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From Vulnerability to Resilience:
Enhancing Women and Children's Well-Being

Edited by
Tunggul Wicaksono

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Table of Contents

CHAPTER 1

Empowering Futures and Bridging the Gap in the Protection of Women and Children

Tunggul Wicaksono[1]

The rights of women and children are cornerstones of a just and inclusive society. Upholding these rights not only ensures the well-being and empowerment of individuals but also contributes to the development and progress of nations as a whole. Yet, they continue to face numerous challenges that hinder their full participation in economic, social, and political spheres. From gender-based discrimination and violence to lack of access to quality education and healthcare, there is a need to recognize that there is much work to be done to ensure that the rights and potential of women and children are fully realized. Ensuring their safety, well-being, and empowerment not only demonstrates a dedication to human rights but also helps the advancement of their well-being. This book will examine the relevance of women's and children's safety, the obstacles they encounter, and the solutions that may be taken to make the world safer and more inclusive for them.

In essence, the empowerment and protection of women's rights contribute to the development of a society that is more just and equitable for both women and children. Policies and efforts addressing women's rights frequently have far-reaching positive consequences on children's rights and the well-being of communities as a whole.

The relationship between women's and children's rights might be characterized as "symbiotic" (Todres, 2003). Furthermore, Firestone (1970) coined that the segregation between women and children is reprehensible. As a result, children's and women's issues are commonly mentioned as one concept in international law and policy. However, the way the term 'women and children' is represented in the united concept, in fact, is the works to disempower them. Women and children that are viewed as one group rather than two unquestionably affect how women or children are viewed. Bates (2017) describes the importance of linguistics and the power of the language.

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The same inherent justification, one of which is fragility (sensitive, weak, and delicate), is not only inaccurate and misleading but also infantilizing for women, especially given that the causes of this assumed susceptibility for the two groups may be extremely different. Instead, both women's and children's fragility should be viewed as a specific context where the needs are met. The idea of vulnerability should be problematized and seen as something situation-dependent. Moreover, it is argued that within the concept of 'women and children, ' the child's perspective is at risk of getting lost. Hence, although we acknowledge the close ties that bind people positioned as women and children, we also have to recognize the specific needs of each group.

Within the conceptual framework of human rights, some principles are firmly established. According to the international community, these rights must be unalienable, indivisible, and interdependent and must be applied equally and without distinction to every person in order to preserve and protect human dignity. This implies that all rights are equal and that the complete spectrum of human needs—physical, psychological, developmental, and spiritual—must be taken into consideration. The legal systems of many countries strongly protect children's and women's rights, yet these advancements may be weakened or neutralized by local authorities and customs. The law may be clear regarding women's and children's rights, but societal inheritance norms may make it difficult for them to exercise these rights.

Moreover, in a culture controlled by men, if there is one trait virtually generally assigned to women and children, it is their "fragility." However, norms of behavior to ensure their safety have arrived late. Simultaneously, it is evident that, on the one hand, specific categories of people do not currently feel represented in the respect and implementation of their human rights in their daily lives and that, on the other hand, history is punctuated by sometimes extreme disharmonies in the exercise of certain groups' human rights.

This is a result of gender stereotypes that are supported by ingrained patriarchal expectations in society. These ideologies frequently assign women to low duties and restrictive places. They are expected to execute a balancing act in which they must shape-shift into every ideal that society has for them. However, everything that is constructed in a social or cultural context may also be taken apart. Therefore, it is a good idea to alter

societal perceptions about gender norms. This can be advanced, albeit slowly, by education and social outreach. Since victims and perpetrators are also members of society, we can readily approach them to learn about their needs through grassroots groups. Involving civil society organizations can also link community aid distribution, education, and advocacy initiatives.

The following chapters delve into the critical endeavor of protecting and nurturing women's and children's rights, offering insights into a comprehensive approach that spans prevention, empowerment, education, legal frameworks, and community engagement. As we embark on this exploration, it is imperative to acknowledge the pressing need for action and recognize that the challenges faced by women and children remain universal. As **Fitriani** wrote in the second chapter, vast technological advancement, new climate change concerns, unconventional dangers, and domestic political unrest frequently impede the advancement of women's rights. In addressing diverse cultural and social contexts, she laid the foundation for what ASEAN can do to deal with those issues. It is followed by **Yulida Nuraini Santoso**'s argument about gender equality in political leadership that is lagging and, as a result, sustains a patriarchal structure in which the communities favor men over women. She also highlights how affirmative action can solve this issue in the middle of criticism. The next chapter, written by **Desintha Dwi Asriani** and **Nitia Agustini Kala Ayu**, underscores the vulnerability of care workers due to structural issues. Amidst tremendous economic expansion in the ASEAN region and interrelated issues of care workers affecting women and families, this study contributes to research supporting care policies that promote gender transformative change. Meanwhile, **Dio Herdiawan Tobing** brought a new dimension of digital media utilization that is correlated with children's exposure. While children require innovation and creativity to survive the constant change in technology, there is also an urgency to limit online violence. This chapter emphasized the way to make appropriate choices when using social media by equipping children with certain qualities. In accordance with the online media, the last chapter, written by **Pulung Setiasuci Perbawani**, sheds light on how technological advancements can be harnessed to create innovative solutions that extend a helping hand to those in need. It also delves into

the significance of community involvement, reminding us that protection is a communal responsibility that transcends individual boundaries.

As we navigate the discourse presented here, let us be mindful that safeguarding women and children is not a solitary endeavor. Renewed determination to promote and protect the rights of women and children is essential, ensuring that they are not only beneficiaries of our efforts but active contributors to the progress of our nations. By embracing a multifaceted strategy that draws upon the strength of knowledge, we can pave the way for a safer, more just world.

References

Bates, L. (2017, November 6). *'Never be the most feminist person you know' – Laura Bates meets Cynthia Enloe*. Retrieved from The Guardian: https://www.theguardian.com/lifeandstyle/2017/nov/06/feminist-laura-bates-cynthia-enloe.

Carpenter, C. (2006). *Gender, Norms and the Protection of Civilians.* Hampshire & Burlington: Ashgate.

Firestone, S. (1970). *The Dialectic of Sex.* New York: Bantam Books.

Todres, J. (2003). Women's Rights and Children's Rights: A Partnership with Benefits for Both. *Cardozo Women's LJ.*

Wicaksono, T., & Kartikasari, A. (2021, November 12). *Unravelling gender-Based violence in Southeast Asia*. Retrieved from New Mandala: https://www.newmandala.org/unravelling-gender-based-violence-in-southeast-asia/

CHAPTER 2

Challenges of Women's Rights Promotion and Protection in ASEAN

Fitriani[2]

Abstract

The Association of Southeast Asian Nations (ASEAN) has recognized the pressing issue of violence against women and has undertaken various efforts to address it. The regional organization acknowledges that it is crucial to implement women's rights promotion and protection for achieving empowerment, gender equality, overall societal development, and inclusive regional welfare. This article expounds on the challenges ASEAN and ASEAN member states (AMS) faced and are facing in their endeavor by firstly explaining the efforts the regional organization undertook as modalities, secondly explaining the identified challenges, and, in closing, providing recommendations to address them.

Keywords: ASEAN, women's rights

A. Modalities of Women's Rights in ASEAN

As a regional organization with half of its population being women (Global Economy, 2023), the Association of Southeast Asian Nations (ASEAN) has been aware of the need to promote and protect women's rights. This was proven by its organization of the ASEAN Women Leaders' Conference as early as 1975, only eight years after its establishment. Reaching six decades of existence, the regional organization has made a lot of efforts to create the framework mechanism for promoting and protecting the rights of women. These mechanisms that have become the modalities for ASEAN work for advocating women's rights can be categorized into four broad themes, namely actors, statements, planning documents, and guidelines.

1. Organization of lead regional actors – The creation of the ASEAN Sub-Committee on Women (ASW) and later renamed the ASEAN Women's Programme (AWP) in 1981. Twenty years after, in 2001, ASEAN cooperation on women's issues was

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restructured and officially coordinated by the ASEAN Committee on Women (ACW). The ACW is mandated to oversee and coordinate ASEAN's cooperation in promoting gender equality and the empowerment of women, which reports to the ASEAN Ministerial Meeting on Women (AMMW). Meanwhile, in 2010 ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC) was established as the body that develops policies, programs, and innovative strategies to promote and protect the rights of women and children in line with the Convention on the Elimination of Violence Against Women (CEDAW) and the Convention on the Rights of the Child (CRC). ACWC reports to ASEAN Ministerial Meeting on Social Welfare and Development (AMMSWD). The two lead actors, ACW and ACWC, conduct Consultation Meeting to coordinate and synergize efforts on areas of mutual interest.

2. Statements - ASEAN Declaration on the Elimination of Violence against Women in 2004, which then strengthened again in 2013, whereby ASEAN reaffirmed its commitment to preventing and eradicating violence against women. It emphasizes the importance of legal frameworks, comprehensive services for survivors, public awareness campaigns, and data collection to address the issue effectively. ASEAN also issued Ha Noi Declaration on the Enhancement of the Welfare and Development of ASEAN Women and Children (2010) and Joint Statement on Promoting WPS in ASEAN (2017).

3. Planning documents - ASEAN Regional Plan of Action on the Elimination of Violence against Women – RPA on EVAW (2016-2025), which provides a framework for ASEAN member states to develop and implement comprehensive strategies to combat violence against women. It focuses on areas such as prevention, protection and support services for victims/survivors, legal and policy measures, capacity building, research and data collection, coordination and monitoring, partnership, and collaboration, as well as review and communications. In November 2022, ASEAN also adopted the Regional Plan of Action on Women, Peace, and Security (RPA on WPS).

4. Guidelines – ASEAN published many guidelines that are used as reference in promoting and protecting the rights of women, including Gender Sensitive Guideline for Handling Women Victims of Trafficking in Persons (2016), Regional Guidelines on Violence against Women and Girls Data Collection and Use (2018) and Guideline on Gender Mainstreaming into Labour and Employment Policies Towards Decent Work for All (2020)

Incurred from the list of mechanisms established, arguably that ASEAN already has the tools necessary to address the issue of women's rights protection and promotion in Southeast Asia. In terms of awareness, through the adoption of various mechanisms above, member states have no objection to supporting women's rights, this includes the latest addition to ASEAN, which is Timor Leste. The country has the highest number of women in parliament in the region and has various national action plans (NAPs) to address issues on women's rights (United Nations, 2022), and surely is not lagging.

B. Examining Challenges

Despite the many efforts in ASEAN, as noted in ASEAN RPA on EVAW (2016-2025), challenges in promoting and protecting women's rights remain. These challenges are expounded below, although by no means that this is an exhaustive list, especially with the rapid development of technology, emerging issues of climate change, non-traditional threats, and domestic political turmoil that often sideline the advancement of women's rights.

