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## **Ending Violence Against Women in Asia**

*International Norm Diffusion and Global Opportunity  
Structures for Policy Change*

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prepared for the UNRISD project on  
When and Why Do States Respond to Women's Claims?  
Understanding Gender-Egalitarian Policy Change in Asia

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# Acronyms

<b>ACSVAW</b>	Association Concerning Sexual Violence Against Women
<b>ADB</b>	Asian Development Bank
<b>APEC</b>	Asia-Pacific Economic Cooperation
<b>APWLD</b>	Asia Pacific Women and Law and Development
<b>ASEAN</b>	Association of South-East Asian Nations
<b>ASTRA</b>	Central and Eastern European Women's Network for Sexual and Reproductive Health and Rights
<b>AWID</b>	Association for Women's Rights in Development
<b>CDR</b>	Centre for Dialogue and Reconciliation
<b>CEDAW</b>	Convention on the Elimination of all Forms of Discrimination Against Women
<b>CR</b>	Conciliation Resources
<b>DEVAW</b>	1993 UN General Assembly Declaration on VAW
<b>GAD</b>	Gender and Development
<b>GCI</b>	Gender Concerns International
<b>GGGI</b>	Global Gender Gap Index
<b>GII</b>	Gender Inequality Index
<b>HRLN</b>	Human Rights Law Network
<b>ILO</b>	International Labour Organization
<b>IWRAW</b>	International Women's Rights Action Watch
<b>LBT</b>	Lesbian, Bisexual and Transgender
<b>LGBT</b>	Lesbian, Gay, Bisexual and Transgender
<b>LoC</b>	Line of Control
<b>NAP</b>	National Action Plan
<b>NGO</b>	Non-governmental organization
<b>OECD</b>	Organisation for Economic Co-operation and Development
<b>PFA</b>	Platform for Action
<b>PSVI</b>	Preventing Sexual Violence in Conflict Initiative
<b>PSWG</b>	Pre-sessional working groups
<b>SAARC</b>	South Asian Association for Regional Cooperation
<b>SARC</b>	South Asian Regional Community
<b>SGBV</b>	Sexual and gender-based violence
<b>SIGI</b>	Social Institutions and Gender Index
<b>SRVAW</b>	UN Special Rapporteur on Violence against Women
<b>UCPD</b>	Uppsala Conflict Data Program
<b>UN</b>	United Nations
<b>UNDP</b>	United Nations Development Programme
<b>UNESCAP</b>	United Nations Economic and Social Council for Asia and the Pacific
<b>USD</b>	United States dollar
<b>VAW</b>	Violence Against Women
<b>VAWG</b>	Violence against women and girls
<b>WCEO</b>	Hong Kong Women's Coalition on Equal Opportunities
<b>WEF</b>	World Economic Forum
<b>WHO</b>	World Health Organization
<b>WILPF</b>	Women's International League for Peace and Freedom
<b>WINGO</b>	Women's international NGO
<b>WISCOMP</b>	Women in Security, Conflict Management and Peace
<b>WLD</b>	Women, Law and Development
<b>WPS</b>	Women, Peace and Security

## Summary

Violence against women (VAW) is not recognized as a major societal problem within and across Asia, as evidenced by the extremely low conviction rates for sexual and gender-based violence (SGBV), the slow or non-adoption of anti-VAW laws in Asian countries, and the lack of a regional anti-VAW Convention despite the high reporting of various forms of VAW in recent UN and World Health Organization (WHO) surveys. The systematic nature of sexual and gender-based violence against women is either denied or considered so normal that its prevention or elimination is viewed as too challenging. This paper examines the transnational political and economic opportunity structures that both enable and constrain state responses to VAW in Asia, highlighting India, China and Indonesia, the three largest states in the region, which also represent diverse political, economic and cultural norms.

The global opportunity structures include:

- i. the significant international body of legal norms on VAW, importantly the 1979 Convention on the Elimination of all Forms of Discrimination against Women (CEDAW);
- ii. the pressure placed on governments by the global media and international organizations as manifest through global rankings and reporting on VAW;
- iii. the regional context of protracted conflict and political violence and increasing awareness that gendered dynamics are highly salient in these conflicts through the international Women, Peace and Security agenda; and
- iv. the advocacy repertoire and learning across transnational feminist networks and other non-state actors.

Women's movements in Asia are making use of these opportunity structures, and the paper reflects on how they are strategically harnessing them. It argues that women's organizations in Asia could further build on these four opportunity structures to progress policy and societal changes.

For example, the business case argument shows VAW to be a significant constraint on women's participation in economic development and global markets with consequences for a country's overall prosperity. This political economy rationale has hardly been advanced by women's organizations in Asian countries despite the available evidence on the costs to society, governments and businesses of gendered violence and discrimination. Governments are highly receptive to global gender rankings because they reveal the impact of gender inequalities and injustices on their countries' development and competitiveness. International benchmarking, including against rival states in the same region, offers the potential for shaming of governments and for local civil society groups to use the rankings to ignite public debates on poor state gender equality records that include the violent treatment of women and girls. Women's rights advocates in the region could employ these rankings to highlight government performance on gender issues and prompt greater state responsibility and action. Equally, women's movements could draw attention to how VAW is exacerbated by the broader regional context of protracted conflict, militarism and presence of armed groups contributing to the normalization of violence. The slow progress in state action on VAW in Asia is in no small part due to the lack of a regional initiatives or policy frameworks for discussing and addressing the problem of VAW as well as lesser international attention paid to conflict-related SGBV in Asia relative to other regions.

In sum, the carrot—via regional learning about how to address gender discrimination and cultures of impunity—and the stick—international shaming via global and social media for state denial or inaction on VAW—are powerful mechanisms for bringing about social change and more effective local implementation of non-VAW laws and policies.

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**Keywords:** Violence against women (VAW), norm diffusion, transnational advocacy networks, women's human rights, Asia-Pacific region

## Introduction: The Problem of VAW in Asia

Violence against women (VAW) is not widely recognized as a major societal problem within and across Asia. This is evident in a number of ways. There are few official reports of VAW to state agencies. However, these reports barely scratch the surface of actual violence as indicated by recent surveys by the United Nations and World Health Organization (WHO) that show high levels of self-reported intimate partner violence, sexual violence including non-partner rape and gang rape overwhelmingly by men against women (see Fulu et al., 2013). At the same time, the extremely low conviction rates for sexual and gender-based violence demonstrate minimal state response to VAW. The reluctance of Asian states to acknowledge and remedy VAW and the culture of impunity that perpetuates it, is demonstrated by their slow or non-adoption of specialized laws to combat VAW. Moreover, the lack of a convention in Asia to eliminate VAW as adopted in other global regions illustrates a regional pattern, which is reinforced by peers.

Due to the historical impunity for acts of VAW, we are only beginning to understand their scale and forms in Asia. The limited public awareness of VAW results from the significant under or non-reporting of this violence to authorities, due to the societal stigmatization associated with being a victim. Pervasive gender, ethnic, class, caste and other oppression attach the shame of sexual and domestic violence with the (female) victim or survivor and not the (male) perpetrator. Victims might not report experiences of violence to avoid dishonouring themselves and their family. Moreover, VAW is frequently seen as normal or as a male entitlement so its prevention or elimination is considered to be impossible (Fulu et al., 2013: 3).

A systematic review of scientific data collected by WHO and international VAW prevalence surveys, ever-partnered women in southeast Asia were found to have the highest lifetime prevalence of physical violence (37.7 per cent) (WHO et al. 2013: 17), the second highest rate of physical and sexual violence in the world after Africa (WHO et al., 2013: 20; also Solotaroff and Pande, 2014). Similarly, in the *2010 Global Burden of Disease* study, southeast Asia had the second highest intimate partner violence prevalence rate at 41.73 per cent, after central sub-Saharan Africa (WHO et al., 2013: 47). The *United Nations Multi-country Study on Men and Violence in Asia and the Pacific* (Fulu et al., 2013; referred to in this paper as UN study) further supports the pervasiveness of VAW in the Asian region, though the prevalence rate varies within and across Asian countries. This survey of men and women in nine rural and urban sites in six countries found a high rate—26 to 80 per cent across sites—of physical and sexual violence perpetrated by men on their intimate partners; women's experience of partner victimization was 25 to 68 per cent: which meant an average prevalence rate of 30–57 per cent (Fulu et al., 2013: 27). Among women respondents, between 10 and 59 per cent reported rape by a non-partner (Fulu et al., 2013: 39). According to the UN study, the majority of men perpetrating rape—between 72 and 97 per cent across the nine sites—did not face any legal consequences (Fulu et al., 2013: 3).

Many governments in Asia deny the systemic nature of VAW.<sup>1</sup> They have no baseline of domestic violence reports or annual documentation of situations of sexual and gender-based violence (SGBV) in conflict or emergency situations. This lack of attention to assessing the VAW situation enables and perpetuates a culture of impunity for this violence. In Asia, as in other regions, VAW disproportionately affects minority women and girls, whose subordinate gender status within and across groups often

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<sup>1</sup> See CEDAW Concluding Observations on India at [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW%2fC%2fIND%2fCO%2f4-5&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW%2fC%2fIND%2fCO%2f4-5&Lang=en) (accessed 26 January 2016).

deliberately targets their bodies as markers of ethnic, religious and/or political affiliation (Yuval-Davis, 1997; Kuokkanen, 2008).

This paper explores how the global context of norm diffusion and advocacy networking is prompting greater recognition of—and action on—VAW. It shows how women’s movements in Asia have strategically harnessed some available opportunity structures to advance anti-VAW norms and the implications for social and policy change. The first section of the paper examines the significant body of international legal norms on VAW, such as the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) and the importance of women’s organizations in leveraging CEDAW at local and national levels in Asia. The second section discusses the pressure placed on governments by international organizations as manifest through reporting on VAW and global rankings on gender equality. However, this political economy rationale has hardly been advanced by women’s organizations in Asian countries despite the available evidence on the costs to society, government and business of gendered violence and discrimination. The third section looks at the regional context of protracted conflict and political violence and the increasing awareness raised by women’s rights organizations that gendered dynamics are highly salient in these conflicts. The fourth and last section analyses the advocacy repertoire and learning across women’s rights networks, and the role of global news and social media in bringing VAW to the forefront of change agendas in the region. Throughout the paper the three largest Asian states, China, India and Indonesia, which also reflect the diversity of political, economic and cultural norms in the region, are used to illustrate key points and/or suggest regional patterns and trends.

### ***The influence of the global and regional context***

Global and regional structures, processes and actors can have powerful effects on achieving women’s rights to bodily integrity. Regardless of the significance or scale of VAW in any country or region, it is unlikely there would be progress in reducing it without normative pressure from other states, international organizations and global women’s movements. Increasingly, material incentives linking the elimination of VAW with gender equality, economic growth and international competitiveness are also playing a role behind the scenes in promoting state responses to ending VAW. This paper adapts the “opportunity structures” framework to examine how transnational factors support societal and policy change within states to address VAW. Sociologists Doug McAdam, John D. McCarthy and Mayer Y. Zald define opportunity structures as being those “exogenous factors that limit or empower collective actors” such as women’s movements (1996: 27). They consider how political opportunity structures, such as the openness of the institutionalized political system, the relative stability of elite consensus, the presence of elite allies, and the state’s capacity and propensity for repression expand or create opportunities for groups, their opponents and elites. In this paper, opportunity structures—such as the available legal and normative frameworks that represent an international consensus—provide political incentives for government action, while the emerging consensus linking gender equality and economic performance could also be considered an opportunity structure affecting state receptiveness to women’s right claims.

Global opportunity structures are not viewed as fixed or all-determining, top-down forces for change. Rather, they are available for activation by local and transnational, state and non-state actors to advance their claims. International recognition of VAW at the United Nations during the 1990s was achieved because the *mobilizing structures* of transnational women’s movements were well enough established to influence the political opportunity structures of states. Movements were able to pry open institutional

access to the United Nations and within key states, and to forge insider-outsider alliances with policy makers. Explaining this case, Jutta Joachim (2003, 2007) analyses the dynamic interaction of women's movements' mobilizing structures—especially the presence of organizational entrepreneurs, gender experts, and the diverse makeup of the transnational movement—with existing institutional opportunity structures. Women's movements created “windows of opportunity” in the 1990s, when their internal mobilization and framing of the problem and solutions to VAW resonated with and reshaped states' political and economic alignments.

This paper explores each of the four transnational opportunity structures in relation to anti-VAW movements in Asia in turn. It considers how women's struggles to end violence against women have strategically mobilized international normative pressure and material incentives to advance their claims.

## **Diffusion and Non-Diffusion of Anti-VAW Norms in Asia**

The international norm prohibiting VAW has spread across state and non-state actors, gaining significant support in multiple forums including official government policies, laws, international and regional treaties, conventions and frameworks. The anti-VAW norm is clearly established in CEDAW Recommendation 19, the 1993 UN General Assembly Declaration on VAW (DEVAW),<sup>2</sup> the 1995 UN Beijing Declaration and Platform for Action (PFA) agreed to by all 189 member states,<sup>3</sup> the 1998 Rome Statute of the International Criminal Court (Rome Statute) which recognizes and enables the prosecution of sexual and gender-based crimes,<sup>4</sup> as well by regional declarations<sup>5</sup> and conventions addressing VAW and human rights.<sup>6</sup> In Asia the declarations by the Association of South-East Asian Nations (ASEAN) and the South Asian Regional Community (SARC) prohibiting VAW have yet to be codified in a legally binding convention. With the adoption of Beijing PFA at the UN Fourth World Conference on Women, Charlotte Bunch (1995: 232) noted that the success of efforts to end VAW would depend on local and national action but that the global pressure on governments at Beijing could help to build “the momentum that women can use when they return home”. Bunch recognized that international norms play an important role in domestic and international politics. Over time, they form “structures” that can change the behaviour and interactions among states and non-state actors.

