

## CSO Joint Statement

### Asia Pacific Regional CSO Forum on the Priority Theme for the 70th Session of the Commission on the Status of Women (CSW 70)

“Ensuring and strengthening access to justice for all women and girls, including by promoting inclusive and equitable legal systems, eliminating discriminatory laws, policies, and practices, and addressing structural barriers”

27-28 January 2026 in Bangkok, Thailand

#### Introduction

We meet amid global polycrises, rising income inequality, rising cost of basic needs and services, increasing conflict, democratic decline, extreme weather, climate crisis, cybercrime and uneven digital transformation. Structural and systemic barriers such as patriarchy, coloniality, heteronormativity, neoliberal capitalist economics, geopolitics, fascism, racism, geographic determinism, experience of poverty, gender-based violence, stigma, ableism, neurotypical bias, ageism, restrictive gender norms, and criminalisation of identity, all compound injustice.

Extreme weather and climate emergency are justice crises rob the most marginalized of their legal identities and documentation, while austerity and debt distress strip away the public services that make justice possible, from health to legal aid. Simultaneously, democratic decline and the rise of cybercrime have turned digital spaces into sites of state surveillance and technology-facilitated violence, further entrenching a justice gap that cannot be closed by courtrooms alone. We must move beyond a carceral approach that prioritizes punishment over restorative and transformative justice, and address the root causes that keep our communities on the witness stand rather than at the decision-making table.

These intersectional challenges add to pre-existing inequities, compounding and threatening progress on human rights and full participation of women and girls. For adolescent girls, young people, and individuals of diverse sexual orientation, gender identity and expression and sex characteristics (SOGIESC) identities<sup>1</sup>, these crises manifest as a systemic restriction of information and autonomy. Access to justice for women and girls is transversal and requires commitment and accountability from all Member States, United Nations entities, duty bearers, power holders, civil society and stakeholders.

#### Global context

We are experiencing a rapid global rollback of women’s and girls’ human rights, fuelled by political polarization, authoritarianism, geographic determinism and anti-gender movements. This trend threatens and jeopardises sexual and reproductive health and rights, increases gender-based violence especially technology-facilitated violence, and places greater restrictions on gender equality activism. In many countries, regressive patriarchal narratives promoting “traditional” values, pro-family policies, pronatalist agendas, and legislative efforts to lower the legal age of marriage further compound these challenges.

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<sup>1</sup> Individuals of diverse Sexual Orientations, Gender Identity and Expression and Sex Characteristics (SOGIESC) identities includes (but not limited to) lesbians, gays, bisexuals, transgenders, queer intersex, asexual and more (LGBTQIA+), Mahu, Vakasalewalewa, Palopa, Fa’afafine, Akava’ine, Fakafifine and Fakaleiti/Ieiti (MVPFAFF+)

Protections against gender-based violence are weakening, conflict and disaster related sexual violence cases are rising, women human rights defenders face increased surveillance, harassment, and legal restrictions, including online. Trans people are at increased risk for violence with backlash against “gender ideology”. Governments not only fail to ensure the safety and security of women and girls across the life cycle and across all geographical contexts but also contribute to the perpetration of gender-based violence.

Technology facilitated gender-based violence such as cyberstalking, doxxing, sextortion, cyberbullying, online gender and sexual harassment weaponise sexuality and sexual identity, targeting diverse women and girls everywhere. Surveillance capitalism, digital surveillance and digital governance subvert human rights and people’s security. The rapid deployment of digital platforms and artificial intelligence (AI) raises urgent concerns around surveillance, data protection, bias, impact on the environment and access to remedies. Digital spaces are a double-edged sword with the intersection of AI and technology and concerns about privacy. These areas are so quick-moving and diverse it’s become a major challenge to define legislative and policy changes to address. Online violence must be recognised as a justice issue, requiring clear legal frameworks, platform accountability, victim protection and accessible redress mechanisms.