The **first** challenge is the regional diverse cultural and social context, which poses a local limitation for ACWC and other ASEAN bodies' efforts to promote women's rights. Varying cultural norms, traditions, and attitudes toward gender roles can influence the interpretation of women's rights within member states. Differences in cultural beliefs and societal hamper member countries to collaborate with each other in a meaningful and effective way. Member states' different historical, political, socio-cultural, religious, and economic contexts also make it difficult to develop and implement policies and programs that are effective. Additionally, the AMS have different levels of commitment to promoting and protecting the rights of women and children. This can make it difficult for the ASEAN to

build consensus on common goals and strategies. The regional organization must navigate these differences to ensure its initiatives are effective across the region.

Secondly is the varying national legal frameworks and enforcement. The legal frameworks related to women's rights differ among ASEAN member states depending on the legal, cultural, social, economic, and political context. Inconsistent legal frameworks and inadequate enforcement mechanisms hinder women's rights protection in ASEAN countries. Limited access to justice, weak implementation of existing laws, and inadequate support services for victims contribute to a culture of impunity for perpetrators and hinder women's ability to seek redress (Thailand Institute of Justice and Cambridge University, 2015).

Some countries may have strong legislation and policies, while others may lack comprehensive laws or face challenges in their enforcement. ASEAN faces the challenge of encouraging the harmonization of legal frameworks and promoting effective enforcement mechanisms to protect women's rights uniformly throughout the region. This is especially concerning with its nature as an inter-governmental organization holding the principle of non-interference and respecting national sovereignty.

Thirdly, the issue of gender-based violence remains a significant challenge in ASEAN. Domestic violence, sexual assault, human trafficking, and harmful practices like child marriage and female genital mutilation persist in some countries. ACWC and other ASEAN bodies' are given the task of addressing various forms of violence against women, such as domestic violence, sexual assault, human trafficking, and exploitation. Although for the cross-border issue can be tackled by regional agreements, such as the Bohol Trafficking in Person Work Plan (2017-2020), internal challenges remain with the capacity and willingness of national actors to address gender-based violence.

The **fourth** issue is socioeconomic inequalities amongst member states and within them. Women in ASEAN countries often face economic disparities and discrimination. Gender pay gaps, limited access to credit and financial resources, unequal employment opportunities, and occupational segregation are common challenges (Lili Yan Ing, 2023). With economic and social inequalities persist in ASEAN countries, they affect women disproportionately

and become barriers to women's rights protection and promotion. The regional organization must address issues of inequalities, including gender wage gaps, limited access to education and healthcare, and unequal opportunities for women in the workforce.

Inequalities also compel economic migration in the region, sometimes not in the safest way. ASEAN countries are both sources and destinations for migrant workers. In 2020 statistics, 48 percent of all migrants are women (ASEAN, 2022). However, these numbers increase starkly on the domestic workers' side as women are stereotyped as more able and acceptable to take on the role. Migrant women face various challenges, including labor exploitation, human trafficking, inadequate legal protection, and limited access to social services, while at the same time enabling some countries in the region to achieve development as they can mobilize their women to the workforce (Yeoh et.al., 1999). Arguably, economically less-developed countries in Southeast Asia, such as Indonesia, Philippines, Myanmar, and Cambodia, may reap short-term benefits from sending domestic migrant workers, but when the social-economic cost of raising kids and maintaining senior citizens is factored in, they may stifle their economic development in the long run.

The fifth challenge is conservatives' traditions, gender roles, and stereotypes, which may correlate with the first issue, although it focuses specifically on the negative traits of how women and gender minorities are placed in a disadvantaged position in society, nationally and regionally. Traditional gender roles and stereotypes can hinder progress in achieving gender equality and limit women's rights and opportunities. ASEAN, which adopts its approach in advocating women's rights from the Convention on the Elimination of All Forms of Discrimination against Women (United Nations, 1979), although it stresses social harmony, is facing the challenge of transforming deeply ingrained cultural beliefs that perpetuate gender inequalities.

In varying degrees, deep-rooted gender stereotypes and traditional norms often limit women's rights and opportunities in Southeast Asia. This manifests in the underrepresentation in political leadership and decision-making processes in ASEAN, which create significant structural barriers to issuing gender-sensitive legislation. Cultural biases and limited support for women's and gender minorities' political participation hinder their ability to influence policies and shape agendas. Cultural barriers, stereotypes,

and lack of gender-sensitive legislation also create barriers to women's reproductive health. Women have limited access to reproductive health services, including family planning, contraception, and safe abortion, which can restrict women's control over their reproductive choices and contribute to maternal mortality rates and unintended pregnancies. Conservatives' cultural beliefs and societal expectations can perpetuate gender inequalities, restricting women's access to education, employment, leadership positions, and decision-making processes. In ASEAN, a study has found that violent extremists are espousing misogynistic and hostile views towards women (Monash University, BNPT, UN Women, 2022), and that in the Covid-19 pandemic era, such actions took on in the online space.

The sixth and seventh challenges are more on the technicalities. The **sixth** challenge is the lack of gender- and sex-segregated data and research derived from the said data. A significant challenge for ASEAN and supporting bodies working in the promotion and protection of women's issues is the lack of comprehensive and accurate data on women's rights issues in the region, as well as within the member states. This relates to the first challenge on the varying importance of AMS place on women's issues, which translated to the absence of data points on women's welfare and health index when collecting national statistics. Arguably, limited data availability makes it difficult to assess the progress and identify specific areas that require attention.

The seventh and last challenge identified is the limited resources and capacity of the ASEAN body that works on women. The ACWC, for example, operates with limited resources and faces capacity constraints in terms of funding, staffing, and expertise. Although the ACWC has been established for one decade, it does not have the same level of funding as other ASEAN bodies, and member states only provide one-time seed funding on its establishment. Additionally, periodic funding for ACWC commissioners is not managed by the organization but by member states; therefore is more convenient to choose representatives from the civil servants not to incur additional budget. This can limit its ability to undertake investigation, research, develop capacity-building programs, implementation of work plans, and monitor the effectiveness of its activities.

There are other seasonal challenges that hamper women's rights promotion and protection in ASEAN. For example, the Covid-19 pandemic exacerbated existing inequalities and vulnerabilities, such as that women are more likely to lose income and experience increased domestic violence (Asia Development Bank, 2022). The pandemic mobility restriction increased the use of digital tools, which exacerbated online violence against women (UN Women, 2020). Navigating these novel challenges, ASEAN and its bodies had to adapt its work plan implementation and coordination while making the most use of their limited resources. However, as the pandemic restriction was lifted (ASEAN Bio Diaspora Virtual Centre, 2023), the regional organization refocused itself again on working to advance women's rights. This was shown by the action ASEAN took, by the end of 2022, it adopted the Regional Plan of Action on Women, Peace and Security (WPS), and in 2023 it assembled High Level Meeting on WPS.

C. Conclusion and Recommendations

While ASEAN has made significant strides in the promotion and protection of women's rights, the challenges in ending violence against women remain complex and multifaceted. The organization should continue to work towards improving AMS national conditions, strengthening regional cooperation, and collaborating with relevant stakeholders to create safer environments for women and girls in Southeast Asia. Observing the seven challenges faced by ASEAN, there are several recommendations given to address them.

In addressing diverse cultural and social contexts, ASEAN needs to be more involved in promoting positive and non-discriminatory gender norms, empowering women to challenge stereotypes, and engaging men and boys as allies in promoting gender equality. This can be done by changing business-as-usual behavior in the organization as well as asking AMS to do the same, for example, encouraging the employment and appointment of women in decision-making roles. Enhancing women's political representation and meaningful participation is crucial for inclusive governance.

To improve the legal framework for advancing women's rights, capacity-building initiatives can be done through programs and training workshops for parliamentarians, government officials, law enforcement agencies, and civil society organizations, such as media and

academe. These initiatives aim to enhance their understanding of gender issues, strengthen their legislation-making skills in addressing violence against women, and promote the sharing of best practices.

To combat and prevent violence against women, ASEAN requires comprehensive legal frameworks, law enforcement, and public awareness campaigns. It requires coordinated efforts among member states to develop strategies, improve reporting mechanisms, and provide adequate support services for survivors. A good example is in the field of rehabilitation and reintegration for women involved in criminal activities, with the ASEAN publication of Guidelines on Gender-Responsive Treatment of Women in Conflict with the Law (2017). These guidelines aim to ensure that women who encounter the criminal justice system receive fair and gender-sensitive treatment.

In addressing conservative traditions, ASEAN needs to promote public awareness campaigns to change attitudes, challenge social norms, and eliminate stereotypes that perpetuate violence against women. These campaigns utilize various media platforms, including television, radio, social media, and community outreach programs, to reach a wide audience and build on ASEAN identity.

For achieving economic empowerment, ASEAN requires to address barriers and promote equal access to economic resources and opportunities, including, for example, digital access. Overcoming these challenges requires advancing economic empowerment, enhancing access to quality education and healthcare, and eliminating discriminatory practices. Specifically, in protecting the rights of migrant women, ASEAN needs to strengthen legal frameworks, improve working conditions, and enhance cross-border cooperation.

Understanding the lack of gender- and sex-segregated data, ASEAN needs reliable statistics and studies to inform evidence-based policies, monitor progress, and develop targeted interventions. ASEAN, in its works, should stress the importance of accurate data to develop effective policies, and therefore efforts need to be made to improve data collection systems, develop standardized indicators, and conduct research on various aspects of violence against women to inform policy formulation and program implementation.

To provide adequate financial support, ASEAN and its bodies working on women's rights improvement of funding mechanisms should be done, along with the ability for ASEAN Dialogue and Development Partners to provide funding, technical assistance, and training that are essential to strengthen the regional organizations' capacity to carry out its mandate effectively. Addressing these challenges requires the capacity and willingness of multi-stakeholders involved, such as governments, civil society organizations, funding agencies, international partners, and communities. To do so, ASEAN needs to foster partnerships and remain committed to promoting and protecting women in the region.

References

Asia Development Bank. (2022). Two Years On: The Lingering Gendered Effects of the COVID-19 Pandemic in Asia and the Pacific. https://www.adb.org/sites/default/files/publication/802341/lingering-gendered-effects-covid19-asia-pacific.pdf

ASEAN. (2004). The Declaration on the Elimination of Violence Against Women in the ASEAN Region.

ASEAN. (2004). ASEAN Declaration Against Trafficking in Persons Particularly Women and Children.

ASEAN. (2011). ASEAN Committee on Women Work Plan 2011-2015.

ASEAN. (2012). ASEAN Human Rights Declaration.

ASEAN. (2012). The ASEAN Commission on the Promotion and Protection of the Rights of Women and Children Work Plan 2012-2016.

ASEAN. (2013). The Declaration on the Elimination of Violence Against Women and Elimination of Violence Against Children in ASEAN

ASEAN. (2016). ASEAN Regional Plan of Action on Elimination of Violence Against Children 2016-2025.