Anti-VAW and gender equality norms are not synonymous but there is a strong connection between them. There is solid evidence for the hypothesis that VAW is “a manifestation of unequal gender relations and harmful manifestations of hegemonic masculinity governed by patriarchal beliefs, institutions and systems” (Fulu et al., 2013: 3). In South Asia, Soloroff and Pande (2014: xxviii) argue that that the “perception of women as victims or subjects—

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<sup>2</sup> <http://www.un.org/documents/ga/res/48/a48r104.htm> (accessed 26 January 2016).

<sup>3</sup> The PFA listed VAW as one of 12 critical areas of concern. It outlines state actions to address integrated measures to prevent and eliminate VAW objectives, including adopting, and/or implementing, and periodically reviewing and analysing legislation to ensure its effectiveness in eliminating VAW.

<sup>4</sup> Articles 7 and 8 of the Rome Statute encompass more SGBV crimes than previous international legal instruments. They go further than most domestic penal codes, criminalizing a range of sexual violence acts—including rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, and other forms of grave sexual violence and persecution based on gender.

<sup>5</sup> These include: The Association of Southeast Asian Nations (ASEAN) Declaration on the Elimination of VAW (2004); The ASEAN Declaration on the Elimination of Violence against Children (2013); The South Asian Association for Regional Cooperation (SAARC) Convention on Preventing and Combating Trafficking in Women and Children for Prostitution (2002); and The SAARC Convention on Regional Arrangements for the Promotion of Child Welfare in South Asia (2002).

<sup>6</sup> Other relevant international normative frameworks for addressing VAW include the Sustainable Development Goal 5 on gender equality, which incorporates a target on reduction in VAWG.

rather than as individuals with [equal] rights...has circumscribed the social and legal provisions for women’s safety”. Structural gender inequalities—including women’s relatively poor access to economic rights and control over resources, women’s marginalization in politics and decision making and sociocultural norms supporting male authority and control over women and male physical aggression—foster a culture of VAW and impunity for its perpetrators. Low socioeconomic status is a particular a risk factor for VAW and “circumstances that emerge from poverty, such as heightened stress in day-to-day living create conditions for interpersonal violence or trafficking” (Solaroff and Pande, 2014: xxviii). Conversely, women’s and girls’ ownership of assets—either financial or land—can protect them. The UN Study (Fulu et al., 2013) singles out “the sense of sexual entitlement” that fuels men’s physical and sexual VAW. The fact that the majority of men face no legal consequences is a reflection of the gender inequalities in the law and justice system. The UN study recommends measures to redress gender inequalities such as reforming discriminatory family law, strengthening women’s economic and legal rights, and eliminating gender inequalities in access to formal wage employment and secondary education to prevent pervasive VAW in Asia.

However, anti-VAW and gender equality norms have been slower to be implemented in Asia compared with other global regions (True et al., 2013; UN Women, 2014). The lack of a regional human rights mechanism and the non-ratification of the optional protocol under CEDAW constitute a comparative vacuum in terms of redress for victims and advocates seeking state accountability for sexual and gender-based violence (Davies et al., 2014). In Latin America, Africa and Europe there are regional conventions with enforcement mechanisms to address this violence and state due diligence to protect and prevent VAW.<sup>7</sup>

Despite the fact that many conflicts in the Asia-Pacific region have included documented acts of sexual violence targeted primarily against minority women (e.g. Bangladesh 1971, Cambodia—forced marriage as part of crime of genocide—Indonesia in East Timor, Sri Lanka), less than half the countries in the Asia-Pacific have ratified the 1998 Rome Statute of the International Criminal Court compared with 63 per cent in Africa and 82 per cent of Latin American and Caribbean states (Waller et al., 2014: 360). China, Indonesia and India, the regional heavyweights in Asia, have yet to ratify the Statute despite the major advance it represents for gender justice (Waller et al., 2014: 358–360). Geopolitical factors including ongoing security conflicts, prerogatives of state sovereignty (Kapur, 2013), and the lack of local judicial infrastructure are cited as reasons for non-ratification (Waller et al., 2014). Asian states have extremely low conviction rates for sexual violence. For example, in India in 3,860 of the 5,337 rape cases (of women and girls) reported over the past 10 years, the perpetrators were either acquitted or discharged by the courts for lack of “proper” evidence, according to the National Crime Records Bureau.<sup>8</sup> The Rome Statute provisions include procedural rules to protect survivors of sexual violence and witnesses from re-traumatization during proceedings, participation processes (Article 43 [6]), and reparations administered through the Trust Fund for Victims (Articles 75 and 79) that could support states in the region in adopting more expansive VAW criminal offences and procedures (Chappell, 2011).

<sup>7</sup> For example, the 1994 Inter-American Convention on the Prevention, Punishment and Eradication of VAW; the 2003 Protocol to the African Charter on Human and People’s Rights on the Rights of Women in Africa (‘Maputo Protocol’); and the Council of Europe’s Convention on preventing and combating VAW and domestic violence (‘Istanbul Convention’) are legally binding instruments, providing avenues for gender justice but also serving as a deterrent to state inaction providing clear normative guidance and legal precedents on state responsibilities.

<sup>8</sup> <http://www.ipsnews.net/2014/09/lack-of-accountability-fuels-gender-based-violence-in-india/> (accessed 26 January 2016).

With respect to soft international law and the influence of the Beijing PFA in Asia, while governments ratified and acknowledged the goals of the PFA, they have not fully implemented policy recommendations across the 12 critical areas of concern or affirmed their full attainment. The 20-year review of the implementation of the Beijing PFA in 2015 involved national review reports and responses to the UN regional survey from 18 countries, reports or survey responses from 16 countries and no responses to the review from Cambodia, the Democratic People's Republic of Korea, Indonesia, Laos, Malaysia, Pakistan, Turkmenistan and Viet Nam.<sup>9</sup> The elimination of VAW was prioritized, together with women's engagement in public and political life and their economic participation. States in the region identified the "dearth of data and service provision to inhospitable judicial systems and discriminatory sociocultural norms as barriers to eliminating VAW" (UNESCAP and UN Women, 2014: 8). They also reported a lack of political will and accountability, limited awareness and appreciation for gender inequality, insufficient resources and poor coordination as some of the obstacles for those mechanisms to fulfil their mandates.

At present there is weak institutional support for addressing VAW from Asian regional institutions and intergovernmental organizations such as ASEAN, Asia-Pacific Economic Cooperation (APEC), the UN Economic and Social Commission for Asia and the Pacific (UNESCAP), compared with other regions; anti-VAW and gender equality norms have taken longer to be adopted and locally implemented.<sup>10</sup> ASEAN leaders adopted a Declaration<sup>11</sup> on the Elimination of VAW in 2004, and the drafting of a convention has been on its agenda for several years. For its part, the Asian Development Bank (ADB) has made only one specific investment in violence prevention in the last decade.<sup>12</sup> The lack of a regional human rights mechanism and the non-ratification of the optional protocol under CEDAW constitute a comparative vacuum in terms of redress for victims and advocates seeking state accountability for sexual and gender-based violence crimes (Davies et al., 2014). In Africa, Europe and Latin America there are regional conventions with enforcement mechanisms to address these crimes and state non-responsiveness in preventing and protecting against them. For example, the 1994 Inter-American Convention on the Prevention, Punishment and Eradication of VAW prosecuted the notorious femicide crimes in Ciudad Juarez, Mexico, posthumously when the Mexican state was recalcitrant. In Africa the 2003 Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa ("Maputo Protocol") and in the Europe, the Council of Europe's Convention on preventing and combating VAW and domestic violence ("Istanbul Convention) are legally binding instruments that provide avenues for gender justice but also serve as a deterrent to state inaction, providing clear normative guidance and legal precedents on state responsibilities.

However, of the available normative frameworks, CEDAW with its processes of monitoring and reporting on the progress in women's social, economic, and political rights has been widely influential in advancing claims vis à vis governments in Asia to address VAW. Sally Engel Merry (2006) has argued that while CEDAW's regulatory strength depends on the cultural legitimacy of an international process of consensus building, its impact rests on its legitimacy and embeddedness in local cultures and legal

<sup>9</sup> <http://www.pacificwomen.org/news/summary-of-the-regional-review-of-progress-implementing-the-beijing-platform-for-action/> (accessed 26 January 2016).

<sup>10</sup> See True et al. 2013; Asia Pacific Responsibility to Protect Centre 2014; UN Women 2014.

<sup>11</sup> See <http://cil.nus.edu.sg/2004/2004-declaration-on-the-elimination-of-violence-against-women-in-the-asean-region/> (accessed 26 January 2016).

<sup>12</sup> The ADB investment for USD10 million in Nepal aims to improve women's knowledge of—and access to—legal institutions that address gender-based violence, rather than any socioeconomic causes of that violence. Moreover, the project includes no measures to assess its impact on reducing violence against Nepalese women (Arend, 2011: 4).

consciousness. International norms, however, are dynamic processes that often compete for prominence in national and local contexts. As such, they may be taken up in some countries while disregarded in others and also have widely divergent effects in their implementation (Krook and True, 2012: 105).

## I. Leveraging CEDAW to End VAW

CEDAW encompasses General Recommendation 19 on VAW, since the adoption of CEDAW in 1979 predates the international consensus on a universal conception of VAW, bringing together a range of different forms and discriminatory practices under a single definition. This consensus is expressed in the UN General Assembly’s DEVAW. However, there is no universal, legally binding UN instrument to eliminate VAW. Governments report to the CEDAW Committee, made up of judges from member states that meet twice a year to review member states’ compliance with CEDAW. This reporting process both promotes the diffusion of the language of women’s rights and encourages transnational collaboration among diverse actors, including governments, women’s non-governmental organizations (NGOs), experts, the UN and other international institutions in several countries.

Asian countries have overwhelmingly supported the ratification of CEDAW (Foster and Jivan 2009). For example, China signed and ratified CEDAW in 1980, Indonesia signed in 1980 and ratified in 1984, and India signed in 1980 and ratified in 1993.<sup>13</sup> National constitutions mirror CEDAW guarantees of equality for women in most countries in the region. With respect to reservations under CEDAW, many countries within Asia, including China, India and Indonesia, have listed reservations to CEDAW under article 29(1), which gives legal recourse by any party to the International Court of Justice if a dispute is unresolved at the national level. Notably, only India has a reservation claiming “cultural reasons” under Article 5(a): “To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women”. India also has a reservation on Article 16(1) on marital equality, claiming that it is difficult to ensure the registration of all marriages in such a large and diverse country. This has implications for the prevalence of early (child) marriages in the country, a form of violence against women and girls (VAWG) under the DEVAW, which is exacerbated by the lack of monitoring of the minimum age for marriages recorded in official registries (see also UNICEF, 2012).

CEDAW is used in advocating for women’s equal political participation in the Asian region by transnational networks of government and non-government actors (True and Mintrom, 2001; Zwingel, 2013). International Women’s Rights Action Watch Asia Pacific (IWRAP) a major international women’s NGO present in 12 countries in Asia and the Pacific, routinely conducts women’s rights training using CEDAW and CEDAW reporting processes as the main tools. It also promotes dialogues with governments and business on the implementation of the Treaty. To implement CEDAW rights fully, though, institutional mechanisms need to be practically tailored for each country and sub-region. However, the Convention provides more of a lobbying and monitoring device than a model for enacting political equality and preventing VAW in diverse jurisdictions.

<sup>13</sup> See for ratification details by country see [https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=IV-8&chapter=4&lang=en](https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-8&chapter=4&lang=en); and <http://cedawsouthasia.org/regional-overview/ratification-status-in-south-asia> (accessed on 26 January 2016).

As explored further in section IV, transnational women’s networks and lobbying have been critical mechanisms in the spread of knowledge and advocacy for laws to address violence against women, especially domestic violence and sexual violence including rape but also honour crimes, trafficking crimes, female infanticide, acid attacks and so on.

### ***Patterns in the largest Asian states***

Two key patterns can be gleaned in the trends in CEDAW reporting by the three largest states in Asia.<sup>14</sup> First, India has only reported three times to the CEDAW Committee compared with four and five reports from Indonesia and China, due in part to India’s later ratification. However, in the 2000s, there was an eight-year rather than the standard four-year period before India submitted a report to the CEDAW Committee. Second, local and global advocates of anti-VAW norms have used the shadow CEDAW reporting mechanism to hold the Indian government accountable to a far greater degree than other governments in the region. NGOs submitted 24 shadow reports for the India state party in the most recent reporting period whereas China and Indonesia respectively submitted just 14<sup>15</sup> and five shadow reports alongside government Treaty reports (see the list of shadow reports in appendix 1). For India, the number of shadow reports focused on VAW during the CEDAW 2012–2013 reporting period was greatly affected by the massive political protests following the 16 December 2012 brutal gang rape and subsequent death of the 23- year-old female student on a Delhi bus. That fatal gang rape garnered a mass social movement in the streets of Delhi and attention around the world through the global social and mainstream media (Sharma and Bazili 2014).<sup>16</sup> In the cases of India and China, the shadow report submissions were equally made up of local and international NGOs and compare well with the number of shadow reports for regular reporting countries in other regions such as Argentina and the United Kingdom.<sup>17</sup> In the case of Indonesia however, international NGOs submitted three out of the five reports with one report by a national NGO and the other by the fully government-funded National Commission on VAW.

**Table 1: Comparisons of most recent CEDAW reporting in Asia and other regions<sup>a</sup>**

Country	Report	Shadow Report/s
India	4–5 (submitted in 2012, concluding observations in 2014)	24
Indonesia	6–7 (submitted in 2010, concluding observations in 2012)	5
China	7–8 (submitted in 2012, reply to list of issues in 2014)	48 (34 since August 2014)
Afghanistan	1–2	7
Argentina	6	17
Australia	6–7	8 [7 + 1 report from National Human Rights Commission]
Congo	6–7	3
United Kingdom	7	32 [27 + 5 reports from National Human Rights Institutions]

Notes: <sup>a</sup> [http://tbinternet.ohchr.org/\\_layouts/TreatyBodyExternal/Countries.aspx](http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/Countries.aspx) (accessed in January 2016).

<sup>14</sup> See appendix 1 for the list of the NGOs that submitted shadow reports in India, China and Indonesia.

<sup>15</sup> This number excludes the 34 shadow reports prompted by the Hong Kong democracy movement in 2013-2014.