CSW remains a powerful mechanism to advance and guarantee our rights and government’s responsibilities. We are at a critical time when turning promises into progress is imperative and effective access to justice is a fundamental right that is necessary for all other rights. Normative frameworks of CEDAW, Beijing Platform for Action, International Conference on Population and Development Programme of Action, UNFCCC GAP, the Sendai GAP, and the 2030 Agenda for Sustainable Development, as well as regional commitments such as the revitalised Pacific Leaders Gender Equality Declaration, exist. Yet women and girls in all their diversities continue to face deep inequities in accessing justice and justice systems. Member States must be held accountable to their commitments for implementation and fulfillment of these normative frameworks.

Amidst this landscape, the UN80 Initiative, CSW Revitalisation Agenda, and Regional Reset are creating additional complexities for civil society advocacy, with a distinct lack of space for CSO engagement and input into these processes. Heightened security protocols, visa restrictions, prohibitive costs, and safety considerations in particular groups such as LGBTQIA+, significantly compound and restrict opportunities for effective participation, reducing accountability and transparency at global forum such as the Commission on the Status of Women. Travel requirements for the United States are becoming progressively more discriminatory.

### **Asia Pacific Regional Context**

Across Asia and the Pacific, women and girls in all their diversity, particularly those from marginalized, geographically remote and other excluded communities continue to face significant obstacles in accessing and receiving justice. Women's access to justice is limited by interconnected structural, social, economic, geographic and institutional barriers, especially for marginalised groups such as women in rural, remote and maritime areas, indigenous women, criminalized and incarcerated individuals, women with disabilities, sex workers, migrant workers, marriage migrants, refugees, women living with HIV/TB, and LGBTQIA+.

Structural and systemic barriers such as patriarchy, coloniality, geopolitics, neoliberal policy, fascisms, racism, poverty, structural urbanism, geographic determinism, gender-based violence, stigma and

discriminatory, heteronormativity, ableism, ageism, restrictive social norms, criminalisation of identity, language barriers, and limited civil society spaces compound these injustices.

The multiplicity of social, economic and structural inequities facing many women and girls include discriminatory legal frameworks, weak enforcement mechanisms, limited legal literacy, economic barriers, digital divides, conflict and displacement, inaccessible information and physical infrastructure, lack of reasonable accommodation, and intersecting forms of discrimination. They face compounded injustice with little access to legal redress, unequal participation in legal institutions and mechanisms and the perpetuation of harmful customary practices. There is increasing push back on human rights defenders and journalists who attempt to bring a balanced discussion to challenging contexts. Media outlets, alongside human rights defenders are being targeted, shut down, threatened and closed to silence and intimidate.

*Legal reform alone is not enough. Laws that are not socially legitimate, institutionally supported, and practically inaccessible will not deliver justice for women and girls.*

Justice for all is not merely about access to courts or legal remedies. It demands structural transformation - redistribution of power and resources, demilitarisation of economies, and decolonisation of global governance. It requires dismantling systems of power that perpetuate inequality, promoting repair and recompense for victims, community and relationships and can be a deeply transformative process.

We echo the call of generations of women who have refused to separate peace from justice, equality from freedom, or rights from accountability. Justice for all women and girls will only be realised when the world moves beyond militarism, beyond patriarchal power, and toward a feminist vision of peace that centres care, cooperation, and collective humanity.

### **Justice Mechanisms / Inequalities in the Justice System**

Women and girls in all their diversities do not experience justice as a single institution or pathway. Justice is lived as a **continuum of systems** — formal law, customary governance, faith-based authority, and family negotiations — and women and girls move between these spaces in highly strategic ways. Women value justice that is **safe, timely, relational and accessible**, not only in formal decisions that are legally correct. When formal systems do not guarantee protection, dignity, timeliness, accessibility or meaningful remedies, women will continue to revert informal mechanisms — even when these mechanisms can be deeply flawed and steeped in patriarchy.

Justice cannot be achieved without peace, and peace requires justice. Women and girls in countries of political crisis and conflict face situations where there is no recourse to justice. In some parts of Asia and the Pacific women and girls live in colonial and colonised states, and there are active genocides. We cannot ignore these countries where the right to life and justice is key to survival.