ASEAN. (2022). ASEAN Regional Plan of Action on Women, Peace and Security.

ASEAN. (2022). Regional Study on Women Migrant Workers in the Laws and Policies of ASEAN Member States.

ASEAN Bio Diaspora Virtual Centre. (2023). Covid-19 and MPox: Situational Report in the ASEAN Region. https://asean.org/wp-content/uploads/2023/03/COVID-19-and-Mpox_Situational-Report_ASEAN-BioDiaspora-Regional-Virtual-Center_13Mar2023.pdf

Global Economy. (2023). Percent female population - Country rankings. https://www.theglobaleconomy.com/rankings/percent_female_population/South-East-Asia/#:~:text=The%20average%20for%202021%20based,countries%20where%20data%20are%20available.

Lili Yan Ing. (2023). Inclusive ASEAN: Women, Young, and People with Disabilities. https://www.eria.org/news-and-views/inclusive-asean-women-young-and-people-with-disabilities/

Monash University, BNPT, UN Women. (2022). Gender Analysis of Violent Extremism and the Impact of Covid-19 on Peace and Security in ASEAN. https://asiapacific.unwomen.org/sites/default/files/2022-06/FINAL_EN_Gender%20Analysis%20of%20Violent%20Extremism%20and%20Impact%20of%20COVID-19%20on%20Peace%20and%20Security%20in%20ASEAN_0.pdf

Thailand Institute of Justice and Cambridge University. (2015). Scoping Study Women's Access to Justice: Perspectives from the ASEAN region. https://www.jesus.cam.ac.uk/sites/default/files/inline/files/Scoping%20Study%20Access%20to%20Justice.pdf

United Nations. (1979). Convention on the Elimination of All Forms of Discrimination against Women.

United Nations. (2022). Aspiring To Make A 'Big Leap' In Timor-Leste's Development: The Vital Role Of Gender Equality And Women's Empowerment And Why We Need To Act Now! https://timorleste.un.org/en/187464-aspiring-make-big-leap-timor-lestes-development-vital-role-gender-equality-and-womens

UN Women. (2020). Online Violence against Women in Asia. https://asiapacific.unwomen.org/en/digital-library/publications/2020/12/online-violence-against-women-in-asia

Yeoh, Brenda S. A., Shirlena Huang and Joaquin Gonzalez III. (1999). "Migrant Female Domestic Workers: Debating the Economic, Social and Political Impacts in Singapore". The International Migration Review. Vol. 33, No. 1 (Spring, 1999), pp. 114-136.

CHAPTER 3

Breaking the 'Glass Ceiling' of Women Leadership in ASEAN

Yulida Nuraini Santoso[3]

Abstract

Despite visible progress in women leadership positions across ASEAN member states, we are not seeing enough to break the 'glass ceiling'. As an invisible barrier, this article discusses the complex nature of the issue of women's leadership. This ranges from the development of gender bias to second-generation gender bias and what this means for the future of women's leadership in ASEAN. It also explains why affirmative actions are still necessary in the context of ASEAN countries, despite the many criticisms. Further, it highlights the importance of joining forces across communities to elevate ongoing efforts into meaningful change.

Keywords: women, leadership, gender, communities

The metaphor 'glass ceiling', often used to describe the invisible barrier which prevents women from climbing the ladder of success in their chosen career pathway, is still relevant today as it was in 1978 when the term was first coined (Loden, 1976; Helfat et al., 2006). This is at least the case argued for Southeast Asian women. According to a report titled 'Women's Leadership in the ASEAN Region: Data Snapshot' by the UN Women (2022), more managerial positions are still being held by men. In a different research report, Sinpeng and Savirani (2022) extract a number of key findings regarding women's participation in Indonesia, Malaysia, and Thailand. They (2022) highlight that despite overall progress towards gender equity in the ASEAN region, gender equality in political leadership still lags, and the number of women in political leadership positions, both in local governments and national parliaments, has not continuously increased in the ASEAN region, and institutions that are the biggest barriers to women's political leadership are political parties and security agencies. The above findings illustrate the implication of this 'glass ceiling'.

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A. Women in Leadership Today

Furthermore, the pandemic has revealed that women are the most fragile members of society during this difficult time. However, at the same time, they have played a critical role as health workers and front-line responders to the pandemic but hold very limited decision-making power (UNESCAP, 2021; UN Women, 2022). Violence against women may be perpetrated by the family, the general society, and under certain circumstances, by the state itself. Considering the technological developments, violence towards women can take place at home and online. To further illustrate this, women leaders who are active on social media experience greater instances of online violence and harassment (Sinpeng and Savirani, 2022). Policy advancements have yet to reflect ways they can support women as a member of society during critical times and as a frontline for the general public.

To add to this discussion, not all ASEAN member countries dedicate the same amount of attention to the issue of women in leadership. Singapore, Malaysia, Brunei Darussalam, and Thailand sit in the category of very high human development category of the Gender Inequality Index (GII), whereas within the high human development sits Indonesia and Vietnam. The index itself is a metric of gender inequality using three dimensions: reproductive health, empowerment, and the labor market (United Nations Development Program, 2023). As such, when a country indicates low GII value, this reflects the low inequality between women and men. The rest of the ASEAN countries (e.g. the Philippines, Cambodia, Myanmar, and Lao PDR) are nested in the medium human development category. The three different categorizations are also a reflection of economic capacities.

However, the UN Women Report (2022) also finds that a rise in representation in parliaments is visible albeit in certain ASEAN countries only. To illustrate this, Indonesia, a nation of 275,77 million people (Badan Pusat Statistik, 2022), witnessed the succession of its first female president in 2001. If we take a look at the Philippines, two female presidents were elected respectively in 1986 (Gloria Macapagal Arroyo) and 2001 (Corazon Aquino). Later on, Singapore joined the movement by electing its first female President in 2017. This discussion is important because gender equality and women's empowerment are central to the 2030 Agenda for Sustainable Development and the Community Vision 2025 of the Association for Southeast Asian Nations (ASEAN) (UN Women, 2022).

The following section will look at some ongoing challenges for women in attaining leadership positions and ways we can break the 'glass ceiling' by discussing women's participation in leadership positions in ASEAN.

B. Gender Bias and Second-generation Gender Bias

The gender bias debate has long argued over its root causes and impact on society. One of the reasons for this is the notion of "gendered-underpinnings" (Zulver, 2022) or stereotyping. As Rothchild (2007) explains, gender bias is a behavior that favors one gender over the other. Further, gender bias can also be seen as a relic of gender norms that are shaped by noninstitutional forces, which include parents, peers, and role models (Damann et al., 2023). Their research also highlights a geospatial finding in which individuals who reside in places that historically favored men over women display more pro-male bias today than those who live in places where gender relations were more egalitarian centuries ago. This study advocates for a further study of cultural legacies which sustain and perpetuate gender inequality which exists until today. The findings of Daman et al. (2023) should serve as a crucial reference for policymakers as it forces us to revisit and intensify approaches that can quickly terminate gender biases.

However, the gender debate has developed. Gender bias has now entered a second-generation gender bias. It differs in the level of the explicitness of the bias. The second-generation gender bias is argued to be a "less explicit and often unintentional" form of gender bias that derives from the perception of society (Rifkin, 2023). As such, second-generation gender bias has become embedded deeper, making it difficult to approach. Even further, most women are unaware of having personally been victims of gender discrimination and deny it even when it is objectively true. They see that women, in general, experience it (Ibarra et al., 2013). This reality makes the issue of women in leadership difficult to investigate due to the lack of a push to understand second-generation gender bias. As well as this, women become more prone to existing prevalent stereotypes of what it means to be a woman.

This challenge means that our usual approaches to understanding gender bias must also adjust. Most of the narratives explaining this second-generation gender bias will have

originated from the West (Elmuti et al., 2009; Medie & Kang, 2018), which requires the attention of Global South scholars to expand the debate to touch on the experiences of other regions such as ASEAN. The current debate has yet to explain how historical aspects influence the pace of policy changes in ASEAN which inserts women in leadership positions. Nor has it explained why certain countries in ASEAN fare better off in terms of gender equality.

C. Improper Affirmative Action is Better than No Affirmative Action?

Sinpeng and Savirani (2022) advocate for affirmative action and argue that these policies work no matter how improperly they are applied. They (2022) argue that affirmative action increases women's representation in politics in both the formal political and grassroots arenas and promotes a more gender-sensitive organizational environment. While much of the literature points to the effectiveness of the tool in increasing the percentage of women in parliament, others would challenge that quotas alone are not sufficient (Strachan & Haider, 2015). The percentages of women in parliament are not direct translations of greater decision-making powers. There is still a need to advocate for the mainstreaming of gender in institutions (Strachan & Haider, 2015). If we are to ensure that women can participate on an equal basis with men, have equal rights, and have an equal voice and influence in the decisions that affect their lives, the UN Sustainable Development Goals (SDGs) require all programs to reflect the anticipated changes and benefits for both women and men (United Nations, 2019). Therefore, without a holistic programmatic approach, mainstreaming efforts still have a long way to go.

However, affirmative action is a concept that lacks a uniform definition which means that different regions or social groups will define the term differently (United Nations, 2022). In their report, they bring to the surface the issue of a two-class theory that highlights who benefits the most from the action. As an illustration, although a certain affirmative action is directed towards women, it benefits middle-class white women and not Hispanics, Asian Americans, or ethnic groups (United Nations, 2022). What this tells us is that occasionally affirmative actions will impact groups and communities in different ways. Furthermore, without appropriate attention directed toward the result of the two-class theory, it may sever the social fabric which bonds communities together (United Nations, 2022).

In the context of ASEAN, we have witnessed numerous states appointing female heads of government in the past. This is indicative of progressive empowerment policies. However, there lies a few challenges. Firstly, avoiding procedural feminism and converting leadership into power. Strachan & Haider (2015) makes a note of how quotas are not a sufficient reflection of progressing women into leadership positions. However, this article argues that the concept of quotas is still a much-needed effort in kick-starting empowerment. Secondly, mainstreaming gender across critical sectors. This points towards the need to look at ways we can eliminate institutions that are the biggest barriers to women's political leadership and, instead, expand the arena for women's leadership to thrive.

D. Joining Forces Across Communities

Global South feminists are greatly under-represented (Medie & Kang, 2018). This article proposes collaboration among women across all fields of work with the aim to "transform current political systems (Strachan & Haider, 2015)", and at the same time, reshape the debate about women in leadership roles. By bringing together feminist movements and academia, there is greater hope for a transformative effect across politics and institutions. Hence, while the debate is rapidly developing and progressing across the region, there is still a need to come together and orchestrate a solidified narrative. This can be reflected in the slogan "diverse but not dispersed," which signified more than just a slogan (Korol, 2017). This slogan was seen throughout the 14th Latin American and Caribbean Feminist Encuentro in Montevideo, Argentina, which brought together 2,200 feminists from all over Latin America as well as several European countries. What it signified was the need to look for a "common ground" (Korol, 2017) but at the same time acknowledge the various identities, possibilities, and opportunities.

