Social Institutions and Gender Index

SIGI 2024 Regional Report for Southeast Asia

TIME TO CARE

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Foreword

Since 2009, the OECD Development Centre has exposed structural barriers affecting women's and girls' lives in developing and developed countries with the Social Institutions and Gender Index (SIGI). By taking into account formal and informal laws, social norms and practices, the SIGI captures the underlying drivers of gender inequality across 179 countries, with the aim of promoting gender-transformative policies that stem from data and evidence. It also serves as an official data source for monitoring Sustainable Development Goal Indicator 5.1.1.

Based on data and evidence from the fifth edition of the SIGI, released in 2023, the *SIGI 2024 Regional Report for Southeast Asia: Time to Care* provides a fresh analysis of the setbacks in and progress towards gender equality since the fourth edition and the last report for the region, in 2021. The regional analysis stresses how discriminatory social institutions curtail girls' and women's rights and opportunities in all aspects of their lives, starting within the family, and emphasises how such discrimination spills over into the economic and public spheres, for example in terms of citizenship rights or in the workplace.

For the first time, the Southeast Asia report explores the specific roles played by the region's complex legal landscape and by the multiple personal status laws. It also underscores how social norms governing gender roles and responsibilities became more restrictive in Southeast Asia between 2014 and 2022. Building on this evidence, the report calls for a transformative shift in terms of gender roles and provides policy recommendations that aim to reshape social norms, promote women's empowerment and build a truly inclusive society.

Through a specific thematic focus on care, the report illustrates how views on gender roles lead to a care system that primarily relies on women's unpaid work. It places the analysis in the wider context of Southeast Asia's ongoing demographic, educational and economic transitions, revealing that countries will face a growing demand for paid formal care services, a demand for which most of them remain largely unprepared. The analysis highlights the benefits that the development of formal care sectors could bring to Southeast Asia's societies in terms of women's economic empowerment and resilience while stressing three main challenges: labour informality, limited social protection systems and the weight of social norms.

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Editorial

With only six years remaining until the deadline of the 2030 Agenda for Sustainable Development, the world is at risk of missing the objective of “leaving no one behind”. Despite the progress achieved on gender equality, the prospect of achieving Sustainable Development Goal 5 appears elusive. Southeast Asia is no exception. Over the last 20 years, countries in the region have made strides towards gender equality, enacting numerous legal reforms to strengthen women’s rights and achieving gender parity in primary and secondary education. Yet, despite national and regional political commitments, structural barriers persist in the form of discriminatory laws, social norms, and practices, fundamentally limiting the socio-economic contributions of women and girls at the expense of Southeast Asian societies.

Legal discrimination, exacerbated by traditional gender roles, affects Southeast Asian women and girls across diverse areas of their lives. In many countries, plural and sometimes overlapping legal systems establish distinct rights for women and girls depending on their ethnicity, religion or geographical location. Moreover, across the region, views uphold a traditional, gender-based division of roles in the household, confining women to care and reproductive roles, and encouraging men to be the main family providers and exercise leadership in the family, economic and political spheres. These entrenched gender roles intensify discriminatory views, particularly those related to women's economic power.

Discriminatory social norms not only negatively affect the lives of individuals, but they also pose a significant challenge to a crucial policy area in all countries in the region: the care economy. Southeast Asia’s profound demographic changes – a rapidly ageing population, declining fertility rates and increasing life expectancy – will soon lead to a surge in the demand for care services to the young and, especially, the elderly. Today, across the region, those services are considered a private matter, and provided by female family members. In other words, care systems are largely informal, and their workers unpaid. As this report argues, they cannot meet the imminent explosion in the demand for care services. Conversely, building, structuring and formalising Southeast Asia’s care economy would provide a unique opportunity to boost women’s economic empowerment while strengthening the region's resilience to external shocks – including those induced by climate change.