Socio-economic and geographic barriers persist as obstacles to seeking justice due to pervasive lack of safety nets and measures to ensure substantive equality. The costs of legal representation, transportation and court fees are often prohibitive. Responses to geographic location in rural, remote and maritime areas severely inhibits justice and access to justice for many women and girls in these areas

SOGIESC along with race, class, disability, ageism, sexuality, migration status, and geography, affects access to justice. These intersecting factors, combined with institutional and language barriers and biases, often prevent women and girls from accessing justice. Women with disabilities suffer in silence as justice systems rarely provide for transport and accommodation making it extremely difficult to attend court. For *adolescent girls* the most pervasive barrier to justice is often the law itself. Justice systems that require third-party authorization or mandatory parental consent effectively silence survivors of natal family violence, forcing them to seek permission from their abusers to access protection.

Justice systems cannot be strengthened in isolation from the social contexts in which they operate. Family and personal status laws, which govern marriage, divorce, child custody, and inheritance, differ widely across the region and sometimes include religious principles. While this can respect, protect and fulfil human rights; the reverse also occurs where precepts undermine economic equality for women and girls, increasing their risk of poverty and violence.

In the Pacific, kinship, land tenure, faith, and community cohesion shape justice outcomes. Customary and community-based justice mechanisms remain the primary entry point for most women in the Pacific, particularly in rural, remote, and outer-island contexts. In some places, village councils, chiefs, church leaders, and family mediators are often the most accessible authorities to start the journey to justice. They are geographically closer, faster, less costly, and embedded in daily life in ways that formal courts are not.

Impunity and judicial bias in legal frameworks prevent those responsible for serious crimes - including state institutions and corporations - from being held accountable. Serious crimes go unpunished, perpetrators escape without punishment, recourse to justice becomes unavailable which undermines trust in the legal system, and denies justice to victims and their families.

Austerity measures and cuts in public services strip away women's access to justice. Inequality is rising due to imperialism, state capture, neo-liberalism, war mongering and patriarchal economic systems. International financial institutions present inflation, austerity measures, debt ceilings, and domestic debt restructuring as if they are abstract numbers. But for women and girls, a political crisis has a very specific face: it is the face of the "shadow subsidy", the trillions of dollars in unpaid care work women do to keep society running when patriarchal gender norms are upheld as 'normal' and the government fails in ensuring redistribution and investing in reducing the burden of unpaid care work

The first experience of injustice for many women in Asia and the Pacific is not in the courtroom or legal system but through the economic system. Economic inequalities persist for women in all diversity in Asia and the Pacific where there are deep rooted gaps in labour, pay and leadership. Women face lower labour participation rates, unpaid care work remains invisible and undervalued, while women are overrepresented in informal, insecure, and low-paid work. Economic dependency silences survivors of violence, limits legal choices, and forces women to remain in harmful situations. Survivors fear retaliation, destitution, or imprisonment if they report abuse—especially those living with HIV, diverse SOGIESC identities, migrants, and women in informal work or sex work.

The recognition and fulfillment of reproductive justice and bodily integrity is crucial to enabling access to justice. Criminalisation, stigmatisation and often, pathologisation of sexuality, gender identity and sex characteristics deny access to life-saving sexual and reproductive health services for young people,

adolescents, indigenous women, women and girls in rural, remote and maritime areas, LGBTQI+ persons, women living with HIV, and sex workers. Governments have failed to protect women in all their diversity from harmful practices such as female and intersex genital mutilations and forced medicalisation of women, trans and intersex individuals, conversion therapy to change gender identity and sexual orientation. Older women are often left out of SRH services, as they are focused on women of reproductive age. Yet infertility treatment, menopause care, STI prevention, HRT treatment are all essential to women who are 50 and above. Older women are also at risk of falling out of pension and social security nets, especially if their spouse is deceased. They also face a greater risk of ill-treatment and violence even at the hands of family members.

### **Legal Reforms**

Legal reform is essential, but changing laws is not enough. Women and girls in all diversity continue to face violence, exclusion and economic dependency. The gap between law and lived experience widens the divide between the existence of legal rights and the reality of accessing them. To address justice gaps, we need structural change, reforms in education, health, accessible housing, physical and digital infrastructure, economic policy and governance that redistribute power and resources. We need systems that recognise the intersectional challenges faced by women and to address delayed investigations, lost or destroyed evidence impunity and untrained law enforcement, especially in cases of rape and sexual abuse.

