

LAWS ON VAW ADOPTED IN SELECT ASIAN COUNTRIES

Philippines: Grounded in constitutional human rights guarantees, a number of special laws to address different forms of VAW—including rape, rape victim assistance and protection, trafficking, violence against women and their children and sexual harassment—have been adopted in the Philippines. The Philippines also has a Magna Carta of Women (2009) which serves as a basis for aligning other measures on VAW with human rights principles and standards.

Thailand: Legal approaches to tackle VAW in Thailand include reforms in criminal law to address rape, including marital rape, and the adoption of special legislation on DV and human trafficking. In addition to broad equality provisions, the Thai Constitution also contains a provision on the right to proper treatment in cases of sexual violence.

Viet Nam: Viet Nam's Law on Gender Equality, 2006 prohibits all forms of gender based violence. Special laws on DV and trafficking were enacted in 2006 and 2011 respectively. Sexual harassment at the workplace is addressed under the recently adopted Labor Code (2012).

Cambodia: Cambodia has enacted special legislation to address domestic violence, trafficking and sexual exploitation, and acid attacks. Rape and non-consensual sexual acts are covered under its penal law and criminal procedure code. Provisions on sexual harassment in the workplace are included in its Labor Law.

Malaysia: Malaysia has special laws on DV and people trafficking. Domestic violence is also addressed through criminal and family laws and tort law on damages and injunctions. Sexual harassment in the workplace is dealt with under the employment laws. Provisions on rape and sexual violence are included in its Penal Code.

China: China's national Penal Code criminalizes rape, abduction, trafficking and severe abuse of women. The Chinese Protection of Rights and Interests of Women Law, 1992, prohibits different forms of VAW, and in 2005, the law was clarified to expressly prohibit DV and recognize state obligations to prevent and eliminate domestic violence. Additionally, from 2000 onwards, special anti-DV laws have been promulgated in 28 provinces across the country. A separate law on DV is currently on China's legislative agenda.

Lao Peoples' Democratic Republic (PDR): The Law on the Protection and Development of Women, 2004 is used to address DV and trafficking. This law also includes provisions recognizing equality rights of women. Rape and sexual violence is addressed under the Penal Law.