

State of the Domestic Application of CEDAW in SEA Countries

The following countries in SEA, which participated in the Judicial Colloquium, have signed or acceded to CEDAW: Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar, the Philippines, Thailand, Timor-Leste and Viet Nam. Except for Timor-Leste, more than 20 years have passed since each country's accession, a considerable amount of time within which to ensure compliance with the legal standards of CEDAW.

COUNTRY	DATE OF SIGNATURE ¹⁸	DATE OF ACCESSION ¹⁹
Cambodia	17/10/1980	15/10/1992
Indonesia	29/07/1980	13/09/1984
Lao PDR	17/07/1980	14/08/1981
Malaysia		05/07/1995
Myanmar		22/07/1997
Philippines	17/07/1980	05/08/1981
Thailand		09/08/1985
Timor-Leste		16/04/2003
Viet Nam	29/07/1980	17/02/1982

Source: UN Treaty Collection²⁰

However, the international standards for equality as provided in the Convention have not been integrated into domestic legal systems in SEA countries and "the legal framework to mandate and demand such a coherent, holistic and consistent application of the Convention is not available in these countries with any level of certainty."²¹ The concern expressed to Lao PDR when it was reviewed by the CEDAW Committee in 2009 sums up its current state of domestic application in the region:

18. 'Signature' is a means of authentication and expresses the willingness of the signatory State to continue the treaty-making process. Where the signature is subject to ratification, acceptance or approval, the signature does not establish the consent to be bound, but qualifies the signatory State to proceed with ratification, acceptance or approval. It also creates an obligation to refrain, in good faith, from acts that would defeat the object and the purpose of the treaty. UN Treaty Collection, Glossary, http://treaties.un.org/Pages/Overview.aspx?path=overview/glossary/page1_en.xml#signaturesubject accessed 24 September 2013

19. "Accession" is the act whereby a State accepts the offer or the opportunity to become a party to a treaty. It has the same legal effect as ratification. Accession usually occurs after the treaty has entered into force. (Ibid.)

20. United Nations Treaty Collection web site, http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-8&chapter=4&lang=en accessed 24 September 2013

21. Presentation of Shanthy Dairiam, 4 September 2013