To rise to the challenge – and seize the opportunity – Southeast Asian countries must intensify their efforts and allocate more resources towards reaching the goal of gender equality; prioritise the elimination of gender-based discrimination in social institutions; dismantle structural barriers, including by amending legislations and taking a holistic approach that recognises women as a diverse group; and transform discriminatory social norms into gender-equitable ones, engaging men and boys to build more inclusive, resilient and healthy societies. The OECD Development Centre stands ready to support and accompany Southeast Asia on this ambitious journey.

Ragnheiður Elín Árnadóttir

Director, OECD Development Centre

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Abbreviations and acronyms

ADB	Asian Development Bank
ASEAN	Association of Southeast Asian Nations
BPfA	Beijing Declaration and Platform for Action
CEDAW	Committee on the Elimination of Discrimination against Women
CRC	United Nations Committee on the Rights of the Child
CSE	Comprehensive sexuality education
EU	European Union
FDWL	Foreign Domestic Worker Levy Relief
FGM/C	Female genital mutilation and cutting
FPAR	Feminist Participatory Action Research
GBV	Gender-based violence
GID-DB	Gender, Institutions and Development Database
GDP	Gross domestic product
GUSO	Get Up Speak Out
ILO	International Labour Organization
IPV	Intimate-partner violence
ISIC	International Standard Industrial Classification of All Economic Activities
LAC	Latin America and the Caribbean
Lao PDR	Lao People's Democratic Republic
LFP	Labour force participation
MENA	Middle East and North Africa
MoWECP	Ministry of Women Empowerment and Child Protection
OECD	Organisation for Economic Co-operation and Development
PPP	Purchasing power parity
PSL	Personal status law
SDG	Sustainable Development Goal
SEA	Southeast Asia
SIGI	Social Institutions and Gender Index
SRHR	Sexual and reproductive health and rights
TFR	Total fertility rate
UNDP	United Nations Development Programme
UNFPA	United Nations Population Fund
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UN Women	United Nations Entity for Gender Equality and the Empowerment of Women
VAW	Violence against women

Executive summary

Southeast Asian countries have recently made strong commitments to gender equality, notably through the regional policy framework provided by the Association of Southeast Asian Nations (ASEAN). However, these commitments have not yet translated into enough progress to put the region on track to reach Sustainable Development Goal 5, “Achieve gender equality and empower all women and girls”, by 2030.

In Southeast Asia, gender inequality is underpinned by plural legal systems and worsening social norms

At the heart of this failure to accelerate progress lies the crucial role that discrimination in social institutions continues to play across the region. Beyond limiting women’s rights and opportunities, these restrictions also generate substantial economic costs, hampering inclusive growth. With a Social Institutions and Gender Index (SIGI) score of 39, Southeast Asia has levels of discrimination against women and girls in social institutions estimated to be medium and close to high, which is markedly higher than the averages for the world (29) and for OECD countries (15). Despite wide variations between countries, the vast majority of the region's women – 70%, or 340 million women – continue to live in countries where discrimination is assessed as high or very high. Discrimination in social institutions is ubiquitous and is present in all aspects of women's and girls' lives, starting in the family and extending to the economic and political spheres, to women's physical integrity, and to their access to sexual and reproductive health and rights.

In the family sphere, Southeast Asia is characterised by the existence of multiple and complex personal status laws in 7 countries out of 11. These laws – statutory or customary, and applicable to specific religious, ethnic or cultural groups within a national jurisdiction – are complex legal instruments that govern family matters, ranging from marriage to guardianship, child custody, spousal maintenance, divorce and succession. At the country level, gender-based discriminatory provisions embedded in personal status laws cement inequalities by establishing unequal rights between men and women in the family sphere but also between women of different groups based on cultural, religious or ethnic affiliation.

More broadly, women and girls in the region continue to face many legal restrictions. This is despite the fact that, between 2019 and 2023, Southeast Asian lawmakers enacted numerous legal reforms and amendments aimed at strengthening and enforcing greater gender equality. The legal restrictions that apply to women and girls range from small gaps in the legislation to more important outright discrimination embedded in the law, such as provisions that establish distinct citizenship rights for women and men. Other restrictions comprise legal frameworks that do not comprehensively protect women and girls from all forms of violence, as well as laws that prevent access to safe abortion under the minimum conditions established by the Committee on the Elimination of Discrimination against Women (CEDAW).