From a regional perspective, the way forward is not about choosing between formal and customary systems, but about **reconfiguring how they interact**, with women's lived experiences at the centre. This includes investing in community-level prevention which is accessible, effective and accountable, supporting women's leadership across justice institutions, strengthening safeguards when cases move between systems, and ensuring that formal justice is not only legally sound, but socially trusted. Accessible, affordable and non-discriminatory systems are needed.

Legal reform requires political will and systems that centre the voices of those most affected by the injustice. Cultural norms that normalise violence, silence survivors, subordinate women and allow impunity must be changed; unequal gender and power relations must be transformed. CSOs and feminist movements need to work alongside and partner with state actors and communities to build equitable systems of justice, rooted in care, inclusion, accessibility and equality. To build systems that ensure women can speak out, organise, and lead without fear.

History and lived experience show that state policing and prison systems are frequently sites of violence, especially for marginalized and gender-diverse youth. We demand a shift toward restorative and transformative justice models that prioritize survivor healing and community accountability over state-led punishment.

Finally, justice cannot be achieved without resources. To achieve justice for all, funding and resources must be timely and accessible to all including funding for feminist CSOs and social movements is needed.

## **CSO Recommendations on Access to Justice in the Asia Pacific region:**

### **We urgently call Member States, UN entities, sponsors and development partners to:**

- Collectively call for an International Decade to Advance Access to Justice for Women and Girls from 2027 to 2036.
- Ratify the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), Convention on the Rights of the Persons with Disabilities (CRPD), and all other relevant human rights treaties and build /strengthen accessible justice pathways for women and girls in all their diversity
- Work collaboratively with Women and Girls in all their diversity from across the Asia and Pacific to strengthen CSW Regional processes to counteract the increasing travel challenges and barriers to access to UN New York.

### **We call Member States to:**

- Ensure CEDAW-compliant legislation and strengthen judiciary, justice mechanisms and justice providers in CEDAW compliant legislation
- Implement inclusive and accessible policies and institutions that ensure women and girls in all their diversity to achieve access to justice, ensure all justice-related institutions, including the court system, police stations, legal aid services are physically, locationally, culturally, digitally physically accessible women in all their diversities and remove legal provisions that limit women with disabilities of their rights to decision making.
- Strengthen accountability mechanisms that ensure justice institutions do not perpetuate discrimination and fully support human rights compliance, including gender, sexual and reproductive health and rights and intersectional discrimination and ensure legal services and programs are co-designed with women in all their diversity and ensure services, programs and resources are in accessible formats, inclusive, responsive and accountable and outline legal rights, complaint mechanisms and remedies.
- Invest in gender-responsive budgeting across all areas of government and allocate a dedicated budget line for gender justice and legal empowerment programmes for grassroots women's and feminist organizations, gender-transformative and feminist community-based justice mechanisms in all geographical locations to centre community-led, meaningful input into gender responsive laws and policies.
- Review policy and legislation and investigate structural discrimination embedded in criminal justice systems and remove all legal and procedural barriers that prevent adolescent girls and young people in all their diversities from accessing justice independently and ensure gender transformative legislation that integrates lived experience of women and girls and overcomes geographic determinism.
- Recognize those who are impacted by climate crisis in terms of race, geographic location including rural and remote areas, age, gender, socio-economic factors, and centre the voices and knowledge of communities at risks including cultural values, Indigenous, local knowledge for climate solutions in providing due remedies and compensation loss and damage for impacted communities.
- Invest in infrastructure to assist internet connectivity, digital literacy and access to devices for all women and girls in their diversities, ensuring technology support services for women with disabilities and those in remote geographical and maritime locations.

