

TERMS OF REFERENCE (TOR) FOR THE WORKING GROUP THAT WILL WORK TOWARDS THE ESTABLISHMENT OF AN ASEAN COMMISSION ON THE PROMOTION AND PROTECTION OF THE RIGHTS OF WOMEN AND CHILDREN (WG-ACWC)

Background

1. All ASEAN Member States have ratified and are parties to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Convention on the Rights of the Child (CRC).
2. At the 10th ASEAN Summit in November 2004, the ASEAN Leaders adopted the Vientiane Action Programme 2004-2010 (VAP) which among others called for the establishment of an ASEAN commission on the promotion and protection of the rights of women and children (Measure 1.1.4.7 of the VAP).
2. At the 14th ASEAN Summit on 28 February – 1 March 2009, the ASEAN Leaders adopted that the Cha-am Hua Hin Declaration on the Roadmap for the ASEAN Community (2009-2015) which includes the ASEAN Political Security Community (APSC) Blueprint and the ASEAN Socio-Cultural Community (ASCC) Blueprint that reiterate the establishment of an ASEAN commission on the promotion and protection of the rights of women and children as an important measure to ensure equitable development for women and children.
3. The ASEAN Committee on Women (ACW) and ASEAN Senior Officials Meeting on Social Welfare and Development (SOMSWD) agreed at their Joint Session held on 22-23 October 2008 in Ha Noi, Viet Nam, to set up a multidisciplinary Working Group as a first step towards the establishment of the ASEAN commission that would study and propose recommendations on the ASEAN commission.

Purpose

4. The Working Group will work towards the establishment of an ASEAN commission on the promotion and protection of the rights of women and children (hereinafter referred to as ACWC).

Role and Functions

5. The Working Group shall:
 - a. Draft the terms of reference of the ACWC in conformity with the purposes and principles of the ASEAN Charter relating to the promotion and protection of human rights and fundamental freedoms as well as CEDAW and CRC;
 - b. Draft statement, declaration and/or any other document necessary for the establishment of ACWC;
 - c. Conduct consultation meetings, dialogues, workshops with relevant groups and stakeholders in support of the establishment of the ACWC;

- d. Develop the roadmap and work related to the Terms of Reference of ACWC and report to the ACW and SOMSWD; and
- e. Be under the purview of the ACW and SOMSWD.

Membership and Chairpersonship

6. The Working Group shall consist of two representatives of each Member State, specifically one working on women's rights and gender equality to be nominated by ACW Focal Point and one working on children's rights to be nominated by SOMSWD Focal Point.
7. The Chair of the Working Group shall be aligned with the Chairmanship of ASEAN.

Reporting Mechanism

8. The Working Group, through the ASEAN Secretariat, shall report to ACW and SOMSWD on a regular basis on the progress of its work and for consideration of its outputs.
9. The Working Group shall submit the final draft of documents related to the establishment of ACWC to the Joint Session between ACW and SOMSWD for consultation and consideration.
10. The Working Group shall work in a close coordination with other human rights-related ASEAN bodies.
11. All proceedings and documents shall be kept internal to the Working Group and shall not be used for public circulation without prior approval of ACW and SOMSWD.

Meeting Schedule and Timeframe

12. The Working Group shall define the schedule, regularity and venues of its meetings.
13. The Working Group shall submit the first draft of TOR of the ACWC to ACW and SOMSWD by mid October 2009 and the final draft in the first quarter of 2010.

Financial Arrangement

14. Participation in and organisational costs of the meetings of the Working Group shall be on a cost-sharing basis.
15. The Working Group, in cooperation with the ASEAN Secretariat, may seek other sources of funding to support its activities.

Role of the ASEAN Secretariat

16. The ASEAN Secretariat shall provide secretarial support to the Working Group.

ADOPTED at the Joint Session between the ASEAN Committee on Women (ACW) and ASEAN Senior Officials Meeting on Social Welfare and Development (SOMSWD) on 29 April 2009 in Manila, Philippines.