Together with laws, social norms play a key role in undermining women's empowerment. Views across the region endorse a traditional gender-based division of roles, whereby men should be the breadwinners while women should remain confined to care and reproductive roles. Societal expectations also reflect notions of restrictive masculinities that favour men's leadership, thus limiting women’s representation in managerial positions. Overall, social norms on women's and men's roles in the family and public spheres translate into women undertaking a disproportionate share of unpaid care and domestic work and being

less represented in the labour market. In addition, the latter is characterised by informality and vulnerable forms of employment, hampering women's access to social protection benefits.

Dishearteningly, attitudes reinforcing this traditional division of gender roles and undermining women's rights gained ground between 2014 and 2022. This is notably the case for attitudes rejecting women's educational and economic rights and also for attitudes accepting violence against women. Furthermore, most of the population continues to oppose women's right to abortion.

Care is a key policy area, but most countries of the region remain unprepared for upcoming challenges

The provision of care in Southeast Asia is deeply affected by views on women's and men's traditional roles. Preferences for care provision by female family members, together with social norms that uphold women's role as caregivers, lead to care systems that primarily rely on women's unpaid care work. As for the paid care sector, it is highly feminised but remains small and largely informal, increasing the vulnerabilities of female workers in the sector, such as domestic or migrant workers.

Yet, current demographic, educational and economic trends suggest that Southeast Asia is at a critical juncture. The ageing of the population means that in the short and long terms, the demand for care will rapidly grow. At the same time, rising educational levels and economic development characterised by a sectoral transition towards services will likely increase women's participation in the labour market and decrease the time they allocate to unpaid care activities. The consequences will be a lower supply of family-based care services and a growing demand for paid formal care services. In this context, most Southeast Asian countries appear unprepared and should take urgent action to finance and steer the creation or expansion of reliable formal care sectors.

Formal care sectors could bring substantial benefits, from increased economic empowerment for women to better preparedness and resilience to external shocks, if the region overcomes certain challenges. For instance, investment in the care economy would help female care workers transition to formal employment and gain access to social protection schemes and labour rights while allowing current unpaid care providers, mostly women, to remain in the labour market, allocate more time to it or join it altogether. However, to successfully formalise care sectors, Southeast Asian countries must overcome three main challenges: widespread informality in the region's labour markets; weak social protection systems unable to promote formal care services; and the weight of social norms that consider care a private matter.

Southeast Asia is caught in a vicious circle where the current characteristics of care provision also constitute the main structural barriers to formalising care sectors. For instance, preferences to be cared for by female family members contribute to the low uptake rate of external care services which, in turn, diminishes incentives to develop formal care services and to increase public spending. Breaking the cycle is crucial, as intertwined causes and consequences perpetuate the status quo. To do so, Southeast Asian countries must trigger a positive dynamic, whereby the development of a formal care economy becomes a catalyst for women's empowerment and inclusive development.

Southeast Asia needs a new legal and social framework conducive to gender equality

Tackling those issues and challenges effectively demands co-ordinated approaches and continued data collection to inform policies. It requires systematically applying a gender lens across policies and programmes, as well as taking an intersectional approach that recognises Southeast Asia's context: a mosaic of people, ethnicities and cultural identities. Gaps in the legislation, including in sensitive frameworks such as personal status laws, necessitate careful and tailored approaches to reform laws and ensure their enforcement. Worrying trends in social norms call for whole-of-society approaches to transform discriminatory social norms while engaging with men and boys to address the often-overlooked issue of norms of restrictive masculinities. Finally, to make the invisible visible, countries must continue strengthening their capacities to collect gender-relevant and gender-disaggregated data.