There is a lesson to be learned from Zulver's (2022) observation of grassroots women's organizations that united in demanding gender justice during and in the aftermath of Colombia's armed conflict in Colombia. It was observed that women are able to surmount the barriers to mobilization when they frame their actions in terms of resistance rather than fear. However, we also want to avoid violence, war, and oppression as a catalyst for these movements. Therefore the challenge is to strike the delicate balance between

proactive and reactive and systematically cumulate the much-needed resistance that can transform political systems.

Whether the problem lies in the aforementioned illustrations (e.g., second-generation bias or improper affirmative action), there is more to be gained from joining forces. We can start with the startling fact that scholarship on issues of women, gender, and politics is greatly lacking and imbalanced (Medie & Kang, 2018). On the other hand, feminist movements still struggle to achieve common denominators around which to build dialogue and collective action (Korol, 2017). Despite the rich potential benefits to be had from collaborations among practitioners and academic communities, there is a general sense that such exchanges happen much less frequently than they could (Martel et al., 2021). International organizations, research institutes, and councils are looking into knowledge partnerships, community-based partnerships, and civil society organization (CSO) collaborations, which could be a positive foundation for joining forces and creating the resistance needed to hurdle the many barriers women face in leadership.

The challenge of breaking the glass ceiling is one that cannot be fought alone. Women in leadership today face a different debate than we are used to. Gender-based discrimination may be illegal in some places. However, gender bias has evolved into more complex forms and is even more difficult to untangle as it pivots on our own conscience. Streamlining affirmative actions is necessary to ensure that there is participation on an equal basis, equal rights, and equal voices, as well as influence in the decisions that affect the lives of women. There is also the need to address under-represented voices in the context of the Global South through joint forces where collaborations are initiated amongst practitioners and academic communities. However, as illustrated in the discussion on gender bias, the real challenge is in ourselves.

References

Badan Pusat Statistik. (2022). *Statistik Indonesia 2022*. Badan Pusat Statistik Indonesia.

Damann, T. J., Siow, J., & Tavits, M. (2023). Persistence of Gender Biases in Europe. *Proceedings of the National Academy of Sciences*, *120*(12). https://doi.org/10.1073/pnas.2213266120

Elmuti, D., Jia, H., & Davis, H. H. (2009). Challenges Women Face in Leadership Positions and Organizational Effectiveness: An Investigation. *Journal of Leadership Education*, *8*(2).

Helfat, C. E., Harris, D., & Wolfson, P. J. (2006). The Pipeline to the Top: Women and Men in the Top Executive Ranks of U.S. Corporations. *Academy of Management Perspectives*, *20*(4), 42–64.

Ibarra, H., Ely, R. J., & Kolb, D. (2013). *Educate Everyone About Second-Generation Gender Bias*. Harvard Business Review; Harvard Business Publishing. https://hbr.org/2013/08/educate-everyone-about-second

Korol, C. (2017). *Feminists: "Diverse but not dispersed."* Association for Women's Rights in Development (AWID); AWID. https://www.awid.org/news-and-analysis/feminists-diverse-not-dispersed

Loden, M. (2017, December 13). 100 Women: "Why I invented the glass ceiling phrase." *BBC News*. https://www.bbc.com/news/world-42026266

MartelA., Reilly-King, F., & Baruah, B. (2021). Next Generation of knowledge partnerships for global development. *Canadian Journal of Development Studies*, *42*(3), 253–273. https://doi.org/10.1080/02255189.2021.1919065

Medie, P. A., & Kang, A. J. (2018). Power, knowledge and the politics of gender in the Global South. *European Journal of Politics and Gender*, *1*(1-2), 37–54. https://doi.org/10.1332/251510818X15272520831157

Rifkin, G. (2023). *Second-Generation Gender Bias*. Korn Ferry. https://www.kornferry.com/insights/briefings-magazine/issue-23/second-generation-gender-bias

Rothchild, J. (2007). Gender Bias. *The Blackwell Encyclopedia of Sociology*. https://doi.org/10.1002/9781405165518

Sinpeng, A., & Savirani, A. (2022). *Women's political leadership in the ASEAN region*. Westminster Foundation for Democracy.

Strachan , A. L., & Haider, H. (2015). *Gender and Conflict*. GSDRC Applied Knowledge Services.

UN Women. (2022). *Women's Leadership in the ASEAN Region*. UN Women: Women Count.

UNESCAP. (2021). *The Covid-19 Pandemic and Violence Against Women in Asia and the Pacific*. United Nations Economic and Social Commission for Asia and the Pacific.

United Nations. (2019). *UN Sustainable Development Goals: Gender Mainstreaming* (pp. 1–3). United Nations.

United Nations. (2022). *Prevention of Discrimination: The Concept and Practice of Affirmative Action*. United Nations Commission on Human Rights.

United Nations Development Program. (2023). *Gender Inequality Index*. Human Development Reports; UNDP. https://hdr.undp.org/data-center/thematic-composite-indices/gender-inequality-index#/indicies/GII

Zulver, J. M. (2022). *High-Risk Feminism in Colombia: Women's Mobilization in Violent Contexts*. Rutgers University Press.

CHAPTER 4

Exploring Women Empowerment and Child Protection through the Discourse and Policy Addressing Unpaid Care Work and Migration in ASEAN

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Abstract

This article aims to describe the situation of unpaid care work that is intertwined with the issue of female migrant workers in the ASEAN region. The analysis provided is to comprehend the extent to which the policies promoting women's empowerment and child protection have been formulated. The main aspects discussed include 1) gender issues in the migration context that are seen as the input and at once output of the reproduction of stereotypical perspective on care works; 2) the role of existing policies addressing gender and unpaid care work issues in intra migration of ASEAN and the future opportunities for improvement. Therefore, this article enriches the studies advocating the care policy that encourages gender transformative change amidst the rapid economic growth in the ASEAN region.

Keywords: gender, ASEAN, unpaid care work, care policy

A. Introduction

The issue around unpaid care work has been widely discussed to examine whether gender-based policy is applied effectively, including in the ASEAN context (UN ESCAP, 2021; Narayan, 2017: Peng, 2018). As part of the 2030 Agenda for Sustainable Development, unpaid care work has become one of the concerns of ASEAN. The initiative is also in line with the commitment to accelerate women's economic empowerment and gender equality in the region (UN ESCAP, 2021). Seen through the gender lens, unpaid care work could be a significant obstacle for women to achieve equal opportunity in the labor market (Asriani & Herni, 2019; Karimli et al., 2016). Statistically, women spend four times much more than men in care work, which is not recognized economically (King-Dejardin, 2019). In addition, since care workers are

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linked with gender stereotypes, the international division of the labor system often associates women with jobs in the domestic sectors (Gammage & Stevanovic, 2019; Dewi, 2022). This is also seen in the phenomena of migration, in which women account for about half of the estimated 6.9 million intra-ASEAN migrant workers (UN Women, 2017). The majority of female migrant workers are employed in households as domestic workers or caregivers with little education and few skills (UN ESCAP 2021).

In some cases, although women continue to participate in the international labor market, female migrant workers remain vulnerable to face discrimination, exploitation, and sexual violence (Asriani & Amalia, 2016; Sukesi, 2018). The implications of the issues surrounding the care works of migration are also intergenerational because the potential of financial remittances will lead to the work situation of migrants as a determinant factor of family welfare. Thus, legal protection specifically addressing the feminized sector of migration is urgently needed, not only for the sake of women's empowerment but also for the well-being of all entities behind women, such as children, other family members, and the wider community.

In the meantime, in regard to the trend of the aging population, which drives the high demand for care policy development, care-based works could be considered as one of the categories for the future of work (Ophir & Polos, 2022). It is estimated that the world's population of persons aged 60 and up will double (2.1 billion) by 2050. The number of people aged 80 and more is predicted to treble between 2020 and 2050, reaching 426 million (WHO, 2022). This trend shows the chance for the care economy to develop. However, the stereotypical perspectives on care work areas followed by various right violation issues give rise to a discussion about the action of relevant policy that creates a breakthrough for the transformation of the cultural view and then the care policy structure itself.

At the ASEAN level, the commitment to end violence against women and children has been written in the Declaration on the Elimination of Violence Against that is derived from CEDAW. This document is also used to develop a regional plan to end violence against children that can be referred to by all country members to identify the issue and potential approaches regarding women empowerment and child protection. On the specific issue of migration and care work, there is an analytical report focusing on

unpaid care works written by UN ESCAP (2021) that has described the relevance and urgency of care policy in the ASEAN region. These documents may reflect the initial initiatives that could be put as the foundation for further studies on unpaid care works in the ASEAN context, which is also in line with the efforts to comprehend gender issues in general at the regional level.

Therefore, the current study will look at the specific aspects, such as 1) the dominant gender issues of migration that are linked with the discourse of unpaid care works, including the impacts of those issues on the intergenerational context; 3) the role of existing policies addressing gender and unpaid care work issues in intra migration of ASEAN and the future opportunities for improvement.

B. A Context and Perspective

ASEAN is a bilateral organization that aims to enhance economic growth in the Southeast Asian region. Specifically, regional commitments that are formulated into various strategies to increase productivity and participation in the global market have been written in the ASEAN Economic Community Blueprint (2025). One of the leading commodities that also has good growth potential is services. This is also related to the potential of the tourism industry, and the resources of migrant workers can be supplied by certain member countries (Tuccio & Michele, 2023).

Meanwhile, the growth of the service sector is an inherent characteristic of post-industrial society, where there has been a significant change in the meaning of public and domestic activities. In general, the domestic sector is considered a place where service-based activities that are then called unpaid care work are reproduced. Unpaid care work itself is divided into two categories: direct, personal, and relational care activities, such as feeding a baby or nursing an ill partner, and indirect care activities, such as cooking and cleaning (ILO 2019). In a patriarchal society, all of these care activities are associated with women, which are unrecognized monetarily.

However, in a post-industrial society, where care has become a business commodity (Farris, 2020), many women are offered to 'leave their home' to capitalize on their services, including women migrant workers. The question is: if women move to the labor market, then who will carry out care work in the household? More complexly, if previously domestic work was considered natural and therefore unpaid, then how to

determine the wage standard for care work that is transacted in the public sector? These questions then also became a matter of discussion in the process of formulating care policy (Tolstokorova, 2009). In the context of migrant workers, care policy is challenged to not only create a protection mechanism but also become a breakthrough to eliminate the biased perspective on care work (King-Dejardin, 2019; Martínez-Pastor et al., 2022; Rubery, 2015). This also refers to the fact that society still sees care work as part of domestic activities that are not valuable. Thus, migrant workers tend to be underpaid and experience a lot of discrimination.