- Affirm and recognise that all women and girls in all their diversities have the right to bodily autonomy and the right to control their bodies, health, and sexuality free from coercion, discrimination and violence.
- Ensure the accessibility of justice mechanisms to prevent and remedy violations of sexual and reproductive health and rights, eliminate reproductive coercion and guarantee sexual and reproductive health and rights for women and girls in all their diversity across all their life cycle.
- Ensure adolescent girls' equal access to justice by removing age-based legal and procedural barriers, including requirements for parental or third-party consent, restrictions on legal standing, and practices that undermine adolescents' credibility, autonomy, and agency and abolish requirements for parental or spousal authorisation for accessing health services, including sexual and reproductive health, and justice systems.
- Strengthen prevention of and response to sexual and gender-based violence in all contexts, including humanitarian settings, recognising women and girls disproportionate exposure to risk in such contexts.
- Eliminate discriminatory laws and harmful cultural norms and structural barriers that hinder access to justice for women, girls and marginalized communities this includes practices such as female genital mutilation, intersex genital mutilation, child, early and forced marriage.
- Accelerate efforts to scale up scientifically accurate comprehensive education that provides women, girls, young people and adolescents, in all their diversity information on sexual and reproductive health and rights, gender equality and women's empowerment, human rights, and power in relationships between women and men, to enable make informed decisions and claim their rights.
- Criminalize and effectively prosecute the forced conversion of minor girls from religious and ethnic minorities, recognizing it as a grave violation of sexual and reproductive health and rights, including bodily autonomy, informed consent, and the right to be free from sexual exploitation, early and forced marriage, sexual grooming, and trafficking for sexual exploitation.
- Ensure survivor-centred, rights-based access to comprehensive SRHR services, psychosocial support, legal aid, and protection mechanisms, with particular attention to intersecting vulnerabilities based on age, religion, poverty, and disability.
- Institutionalize evidence use in policy formulation and invest in data systems as a bulwark against misinformation and to track rights protection, including on sexual and reproductive health and rights.
- Ensure financing and fiscal policies prioritise people and not profit, ensure debt-free support to education, health, and social protections.
- Transform the care economy, break down discriminatory patriarchal gendered power dynamic of care work and the unequal division of labour within households, expand decent, formal work and living wages, and secure equal access to economic resources to combat systemic inequality and strengthen public financing for development by addressing tax abuse, debt, illicit financial flows, and unmet development commitments and free access to legal mechanisms to those engaged in the care economy.
- Undertake regular gender impact and human rights audits and reviews of policies to identify gender biases, remove discriminatory provisions and/or policies, including ex-ante and ex-post human rights and gender impacts assessments of trade and investment agreements for projects funded by international financial institutions, especially from the perspective of marginalised constituencies, led by oversight and independent monitoring committees. Where customary and community-based justice mechanisms are the primary entry-point for women, particularly

in rural, remote, and outer-island contexts, all efforts must be taken to balance gendered power relations. Women complainants must not be compelled to accept reconciliation remedies.

- Provide women in the informal sector access to social protections, affordable and accessible housing employment protections and access to health, insurance, pension, judicial recourse and social security payments across their life cycle.
- Establish age, sex and gender-based disaggregated data of intersecting identities to enhance research for legislative change.
- Ensure government provided public health services are made available at primary health care level especially sexual and reproductive health services to ensure that even the poorest women and girls can safeguard their health and well-being.

**We urge UN entities, sponsors and development partners to:**

- Establish and build regional feminist funds for feminist CSOs and social movements to support legal defence, reform, strategic litigation and movement building
- Empower countries in this region to push for their own economic and political sovereignty in which development cooperation policies are centered on needs instead of the geopolitical interests of the Global North.
- Strengthen age, sex- and gender disaggregated data systems and enhance research for legislative change.
- Utilise feminist research and CSO data to create frameworks for justice for women in all their diversities
- Strengthen regional processes on CSW and related human rights mechanisms, build stronger systems of cooperations with feminist civil society organisations and social movements
- Fund, resource and support CSO regional and sub-regional consultations to inform and engage with the regional processes of CSW annually and recognise that these consultations are key entry points for global advocacy, especially in the current context of global ban.

**We recommend Asia Pacific CSOs and Social Movements to:**

- Deepen our own analysis and definition of a feminist judicial system
- Build, strengthen and act in cross movement solidarity, stay connected and work collaboratively to build bold and inclusive dialogues - be fierce - stay informed across levels (local, national, regional, global)
- Build new spaces for justice and ensure these spaces are accessible, non-judgmental, diverse and non discriminatory..
- Demand state accountability in our actions and statements
- Be aware that not all digital spaces are safe and inclusive spaces
- Build collective accountability for creating frameworks of justice
- Recognise geographic determinism and the multiple structural barriers to accessing justice and the impact this has on those in conflict affected, disaster affected and rural, regional, remote and maritime areas.