<sup>16</sup> Chigateri et al., 2016; Gopinath, 2015; Kapur, 2013.

<sup>17</sup> In China’s case, some organizations that present themselves as non-governmental are solely state-funded so the nomenclature is not a good fit outside liberal democracies.

Although we cannot read off the extent of the problem of VAW from the number of state reports submitted to the UN CEDAW Committee, they do indicate the degree of state responsiveness to anti-VAW claims and state compliance with international anti-VAW and gender equality norms. State denial and national (and international) cultures of impunity for VAW encourage VAW as acceptable behaviour by failing to protect, prosecute or prevent it. The due diligence standard embedded in international human rights law clearly articulates these state responsibilities.<sup>18</sup>

### ***The emergence of domestic violence laws***

International instruments, such as CEDAW and DEVAW, which establish women’s rights, in particular women’s rights to bodily integrity as human rights, have been used across the region to challenge the normalization of women’s subordination. Progress in applying CEDAW to the development of laws and policies in Asia has been considerable. For instance, the outlawing of domestic violence, sexual harassment, rape, and human trafficking undertaken in many Asia-Pacific countries can be attributed to the training of advocates inside and outside government using CEDAW as well as the inter-state social pressure to comply with international norms. Domestic violence laws were adopted in the following countries in a similar time period, most recently China (drafted in 2005, amended in 2009, ratified in 2015), with India adopting a law in 2005 and Indonesia in 2004 (The Economist, 2014). Like India’s amendment to the Indian Criminal Law, 2013 to address sexual offences and rape, high-profile local cases have shaped laws that have closely mirrored the normative definitions in the UN DEVAW in Sri Lanka in 2005, Nepal in 2009 and Bangladesh in 2010.

The language of the DEVAW and of CEDAW Recommendation 19 is replicated in many Asian laws against domestic VAW passed in the last decade including India, Indonesia, China, the Philippines, and Laos.<sup>19</sup> For example, the definition of domestic violence to explicitly include “physical, sexual and psychological violence as well as economic abuse” in India’s domestic law (2005) follows from the earlier addition of economic exploitation to the definition of VAW in UN Resolution on Elimination of VAW, 2003.<sup>20</sup> This trend is significant given that in Ortiz and Vives’ (2013) study of legislation on VAW just 28 countries worldwide included all four forms of abuse in their domestic violence or anti-VAW law. Indeed, section IV explores the Indian campaign that mobilized transnational networks and pressure to bring the domestic violence bill into line with the gender-specific, UN framework.

Both the laws against domestic violence in China and India recognize women victims’ of domestic violence the right to remain in the household regardless of who owns it. The Chinese draft law passed in 2015 “provides directions on restraining orders and stipulates that a perpetrator of violence may be ordered to vacate a victim’s residence—a striking provision in a country where most homes are owned by the men” (The Economist, 2014b).

<sup>18</sup> See UN Report of the Special Rapporteur on VAW, 2006, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G06/103/50/PDF/G0610350.pdf?OpenElement> (accessed on 26 January 2016).

<sup>19</sup> A paper from the United Nations Development Fund for Women (UNIFEM 2009) specifically sought to influence the drafting and reform of domestic violence laws in ASEAN nations where eight out of the 10 members have enacted special laws and provisions on domestic violence.

<sup>20</sup> See [www.ap.ohchr.org/documents/E/CHR/resolutions/E-CN\\_4-RES-2003-45.doc](http://www.ap.ohchr.org/documents/E/CHR/resolutions/E-CN_4-RES-2003-45.doc) (accessed on 26 January 2016). The PWDVA 2005 in India was drafted according to UN framework recommended by the Special Rapporteur on Violence against Women, “A Framework for Model Legislation on Domestic Violence”, 1996 (UN Model Code, E/CN.4/1996/53/Add.2). It provides valuable guidance on the provisions that should be included in domestic violence legislation to, among other things, comply with international standards sanctioning domestic violence; recognize domestic violence as gender-specific violence directed against women, occurring within the family and within interpersonal relationships; and recognize that domestic violence constitutes a serious crime against the individual and society.

## ***Naming and shaming Asian state responses to VAW***

While the adoption of these laws leaves aside the question of their implementation, the CEDAW Committee is an ongoing agent for the diffusion of international norms on VAW and gender equality. The fact that the Committee receives shadow reports from NGOs and allows their testimony alongside governments, provides it with a broad base of evidence and knowledge to make its observations and recommendations to the state party directly (Liebowitz and Zwingel, 2014). When reviewing the List of Issues and Concluding Comments in China and India's 2014 and 2013 CEDAW reports, the Committee requested further information on the implementation of laws on VAW. It highlighted the lack of information and statistical data on VAW, especially domestic violence (para 8) and trafficking (para 10) and on services, such as shelters and hotlines for victims of domestic violence and trafficking, and justice in the court system for victims (para 9) in China's CEDAW report.<sup>21</sup> The Committee also questioned whether there was any monitoring of the implementation of Chinese laws on sex-selective abortion, forced sterilization and female infanticide (para 7), given the increase skewed sex ratio at birth in the country.

Making its concluding comments to India in 2013 (para 10)<sup>22</sup> the CEDAW Committee stated its concern about “[T]he stark increase of violent crimes against women, especially rape, kidnapping and abduction, and the high number of cases of rape reported by the National Crime Records Bureau in 2012, indicating an increase by 902.1% since 1971, and ongoing impunity for such acts.”

With respect to India, the CEDAW Committee observed several issues of concern including state failures to prevent or address several forms of VAW, noting that, in the case of marital rape, the law exempting the husband from punishment if his wife is over 15 was retained; the escalation of caste-based VAW; the poor implementation of Prevention of Atrocities act; the high number of dowry deaths since 2008; the persistence of honours crimes; and the declining girl child sex ratio from 962 per 1,000 in 1981 to 914 per 1,000 in 2011. The Committee called on the Indian government to fully implement the recommendations of the 2013 Justice Verma Commission regarding VAW (Chigateri et al., 2016) including establishing “one-stop” crisis centres for victims of sexual violence; setting up a government system to monitor and evaluate implementation of the findings of the Commission; adopting a national plan of action for improving girl child sex ratio; and allocating sufficient resources for law enforcement on VAW.

In the 2011 Indonesia CEDAW report,<sup>23</sup> the state party itself acknowledged the lack of strategic efforts to prevent “gender-based violence, including domestic violence, violence in the public domain, trafficking and other forms of violence”. The government has empowered several agencies to conduct research and generate recommendations on how to strengthen the implementation of the law and provide victims with a sense of justice. However, the CEDAW Committee<sup>24</sup> stated its concern about the serious regression on the practice of all forms of female genital mutilation (para 21); the limited information on the prevalence of VAW (para 26a); the limited number of cases of

<sup>21</sup> [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW%2FC%2FCHN%2FQ%2F7-8&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW%2FC%2FCHN%2FQ%2F7-8&Lang=en) (accessed on 26 January 2016).

<sup>22</sup> [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW%2FC%2FIND%2FCO%2F4-5&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW%2FC%2FIND%2FCO%2F4-5&Lang=en) (accessed on 26 January 2016).

<sup>23</sup> [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW%2FC%2FIDN%2F6-7&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW%2FC%2FIDN%2F6-7&Lang=en) (accessed on 26 January 2016).

<sup>24</sup> [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/IDN/CO/6-7&Lang=Sp](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/IDN/CO/6-7&Lang=Sp) (accessed on 26 January 2016).

sexual violence and trafficking brought to court (para 26b, para 29); the absence of a monitoring mechanism for the domestic violence law (para 26c); and the failure to criminalize marital rape (para 26d). The pattern of crimes of sexual violence in various conflict situations in recent years, which was brought to the attention of the Committee in the international NGO shadow reports, was noted as a recurring problem in the country. The CEDAW Committee emphasized the failure of the Indonesia government to prosecute and punish the perpetrators of those crimes and to provide women victims with justice, reparation and rehabilitation (para 27).

Though it is the second most ratified international treaty (after the Convention on the Rights of the Child) and the UN treaty with the most state party reservations, CEDAW represents a powerful international normative framework as the examples of the reporting processes vis à vis China, India and Indonesia show. This finding is consistent with Htun and Weldon’s (2012: 561) study of 70 countries that reveals a statistically significant relationship between the diffusion of international norms and state responsiveness on VAW. In particular, the withdrawal of CEDAW reservations is positively and significantly associated with more expansive policies on VAW (leading to an increase in the coverage of VAW crimes such as sex trafficking and sexual harassment).

CEDAW promotes the diffusion and implementation of national laws and policies on VAW, which are closely monitored by an international body of experts who also receive informed shadow reports from non-state actors. With its periodic reporting and review involving state and non-state parties, the CEDAW process takes into account the complexity and fluidity of gender norms in different social, cultural, political and economic contexts. Liebowitz and Zwingel (2014) argue that it is the most effective approach to monitoring and measuring state responsiveness to women’s rights, including rights to bodily integrity. The CEDAW process allows a range of actors, including local and transnational anti-VAW activists, to contribute their knowledge and experience on how to end VAW and to achieve other women’s rights goals.

## II. VAW, Gender Equality and State Rankings

As well as international legal norms such as CEDAW, international indicators and rankings on gender equality and discrimination are an increasingly important form of transnational pressure in shaping global and national debates on VAW.<sup>25</sup> Whereas the CEDAW reporting process both promotes the diffusion of the language of women’s rights and encourages transnational collaboration among diverse actors—including governments, women’s NGOs, women’s rights experts, and the United Nations—global gender rankings reveal the broader positioning of countries in a global system where gender equality norms are increasingly promoted by corporations as well as international organizations and some states (Elias, 2013; Prügl and True, 2014). The status of women has been an important standard of rank of states for more than a century, guided by the abstract norm on state practice that “better states exhibit appropriate behaviour toward women” (Towns, 2010: 185, 2012). States have also historically sought to gain a higher standing by adopting women’s rights and gender equality norms, in the process differentiating themselves—and “othering” the non-conforming, underperforming states (Towns, 2010: 190–191). This dynamic of hierarchy among states is heightened in the context of economic globalization where the reputations of states play an important part in the competition for markets and foreign investment, and prospective investors and employers, peer states and intergovernmental organizations value gender equality and a lower incidence of VAW. Thus, the potential

<sup>25</sup> See Kelley and Simmons, 2014; The Economist, 2014a; Van der Vleuten and Verloo, 2012.

for states to be shamed by their record on VAW is an increasingly salient “background condition” that provides a window of political opportunity at the national level to advance anti-VAW claims.

There are currently three major reputable international gender equality rankings of states, informed by different ideologies about the causes of gender inequality and the role of the state. The World Economic Forum’s (WEF) Global Gender Gap Index (GGGI), introduced in 2006, ranks nation states annually on their relative gender gaps on a comprehensive set of indicators relating to economic participation and opportunity, political leadership and representation, educational attainment, health and survival-based criteria. The focus is on state-level growth and productivity, and the WEF expects states to play a central role in removing barriers to the achievement of these goals. Reducing VAW can play a useful role in this, a view shared by the World Bank’s (2006) Gender Equality as Smart Economics Gender Action Plan, because it can potentially lower costs and improve productivity.

With less variables, the Gender Inequality Index (GII) (based on a new methodology but calculated since 1995) reflects women’s disadvantage in three dimensions—reproductive health, empowerment (political representation) and the labour market. The index shows the loss in human development due to inequality between female and male achievements in these dimensions. Thus the GII is framed by a human development and capabilities approach designed to highlight the social foundations of economic development and the importance of investment in basic capabilities provided by health and education systems. Though there is no measurement of VAW in this index, its considerable human and financial costs “severely hamper countries’ ability to achieve six of the eight Millennium Development Goals” (Phillipe Le Houérou cited in Solotaroff and Pande 2014: xv). The underlying purpose of the GII is to promote the balancing of economic with social equity goals to achieve more sustainable and inclusive prosperity. If the GGGI is neoliberal, emphasizing market forces, then the GII reflects embedded liberal social compromises between the state, business and labour unions more familiar in European states and the International Labour Organization (ILO).

Lastly, the Organisation for Economic Co-operation and Development’s (OECD) Social Institutions and Gender Index (SIGI, first introduced in 2009), is the largest dataset of its kind on gender discrimination by country (OECD 2012). It provides a “composite measure of social institutions which are mirrored by societal practices and legal norms that produce inequalities between women and men in non-OECD countries” (Branisa et al. 2009: 1). The SIGI measures the underlying factors leading to gender discrimination and the various forms in which it manifests captured in five sub-indexes, some of which include types of VAW. SIGI is the only index that measures this kind of violence. It includes (i) restricted physical integrity; (ii) discriminatory family codes; (iii) son bias; (iv) restricted civil liberties, and (v) restricted resources and entitlements. By ranking states, the OECD exposes the variation across them and therefore the possibility for isolating where—which areas and in which countries—change needs to happen most. The SIGI is implicitly focused on “negative freedom” because it measures the forms of institutionalized gender discrimination that prevent countries from realizing their human potential. Countries rather than individuals are the unit of analysis for SIGI and the GII. By contrast, the CEDAW regime emphasizes positive human rights and duties that individual women and sovereign states need to realize in order to reach their potential and achieve gender equality.

Table 2 shows the three global country rankings on their relative achievement of gender equality and non-discrimination. We see a consistent national ranking, for example, of China, India and Indonesia, the three largest countries in Asia. India ranks lowest on all three indexes. China ranks higher than Indonesia on the GII and GGGI indexes, which incorporate formal measures of women’s position in the labour market and in political representation as well as education and health status, but lower than Indonesia on the SIGI where gender discrimination indices such as son bias (female infanticide and other practices throughout the life course), in particular, affect China’s ranking. All rankings are based on averages and thus mask the consideration variation in the status of women within and across the sub-regions of the countries.

**Table 2: Comparative global gender rankings**

	2013 WEF GGGI (136 countries)	2014 GII (148 countries)	2012 OECD SIGI (86 Countries)
<b>Indonesia</b>	95	98	32
<b>China</b>	69	88	42
<b>India</b>	101	132	57

**Source:** World Economic Forum, “Global Gender Gap,” <http://www.weforum.org/issues/global-gender-gap>; UNDP, “Composite Indices—HDI and Beyond,” <http://hdr.undp.org/en/statistics/understanding/indices> (accessed in January 2016).