Through a 'universal caregiver' perspective, Fraser (1994) seeks to explain how to create a care policy strategy that emphasizes the principle of equality. 'Universal caregiving' is an approach where women's life experiences become the basis for regulating gender relations in the care sector itself. 'Universal caregivers' is an alternative approach offered to respond to two (existing) forms of care policy called 'universal breadwinner' and 'partial caregiver'. Universal 'breadwinner' policies include the development of infrastructures (like daycare) that can be used to help women cope with their domestic burdens when they work. Meanwhile, 'a partial caregiver' can be found in a policy allowing the transfer of compensation for domestic work through cash flow assistance. According to Fraser, although those approaches can provide benefits, both policy frameworks still associate the domestic burden with women and thereby making it difficult to bring about greater transformation. In fact, many women spend their salary to pay for childcare (Nilan & Utari, 2008). Meanwhile, other working women transfer their domestic work to other family members for free (Hammer et al., 2020).

Fraser emphasized that efforts to encourage women's participation in the public sphere need to be followed by attracting men to contribute to the domestic sector. Thus, men can conduct the same combination of activities as women have done so far, which is not only active in the public sphere but also responsible for domestic tasks. Therefore, Fraser describes an alternative approach, namely, 'universal caregivers'. The implementation of parental leave could be an example. Although parental leave is a provision that is biased towards formal work structures, this approach is considered more powerful to help create a change in public perception of domestic work. When

everyone has the same opportunity to do domestic work, then care work could be valued equally with other public works

The framework mentioned in this section becomes the foundational review that serves as a roadmap for the analysis of the issue of unpaid care works in the context of migration. This situation is then used to reflect on the characteristics of care policies that have been and could be formulated in the ASEAN context.

C. The (Interrelated) Issues of Unpaid and Low-paid Care Work Affecting Women and Family

The realm of women's care work predominantly affects their families, and it is crucial to understand the gender-related concern within migration in the ASEAN context. The majority of domestic worker migrant women in Malaysia come from Cambodia, Indonesia, and the Philippines. Also, many migrant domestic workers in Singapore come from Indonesia, Myanmar, and the Philippines. Paid care work is often the only choice for poor women, although it is often low-paid and performed in precarious settings with low labor rights or social security. This intensifies poverty for those people who are already living in it (ILO, 2018). The intra-migration dynamic is influenced by socioeconomic stratification at the country level. Care cycles show the migration of people from low-income countries to nations with higher incomes. In high-income countries, unpaid work is generally assigned to migrant women, women in lower socioeconomic levels, rather than equally allocated between men and women. There are several main issues women's care workers encounter in the migration context.

1. Domestic work risk and low social security

Care workers are vulnerable due to structural issues like low protection and low pay, which influence their interaction with families in their home country. There are interactions between care workers and care recipients often exhibit good outcomes, but they can also present challenges and emotional complexities. Care workers can encounter instances of violence and harassment. Domestic workers frequently encounter exclusion from the legal framework of labor laws, and even when they are afforded some protection, they may not effectively benefit from such safeguards due to their engagement in informal work arrangements (ILO, 2018). The separation from their own families and support networks further exacerbates the struggles faced by

female migrant care workers. Migrants often endure isolation, both physically and emotionally, heightening their vulnerability to mental health issues (Dejardin, 2019).

2. Unfinished Double burdens

Those working in the public sector still have responsibility for domestic tasks. The ILO has reported that women in Asia and the Pacific have the greatest double burden of total work, encompassing both unpaid care responsibilities and paid employment, compared to other regions and the global average. As also reported, the time-use data from Cambodia and Thailand reveals that women allocate about 50 percent of their working time to domestic tasks and caregiving responsibilities (UN ESCAP, 2021; Stefanović, 2023). This finding highlights the presence of a double burden experienced by women in ASEAN.

3. Intergenerational transfer of unpaid care works

The burdens of unpaid care work are transferred to the mother or daughter of female workers, including female migrant workers. Thus, unpaid care work remains associated with women, which is invaluable economically. According to UNICEF, girls aged 5–9 and 10–14 spend 30% and 50% more time on home tasks than boys of the same age globally. In some cases, gender gaps are larger. Girls aged 5–14 in South Asia spend roughly twice as much time on household duties as boys (UNICEF, 2016). Household jobs rarely earn community acknowledgment, like income-generating activities. Thus, girls' contributions are undervalued. This damages their self-esteem and self-worth, also playtime, socializing, and studying are similarly limited by chores for girls. Caring for sick or elderly family members gives females mature obligations learned by girls since they were young.

4. Cycle of poverty

Since domestic tasks are not recognized equally with other public-based activities, all female-related works are relatively lower pay. Thus, it is more difficult for women to increase their welfare situation. According to region UN ESCAP report, while women migrant workers in ASEAN earn less than males, they contribute more to the destination nations' economies. Moreover, women are more likely than men to send remittances home. For example, in the 2018 Philippines migration survey, 11% of

female respondents reported sending remittances in the last year, compared to 9% of men (UN ESCAP, 2021).

In the case of Indonesian young women migrant workers, typically around the age of twenty, frequently find themselves compelled to engage in migrant labor as a result of familial situations. Their parents had embarked on intra-migration, so young people in the area believed in that route to gain money. Although, young people get better education compared to their parents. The intricate dynamics, including familial hopes, economic considerations, and the perceived importance of education, exert a significant influence on the decision-making process of young women who opt to pursue migrant employment, even in the face of their own educational aspirations (Khoo & Yeoh, 2017).

5. Neglect of children and other dependents

The absence of women/caregivers at home will influence the quality of caring should be given to family members. For some points, the child/other dependent neglect could be considered domestic violence. Based on the BP3MI (Indonesian Migrant Worker Protection Service Center) report of 2020, about 51% of Indonesian migrant workers (PMI) work in the informal sector, and roughly 61% of them are married. This means that many of them are parents who are either married or divorced. The fact that a considerable number of married women among Indonesian migrant workers indicates that a significant portion of these workers were housewives, which leave their children at their homes during the work period. The study by the Social Welfare Research and Development Center found that 66.6% of these substitute caregivers are relatives, such as grandparents, uncles, and aunts. The number of fathers as caregivers is around 32%, while others, including friends and unrelated individuals, remain at 1.4% (Koesbardiati et al., 2022).

Many women migrate primarily to support their families rather than pursue personal aspirations. However, they frequently face societal stigma as migrant workers due to their departure from their families and children. The challenges faced by the children left behind by migrant mothers are interconnected with the prevailing gender inequalities and societal perceptions of motherhood in the culture, which rely on women for nurturing roles within the family structure (IOM Indonesia, 2021).

Children of Indonesian migrants face various challenges, including issues related to parenting, child development, cognitive growth, and instances of children being left behind, which can lead to behavioral problems. Some children are left behind by parents who become Indonesian migrant workers when the kids are as young as less than a year old, and this often results in a shift of caregiving responsibilities to other family members (Koesbardiati et al., 2022). To illustrate, there has been an increase in the number of child marriages during the COVID-19 pandemic in West Nusa Tenggara, Indonesia, and this is significant because children abandoned by their parents to migrate (IOM Indonesia, 2021)

6. Care work issue during COVID-19

Migrant domestic workers encounter heightened vulnerability during the COVID-19 pandemic. Due to the implementation of border closures and the significant repercussions of the pandemic on employment within the domestic service sector, a considerable number of migrant women who were previously employed in this sector have experienced the loss of their primary source of income. Empirical evidence from various nations has demonstrated that migrant domestic workers residing within their workplace premises often persist in performing their duties during quarantine circumstances, even in the absence of compensation. This unfortunate situation not only deprives them of financial resources but also renders them unable to remit funds to their countries of origin (Stefanović, 2023). The women migrant workers need to find a way to survive during the pandemic and also support their families in their home country.

D. Care Policy in ASEAN Countries: What is the Gap?

When referring to the documentation of care policies carried out by UN ESCAP (2021), there are varied policies implemented among ASEAN member countries. However, the majority produce social insurance and cash transfers to mitigate the risk of poverty and social inequality. For social insurance, the assistance scheme generally covers health expenses, work accident insurance, and pensions. In a more specific context, like gender issues, cash flow assistance is provided for pregnant women and children. This scheme could be found in Myanmar through the 'Maternal and Child Cash Transfer Program', and in Indonesia through the 'Program Keluarga Harapan' (PKH) (UN ESCAP 2021).

However, several studies show that the implementation of social insurance and cash flow transfer is less effective in driving gender transformation (Cha et al., 2016; Yu et al., 2015). In some cases, women have fewer opportunities to access the program as well as its benefits. For example, in the Indonesian context, which is reflected in the issues around PKH, the women's ability to access money is not followed by their capacity as the decision maker in the family (Syukri, 2013). This is related to the patriarchal norms that subordinate women. Another study found that the implementation of PKH even reproduces double burdens for women (Yuda & Rezza 2021). This case was especially found during the COVID-19 pandemic. The restriction policy increased domestic work as all activities were only done at home. Millions of people also lost their jobs (OECD, 2020). Thus, cash transfer assistance became the important foundation of the family. In this case, the position of women as recipients of cash transfers was important. However, only women performing care work at the household were selected as the recipient. In this case, the cash transfer recipient did not only extend the stereotype of care workers but also justified the multiple tasks that women should carry out (Yuda & Rezza, 2021).

In addition, cash transfer assistance distributed to women could be sexist and legitimize the norms constructed by heteronormative society. Requirements for recipients (like in PKH), which often relate to pregnancy and caregiving responsibilities, always refer to married women (Suharto & Thamrin, 2012). Thus, in some cases, single mothers who are the primary breadwinners often find it difficult to access the benefits with equal ease (Tomaro et al., 2021). Meanwhile, in the group of female migrant workers, most of them are the primary breadwinners regardless of whether they are married. Some are also single mothers. In this context, as Fraser points out, care policies that prioritize competition for care works *(partial caregiver)* are not effective enough to address the root causes of inequality stimulated by issues around unpaid care work.

Meanwhile, in several ASEAN countries, the initiation and establishment of parental leave has emerged. But unfortunately, its implementation still appears complementary. This can be seen from the period of maternity leave given to fathers is much less than the leave for mothers. The average maternity leave for mothers is between 90-180 days. However, the maximum paternity leave is only about 15 days. Filing for parental leave for fathers is also not taken for granted, but through certain requirements (UN ESCAP 2021). In some countries, such as Indonesia, paternity leave for fathers is still

controversial (Fauzi et al., 2020). In this case, although the idea of parental leave is mentioned as one of the manifestations of a fairly comprehensive care policy, its implementation in the ASEAN context is quite challenging. The cultural character of ASEAN communities, which is still dominated by patriarchal norms, could be a fundamental issue. Meanwhile, patriarchy never stands alone (Walby, 1989). The evolution of patriarchy can strengthen along with its attachment to other elements such as capitalism, customs, and religion. For some points, the 'universal caregiver' has been criticized as a Western-biased perspective. Thus, it is more challenging to implement in the Global South countries, which has more complex cultural constraint (Mudzakkir, 2021). However, another study shows that there are different cultural practices of care that reflect the potential framework for a gender-based policy agenda (Jakimow et.al 2019). Thus, the integration of the global perspective on care policy and local context is an important issue that could be elaborated further for a better ASEAN.