1 Discrimination in social institutions in Southeast Asia

This chapter provides a regional overview of the SIGI results in Southeast Asia. It underlines the progress achieved and challenges remaining with respect to discriminatory social institutions, accounting for the specificities of the region – notably the diversity of its legal systems governing women's status in the family sphere. Building on the analysis, the chapter identifies the priority action areas to accelerate progress towards the Sustainable Development Goals. It provides tailored policy recommendations to address the root causes of gender inequality in the region and ensure that all women and girls of Southeast Asia can live their lives fully empowered.

In Brief

Discrimination in social institutions remains widespread in Southeast Asia

- Southeast Asia has made significant institutional strides towards gender equality. Yet, with a Social Institutions and Gender Index (SIGI) score of 39, levels of discrimination against women and girls in social institutions remain estimated to be medium and close to high.[1] This score is substantially higher than the global (29) and OECD (15) averages.
- Southeast Asia's score is similar to that of Africa (40) but below those of Latin America and the Caribbean (21) and Europe (14), where levels of discrimination are low and very low.
- Levels of discrimination vary substantially across the region. At the country level, they range from low to very high, as measured by the SIGI. Nevertheless, the vast majority of the region's women – 70%, which represents 340 million women – continue to live in countries with high and very high levels of discrimination.
- As in the rest of the world, discrimination in the region is the highest in the family. In Southeast Asia, discriminatory personal status laws are at the heart of the severe legal restrictions that women and girls face in the family sphere. They weaken women's status in the household, limit their rights to inheritance and divorce, and contribute to perpetuating the early marriage of girls.
- Views across the region largely support a traditional gender-based division of roles whereby men should be the breadwinners while women should remain confined to care and reproductive roles. These attitudes translate into Southeast Asian women dedicating 3.1 times more time than men to unpaid care and domestic work, or 14% of their day compared to only 4% for men.
- Although the legislation tends to protect women in the workplace, societal expectations of gender roles and norms of restrictive masculinities related to men's leadership limit women's labour inclusion and their representation in managerial positions.
- As a result, Southeast Asian women's participation in the labour market is lower than men's and is concentrated in specific sectors. Women's participation in the labour market is also characterised by informality, hampering their access to social protection benefits, and by vulnerable forms of employment such as that of contributing family workers.
- Women's civil liberties are limited by unequal citizenship rights and restricted political participation. Most citizenship laws of Southeast Asian countries contain provisions that do not grant women and men equal rights to citizenship – particularly to acquire or retain citizenship after marriage or to confer it to their children. At the same time, women accounted for only 22% of the members of parliament in 2023.
- Women's physical integrity remains restricted. In 2023, 21% of women had experienced intimate-partner violence at least once in their lifetime, and 7% during the previous 12 months. In this context, one-third of the population thinks that it is acceptable for a man to beat his spouse under certain circumstances, and laws continue to fail to comprehensively protect women and girls from all types of violence, from intimate-partner violence to sexual harassment, rape and female genital mutilation and cutting.
- Women's and girls' access to sexual and reproductive health and rights – notably for adolescents – is hampered by restrictive laws, unequal power dynamics in the household, limited access to services and a lack of comprehensive sexuality education.

Southeast Asia, in line with global commitments, has made notable institutional strides towards gender equality over the past four decades. Gender equality is a core pillar of the 2030 Agenda for Sustainable Development. It is not only a stand-alone Sustainable Development Goal (SDG 5), but it is also embedded in nearly all 17 goals: about 45% of the indicators of the SDG framework (102 out of 247) are gender-relevant (Cohen and Shinwell, 2020[1]). Well before the 2030 Agenda, Southeast Asian governments ratified the Convention on the Elimination of All Forms of Discrimination against Women and, in 1995, endorsed the fundamental Beijing Declaration and Platform for Action (BPfA) for advancing women's rights. At the regional level, the Association of Southeast Asian Nations (ASEAN)[2] has steered the gender equality agenda, as reflected in the adoption of the Gender Mainstreaming Strategic Framework 2021-25 (ASEAN, 2021[2]; ASEAN, 2017[3]).

