

**UN WOMEN ISSUE BRIEFS ON
WOMEN'S HUMAN RIGHTS IN THE ASEAN REGION**

WOMEN, PEACE AND SECURITY

Conflicts are gendered. In most conflict and post-conflict societies women make up more than 50 percent of the population. Women are often actively engaged as principal agents in conflict settings and key players in peace building. They play these roles simultaneously to their household duties and meeting the needs of their families and communities.

When the peace building process fails to properly consider the many roles of all stakeholders, including women, there will be a lack of coherence in peace building strategies. That is why so many post-conflict regions are often entrapped in a circle of violence.

ASEAN Member States Obligations

The Beijing Declaration and Platform for Action (BPFA) explicitly identifies “the effects of armed conflict on women” (BPFA 1995:34) as one of twelve critical areas of concern for gender equality. The BPFA focuses on the specific needs and vulnerabilities of women, and states “women’s empowerment and their full participation on the basis of equality in all spheres of society, are fundamental for the achievement of equality, development and peace.”

The UN Security Council Resolution 1325 (2000) affirms the essential role of women in preventing conflict and sustaining peace. It addresses a range of issues from conflict prevention to peace negotiations to post-conflict reconstruction. The resolution is a milestone document that clearly articulates the procedures, assessments, delivery, attitudes and habits required for its full implementation (UNIFEM 2004).

SCR 1325 was followed by three more significant resolutions. In 2008, the UN Security Council unanimously adopted SCR 1820 on Women, Peace and Security, acknowledging sexual violence as a tactic of war and that rape and other forms of sexual violence can constitute war crimes and crimes against humanity. It called for the “immediate and complete cessation by all parties to armed conflict of all acts of sexual violence against civilians.” In 2009, two more resolutions were adopted. Resolution 1889 followed on from SCR 1888, focusing on women’s participation. The resolutions urged Member States, UN bodies, donors and civil society to ensure that women’s protection and empowerment is taken into account during post-conflict needs assessment and planning, and factored into subsequent funding and programming.

Importantly, there needs to be sufficient allocation of resources for implementation of SCR 1325. The UN Secretary General’s 2007 report on women, peace and security stressed that “Adequate and predictable funding is crucial for efficient and sustainable implementation of the resolution.” The UN SG’s succeeding reports also called on governments, civil society, the private sector and other stakeholders to “work to increase human and financial resources for mainstreaming a gender perspective in peace and security processes.”

Women in Conflict and Post-Conflict Situations in the ASEAN Region

Almost all of the 10 members of ASEAN are experiencing conflict or have been in conflict situations in the past 40 years. Some of the situations are characterized by arms and violence, others by non-violent protests and confrontations. In some cases the conflict has crossed national borders. While politics looms large in these situations, social, environmental, religious, ethnic and development tensions also figure prominently.

In all the Southeast Asian situations of conflict or post-conflict, the role of and impact on women is often ignored or rarely discussed.

As in similar situations the world over, when their situation is represented, women are often portrayed as passive victims, which ignores their active roles in the conflict itself, and their actual and potential roles in fostering peace and security. This is especially true for the many long and protracted conflicts and post-conflict situations in ASEAN countries such as Cambodia, Indonesia (Aceh, Papua, Maluku, North Maluku, Poso-Central Sulawesi, etc.), Myanmar, Philippines (Mindanao), Thailand (southern Thailand), Timor Leste and Viet Nam.

- In the conflicts in southern Thailand, some 210 women and 57 children constitute the almost 2700 fatalities. These figures suggest a steep increase in widowhood due to the conflict. Similarly, in Cambodia during the armed conflict between 1975 and 1979, many more men than women died in battle. In the southern Philippines island of Mindanao, women whose husbands were killed suffered additional hardships because of vendettas.
- Women are not always victims. They actively work to improve their situation, and they often actively support one side or another in conflict. Women become

combatants, provide medical help, protect and feed armed groups.