E. Critical Note

Addressing gender issues in care worker migration requires a paradigm shift in policy and public perception. Comprehensive legal frameworks must be implemented to protect the rights of women migrant care workers, ensuring fair wages, decent working conditions, and avenues for grievance redressal. Additionally, social support systems should be established to address the well-being of their children, guaranteeing access to education, healthcare, and emotional support. By recognizing the value of women's contributions in the care work sector, ASEAN countries can foster a more equitable and secure environment for both workers and their families.

References

Asriani, D. D., & Amalia, E. (2016). Jejak Perempuan Buruh Migran dalam Masyarakat ASEAN 2015. *Jurnal Ilmu Sosial Dan Ilmu Politik*. https://doi.org/10.22146/jsp.13129

Asriani, D. D., & Herni, R. (2019). *Examining women's role in the future of work in Indonesia*.

Cha, R. C. M., Foster, L., & Yu, S. W. K. (2016). Defamilisation and familisation measures: Can they reduce the adverse effects of pro-market pension reforms on women in Hong Kong and the UK? *Critical Social Policy*, *36*(2). https://doi.org/10.1177/0261018315621989

Dejardin, A. King. (2019). *The social construction of migrant care work : at the intersection of care, migration and gender*. ILO.

Dewi, E. (2022). Indonesian Women Migrant Workers: Standing in the Midst of Femininity and Masculinity. In *Local Responses to Global Challenges in Southeast Asia: A Transregional Studies Reader*. https://doi.org/10.1142/9789811256462_0020

Farris, S. R. (2020). The business of care: Private placement agencies and female migrant workers in London. *Gender, Work and Organization*, *27*(6). https://doi.org/10.1111/gwao.12520

Fauzi, F., Ashilah, A. A., & Maisaroh, M. (2020). The polemic of the controversial articles on the Family Resilience bill from the perspective of Islamic law, psychology, and social communication. *Ijtihad : Jurnal Wacana Hukum Islam Dan Kemanusiaan*, *20*(1). https://doi.org/10.18326/ijtihad.v20i1.115-146

Fraser, N. (1994). After The Family Wage: Gender Equity and the Welfare State. *Political Theory*, *22*(4). https://doi.org/10.1177/0090591794022004003

Gammage, S., & Stevanovic, N. (2019). Gender, migration and care deficits: what role for the sustainable development goals? *Journal of Ethnic and Migration Studies*, *45*(14), 2600–2620. https://doi.org/10.1080/1369183X.2018.1456751

Hammer, B., Spitzer, S., Vargha, L., & Istenič, T. (2020). The gender dimension of intergenerational transfers in Europe. *Journal of the Economics of Ageing*, *15*. https://doi.org/10.1016/j.jeoa.2019.100234

ILO. (2018). *CARE WORK AND CARE JOBS FOR THE FUTURE OF DECENT WORK*. https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_633135.pdf

IOM Indonesia. (2021, October 12). *Pandemi COVID-19 dan Risiko yang Dihadapi oleh Anak-Pekerja Migran Indonesia yang ditinggalkan Bermigrasi*. IOM Indonesia. https://indonesia.iom.int/id/news/pandemi-covid-19-dan-risiko-yang-dihadapi-oleh-anak-pekerja-migran-indonesia-yang-ditinggalkan-bermigrasi

Jakimow, T., Dewi, K. H., & Siahaan, A. Y. (2019). The Ethics of Social Care in Indonesia: Women's Perspectives on Care in Politics, Development and Policy*. *Asian Studies Review*, *43*(2). https://doi.org/10.1080/10357823.2019.1586830

Karimli, L., Samman, E., Rost, L., & Kidder, T. (2016). Factors and norms influencing unpaid care work. *Oxfam*, *November*.

Khoo, C. Y., & Yeoh, B. S. A. (2017). Responsible adults-in-the-making: Intergenerational impact of parental migration on Indonesian young women's aspirational capacity. *Geoforum*, *85*, 280–289. https://doi.org/10.1016/j.geoforum.2017.08.005

King-Dejardin, A. (2019). The Social Construction of Migrant Work: At the Intersection of Care, Migration and Gender. In *International Labour Organization Report*.

Koesbardiati, T., Endah Kinasih, S., Bayu Murti, D., Ida, R., & Wahyudi, I. (2022). *Tata Kelola Kolaboratif dalam Penanganan Permasalahan Anak Pekerja Migran Collaborative Governance in Handling Migrant Worker Child Problems* (Vol. 3, Issue 1). https://e-journal.unair.ac.id/JGAR/index

Martínez-Pastor, J. I., Jurado-Guerrero, T., Fernández-Lozano, I., & Castellanos-Serrano, C. (2022). Caring fathers in Europe: Toward universal caregiver families? *Gender, Work and Organization*. https://doi.org/10.1111/gwao.12948

Mudzakkir, A. (2021). Feminisme Kritis: Gender dan Kapitalisme dalam Pemikiran Nancy Fraser. Gramedia Pustaka Utama. Jakarta

Narayan, L. (2017). Contextualizing unpaid care work and women empowerment. *International Journal of Applied Research*, *3*(7), 654–659.

Nilan, P., & Utari, P. (2008). Meanings of work for female media and communication workers. In *Women and Work in Indonesia*. https://doi.org/10.4324/9780203932360

OECD. (2020). The impact of the COVID-19 pandemic on jobs and incomes in G20 economies. *ILO-OECD Paper Prepared at the Request of G20 Leaders Saudi Arabia's G20 Presidency 2020*.

Ophir, A., & Polos, J. (2022). Care Life Expectancy: Gender and Unpaid Work in the Context of Population Aging. In *Population Research and Policy Review* (Vol. 41, Issue 1). Springer Netherlands. https://doi.org/10.1007/s11113-021-09640-z

Peng, I. (2018). Shaping and Reshaping Care and Migration in East and Southeast Asia. *Critical Sociology*, *44*(7–8). https://doi.org/10.1177/0896920518758878

Rubery, J. (2015). Regulating for Gender Equality: A Policy Framework to Support the Universal Caregiver Vision. *Social Politics*, *22*(4). https://doi.org/10.1093/sp/jxv036

Stefanović, A. F. (2023). *Caring in times of COVID-19 A global study on the impact of the pandemic on care work and gender equality*. United Nations .

Suharto, E., & Thamrin, D. (2012). Program Keluarga Harapan (Pkh): Memotong Mata Rantai Kemiskinan Anak Bangsa. *Jurnal Aspirasi*, *3*(1).

Sukesi, K. (2018). Work Condition, Gender Relation And Violence Against Women Migrant Domestic Workers. *MIMBAR : Jurnal Sosial Dan Pembangunan*, *34*(1). https://doi.org/10.29313/mimbar.v34i1.2985

Syukri, M. (2013). Is Conditionality Pro-Women ? A Case Study of Conditional Cash Transfer in Indonesia A Case Study of Conditional Cash Transfer. *SMERU Research Institute Working Paper*, *February*.

Tolstokorova, A. (2009). Who Cares for Carers?: Feminization of Labor Migration from Ukraine and its Impact on Social Welfare. *International Issues & Slovak Foreign Policy Affairs*, *1*.

Tomaro, Q. P. V., Genon, L. J., & Amod, A.-F. (2021). Singled Out: Invisibilization of Single Mothers in Social Welfare and Protection Policies. *Jurnal Studi Pemerintahan*, *12*(2). https://doi.org/10.18196/jgp.122131

Tuccio, & Michele. (2023). *Determinants of Intra-ASEAN Migration. 34*(1), 144–166.

UNICEF. (2016). *Harnessing the Power of Data for Girls Taking stock and looking ahead to 2030*. www.data.unicef.org

UN-ESCAP. (2021). *Addressing Unpaid Care Work in ASEAN*. www.asean.org

Walby, S. (1989). Theorising patriarchy. John Wiley & Sons. New York.

WHO. (2022). *Ageing and health*. https://bit.ly/44f7vaj

Yu, S., Chau, C. M., & Lee, K. M. (2015). Using defamilisation typologies to study the Confucian welfare regime. *Journal of International and Comparative Social Policy*, *31*(1). https://doi.org/10.1080/21699763.2014.992457

Yuda, T. K., & Rezza, M. (2021). The forms of decommodification and (de)familisation measures during COVID-19: What is the impact on female's welfare? In *Public Administration and Development* (Vol. 41, Issue 3). https://doi.org/10.1002/pad.1955

CHAPTER 5

Safeguarding Children's Rights Online in ASEAN: A Shared Responsibility

Dio Herdiawan Tobing[6]

Abstract

This chapter delves into the role of various ASEAN stakeholders, particularly online platforms, in ensuring children's online safety. The adoption of declarations and guidelines by ASEAN and global entities reflects a commitment to safeguarding children. However, little progress is seen in the industry's involvement. A Digital Inclusion Benchmark reveals only limited improvements in companies' commitment to child online safety. To fortify children's online safety, a multi-pronged approach is recommended by this paper. This includes child-friendly platform design, comprehensive online education, monitoring of private sector efforts, and fostering innovation to adapt to technological shifts.

Keywords: digital inclusion, online safety, social media, child protection

A. Children and Digital Space

The interlinkage between children and digital space is inseparable, particularly at the onset of the COVID-19 pandemic, which revealed the importance of the internet, noting the shift of formal and informal learning to online mode, pushing children to adapt accordingly regardless of the equity in access to digital infrastructure and literacy. Globally, inequality persisted as only one-third of children and young people are exposed to internet access at home, with a stark gap of 87 percent coverage in high-income countries and only 6 percent coverage in low-income countries. In East Asia and the Pacific, which also encompass countries in ASEAN, the figure fared better, with close to 60 percent of school-age children having internet access at home.

Although infrastructure penetration may reveal a widespread adoption of online consumption amongst children in East Asia and the Pacific, the question remains in ensuring kids have safe access to the network assured by instilled literacy while surfing the internet. According to a recent study carried out by UNICEF spotlighting Cambodia, Indonesia, Lao PDR, Timor Leste, and Viet Nam, adolescents in these countries only master basic digital competencies, ranging from performing online searches to

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entertainment/content consumption. Nevertheless, limited literacy amongst children and adolescents is undeniably amongst the myriad factors of how and why children are prone to be exposed to online violence.

