

For example, Indonesia, which has acceded to CEDAW since 1984, has not repealed discriminatory provisions in the Marriage Act of 1974. There are also severely discriminatory by-laws, including those in the province of Aceh, which restrict women's human rights. The by-laws include strict imposition of dress code, restriction of freedom of movement, and severe punishments of alleged immoral relationships that result in gender-based violence. In many countries, domestic workers, migrant workers, workers in the informal sector, LGBT people and refugees are not protected under the law.³⁴

All of the countries have equality provisions within various laws pertaining to education, employment, land rights, political participation and other related legislation on women's human rights. However, the CEDAW Committee recommends that each State party focus on the implementation of existing laws and policies by: setting clearly defined and time-bound targets; systematically collecting and analysing data; monitoring impact, trends over time and progress towards realizing goals and results achieved; and allocating sufficient human and financial resources for the effective enforcement of existing laws.³⁵

The Philippine government took 29 years for it to fulfil its obligation to provide an adequate legal framework for women's equality directly based on international human rights law as prescribed under CEDAW. Republic Act (RA) 9710, or the Magna Carta of Women Act of 2009, provides a comprehensive guarantee of women's human rights including women's access to comprehensive health services, health information and education covering all stages of a woman's life cycle, including access to maternal care and responsible, ethical, legal, safe and effective methods of family planning.

It is too early to assess the effect of this law on women, but the Supreme Court of the Philippines will have the opportunity to decide on the enforceability of women's human rights guaranteed under this law. There is a pending case before the court regarding the constitutionality of RA 10354, the Responsible Parenthood and Reproductive Health Act of 2012, which provides for women's universal access to contraception, fertility control, sexual education, and maternal care. The court suspended implementation of this law shortly after its passage to hear arguments and decide on its constitutionality.

34. Ibid.

35. CEDAW Concluding Observations for Viet Nam quoted in the Presentation of Shanthi Dairiam, , 4 September 2013