There is little evidence that women’s organizations in Asia have used these available state rankings on gender equality to promote the need for state action to end VAW to achieve gender equality. However, the global mass media frequently reports the rankings from the World Bank and United Nations Development Programme (UNDP), encouraging countries to follow international development norms promoted by these international organizations. One study found that among five international norms (gender equality, rights of migrants, democracy, foreign aid and democracy), gender equality was the most discussed norm (followed by foreign aid and democracy) in newspapers from local and international sources across every region in the world, including 75 sources from Asia (Joshi and O’Dell 2016). The Human Development Index of which the Gender Inequality Index is a part, was also found to be the most reported and authoritative indicator globally and in Asia—more than the *World Development Report* and the *Human Development Report*.

We would expect women’s movements to harness the gender equality rankings opportunity structure for monitoring government actions and inactions to address VAW in the future, given the strong empirical relationship between women and girls’ poor enjoyment of social and economic rights, unequal access to resources and decision making, and the experience of violence or abuse at home, in the workplace, in the public sphere or at the border on the one hand, and the lack of comparable international data or rankings on the prevalence of VAW on the other (see True, 2012). The linkages between the goals of gender equality and eliminating VAW are now frequently stressed in efforts to reduce violence all over the world (Heise and Kotsadam, 2015). Countries that have the lowest prevalence rates of domestic and sexual violence based on WHO demographic surveys (the most rigorous data collection, albeit likely subject to under-reporting bias) are also the most highly ranked on gender equality indicators (WHO, 2010).

Increasingly many states and business actors in the international realm at the G-20 or World Economic Forum meetings also read low gender equality rankings and high or egregious incidence of VAW as inextricable (Elias, 2013; Hozic and True, 2016). Thus,

states that do not address both these conditions risk international shaming and missed opportunities. Recent research in India exemplifies the relationship between the achievement of rights and equality and vulnerability to violence inversely. Increasing women's empowerment has enhanced the responsiveness of local Indian state agencies to addressing VAW. For example, women's representation in the political sphere through *panchayat* reservations has increased local investment in infrastructure and related public goods valued by women (Chattopadhyay and Duflo, 2004; Ghani et al., 2014), improved perceptions of women by men when exposed to women and leadership roles and greater aspirations for younger women (Beaman et al., 2010) and resulted in more reporting of violent crimes against women (Iyer et al., 2012) and, one would hope, ultimately in the reduction of these crimes.

In the Asian region, gender-based structural inequalities affecting VAW, such as inequalities in inheritance and land rights, biased land reform, discrimination in employment and business differ significantly across countries and regions. Unequal access to productive resources shapes women's vulnerability to violence and threats of violence in the home, village, factory and crossing borders. As a testament to this, Agarwal and Pande's (2007) research in two provinces of India shows that women are more able to protect themselves from violence and to leave violent homes and workplaces when they have a good socioeconomic and political status. In Kerala and West Bengal, women with property are far less likely to be beaten or abused. Women's ownership of land effectively serves as a deterrent against domestic violence. Similarly, Basu and Famoye (2004) find a statistically significant correlation between economic independence and lower rates of domestic violence in their count data analysis. They argue if women are economically and emotionally dependent on men, they will be afraid of leaving violent family structures or seeking help, and may be unable to access alternative housing. Thus, states that fail to advance the achievement of women's social and economic rights risk perpetuating and/or exacerbating VAW and its relationship to gender inequality, as well as the criticism of peer states and international investors. Part of the reason for recent efforts by many states in Asia to pass new laws and policies on domestic and sexual violence (in 2015 in Myanmar and China) we might surmise, is this broader context in which VAW and gender inequality are implicitly linked and integral to the international reputation of the state.

Other indicators have been developed to further monitor state progress and accountability on VAW among other issues. The Economist Unit and ActionAid, for instance, collaborated on the South Asian Women's Resilience Index (2015) to quantitatively highlight the strengths and weaknesses in a country's social, institutional, economic and infrastructure systems to prepare for and respond to crises based on gender-sensitive information. Likewise, the World Bank's Women, Law and Development (WLD) Group's 2013 report on women's economic opportunity and rights-based on surveys in 100 countries on six areas and indicators piloted for the first time a "Protecting Women from Violence" legal indicator.<sup>26</sup> This report highlights the empirical connections that have been made over the last decade between economic rights and participation, prosperity and VAW. The evidence is also mounting that women's political and economic participation cannot be further increased without addressing the pervasive VAW in the home, in the public sphere and at work. Independent of this research, states have also been assessing the financial costs

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<sup>26</sup> Based on a survey of governments, experts and civil society monitors Women, Law and Development (2014) analysed the extent and scope of laws in 100 countries on domestic violence (emotional, financial, physical and sexual) and sexual harassment in schools and public places. It found 76 out of 100 countries have domestic violence legislation (32 with legislation on sexual harassment in schools, only 8 on sexual harassment in public spaces). 24 economies were found to have no anti-VAW laws and only 44 countries covered all forms of violence.

of VAW to government, business and society. As well as pointing to “the significant economic impacts” of VAW such as decreased productivity, work hours and increasing public services costs (WLD, 2014: 37), the WLD report argues that, “women can function more freely in society and the business world when not faced by the threat of violence” (Women, Business and the Law et al., 2014: 25; also World Bank, 2012).

The gender equality rankings approach fits within the dominant neoliberal global political economy promoted since the 1980s, which celebrates individual entrepreneurship and a mode of regulation via nudging incentives and normative standards rather than actual enforcement.<sup>27</sup> In this context, the state should be a protector of safe, secure environments for business. With respect to VAW, this means that all states are expected to pass laws prohibiting domestic and sexual violence. States, moreover, even authoritarian ones, must be seen to doing something to reduce gendered violence to address their own legitimacy in light of now globalized social movements and media (as discussed in section IV) that are making this violence visible. However, the adoption of laws based on international norms of human rights in Asian developing countries may serve as a screen for the importation of neoliberal economics and laws focused on individual accountability rather than systemic approaches to, for example, women’s economic empowerment (Doron and Broom, 2013).

Competing international gender equality rankings and women’s human rights frameworks at the global level represent different approaches to addressing gender discrimination and injustice. Identifying the complementarity between these approaches is crucial for engaging with Asian states that are seeking to reduce this violence and to devise the most appropriate solutions to VAW if not always to tackle the roots causes in unequal gender relations. Liebowitz and Zwingel (2014) find that attempts to quantify gender inequality globally have limited potential for successfully challenging gender hierarchies, compared with internationally agreed women’s rights standards such as CEDAW. CEDAW promotes a conversation between the state party and international experts informed by women’s rights activists. Moreover, CEDAW is more sensitive than the World Economic Forum’s GGGI to the country-specific (and within country) progress and challenges in reducing gender inequalities and VAW. This applies especially to countries in Asia, which are diverse regionally, ethnically and religiously as well as with respect to significant caste and social class divisions. Women’s empowerment within minority groups, for instance, is unlikely to be promoted by generic efforts to close gender gaps between women and men (Arat, 2015). At the same time, states are ever mindful of their international reputations (Kelley and Simmons, 2014) and the increasingly salience in global business and in the global media of VAW and state responsibility for it. Rankings together with international norms are significant opportunity structures for state action to be mobilized by non-state actors, especially women’s movements in the region. Women’s groups could use the gender rankings to spark public debates on how gender inequalities affect the violent treatment of women and girls. Benchmarking quantitative tools could be supported by reference to CEDAW qualitative findings and recommendations to prompt greater state action. VAW tends to receive greater public outcry and media coverage than the lack of women in politics or in the labour market and from the perspective of governments reducing VAW can be seen to be in everyone’s interests.

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<sup>27</sup> The targeting of educated and employed women and girls in the globalizing cities of Asia by men who have often experienced exclusion and marginalization, and a decline in gender status due to rising economic inequalities suggests there is a connection between the growth of unjust economic policies and intensification of crimes against women. Vandana Shiva (2013) argues violence against women has taken on the more brutal and more vicious (multiple and interconnected) forms as traditional patriarchal structures have merged with the structures of capitalist patriarchy.

### III. The Impact of Conflict on VAW in Asia

A third opportunity structure affecting state responses to violence against women and women’s rights claims to bodily integrity is the context of armed conflict and militarism that contributes to the normalization of violence. Asia is the region with some of the most protracted conflicts in the world (Parks et al., 2013; UCDP, 2014). Conflict and militarism have disproportionate impacts on women’s rights in Asia and tend to exacerbate gender-based and sexual violence (SGBV) against women and girls. To the detriment of conflict resolution and peace building in Asia, women have largely been marginalized and excluded from formal peace negotiations and processes. However, increasing awareness that gendered violence is highly salient in conflict dynamics and that women’s participation in peace building integral to the prevention of conflict presents a crucial opportunity for addressing VAW. This awareness is largely due to the transnational feminist network that lobbied for United Nations Security Council Resolution 1325 (2000) on women, peace and security and has promoted its implementation since 2000.

To take the example of sexual violence against women and girls in conflict, there have been several conflicts in the region since 1945 where SGBV crimes have been documented. Table 3 lists the countries where the UN Secretary-General has evidence that there is a high risk of widespread and systematic SGBV.

**Table 3: Countries from the Asia-Pacific Region on the 2012–2014 Lists on Sexual Violence in Armed Conflict, Gender Inequality & Mass Atrocities<sup>a</sup>**

UN Secretary-General 2012, 2013, 2014 List	Uppsala Conflict Data Program (UCPD) 2008– 2012 Conflict intensity (Minor/War)	Armed conflict on territory	Non-state Conflict	One-sided violence (attacks on civilians)	SIGI**# Inequality above average
Afghanistan	Minor/War	Yes	Yes	Yes	Yes
Cambodia	Minor	Yes			
East Timor <sup>b, c</sup>					
Iraq	Minor/War	Yes		Yes	Yes
Myanmar	Minor	Yes		Yes	Yes
Nepal <sup>c</sup>					
Sri Lanka	War	Yes		Yes	Yes

**Note:** <sup>a</sup> GII range starts at highest inequality to just above world average .049 or 49%. SIGI range starts from highest value (out of 0–1) and stops above median—Myanmar at 0.245. <sup>b</sup> The following countries were **no** equality data was provided by either GII or SIGI: Angola, Bosnia Herzegovina, East Timor/Timor-Leste and South Sudan. <sup>c</sup> No data available for East Timor and Nepal.

It is generally recognized that various forms of VAW (domestic violence, sexual violence and slavery, early and force marriage, trafficking) are heightened in situations of war/conflict. These situations include one-sided conflict where civilians are explicitly targeted, as well as after the peaceful resolution to conflict when soldiers return home and may deploy small arms and light weapons in domestic violence incidents. Violations of women’s human rights, and the “feminization of survival”, affecting women and children’s ongoing vulnerability to violence, is particularly severe in contexts with ongoing conflicts such as Kashmir (India), Afghanistan, Myanmar and Sri Lanka. This is also the case across India’s northern, eastern and central states where armed insurgencies and tribal clashes are very common, affecting the daily lives of over 40 million women in gender-specific ways.

Sexual violence is particularly on the rise in conflict areas committed by militants and civilians due to the normalization of violence and a particular culture of impunity toward SGBV. The global Preventing Sexual Violence in Conflict Initiative (PSVI) introduced in 2012 by the United Kingdom is intended to address this lack of accountability for SGBV in conflict-affected areas with several practical interventions related to improving the documentation and reporting of violence as well as protection responses to that violence. 145 member states signed the UN General Assembly's Declaration of Commitment to end sexual violence in conflict at its 68th session in September 2013/14.<sup>28</sup> More recently in 2013, 14 champions of the PSVI have been named, including political leaders and foreign ministers of Australia, Indonesia, the Republic of Korea and Timor Leste in the Asia-Pacific region. PSVI had a very strong global and social media presence since 2012 further promoted by the Global Summit held in London in June led by the then UK Foreign Minister, William Hague, and the celebrities who have supported the initiative to end sexual violence like Angelina Jolie. However, several NGOs from the Asian region decried the primary focus on African and Middle Eastern conflicts and the relative lack of international attention to SGBV in Asian countries (see Davies and True, 2014). The slow progress in state action on VAW in Asia and the responsiveness to struggles to have women's rights to bodily integrity recognized and redressed is partly the result of the lesser international attention to SGBV in Asia. Since the Delhi gang rape in December 2012 however, attention to SGBV and conflict contexts is growing though VAW in Aceh, Kashmir and Papua continue to be neglected in research, advocacy and media while those in Delhi, Myanmar and Sri Lanka have gained more advocacy and media attention.

The United Nations Security Council Resolution 1325 and subsequent resolutions that make up the cross-cutting Women, Peace and Security (WPS) agenda are a significant international normative framework addressing the connections between sexual and gender-based violence and conflict. Yet in Asia only a few countries have implemented this agenda via National Action Plan (NAPs) first called for by the UN Secretary-General in 2004. Since then 54 countries have adopted NAPs.<sup>29</sup> In the Asian region, just Nepal, the Philippines, and recently Afghanistan have developed NAPs to address the gender-specific effects of conflict/war on women and girls including SGBV, promote women's participation in peace and security processes and support their roles as peace builders in the prevention of conflict. UNESCAP reported that 13 out of the 40 reporting states had a national action plan on this issue, yet only six of them were publicly available.<sup>30</sup>

Despite being listed as a country of concern where mass sexual violence has been documented in particular conflict-affected areas, India has not developed its own WPS policy approach. There are many NGOs—domestic and international—present in India with an explicit WPS agenda informed by the Security Council resolutions. Appendix 2

<sup>28</sup> Supporting countries: Afghanistan, Albania, Algeria, Andorra, Argentina, Australia, Austria, Azerbaijan, Bahrain, Belgium, Belize, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burundi, Cambodia, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Democratic Republic of the Congo, Dominican Republic, Egypt, El Salvador, Estonia, Ethiopia, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guyana, Honduras, Hungary, Iceland, Indonesia, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kuwait, Latvia, Lebanon, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Malta, Mexico, Monaco, Montenegro, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Norway, Oman, Palau, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Congo, Republic of Korea, Republic of Moldova, Romania, Rwanda, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, South Sudan, Somalia, Spain, Sweden, Switzerland, Tanzania, Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Turkey, United Arab Emirates, United Kingdom, United States of America, Uganda, Ukraine, Uruguay, Viet Nam and Yemen.