In terms of respective domestic legislation, inconsistencies were found with regard to the online safety of children across ASEAN. The term child pornography is not outrightly defined in Indonesia, Lao PDR, Malaysia, Myanmar, Singapore, and Viet Nam, with only four ASEAN countries (i.e., Brunei Darussalam, Malaysia, the Philippines, and Singapore) having legal frameworks to address sexual grooming, as well as only two own cyberbullying-related policies systematically infused to school systems (i.e., Philippines and Singapore). Regionally, among ASEAN countries, only Cambodia, the Philippines, and Thailand had a global alliance with international law enforcement initiatives on child safety. Specifically pertaining to content regulation, only the Philippines legislates Internet Service Providers (ISP) to flag inappropriate content for children.

In addition, according to the 2022 Child Online Safety Index (COSI) released by DQ Institute, more needs to be done for Cambodia, Indonesia, and Lao PDR in terms of safeguarding children's safety online. In the case of Cambodia, the company's digital-ESG policies and regulations, as well as technology infrastructure, have yet to adequately assure children's safety online. In Indonesia, more efforts need to be provided to enhance children's digital competencies, company digital-ESG, and policies and regulations. Meanwhile, in Lao PDR, scores in all indicators[7] are below the global average. A stark gap was observable with above-average COSI scores recorded in Malaysia, the Philippines, Singapore, Thailand, Viet Nam.

Such gaps in domestic legislation and global indexing accentuate a pressing need for the remaining ASEAN countries to produce a joint commitment to safeguarding the safety of children online. In 2019, at the occasion of the 35th ASEAN Summit, the Declaration on the Protection of Children from all Forms of Online Exploitation and Abuse in ASEAN was adopted in Bangkok, Thailand. The Declaration serves as an embodiment of continued commitment to the region to shield the children's safety online. Prior to the adoption of this Declaration, the Declaration on the Elimination of Violence Against

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[7] The COSI encompass six indicators to assess their index score, namely on: i) children's digital competencies, ii) family support, iii) school education, iv) company digital-ESG, v) policies and regulations, and vi) technology infrastructure.

Women and the Elimination of Violence Against Children in ASEAN was adopted in 2013, followed by the adoption of the ASEAN Regional Plan of Action on the Elimination of Violence Against Children in 2015. Specifically, the Declaration committed to protecting children from online exploitation and abuse through reinforcing domestic legislation, equipping law enforcement, striving to establish a national specialized unit to lead, support, and coordinate investigations, improving the effectiveness of social welfare programs, fortifying data collection and monitoring, encourage national education programs and school curricula as part of awareness building, as well as mobilize necessary resources and engagement from private sector and other relevant stakeholders, particularly through regulations, corporate social responsibility, and jointly work to detect, take down, and report illegal contents related to child sexual abuse and exploitation.

While the Declaration posited the engagement with stakeholders at the final part of the commitment, private sectors, particularly online platforms, can play key roles in protecting children online, noting its bandwidth of adolescent users. Based on a study on Zoomers Digital Insights conducted in 2022, YouTube is the primary digital showroom used by adolescents. In addition, according to UNICEF's study titled *Our Lives Online: Use of social media by children and adolescents in East Asia: Opportunities, Risks, and Harms* that particularly studied children in Cambodia, Indonesia, Malaysia, and Thailand in 2019 reported that most children in the region commonly use Instagram, WhatsApp, Facebook Messenger, and Google. However, parents' guidance may be limited in monitoring the children's activities as they shield their privacy by deleting their messages upon returning their parents' devices. Meanwhile, as online platforms strive to boost their users' screen time to garner profits, such orientation may not sit well with children's safety online which corresponds with healthy boundaries enforced through monitoring and guidance performed by the parents. On this, frontline practitioners and parents interviewed by the study also highlighted screen time as a key concern that increases children's addiction. Such addiction, arguably, needs to be accompanied by a high level of online literacy. The study underscored the importance of instilling resiliency in the children to "make appropriate choices when using social media" by having skills such as communication, conflict resolution, and self-efficacy, thereby mitigating their exposure to online violence.

In a similar vein, the definitive roles of private sectors have been acknowledged globally through the issuance of international guidelines highlighting how industries can help foster children's safety online. In 2015, UNICEF released *Guidelines for Industry on Child Online Protection,* which specify five key areas to protect and promote children's rights where companies can take actions to protect children's safety while using information, communication, and technology (ICTs) and encourage positive use of ICTs. These five areas can be performed through integrating child rights considerations into corporate policies and management processes, developing standard processes to handle child sexual abuse material, creating a safer and age-appropriate online environment, educating children, parents, and teachers on children's safety and their responsible use of ICTs, as well as promoting digital technology as a mode for increasing civic engagement. Five years after the issuance of UNICEF's Guidelines, the International Telecommunication Union (ITU) issued Child Online Protection (COP) Guidelines, partnering with the Kingdom of Saudi Arabia, which also come with Online Safety Course with Sango in six official UN languages, designed for children to equip them with the knowledge to empower and share their rights and responsibilities online. While it specifies that it also targets the ICT industry as part of the Guidelines' audience, the COP training for the ICT industry has yet to be available on the platform.

However, regardless of the potential significance of the roles of the private sector in regulating content to ensure online safety for children, little effort has been made. The findings from the 2023 Digital Inclusion Benchmark (DIB) released by World Benchmarking Alliance (WBA) revealed that several studied telecommunication and/or ICT companies located in ASEAN could do more to take responsibility for safeguarding online safety for children. At least 8 indicators are measured to arrive at such a result, namely a high-level commitment to child digital safety in business codes or human rights policy, a mechanism for reporting online harms to children, cooperates with authorities on reporting child online abuse, providing content control for its products, partners with third parties on child safety, has a child safety website, supports educational initiatives for child online safety, and any other relevant activity.

B. The Stakeholders' Commitment

Using the abovementioned indicators, not much improvement in the commitment to children's online safety was observable across ASEAN companies included under the

Benchmark in 2023 compared to their performance in 2021. In 2021, 2 out of 9 companies (i.e., Globe and PLDT) had a commitment to children's online safety. In 2023, only 1 additional company (i.e., Singtel) made it out to instill their commitment to safeguarding children's online safety, making a total of 3 companies committed to protecting children online this year. Of these 3 companies, only Globe has a mechanism to report online harm to children, while only Singtel has a child safety website. Of 9 studied companies in 2023, most of them fare better in supporting educational initiatives for child online safety with AIS, AXIATA, Globe, PLDT, and Singtel – 5 out of 9 – show support for these initiatives. On another note, it is important to be precautioned that applications such as GoTo and Grab do not show commitment to child online safety, do not have a mechanism to report online harms to children, do not have a child safety website nor support educational initiatives for child online safety given the rise of super app services embedded in these hailing applications. Meanwhile, Telkom Indonesia, a major state-owned telecommunication enterprise that provides a wide range of network services such as Telkomsel that reaches more than 96% of the population through its cellular network services or its 8.6 million IndiHome subscribers, among others, collaborates with several local video-on-demand (VOD) to attract millennials' engagement also do not show commitment to online children's safety as it does not have a reporting mechanism for online harms targeting children, safety website for children, not support educational initiatives for children safety. Most importantly, it is pivotal to note that without large telecommunication companies' support towards children's online safety, it will be more convoluted to enforce relevant regulation released towards other smaller companies linked to the value chain of these major companies to safeguard children safety online.

Beyond the telecommunication and/or ICT companies located in ASEAN, multinational platforms such as TikTok and Instagram, with a minimum age users requirement of 13 years, also need to have strong enforcement of content regulation. This is noting that Indonesia, Viet Nam, the Philippines, and Thailand are amongst the largest contributors of users for the platform totaling 243.5 million young users. At least one-fifth of TikTok users are also 10-19 years old. Similarly, for Instagram, Indonesia, the Philippines, and Thailand are among the largest 20 contributors of users to the platform totaling 124.0 million young users. In order to have such strong enforcement, as well as the sustainability of the system to enforce protection for the kids online, collaboration

needs to be performed with the government, as well as relevant major telecommunication and/or ICT companies.

Finally, reinforcing online platforms and/or telecommunication companies' commitment to safeguarding children's online safety would require appropriate incentives from the government and/or the market. With that in mind, a multi-pronged approach shall be applied. *First,* educational initiatives should not only be provided to parents and/or front liners but also to the children who access the platform themselves. This can be conducted by incorporating child-friendly design into the platform and/or telecommunication company policies. In this step, private sectors may showcase themselves as the model to enforce this, collaborating with international organizations such as ITU, UNICEF, and/or World Benchmarking Alliance, which such cooperation would instill long-term trust with the parents and frontline workers. *Second,* online literacy shall be nurtured early at the beginning of the life-cycle. In the past, children may need to be advanced in reading and mathematics. Moving forward, the children may be required to be nurtured on how to determine threats and/or harm online, as well as how to respond further to this. In terms of online education, the private and public sectors may co-support such programs through the sharing of provision of funding, substantive materials, and/or discussion on the conduct of online education on children's safety. *Third,* comprehensive monitoring of private companies' records to support the advancement of protection for children's safety will be required to inform the government, particularly those relevant to the Ministry of Women Empowerment and Children, to be able to inform them in making sound decisions of offering incentives for businesses. *Finally,* in order to be able to conduct all three above, business as usual will no longer be an option – as the work towards keeping online safety for children will need innovation and creativity to navigate amidst the continuous changing of technology.

References

ASEAN. 2019. Declaration on the Protection of Children from all Forms of Online Exploitation and Abuse in ASEAN. https://asean.org/wp-content/uploads/2021/01/3-Declaration-on-the-Protection-of-Children-from-all-Forms-of-Online-Exploitation-and-Abuse-in-ASEAN.pdf

DQ Institute. 2022 Child Online Safety Index. https://www.dqinstitute.org/impact-measure/

ITU. 2020. Global Programme on Child Online Protection. https://www.itu-cop-guidelines.com/implementation

Rahamathulla, M. 2021. Cyber Safety of Children in the Association of Southeast Asian Nations (ASEAN) Region: a Critical Review of Legal Frameworks and Policy Implications. International Journal on Child Maltreatment: Research, Policy and Practice. https://link.springer.com/article/10.1007/s42448-021-00087-5

Telkom. 2021. Operational Overview by Business Segment. https://www.telkom.co.id/data/image_upload/page/1664115144194_D.2.3%20Annual%20Report%20FY%202021%20page%20104-120.pdf

Totally Awesome. 2022. The Year of You: Zoomers Digital Insights. https://totallyawesome.tv/wp-content/themes/totallyawesome/assets/images/zoomer-digital-insights/APAC_Zoomers_DI2022.pdf

UNICEF. 2015. Guidelines for Industry on Child Online Protection. https://www.unicef.org/media/66616/file/Industry-Guidelines-for-Online-ChildProtection.pdf

UNICEF. 2020. How many children and young people have access to the internet at home? https://www.unicef.org/media/88381/file/How-many-children-and-young-people-have-internet-access-at-h

UNICEF. 2020. How many children and young people have internet access at home? https://data.unicef.org/resources/children-and-young-people-internet-access-at-home-during-covid19/