Despite significant progress in gender equality outcomes, Southeast Asia grapples with persistent challenges. The region has successfully narrowed gender gaps in education and achieved parity in primary and secondary education (OECD, 2021[4]). However, women and girls continue to experience various forms of violence – from child marriage to intimate-partner violence and sexual harassment –, suffer from restricted access to sexual and reproductive health education, and face economic and political empowerment disparities. In addition, women living in poor households, residing in rural areas or belonging to ethnic minorities are further marginalised and face heightened barriers in terms of access to services, education or jobs (ASEAN and UN Women, 2021[5]).

At the heart of the socio-economic differences that still exist between men and women, lie discriminatory social institutions – that is formal or informal laws, social norms and practices. Many of these institutions take their root in predominantly patriarchal, customary and religious practices and have an impact on women's empowerment in nearly all aspects of their lives. Norms that confine women to care and reproductive roles, together with laws that limit women's rights in the family sphere – e.g. authorising the marriage of minor girls, establishing distinct shares of inheritance between women and men, and preventing women from being the legal guardians of their children or from divorcing –, not only weaken women's status in the family but have ripple effects on their empowerment in the public and economic spheres.

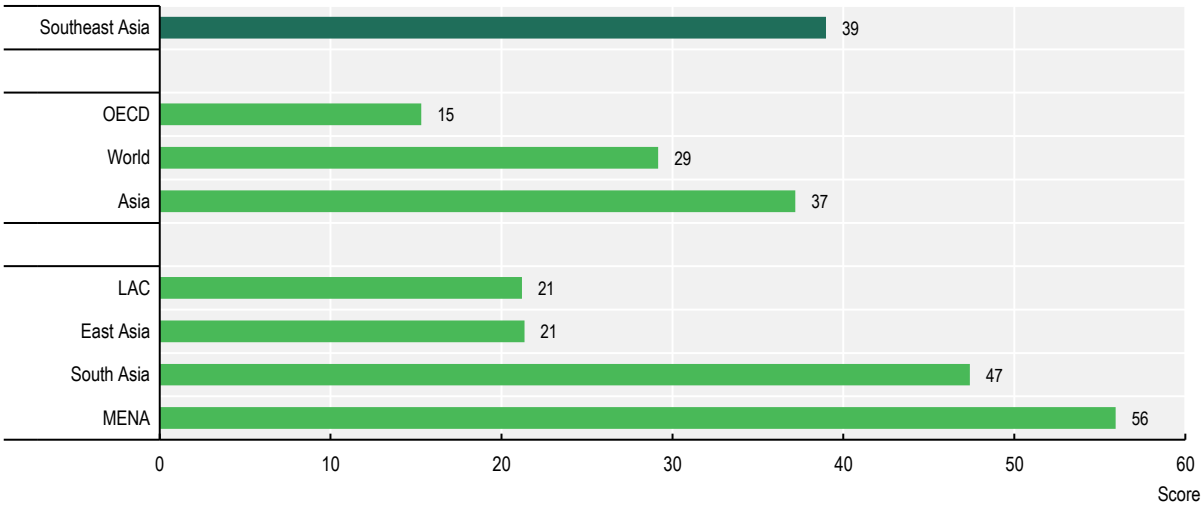
The chapter starts by providing an overview of the SIGI results in Southeast Asia. It underlines the progress achieved, notably in terms of legal reforms, and underscores the challenges remaining to eliminate discrimination in social institutions. The chapter explores women's and girls' status and rights across the SIGI's four dimensions: (i) women's status in the family sphere; (ii) women's status in the economic sphere; (iii) women's civil liberties; and (iv) women physical integrity and access to sexual and reproductive rights. The chapter concludes by identifying priority action areas to accelerate progress towards the SDGs and by providing tailored policy recommendations to address the root causes of gender inequality in the region.

