDAW have been integrated into national policy, programming and budgeting. What more can be done?

**Specific Questions:**

**Iqbal Haider/ Danish Zuberi- Pakistan**

How do the recent reforms of the Hudood Ordinance, the Shari’ah law, and the Criminal Procedure Code impact women and children?

As a former law minister who lobbied for Pakistan’s ratification of various human rights treaties, please discuss ways in which the CRC and CEDAW can be integrated into national policy, programming and budgeting in favour of women and children in Pakistan.

**R. Vaigai- India**

India is marking the first year anniversary of the passage of its domestic violence law. In retrospect, what can you say about how the law addresses violence against women, girls and all children? Please also speak to customary discriminatory practices.

The new Child Marriage Act was introduced in December 2006; can you share some insights that can be lessons for other countries, including the way in which the law strengthens monitoring of marriage officials, mandatory registration, and voiding of child marriage?

You are struggling to combat child labour in South Indian Textiles where girls and boys from impoverished agricultural families are bonded to work in textile mills. Girls are promised a paltry sum as dowry at the end of three years in a racket that is known as a “marriage scheme.” Can you discuss the creative strategies you are engaged in to challenge this newly developing crisis?

**Panel Six: Institutional Mechanisms: Strengthening the Connections**

Institutional mechanisms, including government ministries and agencies, human rights commissions, ombudsman offices, and courts and tribunals can play a major role in creating synergistic models that connect the needs of all stake holders in the design, implementation, monitoring and evaluation of policies and programmes in social, economic and political spheres. Without strong institutional mechanisms, implementation of policies and guidelines will remain a problem. The ultimate goal is to ensure joint action in overlapping, intersecting areas to hold these autonomous but inter- related institutional mechanisms accountable to the human rights of women and children.

**Panelists: Siti Musdah Mulia, Juree Vichit-Vadakan, Hon. Oyun, Dr. Hiranthi Wijemanne.**

**Moderator: Anna Wu**

**Objectives:**

- To strengthen linkages between different institutional mechanisms including inter-agency, inter- ministerial and multilateral collaborations working to advance the rights of women and children.

**General Questions:**

- How do existing mechanisms, including human rights commissions, ombudspersons, national gender machineries and child protection agencies collaborate in areas where women's and children's rights are linked?
- How can regional organizations such as SAARC, ASEAN, and Mekong Sub Region mechanisms become more engaged in promoting the CEDAW- CRC linkages and protecting the rights of children and women?
- How can specific ministries and agencies that work on distinct issues adopt a more coordinated and holistic focus on interrelated issues of women and children's access to labor rights, healthcare, education and prevent trafficking, violence, and discrimination?
- How can you better link with human rights institutions on women and children's human rights issues?

**Suggested Individual Questions:**

**Siti Mulia- Indonesia**

You are in the unique position of working both within and outside the government. You worked with pro-democracy civil society groups to draft the Bill on Civil Registry; the law on Anti Domestic Violence; the Revision of the Law on Health; the Law on Citizenship; the Law on Labor; and the Draft Bill on Anti Trafficking. Can you discuss how you forge connections between government agencies and civil society groups active in human rights and engaged citizenship?

You are also in the process of drafting a model Family law based on the principles of equality that could be used in other countries too. Can you discuss how you are advancing a feminist interpretation of the Koran through inter agency collaborations? Please discuss this in terms of working with Komnas Perempuan (Commission on preventing Violence against Women) and Komnas Ham (Human Rights Commission). What is the available space to link women's and children's rights in this critical discourse and public debate?

**Juree Vichit-Vadakan- Thailand**

How do you better connect with the National Human Rights Institution on women and children's human rights issues and how do related agencies collaborate on joint issues?

For example, Thailand has a National Committee on Trafficking in Women and Children. Thailand also has several bodies under the Ministry of Labour and Social Welfare to deal with child trafficking. The National Committee on Child Labour Protection addresses the issue of Thai and foreign child labour. The Thai coordinating Committee on Migrant Children protects and assists migrant children. How are these institutions coordinated?

**Hon. Oyun- Mongolia**

As a leading political figure in Mongolia, how do you think different agencies can come together in a coordinated response? As a woman political leader and head of the MDG Commission in parliament, could you let us know how MDG's are being used to strengthen the connections between women's and children's rights?

Can you comment on the work of the National Human Rights Commission of Mongolia, established in 2000, and particularly its work on women's and children's rights?

**Dr. Wijemanne- Chairperson of the National Child Protection Authority of Sri Lanka**

Can you discuss how you coordinated a multi-agency response for the protection of the rights of children and women affected by the Tsunami? How did a consortium of NGOs network in coordination with government agencies? Discuss a model that can be used to deal with similar natural disasters around the region.

How do you bring together a multi agency response to the impact maternal health has on children's health and pediatric health care utilization?

**Concluding Panel: The Way Ahead: Civil Society Partnerships and Collaborations**

**Panelists: IWRAW, APWLD, Vietnam Women's Union and Asia Migrant Forum**

**Moderators: Savitri Goonesekere and Noreen Khan (UNICEF New York)**

**Objectives:**

- \_ To operationalize the intersectionalities of CEDAW and CRC into the work of NGO's around the region.

**General Questions:**

- \_ How will civil society organizations partner with each other and with the treaty bodies in joint action?
- \_ How will this initiative we are engaged in today be translated into national and domestic practices?

**Suggested Individual Questions:**

**International Women's Rights Action Watch (IWRAW)**

Please speak about IWRAW's work on recent law reform initiatives, shadow reporting and ways in which you are operationalizing the intersectionalities of the CEDAW-CRC and working with other NGO's around the region. Please provide two concrete examples.

**Asia Pacific Women, Law and Development (APWLD)**

The APWLD is the pioneering Asian regional organization on women's human rights. Can you briefly speak of ways in which you link the CEDAW and CRC and other human rights treaties in your work on behalf of women and children's rights? Give two concrete examples.

**Vietnam Women's Union- Vietnam**

As the mass organization representing the voices of women and children in Vietnam, you are in the unique position to speak to these linkages. You have recently drafted the Gender Equality law and its guidelines. This law attempts to balance work/ family

obligations within a gender equality framework and also advances gender equality both in private and in public—in the family and the workplace.

In your law you have asked for the assistance of the Vietnam Fatherland Front in advancing these values. In concrete terms, how do you work with these networks to advance women's and children's rights?

You are also in the process of drafting a domestic violence law. Can you discuss ways in which you are bringing together the advocacy community and the different government agencies in this effort?

**Migrant Forum Asia- Philippines**

Please discuss two pressing problems facing children of migrant families in Asia.

Please discuss two concrete suggestions for integrating the CEDAW and CRC into the work of regional NGOs and networks in addressing these concerns?

You are helping to draft a law in Bangladesh that will help women and families of former migrant workers to integrate into the community. Please speak to some of the challenges in this field and some unique opportunities to address those challenges.