<sup>29</sup> For a list of countries with 1325 National Actions Plans, see <http://www.peacewomen.org> (accessed in January 2016).

<sup>30</sup> <http://www.pacificwomen.org/news/summary-of-the-regional-review-of-progress-implementing-the-beijing-platform-for-action/>

shows several of them submitted shadow reports to CEDAW on the Indian government report in 2012–2013 (e.g. Amnesty International, Human Rights Watch and Women’s International League for Peace and Freedom/WILPF India). The Indian government’s continued denial of systematic sexual and gender-based violence (stated, for instance, in its response to the UN Special Rapporteur on Violence against Women Mission to India in 2010) can be seen as the first stage of the international norm diffusion process: in short, India is not ignoring WPS and PSVI norms—there is too much local and global lobbying around them—but it is denying that these frameworks are domestically applicable.

Initiatives in the Kashmir region where the conflict involving India, Pakistan and sub-state armed groups has had deleterious effects on women’s security and rights show that even in one of the most difficult conflict situations, there are new opportunities for women’s movement to confront and reduce gendered violence. Because of the high security politics of the Kashmir conflict, women from all sides have remained divided and have not been able to raise their voices against the direct and indirect gendered violence (see Sobhrajani, 2009). During the 1990s many women’s groups became associated with non-state armed resistance groups. Since 2000 UN Security Council Resolution 1325 has provided a framework that has helped women’s organizations to come together across the lines of conflict to share their experiences of violence and conflict, build peacebuilding capacities and make joint claims for inclusion in peace processes. As Shaheen Akhtar (2012–2013: 7) argues:

Women have always been playing a vital yet unrecognized role in preventing, mitigating conflict and promoting peacebuilding in their communities. However, during the last two decades, increased emphasis on inclusion of women’s rights in national and global policies and legislation and mainstreaming of gender in peacebuilding has added importance to the role of women in peacebuilding processes....[It] has opened up some space to look at the conflict from the human dimension where aspirations and role of the people becomes vital not only in humanizing the conflict but also in transforming the relationship within Kashmir and between the two countries.

This opening led NGOs from Delhi and Islamabad as well as those from the Netherlands and the United Kingdom to come to Kashmir to support women’s organizing by promoting dialogue across diverse women’s groups and creating forums where they could learn peace building skills from women in other conflict areas such as Cambodia. The NGOs include the London-based Conciliation Resources (CR), the Hague-based Gender Concerns International (GCI) and the Delhi-based Centre for Dialogue and Reconciliation (CDR) and Women in Security, Conflict Management and Peace (WISCOMP) (Akhtar, 2012–2013: 25). For instance, GCI and the Srinagar-based Gender Concerns Kashmir (GCK) co-produced a documentary film, *List 1325: List Me Now: Women’s Unheard Voices from Kashmir*, which gave voice to the female victims of the conflict in Kashmir and highlighted its gender dimension by involving women from both sides of the Line of Control (LoC) dividing the state. CR launched a “Kashmiri Women’s Mapping Initiative” on both sides of the LoC (Saeed, 2010). CR, with the Cambodia-based Centre for Peace and Conflict Studies, facilitated a workshop in Phnom Penh involving women from a cross-section of society from both parts of Kashmir to enable them to learn from the Cambodian experience in peace building. The women were also able to undertake a shared analysis of the Kashmir conflict toward the development of a shared vision for peace (Akhtar 2012–2013: 29).

The Kashmir case illustrates that WPS norms are beginning to be localized in Asia with potentially positive impacts on reducing violence against women and resolving conflicts at the same time.

#### **IV: The Power of Transnational Non-State Actors**

Advocates for women's rights in Asia have learnt from international anti-VAW campaigns and regional networks in pushing for policy change to address shared cultures of impunity. In combination, these transnational forces are radically altering the policy environment in Asia, making it non-negotiable for governments to respond to VAW and speed up the progress in achieving women's rights to bodily integrity. As well as CEDAW reviews of state progress on women's rights and global rankings on gender inequality, government attention to VAW has been prompted by egregious VAW events and the increased awareness via the global media, visibility and reporting of VAW. Frequently, non-state actors employ the international normative frameworks to bring about a change in state policies and actions. These actors may range across the spectrum, including feminist networks and civil society organizations, corporations seeking to promote their social responsibility profile in the community, independent experts like UN Special Rapporteurs, and local and global media.

##### ***Women's rights advocacy networks***

Women's movements in the region draw upon a broad slew of strategies to promote greater awareness and action to end VAW, including mobilizing international law, global campaigning, innovative use of social media, building partnerships with corporations and community actors that connect VAW to women's social and economic rights. Transnational feminist networks have played key roles in supporting women's claims-making vis à vis the state through awareness-raising campaigns about VAW, for instance, coordinating the local actions and events during the global 16 days of activism against VAW in November each year. Like CEDAW shadow reporting at the UN, the 16-day campaign allows grassroots anti-VAW activists often from marginalized groups, such as Dalit women in India (Mahanta, 2012), to be part of a transnational network, to share resources and information often unavailable to state bureaucracies and exchange best practice strategies for mobilizing societies and pressuring governments.<sup>31</sup> The increasing empowerment of women around the world is growing the movement of men and women committed to ending egregious VAW. Where women's economic and political participation and educational attainment is increasing, so is women's collective organizing to address further inequalities and discrimination including calls for state action to reduce VAW (see Iversen and Rosenbluth, 2010).

There has been a steady proliferation of transnational feminist networks and women's international NGOs (WINGOs) well documented in the feminist political science literature in recent years. The increasing numbers of NGOs registered at the UN women's conferences reveals this pattern: 1,000 at Mexico City 1975, 14,000 in Nairobi 1985 and over 30,000 in Beijing in 1995 (Reanda, 1999). In 2001, True and Mintrom (2001) counted 52 WINGOs (i.e. with offices and membership in a number of countries and present at the 1995 UN Beijing Women's Conference and one previous UN women's conference in the NGO Forum since 1975), cross-checking the conference registrations with the *Yearbook of International Organizations*, which lists country membership and headquarter presence. We can see significant growth in the number of WINGOs with a sustained membership and presence in Asia since Beijing. For example, table 4 shows the

<sup>31</sup> See the International Dalit Solidarity Network at <http://idsn.org/key-issues/dalit-women/> (accessed on 13 December 2015).

growth of WINGOs in China, Indonesia and India over the 1975-2014 period, as judged by registrations in the *Yearbook for International Organizations* (UIA, 2014).

**Table 4. Presence of WINGOs in Asia and Year of Elimination of VAW Law Adoption**

Country	WINGOs 1975	WINGOs 1998	WINGOs 2014 <sup>a</sup>	Domestic Violence Law Adopted
China	9	14	25 (15 excl. Hong Kong) + 9 new total = 34	2005 (2009, 2015 fully ratified)
Indonesia	16	38	37 + 10 new total = 47	2004
India	31	42	34 + 14 new total = 48	2005

Note: <sup>a</sup> The count of WINGOs for 2014 includes both the original list of 53 organizations counted in 1992 and 1998 present at least one UN Women's Conference 1975-1995 and a new list of 42 WINGOs registered in the 2014 *Yearbook of International Organizations* (UIA, 2014) under the keywords "women" or "gender" as NGOs with headquarter branches in more than one country. The total possible WINGOs in any given country is 95. See True 2016 for the list.

There appears to be a connection between this growth and the adoption of state laws and policies addressing VAW over the past 35 years, using WINGOS as a measure of transnational networks. In True and Mintrom's (2001) WINGOs list (which excludes International Women's Tribune Centre, a network of networks), states had between zero and 42 WINGOs present in 1975 and 1998—on average 16 WINGOs in any given year. This original list of WINGOs was updated for 2014. An additional 42 WINGOs were registered in the 2014 *Yearbook of International Organizations* against keywords of "women" or "gender" with membership branches in more than one country, making a total of 96 WINGOs in 2014. Table 4 records the year domestic violence laws were passed, ratified and amended set against the increased presence of WINGOs in the women's rights policy landscape. Organizations such as Asia Pacific Women and Law and Development (APWLD), with a network of 180 local organizations across 25 countries in Asia, prioritized advocacy and law drafting training on domestic violence during the decade between 1995–2005. Many of the local anti-VAW organizations affiliated with WINGOs including APWLD and IWRAW submitted shadow reports to state party CEDAW reports.<sup>32</sup>

The NGO campaign in India to make the national domestic violence law compliant with the UN framework and feminist principles that recognize the gender-specificity of domestic violence as a serious crime against the individual and society drew on these new transnational networks for support.<sup>33</sup> Electronic groups exchanged ideas and strategies and in general kept up the momentum of activism and pressure on the Indian government. At the time, research papers on domestic violence were released by the Indian branch of the New York-based International Centre for Research Women showing domestic violence in India to be an international as well as local concern. Following the passing of the law, a civil society initiative, supported by transnational advocacy networks and the UN, set up a system of monitoring the implementation of the law in collaboration with state agencies. The Lawyers Collective, along with organizations and stakeholders, evaluated the effectiveness of the infrastructure

<sup>32</sup> See the appendix 2 for the list of shadow NGO reports on China, India and Indonesia.

<sup>33</sup> For information on the transnational campaign see <http://www.learningpartnership.org/lib/support-indian-ngos-campaign-comprehensive-legislation-domestic-violence> (accessed 8 February 2016).

envisaged under the Domestic Violence Act and the performance of the implementing agencies in delivering services. It also examined the responsiveness of judiciary to the issue of domestic violence. This initiative has greatly contributed to the increased accountability of the state to civil society (Chowdhury 2007: 5).

However, as the Association for Women’s Rights in Development (2013) study of women’s organizations worldwide shows WINGOs have demonstrated diverse and multiple strategies for ending VAW. They have not only demanded legal reforms and amendments but have often been sceptical of law as an effective mechanism for social change. Women’s organizations’ primary focus has been on mobilization and collective activism across sectors that shows how violence is linked to internalized beliefs and attitudes, public policies and services, women’s disempowerment in the private domain, economic marginalization and importance of their presence, and the form and extent of participation in the public sphere (AWID 2013).

Transnational networks or alliances for gender equality present in each of the three countries have bolstered the resources open to local organizations focused on eliminating VAW in cities and rural communities. The majority of WINGOs frame their anti-VAW claims using women’s rights, human rights and CEDAW. For example, local activists in India mobilized the language of gender equality and women’s rights embedded in CEDAW, prompting changes to state laws on VAW in 1992. Despite the lack of a local or national law on sexual assault, women’s NGOs used CEDAW, which India ratified in 1978, to have a local group of social workers arrested for gang-raping a woman colleague (Pansieri, 1999).

Holding the government accountable to international norms such as CEDAW that prohibit gender discrimination and violence can stimulate women’s movement and broader societal outrage and protest (Joachim, 2007). In recent years, several WINGOs focused on women’s rights to participate in peace and security processes through the framework of the UN Resolution on Women, Peace and Security 1325/2002 have been established in the Asian region (for example, the NGO Working Group on 1325, Peacewomen across the Global, Global Network of Women Peacebuilders). There has also been an increase in organizations focused on sexual and reproductive rights. Thematic shifts in the global women’s rights policy agenda are reflected in the presence of new WINGOs in Asia and, as we have seen with the adoption of domestic violence laws in line with international normative definitions and procedures, they are powerful structures for political opportunity: while they do not determine government agendas, they provide pro-women’s rights law and policy options, making policy change more feasible and straightforward.

### ***The UN Special Rapporteur on VAW, its causes and its consequences***

The United Nations Special Rapporteur on VAW (SRVAW) is a key non-state actor linking local and transnational women’s movements with international norms. The SRVAW provides an institutional mechanism through which women’s rights advocacy networks can influence governments. As well as receiving individual complaints, and responding to all reliable and credible information regarding alleged cases of VAW,<sup>34</sup> the SRVAW, as part of her engagement, can seek and receive information from civil

<sup>34</sup> The SRVAW mandate plays a crucial role in the development of human rights law regarding women, “in addition to serving as a mechanism of last resort for accountability or protection for many women worldwide, particularly because access to special mechanisms is not contingent on ratification of any treaty law or reservations in respect thereto, nor is its role activated upon a periodic reporting cycle” (UNSRVAW 2009: 8).

society groups including women's groups, NGOs and academia. Regional consultations with women's groups and organizations have become an integral part of the SRVAW's working methods. In the Asia-Pacific region, consultations organized by the APWLD's Chiang Mai branch were initiated during Radhika Coomaraswamy's tenure as SRVAW, and further developed during Yakin Erturk's tenure.<sup>35</sup> "They have become institutionalized and a routine annual event with the aim of supporting the mandate and providing a forum for communication of regional concerns" (UN SRVAW, 2009: 6).

A critical review of 15 years of the SRVAW mandate commissioned by Yakin Erturk found that these "consultations have also resulted in advancing and strengthening women's activism in the region by becoming a significant advocacy and lobbying tool".<sup>36</sup> For example, when APWLD facilitated Radhika Coomaraswamy's visit to Indonesia in 1998, local women's groups translated and popularized the SRVAW report, and used it to publicize the human rights violations of the government nationally and internationally. This collective mobilization led to the establishment of the National Commission on Violence Against Women (Komnas Perempuan) (UN SRVAW 2006). Similarly, women's groups in Nepal strategically used the SRVAW (2000) report on trafficking in women, women's migration and violence against women, to demand improvements in the proposed legislation on trafficking that was subsequently drafted (UN SRVAW 2006: 13–14).