The fifth edition of the SIGI shows that discrimination in social institutions remains widespread in Southeast Asia

With a SIGI score of 39, Southeast Asia has levels of discrimination against women and girls in social institutions that are estimated to be medium and close to high. Box 1.1 explains how the SIGI measures discrimination.[3] On average, the region's levels of discrimination are in line with those observed in the entire Asian continent (score of 37) but higher than at the global level (29) and in OECD countries (15). Southeast Asia's score is similar to that of Africa (40), and the region fares better than the Middle East and North Africa (56), where levels of discrimination are very high. In contrast, the region lags behind Latin America and the Caribbean (21) and Europe (14), where levels of discrimination are low and very low (Figure 1.1).

Figure 1.1. Discrimination in social institutions remains important in Southeast Asia compared with other regions

SIGI scores in Southeast Asia and selected regions of the world, 2023



Note: Scores range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination. LAC corresponds to Latin America and the Caribbean; MENA corresponds to the Middle East and North Africa.
Source: (OECD, 2023[6]), "Social Institutions and Gender Index (Edition 2023)", *OECD International Development Statistics* (database), https://doi.org/10.1787/33beb96e-en.

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Box 1.1. What is the Social Institutions and Gender Index (SIGI)?

The SIGI measures discrimination in social institutions faced by women and girls throughout their lives

The SIGI is a unique cross-country composite index measuring levels of gender-based discrimination in social institutions. The fifth edition covers 179 countries compared to 180 countries in 2019, including the 11 countries of Southeast Asia.[4] The SIGI looks at the gaps that legislation, attitudes and practices create between women and men in terms of rights, justice and empowerment opportunities at all stages of their lives.

The SIGI builds on a framework of 4 dimensions, 16 indicators and 25 underlying variables. It covers the major socio-economic areas that affect women and girls throughout their lifetime, from discrimination in the family to restrictions on their physical integrity, their economic empowerment, and their rights and agency in the public and political spheres (Annex C).

The SIGI measures the root causes of gender gaps observed at the outcome level

Worldwide and regionally, most gender equality indices – e.g. the Gender Development Index and the Gender Inequality Index computed by the United Nations Development Programme (UNDP) – seek to measure deprivations and inequalities between men and women at the outcome level. They focus on the upper and visible part of the iceberg, and they tend to include measures related to boys' and girls' enrolment in education, differences in income and wages, inequalities in access to health services, and so forth.

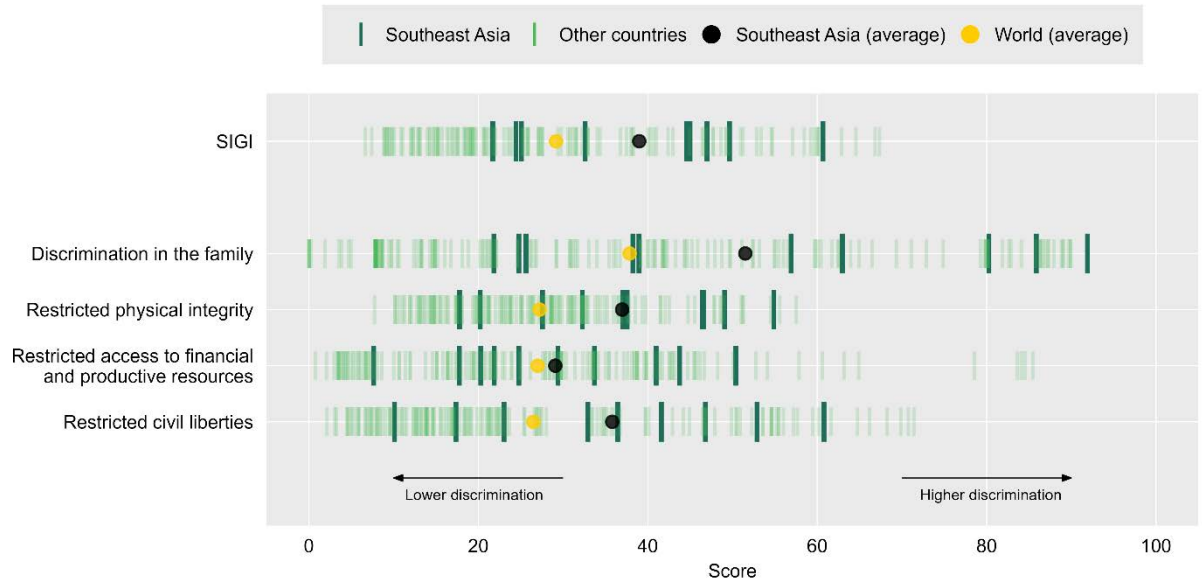
The SIGI, on the other hand, studies the submerged part of the iceberg. The connection between the SIGI and other gender equality indices is that discriminatory social institutions are the root cause of the gender gap observed at the outcome level. They play a fundamental and underlying role by erecting invisible barriers that have lasting consequences on women's and girls' lives.