UNICEF. 2020. Our Lives Online Use of social media by children and adolescents in East Asia - opportunities, risks and harms. https://www.unicef.org/indonesia/media/3106/file/Our-Lives-Online.pdf

UNICEF. 2023. Girls' Digital Literacy in the East Asia and Pacific Region. https://www.unicef.org/eap/media/13246/file/Girl%20digital%20literacy.pdf

World Benchmarking Alliance. 2023. Digital Inclusion Benchmark 2023 Insights Report. https://assets.worldbenchmarkingalliance.org/app/uploads/2023/04/Digital-Inclusion-Benchmark-2023-insights-report.pdf

World Benchmarking Alliance. 2023. Digital Inclusion Benchmark Rankings. https://www.worldbenchmarkingalliance.org/publication/digital-inclusion/rankings/

CHAPTER 6

Women's Empowerment Through Digital Media

Pulung Setiosuci Perbawani[8]

Abstract

Violence against women has occurred since time immemorial and has become a global epidemic that takes away the physical, psychological, sexual, and economic life of women. A woman must always be alert to threats of violence in various forms during her lifetime, be it from parents, spouses, children, siblings, friends, and strangers. The increasing number of cases of violence against women around the world has prompted the United Nations General Assembly to designate November 25 as the National Day Against Violence Against Women. Not long ago in Indonesia, Law Number 12 of 2022 concerning Crimes of Sexual Violence (UU TPKS) was passed as one of the steps to address the problem of violence against women. However, the issuance of this regulation does not mean that the struggle against violence against women has also ended. Women still need strength to know their rights and have the courage to report the violence they experience. Here, digital media plays a significant role in empowering the women of Indonesia.

Keywords: digital media, gender-based violence, empowerment

A. Violence Against Women: Legal Arrangement and the Obstacles

Gender-based violence is all forms of violence against both men and women because of the gender that a person has. Gender-based violence can happen to both men and women, but women and children are more vulnerable to becoming victims because of the strong existing patriarchal nature.

The UN (1993), in the Declaration on Elimination of Gender-based Violence against Women, defines gender-based violence against women as "any act of gender-based violence that results in or is likely to result in physical or psychological harm or suffering to women, including threats of such acts, coercion, or arbitrary deprivation of liberty whether occurring in public or private life."

Gender-based Violence can take various forms, such as physical, sexual, socio-economic, verbal, and psychological violence. Physical violence is a physical attack against a

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woman that can result in injury or death. Examples of physical violence include pushing, hitting, choking, and attacking with weapons. Sexual violence includes sexual acts such as human trafficking, rape, and assault, usually carried out without the person's consent. Verbal violence means all forms of hate speech directed at women because of their gender. Meanwhile, psychological violence includes psychological violence behavior such as extortion, coercion, intimacy, verbal attacks, character assassination, and economic violence (Akudolu, et al. 2023).

On May 9, 2022, Law Number 12 of 2022 concerning Crimes of Sexual Violence (TPKS Law) was officially promulgated through the state gazette of 2022 Number 120. This bill (RUU) continued to experience controversy for nearly ten years. Sometime after it was approved as a DPR initiative law in 2018, discussion of this bill began to falter. This led to the fact that this bill was not discussed during one DPR period in 2014-2019 and was even removed from the National Legislation Program in 2020. Hopefully, this can accommodate legal arrangements regarding the violence that attacks sexuality, which is still very limited in discussion in the Criminal Code (KUHP) (Maramis, et al., 2023).

Achieving gender equality and women's empowerment is part of the United Nations' Millennium Development Goals (MDG3) and Sustainable Development Goal (SDG5). Sharaunga, Mudhara, and Bogale (2018) define empowerment as a multidimensional process to increase the capacity/capability of an individual or group to make decisions and turn these decisions into actions and desired results.

This chapter is prepared through a literature review and indirect observation of Twitter and ongoing trends. Some cases were chosen as examples to strengthen the argument on the topic presented.

B. The Findings

Despite its long and arduous process, ratifying the TPKS Law is not the final step of the struggle to eliminate violence against women. On the contrary, the TPKS Law is a starting point for a new struggle. The TPKS Law provides an essential new foundation for the movement against violence against women, which is far from over.

One of the tasks that still needs to be carried out is increasing women's empowerment so that victims of violence against women can get justice through the ratified TPKS Law.

This is where digital media plays its role through various figures that have sprung up in cyberspace, fighting to uphold gender equality and women's empowerment.

B. The TPKS Law as The Beginning of The Steps to Eliminate Violence against Women

The passing of the TPKS Law provides a positive signal for preventing and handling cases of violence against women, especially cases of sexual violence in Indonesia, if law enforcement officials adequately implement it. However, several things still need to be done so that the law can be appropriately implemented.

First, this law has not yet formed its derivative regulations. The absence of these derivative regulations means that law enforcement is still ineffective in preventing and overcoming cases of violence regulated in this law. Second, not much socialization has been carried out to related parties to increase legal literacy. Third, there are still many people, especially women themselves, who are not aware of the urgency of passing the law and what they need to know as part of a society that is prone to cases of violence, especially sexual violence.

C. Digital Media and Women's Empowerment

1. Digital media and dissemination of information

It is essential for a rule that is passed to be disseminated to related parties to increase legal literacy. In addition to law enforcement officials, these rules must be socialized to the public. Socialization of the TPKS Law that has been ratified is an essential and urgent thing to do so that all forms of sexual violence can be prevented and will not recur. In today's digital media, various infographics can be found aplenty. Those that summarize the contents of the TPKS Law more excitingly.

2. Digital media and female figures

There are seven potential benefits from using and utilizing digital media by women: increased self-confidence, social status, independence, alternative representation and channels for self-expression, new opportunities in public spaces, and new channels for engagement (Cummings & O'Neil, 2015). For this reason, with the increasingly widespread use of digital media among women, female figures have emerged who are now driving activities to eliminate violence against women.

One of the figures at the forefront of this struggle is Kalis Mardiasih, a weekly columnist from Blora who actively voices women's issues in digital media. Regarding violence against women, Kalis Mardiasih said that being a victim of sexual violence or harassment is not an easy thing. Unfortunately, there are still many women who sometimes are not aware of these various forms of violence. Even more worrying is that even though women know they are victims of violence, many do not have the courage to speak up (Kumparan, 2021).

There are several reasons and causes for victims of violence not having the courage to speak up. Kalis said that many victims did not dare to speak up because Indonesian society adheres to a patriarchal culture, so incidents of sexual violence are still considered a disgrace. Victims often know that they have experienced violence and will not receive justice, so they will not find a way out by speaking up.

Besides Kalis, several other female figures have loudly voiced their resistance to violence against women, such as Andrea Gunawan (@catwomanizer), Gita Savitri Devi (@gitasav), and Hannah Al Rashid (@hannahalrashid). Many things were discussed about women's issues by these people. They start from the stereotypes and stigma often pinned on women, sexual violence, gender injustice, and many more. Apart from wanting to campaign for the importance of women being actively involved in gender equality efforts, these accounts also want to invite women to be more open to new knowledge and experiences among women, which can strengthen one another.

3. Digital media and acceleration of legal processes

It is common knowledge that in the era of digital media like today, the 'virality' of information is an unwritten requirement so that people's complaints can be responded to optimally by those concerned. This phenomenon causes the emergence of a new social exchange rate, namely digital reputation, which is an indicator of one's credibility. As a result, a new social anomaly emerged where public officials were more afraid of their lousy behavior being exposed to the virus than being punished. This is where society then finds the power of digital media, where when the law cannot hold the perpetrators accountable, victims can seek justice through this viral momentum.

Here, digital media plays a role in empowering women because this is where women's voices have a greater possibility of being heard than outside. One of the recently viral movements on digital media related to violence against women is the #metoo movement. In 2017 and 2018, the #MeToo movement spread widely (viral) on social media as the expression 'me too (me too)' experienced violence or sexual harassment (Elindawati, 2017). Before the #MeToo movement, there was the #MulaiBicara movement, which had the same essence as #MeToo, namely to reveal cases of sexual violence experienced by Indonesian women. However, since the #MeToo movement has become a trend on social media, several cases have begun to be exposed through this movement. This indicates that the Indonesian people are showing their awareness of sexual violence. The existence of TPKS Law has enabled these viral contents to be legally prosecuted accordingly.

Unfortunately, although digital media has helped a lot in empowering women, digital media can also be a boomerang for victims of violence against women. This is because often cases of sexual violence become the subject of gossip, even the arena of who knows best about the current case. What was initially aimed at sympathy for the survivors sparked the trauma of the survivors. When a victim speaks up in digital media, the response primarily refers to someone's curiosity about the perpetrator or how the case of sexual violence occurred. Asking about the condition of survivors and what we can do to help them is more critical and crucial.

D. CONCLUSION

It remains unknown when we can see the light at the end of the journey toward a just and safe society for women, especially in Indonesia. However, social media has made the issue known to the public, especially among the youth. We must consider the outlook with optimism. As long as the effort continues, the future will welcome a new generation of Indonesian citizens who possess awareness, sensitivity, and literacy toward Gender-based Violence, especially towards women.

References

Akudolu, L. O., Okolie, C. N., Okoro, E. A., Nwamuo, B. E., Okeke, I., Aigbonoga, S., ... & Ogbu, E. (2023). Global rise in gender-based violence against women and girls during COVID-19 lockdown: An insight from Africa. Cogent Arts & Humanities, 10(1), 2188772.

Cummings, C., & O'Neil, T. (2015). Do digital information and communications technologies increase the voice and influence of women and girls. A rapid review of the evidence. Overseas Development Institute.

Elindawati, R. (2021). Gerakan# MeToo Sebagai Perlawanan Kekerasan Seksual yang Dialami Perempuan di Indonesia. AL-WARDAH: Jurnal Kajian Perempuan, Gender dan Agama, 15(1), 17-30.

Kumparan. (2021). SOS kumparanWOMAN: Pandangan Kalis Mardiasih soal Kekerasan terhadap Perempuan. https://kumparan.com/kumparanwoman/sos-kumparanwoman-pandangan-kalis-mardiasih-soal-kekerasan-terhadap-perempuan-1wziAwWkJWY/4 (diakses 13 Agustus 2023).

Maramis, R. A., Kamagi, M. V., & Lengkong, N. (2023). Penegakan Hukum Terhadap Pelaku Tindak Pidana Kekerasan Berbasis Gender Siber (KBGS) Di Indonesia. Innovative: Journal Of Social Science Research, 3(3), 6906-6917.

Sharaunga, S., Mudhara, M., & Bogale, A. (2019). Conceptualisation and measurement of women's empowerment revisited. Journal of Human Development and Capabilities, 20(1), 1-25.

UN. (1993 December 20). 48/104 declaration on the elimination of violence against women. UN Resolution Adopted by the General Assembly.