Women's rights organizations in any UN member state can also request a mission visit from the SRVAW. SRVAW missions to countries in Asia took place in 1995, 1998, 2000, 2005 and 2013 after the establishment of the position in 1994 and following the 1993 UNGA Declaration on VAW.<sup>37</sup> Mission visits are independent and provide reports and recommendations to the United Nations Human Rights Council. Though the request for a SRVAW mission may come from a non-governmental organization or group, it must be approved by the member state. The SRVAW visited and reported on Indonesia in 1998 and India in 2000 and in 2013. Prior to 2013, India rejected requests from the SRVAW for a mission visit to investigate VAW. The government denied there was systematic VAW in the country and resisted the incursion of international actors. Only after the Delhi gang rape and the global attention to VAW in India did the government relent, approving the SRVAW visit five months later in April 2013 (Chigateri et al., 2016).

Following her mission to India from 22 April to 1 May 2013, the Indian government rejected the SRVAW's "labelling of violence against women as systematic".<sup>38</sup> The government stated that the mission report failed "to recognize that India, the world's largest democracy, values and respects the rule of law as one of its major strengths" (para 3). Moreover, the Indian government did not agree that, "physical, sexual and psychological abuse of women in the private sphere is widely tolerated by the State and community", citing their immediate legislative and policy responses to 16 December 2012 Delhi gang rape.

Providing a rights-based analysis of the causes of VAW, the SRVAW acts as an important conduit for local and global anti-VAW advocacy vis à vis other governments. For example, as part of her mandate to address the causes of VAW, the current SRVAW Rashida Manjoo links the achievement of women's economic, social and cultural rights in

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<sup>35</sup> The SRVAW (2009) has participated annually in regional consultations in the Asia Pacific. From 1995 to 2002, consultations were held in Colombo, Sri Lanka, in August of each year. Thereafter they were held in October 2003 in New Delhi; in July 2004 in Jakarta; in October 2005 in Bangkok; in September 2006 in Ulaan Baatar; in September 2007 in Manila; and in October 2008 in New Delhi, and in Fiji in May 2009

<sup>36</sup> [http://pacific.ohchr.org/docs/Culture\\_and\\_VAW-Final\\_Report\\_Oct\\_30\\_%282%29.doc](http://pacific.ohchr.org/docs/Culture_and_VAW-Final_Report_Oct_30_%282%29.doc) (accessed in May 2016).

<sup>37</sup> See the appendix for the list of SRVAW missions to Asia.

<sup>38</sup> <http://www.ohchr.org/EN/Issues/Women/SRWomen/Pages/CountryVisits.aspx> (accessed on 26 January 2016).

any given country to the prevention of VAW in that country. In her 2011 annual report,<sup>39</sup> she argued that “violence is contingent on women’s material conditions, individual attributes, and social locations” and recommended a holistic approach to addressing the systematic discrimination and marginalization of women: “unless women can achieve economic independence and be empowered socially and politically... human rights... will remain abstract”. Her 2014 annual report called on states including India “to engage in transformative remedies to confront the root causes of violence against women” in order to achieve individual, institutional and structural change (para 60).<sup>40</sup> Rather than showing the lack of influence of international norms and actors, resistance or denial of rights-based claims by the Indian state party indicates the pressure on the state to respond to these normative claims, including those stated by the SRVAW. Ironically, it is a sign of progress when the Indian government’s denial of systemic VAW alongside its citing of institutional and policy changes effectively justifies its practices measured against rights-based claims embedded in international norms.

The SRVAW’s right-based approach enables an analysis of the causes of VAW that embraces both women and men’s achievement of social and economic rights in Asia. For instance, there is some evidence that male VAW is increasing in globalizing cities in the region. This is a result of a rising social position and expanding economic opportunities for women, with a loss of social and economic entitlements and dominant status for some men. Men’s groups in Uttar Pradesh, for example, have discussed their fear about decreasing opportunities and resources as a result of women’s empowerment, and their anxieties about their decreasing control over women, losing their leadership positions, and being left behind by gender equality (Shahrokha et al., 2015). The rise of men’s rights organizations with an explicitly anti-feminist agenda taps into these fears and anxieties (Chowdhury, 2014). As a result, attention to masculinities has spread with men’s anti-VAW movements such as White Ribbon. The Men Engage conference held in Delhi, India, in November 2014 brought together men and women’s rights activists, both from Indian and worldwide to discuss how advancing men and women’s rights and equality are connected and crucial in reducing VAW (see also Mason, 2012).<sup>41</sup> One participant, Srilatha Batliwala, a scholar associate at the Association for Women in Development, reflected that in her view “the greatest achievement of the Symposium... was the virtually unanimous agreement that the root-cause of gender injustice was patriarchy and hence the shared political agenda of all those present was to dismantle it”.<sup>42</sup>

### ***The role of digital and social media***

Digital and social media activists are significant transnational non-actor actors affecting women’s rights claims and societal responses to VAW. Media and journalism can challenge existing discriminatory gender norms in innovative ways and connect with a broad cross-generational public. Identities.mic listed 23 inspiring digital feminist campaigns that changed the world in 2014.<sup>43</sup> Activists have become increasingly skilled at using sophisticated online tools to galvanize social change. The presence of anti-VAW cyber-networks and global social media forums such as Twitter and Facebook, and on virtual blogging sites such as *Huffington Post*, has rapidly increased the impact of anti-VAW campaigns in Asia. These forums have reached a wider audience than previous communication formats. They have also allowed activists to share information

<sup>39</sup> <http://www.ohchr.org/EN/Issues/Women/SRWomen/Pages/CountryVisits.aspx> (accessed on 26 January 2016).

<sup>40</sup> <http://www.ohchr.org/EN/Issues/Women/SRWomen/Pages/CountryVisits.aspx> (accessed on 26 January 2016).

<sup>41</sup> See <http://www.menengagedilli2014.net/> (accessed 10 February 2015).

<sup>42</sup> See <http://www.awid.org/news-and-analysis/carving-space-reflections-2nd-menengage-symposium> (accessed 10 February 2015).

<sup>43</sup> See <http://mic.com/articles/80229/23-inspiring-feminist-digital-campaigns-that-changed-the-world> (accessed 11 February 2015).

and support one another's struggles by developing powerful frames for challenging VAW as well as addressing its effects.<sup>44</sup> Some examples from around the world below highlight some of the positive trends associated with digital and social media forms and activists. Global connectedness, especially through new forms of media, is making the persistent and egregious nature of VAWG much more visible than when it was considered solely a "private" or local matter.

As well as connecting activists through blogging and Twitter, social media is being used as a new way to collect data on VAW in conflict zones. The *Women Under Siege* journalism project aims to understand where and how sexualised violence is occurring in various current and past conflicts in Asia, including Bangladesh, Myanmar, Sri Lanka, and Nanking in China by creating a crowd-sourced map that tracks every incident of sexual assault. Ideally the data collected could serve as evidence in the case of legal action (Sanusi, 2013).

The global media can be a powerful player in creating and reinforcing discriminatory and harmful attitudes and practices, thus undermining anti-VAW initiatives even when that was not intended. For example, in India, a group of men from Uttar Pradesh convened to discuss how men could support the anti-VAW movement (see also Boocock 2013). The local media, interested only in sensational reporting, translated a press conference on "engaging men to address violence against women" into the headline "Men also Facing Violence" (Shahrokha et al., 2015).

The rise of globalized, accessible forms of media has increased awareness of VAW, the Delhi gang rape event being a powerful example. However, globalized media has also fuelled anti-feminist backlash discourses that contest women's rights. Sharmila Lodhia (2014) has investigated the formation of men's rights organizations in India formed to lobby for changes to, and in some cases, the complete abolition of basic legal protections for women. Utilizing online forums, public protests as well as print media, her research reveals how these groups disseminate narratives of women "wreaking destruction on the Indian family" [sic] through their alleged misuse of "gender-biased" laws (Lodhia, 2014: 905–906). These online discussions are significant because they operate as transnational sites of meaning making about the realities of VAW in India. Moreover, because they distort the actual reality for victims, they jeopardise rather than support ongoing advocacy efforts of Indian women's rights organizations.

## Conclusion

Global diffusion of international norms, state rankings, protracted state and civil conflicts, and the rise of transnational advocacy by global media and women's rights activists represent significant opportunity structures for addressing the problem of systemic VAW in Asia through policy and social change. Activists in the region are mobilizing international legal norms, innovative use of social media, globally coordinated campaigning, and to a lesser extent, business-case arguments, showing that VAW is a serious constraint on women's economic and political participation. The unravelling of societal gender norms with globalized economic change is connected with and, in some instances, exacerbates VAW across global regions as men react to the loss of entitlement to social and economic status, including employment, breadwinner

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<sup>44</sup> See for example, the Asia Pacific Women Watch's strategy to link women, peace and security networks through social media: [http://www.apww-slwnqof.org/index.php?option=com\\_content&view=article&id=104:status-update-women-conflict-and-social-media-video&catid=86:feature-stories&Itemid=595](http://www.apww-slwnqof.org/index.php?option=com_content&view=article&id=104:status-update-women-conflict-and-social-media-video&catid=86:feature-stories&Itemid=595) (accessed on 15 January 2015).

and community authority roles. We can observe this pattern of “backlash” against women and girls in Asia: visible through persistent everyday domestic violence as well as in egregious forms of sexual and gender-based violence perpetuated on educated and increasingly empowered women and girls in public spaces, such as gang rape and acid burning. Women and girls are frequently considered the embodiment of—and the threat to—group identity and political and economic order. VAW is also often perpetrated specifically to produce and reinforce gender stereotypes. Varying responses to this gendered violence include conservatives and religious fundamentalists calls to push women back into the private sphere and off the streets to restore tradition and male honour. The global political economy, which may be disempowering for some men and women, is a contributing factor in the support for these groups. In this context, understanding masculinities, including militarized masculinities, has never been more important. Gender relations of inequality are a major factor leading to VAW and working toward gender equality in Asia must therefore involve working with men and boys as well as women and girls. Men are not the solution to VAW *per se* but they are key agents in benefitting from, being co-opted by and sometimes subjugated within, existing patriarchal political and economic structures.

Four transnational structures shape the opportunities for challenging patriarchy and ending VAW in Asia: (i) the international normative frameworks on gender equality, especially CEDAW; (ii) the global gender inequality country rankings and their connections to prevalence of VAW; (iii) the conflict and post-conflict settings where violence is normalized and gendered violence increasingly pervasive; and (iv) the non-state advocates for anti-VAW from feminist networks, to digital and social media and women-friendly corporations. These opportunity structures taken together are radically altering the global political environment, putting VAW at the top of many government agendas and increasingly forming part of local and global public debate. However, strategies to exploit their full power could be further developed in Asia. For instance, CEDAW monitoring and reporting of progress on women’s social, economic, and political rights have been widely used to advance claims against VAW *vis à vis* governments in Asia but the gender equality performance of states tied to VAW has not been leveraged by women’s movements.

In Asia, international benchmarking on gender equality performance offers a potential for shaming of governments and for local civil society groups to use the rankings to ignite public debates on state gender equality records that include the violent treatment of women and girls. This is at a time when Asian states are very receptive to trade, development and investment strategies and sensitive about their place in global markets. Women’s rights advocates in the region could use these rankings to highlight government performance on gender issues—and to show how VAW negatively impacts the business/investment environment to prompt greater state responsibility and action. Partnerships with global corporations to mitigate abuse in their workplaces and to assist victims of violence could bring greater awareness to the issue and prompt more serious responses from government. There are openings as well as potential co-optations for feminist anti-VAW movements in engaging with corporations in Asia. However, the powerful nature of corporate ranking indexes means that should not be dismissed but rather pursued as ripe for feminist interventions that ask questions about the connections between gender gaps in political and economic participation and pervasive VAW (see Prügl and True, 2014: 1158–1159).

New research shows the positive effects of women’s empowerment on state responses to addressing VAW. For example, including women in the political sphere in India is

associated with higher shares of local investment in infrastructure and related public goods valued by women (Chattopadhyay and Duflo 2004; Ghani et al. 2014); improved perceptions of women by men when they are exposed to women in leadership roles; greater aspirations for younger women (Beaman et al. 2010); and more reporting of violent crimes against women (Iyer et al. 2012). The linkages between the goals of gender equality and eliminating violence against women thus need to be stressed in current women's rights organizing in Asia. We know that countries that value women's equal participation and representation—and where there are fewer economic, social or political differences in power between men and women—have lower levels of violence against women and girls. We also know that while gender-based structural inequalities affecting VAW differs across countries in the Asian region, women are more able to protect themselves from and to prevent violence when their socioeconomic and political status is good; and by the same token, countries will be able to ensure sustainable economic development when strategies to reduce if not eliminate VAW are prioritized by all actors.

As well as using available tools and indicators to highlight the connections between gender equality, masculinities and reduced VAW, women's movements in the region could come together to draw attention to how violence against women is exacerbated by the broader regional context of protracted conflict and militarism and the presence of armed groups contributing to the normalization of violence. States and regional organizations in Asia must also collaborate to address conflict-related sexual and gender-based violence, which is under-recognized and hardly addressed. The UN Women's Peace and Security agenda provides a framework that could be readily adapted and localized. The carrot—via regional learning about how to address gender discrimination and cultures of impunity—and the stick—international shaming via global and social media for state denial or inaction on VAW—are both powerful mechanisms to bring about greater policy change to address the continuum of VAW and to ensure more effective implementation of existing laws.

The international context has greatly strengthened the political opportunities for ending VAW in Asia and the sanctions for not doing so. Women's movements in Asia are harnessing the power of international norms and other global opportunity structures, which until recently were less salient forces in the region. They are networking and learning across the Asian region about how to address gender discrimination and shared cultures of impunity for VAW. The spotlight is on VAW; and states are also increasingly subject to international shaming via global media for their denial of or inaction of this violence, which is now highly visible and reprehensible to a large audience. Both types of transnational agency are powerful forces for prompting societal and policy change and more effective state implementation of existing laws.

The stakes are high, though. VAWG is fundamentally about power, deeply material power though often under the guise of cultural tradition and identity. That gender norms are unravelling globally and in Asia is reason for optimism but also concern. In a time of rapid and uneven social and economic transformation, daily practices of abuse, humiliation, degradation and harmful treatment of women and girls increasingly serve both ideological and functional purposes. Any advance therefore in reducing VAW must be viewed against the background of women's broader social, economic, civil and political rights.