- Women are major stakeholders in the resolution of conflict and they organize for peace in their communities. Despite this fact they are under-represented in official peace processes. In Indonesia, for example, women are actively involved in conflict resolution at grassroots levels, but it remains difficult for them to gain access to the formal peace process where significant and wide-ranging decisions are made. This was evident at the signing of the Aceh Peace Agreement in Helsinki where women were only marginally involved. In Cambodia, while no women were present at the official peace talks (late 1980s) which culminated in the internationally mediated Paris Peace Accords of 1991, a small number of women were engaged as informal mediators, facilitating the exchange of information among parties, which eventually led to formal meetings. In the southern Thailand insurgency as well as the current conflicts in Bangkok, there is low participation of women in decision making in the conflict resolution processes at local and national levels. These situations have not, however, stopped women from being involved in conflict resolution and peace building.
- The Philippines is the first Asian country to adopt a National Action Plan (NAP) on SCR 1325 and 1820 to strengthen and protect the rights of women and ensure peace and security. The NAP's four goals include Protection and Prevention, Empowerment and Participation, Promotion and Mainstreaming, and Capacity Development and Monitoring and Reporting in the context of conflicts, conflict resolution and peace building.

The discrimination, inequalities and violence that women experience during conflict does not arise solely out of the conditions of conflict. It is directly related to the situation of women during peacetime:

- **Political participation:** In ASEAN member countries women's political participation remains low, ranging from 9.9 percent to 25.8 percent, falling short of the international commitment of a 30 percent quota for women's political participation.
- **Sexual and gender-based violence:** Violence against women during conflict has reached endemic proportions. Evidence from recent conflicts indicates that members of fighting forces specifically target women and girls. The forms of violence used – torture, rape, mass rape, sexual slavery, enforced prostitution, forced sterilization, forced termination of pregnancies, and mutilations – and the ways in which perpetrators carry out these violent acts are closely linked to gender relations in society and culture.
- **Trafficking in women and girls:** During armed conflicts, cross border trafficking of women increases. It happens in peace times in almost all ASEAN countries, but impunity, lawlessness, dysfunctional state institutions and border controls and the high level of violence in times of conflict exacerbate the situation (GTZ 2004; US State Dept 2009).
- **Access to justice:** Redress for crimes against women as war crimes and crimes against humanity have only recently been added to the international agenda. The International Criminal Court (ICC) is one of the most significant examples of gender mainstreaming in an international treaty. Many women choose not to report cases of violence to authorities because of a lack of adequate legal mechanisms, fear of reprisal and being ostracized, a climate of indifference and the tacit acceptance of sexual abuses as an unavoidable part of

war. Many women also lack knowledge about their rights and legal process. Support services and legal aid are rarely provided, and gender bias within the judicial process prevents women from receiving fair treatment as witnesses, as complainants and in investigations.

- **Property rights:** Women's rights in access to, and control over land, housing, and other property continue to be limited the world over. Gender-biased laws, traditional attitudes toward women, and male-dominated social hierarchies are obstacles to women attaining equal rights. The situation tends to be worse in conflict and post-conflict societies.
- **Health of women and girls:** The experience of conflict and the impact of conflict on access to healthcare determine the physical health and the psychological wellbeing of women and girls in very particular ways. Women are not only victim to general violence and lack of health care, they also face issues specific to their biology and their social status. Women also carry the burden of caring for others, including those who are sick, injured, elderly or traumatized. Women and girls are particularly vulnerable to HIV/AIDS infection during periods of conflict and crisis, when they are displaced from their families and face an increased likelihood of rape and sexual violence. In the refugee camps on the Myanmar border, for example, women are more likely than men to be infected with HIV.
- **Displacement of women and girls:** Women and children make up as much as 80 percent of displaced populations. Leaving homes, property and community behind renders women vulnerable to violence, disease and food scarcity. Displaced women are subjected to physical and sexual attacks, rape, violence and sexual harassment, and increased spousal battering and marital rape. They are also vulnerable to abduction and trafficking.

According to the Maguindanao Provincial Social Welfare and Development Office and the Mindanao Emergency Response Network, 174,370 persons were still displaced as of December 2009. In Myanmar, it is reported that the number of displaced persons has reached several million (NGO report to CEDAW Committee by the Women's League of Burma).

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United Nations Entity for Gender Equality and the Empowerment of Women (UN Women)

East and Southeast Asia Regional Office
5th Floor, UN Building

Rajdamnern Nok Avenue
Bangkok 10200

Tel: +66-2-288-1684, 2588

Fax: +66-2-280-6030

<http://www.unwomen-eseasia.org>