Levels of discrimination in social institutions vary substantially across Southeast Asian countries. In Cambodia, Viet Nam and the Lao People's Democratic Republic (hereafter Lao PDR), gender-based discrimination is low (SIGI scores of 22, 24 and 25, respectively). These three countries' good results stem from relatively strong legal frameworks that protect girls' and women's rights in most areas of the SIGI framework. Conversely, despite various initiatives taken by the government to advance women's rights, notably through Malaysia's National Human Rights Action Plan, levels of discrimination in Malaysia are assessed as very high, with a SIGI score of 61. This score primarily results from laws that discriminate against women's rights with variations across religious and ethnic groups.

These large variations are illustrated by the fact that Southeast Asian countries are distributed across nearly all five levels of discrimination measured – with the exception of the very low category (Figure 1.2). Nevertheless, the vast majority of the region's women – 70%, or 340 million women – continue to live in countries with high and very high levels of discrimination. Their concentration in such countries results from large differences between the population sizes of the region's countries. In particular, the majority of these women live in populous countries such as Indonesia or the Philippines that present high levels of gender-based discrimination in social institutions.

Figure 1.2. Levels of discrimination in social institutions vary widely across Southeast Asian countries

SIGI scores in Southeast Asian countries, 2023



Note: Scores range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination. Because of missing data, SIGI scores could not be calculated for Brunei Darussalam and Timor-Leste.
Source: (OECD, 2023[6]), "Social Institutions and Gender Index (Edition 2023)", *OECD International Development Statistics* (database), https://doi.org/10.1787/33beb96e-en.

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Data from the fifth edition of the SIGI also show that the most important barriers women and girls face vary across countries of the region. For 6[5] out of Southeast Asia's 11 countries, gender-based discrimination in laws and social norms is highest in the family sphere. For the remaining 5 countries, levels of discrimination are highest regarding girls' and women's physical integrity (Lao PDR, Singapore and Timor-Leste), their economic rights (Cambodia) and their civil liberties (Thailand). This heterogeneity is further reflected in the specific issues that underpin each of these four structural dimensions of girls' and women's lives. While many factors are at play and determine to what extent girls and women can exercise their rights and opportunities at all times and areas of life, certain issues stand out in the family, economic and public spheres (Table 1.1).

Table 1.1. Challenges remain in certain areas of women's lives, especially in the family sphere

Scores for the indicators of the SIGI framework

	Discrimination in the family				Restricted physical integrity				Access to productive and financial resources				Restricted civil liberties			
	Child marriage	Household responsibilities	Inheritance	Divorce	Violence against women	Female genital mutilation	Missing women	Reproductive autonomy	Access to land	Access to non-land assets	Access to financial services	Workplace rights	Citizenship rights	Political voice	Freedom of movement	Access to justice
Brunei Darussalam	63	100	100	100		75	38		0	0		54	100	67		
Cambodia	34	25	0	25	36	25	0	5	25	25	1	58	0	43	8	13
Indonesia	32	75	100	100	18	50	6	48	25	25	0	19	75	32	24	0
Lao PDR	24	25	25	25	30	25	0	49	25	25	0	44	0	53	19	13
Malaysia	64	75	100	100	34	75	19	49	50	50	1	63	100	62	57	0
Myanmar	33	25	100	75	37	100	12	49	25	25	1	71	25	59	29	13
Philippines	17	75	50	75	49	50	28	66	75	75	8	28	100	25	6	0
Singapore	28	25	50	50	24	100	28	5	50	50	3	53	100	46	40	0
Thailand	48	0	50	50	35	25	15	3	0	0	0	68	100	40	16	0
Timor-Leste	47	25	25	0	49	25	17	52	25	25	0	29	0	10		
Viet Nam	17	25	25	75	32	25	76	3	0	0	0	28	0	22	17	0