## Appendix 1: CEDAW Reporting by Country

Reporting patterns by due dates for submissions and actual submissions—indicates the degree of compliance with CEDAW, the most significant international women’s rights and equality regime.

	Status	Latest report	Reporting cycle		
India	Signed: 30 Jul 1980 Ratified: 09 Jul 1993	<u>4<sup>th</sup> – 5<sup>th</sup> Reports</u>	1: 2000		
		Submitted: 09 Jul 2012 Published: 09 May 2013	2–3: 2007 3: 2010		
	Optional Protocol: n/a	<u>Addendum and Annexes</u> Published: 04 Nov 2013			
		<u>Reply to List of Issues</u> Published: 23 Jan 2014 (relating to recent cases of sexual violence especially rape)			
		24 shadow reports			
		<u>CEDAW list of issues</u> Published: 17 Oct 2013			
		<u>Concluding Observations</u> Published: 18 Jul 2014			
		China	Signed: 17 Jul 1980 Ratified: 04 Nov 1980	<u>7<sup>th</sup> – 8<sup>th</sup> Reports</u>	1: 1984
				Submitted: 20 Jan 2012 Published: 17 Jan 2013	2: 1992 3 – 4: 1999 5 – 6: 2006
			Optional Protocol: n/a	14 shadow reports	
<u>CEDAW list of issues</u> Published: 9 Mar 2014					
Indonesia	Signed: 29 Jul 1980 Ratified: 13 Sep 1984	<u>6<sup>th</sup> – 7<sup>th</sup> Reports</u>	1: 1988		
		Submitted: 14 Oct 2010 Published: 07 Jan 2011	2 – 3: 1998 4 – 5: 2007		
	Optional Protocol: Signed—28 Feb 2000 (not ratified)	5 Shadow Reports – NGOs <u>1 independent report from National Commission on Violence Against Women</u>			
		<u>CEDAW Concluding Observations</u> Published: 7 Aug 2012	8: 1 Jul 2016 (due date, <i>forthcoming</i> )		

China	Due	Submitted / Published
1	3 September 1982	25 May 1983
2	3 September 1986	22 June 1989
3–4	3 September 1994	29 May 1997 / 10 June 1997
5–6	3 September 1998	4 February 2004 / 10 June 2004
7–8	3 September 2010	20 January 2012 / 17 January 2013
India	Due	Submitted / Published
1	8 August 1994	2 February 1999 / 10 Mar 1999
2–3	8 August 2002	18 October 2005 / 19 October 2005
3	–	1 December 2009
4–5	8 August 2010	9 July 2012
Indonesia	Due	Submitted / Published
1	13 October 1985	17 March 1986
2–3	13 October 1989	6 February 1997 / 12 February 1997
4–5	13 October 2001	20 June 2005 / 27 July 2005
6–7	13 October 2009	14 October 2010 / 7 January 2011

### Reservations

	India	China	Indonesia
<b>Declarations/ Reservations/ Objections<sup>a</sup></b>	<p>Declarations and reservations made upon signature and confirmed upon ratification:</p> <p><i>Declarations:</i></p> <p>"i) With regard to articles 5 (a) and 16 (1) of the Convention on the Elimination of All Forms of Discrimination Against Women, the Government of the Republic of India declares that it shall abide by and ensure these provisions in conformity with its policy of non-interference in the personal affairs of any Community without its initiative and consent.</p> <p>"ii) With regard to article 16 (2) of the Convention on the Elimination of All Forms of Discrimination Against Women, the Government of the Republic of India declares that though in principle it fully supports the principle of compulsory registration of marriages, it is not practical in a vast country like India with its variety of customs,</p>	<p>Declaration made upon signature and confirmed upon ratification:</p> <p>The People's Republic of China does not consider itself bound by paragraph 1 of article 29 of the Convention.</p>	<p>"The Government of the Republic of Indonesia does not consider itself bound by the provisions of article 29, paragraph 1 of this Convention and takes the position that any dispute relating to the interpretation or application of the Convention may only be submitted to arbitration or to the International Court of Justice with the agreement of all the parties to the dispute."</p>

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religions and level of literacy."

*Reservation:*

"With regard to article 29 of the Convention on the Elimination of All Forms of Discrimination Against Women, the Government of the Republic of India declares that it does not consider itself bound by paragraph 1 of this article."

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#### *Discussion*

Article 29, paragraph 1 of the Convention was challenged by all three countries stating that they are not bound by the specific paragraph.

#### **Article 29**

1. Any dispute between two or more States Parties concerning the interpretation or application of the present Convention which is not settled by negotiation shall, at the request of one of them, be submitted to arbitration. If within six months from the date of the request for arbitration the parties are unable to agree on the organization of the arbitration, any one of those parties may refer the dispute to the International Court of Justice by request in conformity with the Statute of the Court.

India's CEDAW declarations use the country's specific cultural context to justify the state's inability to uphold the relevant provisions to the detriment of women and girls.

For example, the declaration on article 16(2) has implications for the prevalence of early (child) marriages in the country exacerbated by the lack of monitoring over the minimum age for marriages recorded in official registries (See also UNICEF 2012).<sup>b</sup>

#### **Article 5**

States Parties shall take all appropriate measures:

(a) To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women;

#### **Article 16**

1. States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women:

- (a) The same right to enter into marriage;
- (b) The same right freely to choose a spouse and to enter into marriage only with their free and full consent;
- (c) The same rights and responsibilities during marriage and at its dissolution;
- (d) The same rights and responsibilities as parents, irrespective of their marital status, in matters relating to their children; in all cases the interests of the children shall be paramount;
- (e) The same rights to decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable them to exercise these rights;
- (f) The same rights and responsibilities with regard to guardianship, wardship, trusteeship and adoption of children, or similar institutions where these concepts exist in national legislation; in all cases the interests of the children shall be paramount;
- (g) The same personal rights as husband and wife, including the right to choose a family name, a profession and an occupation;
- (h) The same rights for both spouses in respect of the ownership, acquisition, management, administration, enjoyment and disposition of property, whether free of charge or for a valuable consideration.

2. The betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory.

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**Sources:** <sup>a</sup> CEDAW/SP/2006/2 <sup>b</sup> UNICEF, *Child Marriage in India: An analysis of available data*, December 2012. <http://www.unicef.in/documents/childmarriage.pdf> (accessed in January 2016).

## Appendix 2: List of Shadow Report Submissions

Divided by national/international/mixed to match the discussion in the paper

### **India—CEDAW Report 4 -5** **List of Shadow Report Submissions**

1. Amnesty International
2. Apne Aap Women Worldwide submission (for Pre-sessional working groups/PSWG)
3. Campaign PRATIGYA (Campaign for Gender Equality and Safe Abortion)
4. Centre for Advocacy on Stigma and Marginalisation (CASAM), Sampada Grameen Mahila Sanstha (SANGRAM), Mahila Sarvangeen Utkarsh Mandal (MASUM) and Veshya Anyay Mukti Parishad (VAMP)
5. Center for Reproductive Rights and Human Rights Law Network (HRLN)—Annex I
6. Center for Reproductive Rights and HRLN—Annex II
7. Center for Reproductive Rights and HRLN joint submission (for PSWG)
8. Center for Reproductive Rights and HRLN joint submission for the session
9. Disabled People's International India (DPI) India
10. FoodFirst Information and Action Network (FIAN) India
11. Franciscans International and VIVAT International
12. Global Initiative to End All Corporal Punishment of Children (for PSWG)
13. Human Rights Now (for PSWG)
14. Human Rights Watch
15. International Baby Food Action Network (IBFAN)
16. Indraprastha Public Affairs Centre (IPAC) and Shati All for Partnership
17. Inter State Adivasi Women's Network (ISAWN) of mainland India, Indigenous Women's Forum of North East India (IWFNEI) and Asia Indigenous Peoples Pact (AIPP), Chian Mai, Thailand
18. Equality Now, Shaheen Women's Resource & Welfare Association, Apne Aap Women Worldwide
19. National Alliance of Women (NAWO)
20. Navsarjan Trust, All India Dalit Mahila Adhikar Manch (AIDMAM) and International Dalit Solidarity Network (IDSN)
21. National Campaign on Dalit Human Rights (NCDHR) submission (for PSWG)
22. The Northern Women Action & Advocacy Network Sri Lanka
23. United NGOs Mission Manipur
24. Women's International League for Peace and Freedom (WILPF) India

## **China—CEDAW Report 7–8**

### **List of Shadow Report Submissions**

*48 in total = 47 + 1 Report from National Human Rights Institution*

1. Association Concerning Sexual Violence Against Women (ACSVAW) and RainLily
2. ACSVAW and RainLily (submission for Pre-sessional working groups/PSWG)
3. Action for Reach Out joint NGO submission
4. All-China Women's Federation & Chinese Women's Research Society
5. Amnesty International
6. Anti-Domestic Violence Network/Beijing Fan Bao & Beijing Zhongze Women's Legal Consulting Services Center & China Women's University
7. Beijing Cultural Development Center for Rural Women
8. Beijing Zhongze Women's Legal Consulting Services Center & China Association for Employment Promotion & Women's Studies Institute of China
9. Centre of Comparative and Public Law of The University of Hong Kong (CCPL), Women's Studies Research Centre of the University of Hong Kong (WSRC) and Hong Kong Women's Coalition on Equal Opportunities (WCEO) (submission for PSWG)
10. China Human Rights Lawyers Concern Group
11. China LBT Rights Initiative (submission for PSWG)
12. China LBT Rights Initiative
13. China VAW Concern Group
14. China Women's University
15. Chinese Human Rights Defenders (CHRD) and Joint Chinese NGOs
16. CHRD and Joint Chinese NGOs
17. Dui Hua Foundation
18. Equal Opportunities Commission (submission for PSWG)
19. Global Initiative to End All Corporal Punishment of Children (for PSWG)
20. Humanitarian Organization for Migration Economics (HOME)
21. Hong Kong Bar Association submission (for PSWG)
22. Hong Kong Human Rights Commission
23. Hong Kong Unison (submission for PSWG)
24. Hong Kong Unison
25. Hong Kong Women's Coalition on Equal Opportunities
26. Human Rights in China (HRIC) submission (for PSWG)
27. International Baby Food Action Network (IBFAN)
28. Independent NGOs joint submission (for PSWG)
29. Institute of Sociology under the Yunnan Academy of Social Sciences & Gender and Development in China Network (GAD Network) & Beijing Zhongze Women's Legal Consulting Services Center
30. Justice Centre Hong Kong
31. Labour Action China
32. LBT NGOs
33. LBT NGOs joint submission (for PSWG)
34. Media Monitor for Women Network & Women's Studies Institute of Jiangsu Province
35. Path Finders (submission for PSWG)
36. Rainbow Action Hong Kong (submission for PSWG)
37. Rainbow Action LGBT joint submission

38. Research Center for Human Rights and Humanitarian Law under the Law  
School of Peking University & Center for Gender and Law Studies, Institute of  
Law under the Chinese Academy of Social Sciences (CASS)
39. Research Center for Women and Family under the Zhejiang Academy of Social  
Sciences
40. The Women's Foundation (submission for PSWG)
41. The Women's Foundation
42. Tibet Watch
43. Unrepresented Nations and Peoples Organization
44. Voices for Protection
45. Women Network Against AIDS, China (WNAC)
46. Women's Studies Institute of China & Shaanxi Research Association for  
Women and Family
47. Women's Studies Institute of China
48. Equal Opportunities Commission

***Indonesia—CEDAW Report 6–7  
List of Shadow Report Submissions***

*6 in total = 5 + 1 Report from National Human Rights Institution*

1. Amnesty International
2. Global Initiative to End All Corporal Punishment of Children
3. International Disability Alliance (IDA)
4. NGO Submission<sup>a</sup>
5. Indonesia National Commission on Violence against Women

<sup>a</sup> Unidentified organization.

## Appendix 3a: Key Variables Measuring Women’s Social/Political/Economic Status

	% of parliamentary seats held by women 2013 data	% of adult women who have secondary education 2005-2012 data	Maternal mortality ratio (deaths per 100,000 live births) 2010 data	Adolescent birth rates (births per 1,000 women ages 15-19) Data are annual average of projected values for 2010–2015	Female labour market participation 2012 data	HDI Female to male ratio 2013 data
China	23.4	58.7	37	8.6	63.8	0.939
India	10.9	26.6	200	32.8	28.8	0.828
Indonesia	18.6	39.9	220	48.3	51.3	0.923

Sources: HDR 2014, WEF Global Gender Gap Report 2013.

## Appendix 3b: Evidence on VAW Prevalence

Country	WHO Lifetime Prevalence of Physical & Sexual Violence (IPV & non-partner)	SIGI 2012 Physical Integrity Subindex	SIGI 2012 Son Bias	UN 2013 “Men and Violence Study Lifetime Partner Physical Violence	UN Study Rape of Partner or non-Partner	WHO Region (2010: 18) (per cent)
China	15.4 (1998–9)	0.11 (5)	0.87 (88/120)	44.7 (35.2 women)	22.2 (urban/rural) 19.5 (rural)	Western Pacific 24.6
Indonesia	3.07 (2006)	0.18 (24/86)	0.56 (61/120)	11.5 (rural) 12.5 (urban)	26.2 (urban) 48.6 (Papua)	Southeast Asia 37.7
India	35.4 (2006)	0.30 (47/86)	0.93 (91/120)	37.7 (Papua) --	--	Southeast Asia 37.7

Source: [http://www.endvawnow.org/uploads/browser/files/vawprevalence\\_matrix\\_june2013.pdf](http://www.endvawnow.org/uploads/browser/files/vawprevalence_matrix_june2013.pdf) (accessed in January 2016).

## Appendix 4: WINGOs Database Updated Original List of 53

WINGOs Database

Organization	China	India	Indonesia
1. African Women Development and Communication Network (FEMNET)	N	N	N
2. Afro-Asian Peoples' Solidarity Organization (AAPSO)	Y	Y	Y
3. Alliance for Arab Women (AAW)	N	N	N
4. Amnesty International (AI)	Y (Hong Kong only)	Y	Y
5. Arab Women's Solidarity Association (AWSA)	N	N	N
6. ASEAN Confederation of Women Organizations (ACWO)	N	N	Y
7. Asia Pacific Forum on Women, Law and Development (APWLD)	Y	Y	Y
8. Asian Women's Human Rights Council (AWHRC)	Y	Y	Y
9. Associated Country Women of the World (ACWW)	Y	Y	Y
10. Baha'i International Community	N	Y	Y
11. Development Alternatives with Women for New Era (DAWN) <sup>a</sup>	N	N	N
12. European Women's Lobby (EWL)	N	N	N
13. HelpAge International (HAI)	Y	Y	Y
14. General Arab Women Federation (GAWF)	N	N	N
15. Friends World Committee for Consultation (FWCC)	Y	Y	Y
16. Hunger Project	N	Y	N
17. Inter-Parliamentary Union (IPU)	Y	Y	Y
18. International Alliance of Women (IAW)	N	Y	N
19. International Association of Educators for World Peace (IAEWP)	Y	Y	Y
20. International Confederation of Free Trade Unions (ICFTU)	Y (Hong Kong only)	Y	Y
21. International Council of Jewish Women (ICJW)	N	N	N
22. International Council of Women (ICW)	N	Y	Y
23. International Federation of Business and Professional Women (BPW International)	Y (Hong Kong only)	Y	Y
24. International Federation of University Women (IFUW)	Y (Hong Kong only)	Y	Y
25. International Federation of Women Lawyers	Y (Hong Kong only)	Y	Y
26. International PEN	Y	Y	N
27. International Planned Parenthood Federation (IPPF)	Y	Y	Y
28. International Women's Rights Action Watch (IWRAP) <sup>b</sup>	N	N	N
29. International Women's Rights Action Watch Asia Pacific (IWRAP Asia Pacific) <sup>c</sup>	N	N	N
30. Isis Women's International Cross Cultural Exchange (ISIS-WICCE) <sup>d</sup>	N	N	N
31. Latin American and Caribbean Committee for the Defense of Women's Rights	N	N	N
32. Latin American and Caribbean Women's Health Network (LACWHN)	Y	Y	N
33. Medical Women's International Association (MWIA)	N	Y	Y
34. Network of East-West Women	N	N	N

35. Network Women in Development Europe (WIDE) <sup>e</sup>	-	-	-
36. Pan African Women's Organization (PAWO)	N	N	N
37. Pan Pacific and South East Asia Women's Association (PPSEAWA)	N	Y	Y
38. Socialist International Women (SIW) <sup>f</sup>	N	N	N
39. Soroptimist International (SI)	Y	Y	Y
40. Third World Movement Against the Exploitation of Women (TWMAEW)	Y	Y	Y
41. Women's Environment and Development Organization (WEDO) <sup>g</sup>	N	N	N
42. Women's International Democratic Federation (WIDF)	N	Y	N
43. Women's International League for Peace and Freedom (WILPF)	N	Y	N
44. Women's International Zionist Organization (WIZO)	Y (Hong Kong only)	N	N
45. World Association of Girl Guides and Girl Scouts (WAGGGS)	Y (Hong Kong only)	Y	N
46. World Association of Women Entrepreneurs (WAWE)	N	Y	Y
47. World Federation of Methodist and Uniting Church Women (WFM and UCW) <sup>h</sup>	Y (Hong Kong only)	Y	Y
48. World Federation of Trade Unions (WFTU)	N	Y	Y
49. Make Mothers Matter—International (MMM – I) <sup>i</sup>	N	N	N
50. World Union of Catholic Women's Organizations (WUCWO)	Y (Hong Kong only)	Y	Y
51. World Young Women's Christian Association (World YWCA)	Y	Y	Y
52. WorldWIDE Network—Women in Development and Environment <sup>j</sup>	Y	Y	Y
53. Zonta International	Y (Hong Kong only)	Y	N
	25/53 (China and HK)		
TOTAL	15/53 (China)	34/53	27/53

**Notes:** <sup>a</sup> Type I: F—Organizations having a special form, including foundations and funds. Type II: V—Individual members only. Source: Yearbook of International Organizations 2014 (online).

<sup>b</sup> Type I: F—Organizations having a special form, including foundations and funds. Source: Yearbook of International Organizations 2014 (online).

<sup>c</sup> Type I: F—Organizations having a special form, including foundations and funds. Source: Yearbook of International Organizations 2014 (online).

<sup>d</sup> Note change in name in Jan 1984. Formerly *Women's International Information and Communication Service (ISIS)*. <http://www.isis.or.ug/> (accessed in January 2016). Type I: F—Organizations having a special form, including foundations and funds. Source: Yearbook of International Organizations 2014 (online).

<sup>e</sup> Please note no results for various searches under key words, Spanish translation, and founding year although the organisation seems to still exist. It is counted as N for tally purposes. <http://wide.gloobal.net/> (accessed in January 2016)

<sup>f</sup> Members: Full; Consultative; Observer. Members in 154 countries. Membership countries not specified. Type I: F—Organizations having a special form, including foundations and funds. Source: Yearbook of International Organizations 2014 (online).

<sup>g</sup> Not a membership organization; part of an international network of women. Type I: F—Organizations having a special form, including foundations and funds. Source: Yearbook of International Organizations 2014 (online).

<sup>h</sup> Note change in name. Founded as *World Federation of Methodist Women (WFMW)* in 1939.

<sup>i</sup> Note change in name. Founded as *World Movement of Mothers (WMM)* in May 1947.

<sup>j</sup> Also known as WorldWIDE—World Women in Defense of the Environment. Source: Yearbook of International Organizations 2014 (online).

Organization	China	India	Indonesia
1. African Women's Active Nonviolence Initiatives for Social Change (AWANICH), 2007	N	N	N
2. Asia Pacific Alliance for Sexual and Reproductive Health and Rights (APA), 1999	N	Y	Y
3. Asian Indigenous Women's Network (AIWN), 1993	Y	Y	Y
4. Asian Pacific Women's Information Network Center (APWINC), 1996 <sup>a</sup>	-	-	-
5. Asian-Pacific Resource and Research Centre for Women (ARROW), 1993	Y	Y	Y
6. Association of African Women for Research and Development (AAWORD), 1977	N	N	N
7. Association for Women's Rights in Development (AWID), 1982	Y	Y	Y
8. ASTRA—Central and Eastern European Women's Network for Sexual and Reproductive Health and Rights (ASTRA Network), 1999	N	N	N
9. Pacific Foundation for the Advancement of Women (PACFAW), 2000	N	N	N
10. Circle of Concerned African Women Theologians (CAWT), 1989	N	N	N
11. Center for Women's Global Leadership (CWGL), 1989 <sup>b</sup>	-	-	-
12. Coalition Against Trafficking in Women—Latin America, 1994	N	Y	Y
13. Council of Women World Leaders (CWWL), 1997	N	N	N
14. Combating Violence Against Children, Young People and Women <sup>c</sup>	N	N	N
15. Foundation Against Trafficking in Women (STV), 1987 <sup>d</sup>	N	N	N
16. Foundation for Women's Health Research and Development (FORWARD), 1983	N	N	N
17. Gender and Water Alliance (GWA), 2000 <sup>e</sup>	-	-	-
18. Global Coalition on Women and AIDS (GCWA), 2004 <sup>f</sup>	N	N	N
19. Global Fund for Women (GFW), 1987 <sup>g</sup>	-	-	-
20. Global Gender and Climate Alliance (GGCA), 2007 <sup>h</sup>	-	-	-
21. Global Network of Women Peacebuilders (GNWP) <sup>i</sup>	-	-	-
22. Grassroots Organizations Operating Together in Sisterhood (GROOTS), 1985 <sup>j</sup>	-	-	-
23. Indigenous Women's Network (IWN), 1985 <sup>k</sup>	-	-	-
24. Inter-agency Network on Women and Gender Equality (IANWGE) <sup>l</sup>	-	-	-
25. International Association of Women Ministers (IAWM), 1919 <sup>m</sup>	N	Y	N
26. International AIDS Women's Caucus (IAWC), 1992	N	Y	N
27. International Community of Women Living with HIV/AIDS (ICW), 1992	Y (Hong Kong only)	Y	Y
28. International Council on Women's Health Issues (ICOWHI), 1984	Y	N	N
29. International Network on Gender and Sustainable Energy (ENERGIA), 1995	N	Y	Y
30. International Women's Development Agency (IWDA), 1985	N	N	N
31. International Women's Health Coalition (IWHC), 1984 <sup>n</sup>	-	-	-
32. International Women's Tribune Centre (IWTC), 1976 <sup>o</sup>	-	-	-
33. Latin American and Caribbean Committee for the Defense of Women's Rights (CLADEM), 1987	N	N	N
34. Latin American and Caribbean Feminist Network Against Domestic and Sexual Violence, 1992	N	N	N
35. NGO Working Group for Women, Peace and Security (NGOWG), 2000	-	-	-
36. Pan American Medical Women's Alliance (PAMWA), 1947	N	N	N
37. PeaceWomen Across the Globe <sup>p</sup>	-	-	-
38. Sisterhood is Global Institute (SIGI), 1984	Y	Y	N

39. The Grail—International Movement of Christian Women, 1921	N	Y	Y
40. Vienna NGO Committee on the Status of Women <sup>q</sup>	-	-	-
41. Women's Funding Network, 1985	Y (Hong Kong only)	Y	N
42. Women in Law and Development in Africa (WiLDAF), 1990	N	N	N
43. Women Living Under Muslim Laws (WLUML), 1984 <sup>r</sup>	-	-	-
44. Women's Global Network for Reproductive Rights (WGNRR), 1978	N	Y	Y
45. Women Human Rights Defenders International Coalition (WHRD) <sup>s</sup>	-	-	-
46. Women's Network of the World Federation for Mental Health, 1987	N	N	N
47. Women's Peace Network (WPN), 1983 <sup>t</sup>	Y	N	N
48. Women's World Summit Foundation (WWSF), 1991 <sup>u</sup>	-	-	-
49. WomenWatch, 1997 <sup>v</sup>	-	-	-
50. Asia Pacific Women, Law and Development	Y	Y	Y
<b>TOTAL</b>	<b>9</b>	<b>14</b>	<b>10</b>

**Notes:** <sup>a</sup> Internationally oriented national organisation. Based in Seoul, Republic of Korea.

<sup>b</sup> Internationally oriented national organization based in the United States.

<sup>c</sup> 31 European countries as members.

<sup>d</sup> Partner organisations in Bulgaria, Czech Rep, Poland, Ukraine.

<sup>e</sup> Individuals (45% men, 55% women) and organizations (over 2,000) in 120 countries. Membership countries not specified.

<sup>f</sup> With international organizations as members.

<sup>g</sup> Not a membership organization.

<sup>h</sup> International organisations as members.

<sup>i</sup> Membership countries not specified. Asia-Pacific included as region.

<sup>j</sup> Covers 16 countries. Membership countries not specified.

<sup>k</sup> Internationally oriented national organisation. Based in US.

<sup>l</sup> Intergovernmental, UN.

<sup>m</sup> Along with Philippines, Australia and New Zealand are members for Asia-Pacific.

<sup>n</sup> Internationally oriented national organisation. Based in US.

<sup>o</sup> Not a membership organization. A communications link for 25,000 individuals and groups working on behalf of women in 180 countries in Africa, Asia/Pacific, Europe, Japan, Middle East, Latin America/Caribbean and North America (not specified).

<sup>p</sup> Network of Women Peace Builders <http://www.1000peacewomen.org/> (accessed in January 2016).

<sup>q</sup> Committee includes Associated Country Women of the World (ACWW), Baha'i International Community, International Alliance of Women (IAW), International Council of Jewish Women (ICJW), International Federation of University Women (IFUW), and others in WINGOs Database 1.

<sup>r</sup> Not a membership organization. Extends to over 70 countries. Indonesian listed as among the languages used.

<sup>s</sup> Membership countries not specified.

<sup>t</sup> Also known as MADRE.

<sup>u</sup> Individuals; sponsors. Membership countries not specified.

<sup>v</sup> Intergovernmental, internet based organisation, <http://www.un.org/womenwatch/> (accessed in January 2016).

## Appendix 5: UN Special Rapporteur on VAW Mission Visits 1996–Present

Country	Time of Visit
Azerbaijan	December 2013
Bangladesh	May 2013
India	April 2013
Croatia	November 2012
Bosnia and Herzegovina	October-November 2012
Papua New Guinea	March 2012
Solomon Islands	March 2012
Italy	January 2012
Somalia	December 2011
Jordan	November 2011
United States of America	January-February 2011
Zambia	December 2010
Algeria	November 2010
El Salvador	March 2010
Kyrgyzstan	November 2009
Moldova	July 2008
Tajikistan	May 2008
Saudi Arabia	February 2008
Democratic Republic of Congo	July 2007
Ghana	July 2007
Algeria	January 2007
Netherlands	July 2006
Sweden	June 2006
Turkey	May 2006
Afghanistan	July 2005
Mexico	February 2005
Russian Federation	December 2004
The Islamic Republic of Iran	February 2005
Darfur region of the Sudan	September 2004
Occupied Palestinian Territory	June 2004
Guatemala	February 2004
El Salvador	February 2004
Colombia	November 2001
Sierra Leone	August 2001
Bangladesh, Nepal and India	November 2000
East Timor	April 1999
Afghanistan	September 1999
Haiti	June 1999
Cuba	June 1999
Indonesia and East Timor	November 1998
United States of America	June 1998
Liechtenstein	April 1998
Rwanda	September 1997
South Africa	October 1996
Brazil	July 1996
Poland	May 1996
Democratic People's Republic of Korea, Republic of Korea & Japan	July 1995

Arranged in chronological order. Source: United Nations Human Rights, "Country Visits"  
<http://www.ohchr.org/EN/Issues/Women/SRWomen/Pages/CountryVisits.aspx> (accessed in January 2016).

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