Note: Scores range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination. For each indicator, the colour scale indicates the level of discrimination according to the following classification: (1) very low level of discrimination (0 < score < 20); (2) low level of discrimination (20 < score < 30); (3) medium level of discrimination (30 < score < 40); (4) high level of discrimination (40 < score < 50); and (5) very high level of discrimination (50 < score < 100). Cells in dark grey indicate that missing data prevented computing a score in the indicator. See Annex C for more details on the computation method for each indicator and its underlying variables.
Source: (OECD, 2023[6]), "Social Institutions and Gender Index (Edition 2023)", *OECD International Development Statistics* (database), https://doi.org/10.1787/33beb96e-en.

StatLink https://stat.link/cglhin

In this context, since 2019, Southeast Asia has boasted critical legal reforms across all dimensions and indicators of the SIGI. Data from the fifth edition of the SIGI reveal that, between 2019 and 2023, Southeast Asian countries implemented 33 legal or regulatory reforms related to gender equality, out of which 26 (79%) were assessed as contributing to greater gender equality. Conversely, 2 of these reforms were assessed as gender unequal as they further limit women's rights and opportunities, and 6 were assessed as neutral from a gender perspective[6] (see Chapter 2 and Annex B). Most of these legal reforms (13 out

of 33) focused on the prevention of violence against women. Several landmark reforms were also enacted to prohibit girl child marriage – such as in Indonesia and the Philippines – or to protect and expand women's labour rights – such as in the Philippines and Thailand.

As in the rest of the world, discrimination is the highest in the family sphere

Women in Southeast Asia face the highest levels of discrimination within the family sphere. This is in line with findings at the global level which underline that high levels of discrimination in the family sphere reflect the persistence of deep-rooted unequal power relations between women and men within the household (OECD, 2023[7]). In the context of the SIGI framework, such discrimination includes unequal rights to divorce or inherit, early marriage of girls, unequal rights to guardianship or custody of children during or after marriage, traditional roles of men and women in the household, and gender-based imbalances in the amount of time dedicated to unpaid care and domestic work. Such discrimination in the family has important repercussions on girls' and women's rights and opportunities throughout their life cycles and limits their empowerment in the economic and political spheres. For example, unequal inheritance laws and practices can make women more economically vulnerable by depriving them of essential rights that guarantee their financial independence.

In Southeast Asia, discriminatory personal status laws are at the heart of these high levels of discrimination in the family sphere (Chapter 2). Personal status laws are complex legal instruments sitting at the crossroads of statutory, religious and customary laws. They are applicable to particular religious, ethnic or cultural groups within a national jurisdiction. These laws and regulations govern family matters, ranging from marriage to guardianship, child custody, spousal maintenance, divorce and succession. While personal status laws remain prevalent in many parts of the world, they are particularly present in Southeast Asia. Seven countries[7] out of 11 possess such laws, which have varying degrees of coexistence with and legal precedence over civil law (see Chapter 2 on laws).

These personal status laws have a profound impact on women's legal status in the family sphere and are at the root of the severe legal restrictions that women and girls face in Southeast Asia. Discriminatory legal provisions embedded in personal status laws tend to cement inequalities by establishing unequal rights between men and women within a culture, religion or ethnic group (World Bank, 2012[8]; Panditaratne, 2007[9]). They also establish different rights within a country between women of different groups based on cultural, religious or ethnic affiliation. More precisely, personal status laws enforced in Southeast Asia tend (i) to limit women's rights to inheritance by conferring to men a larger share of inheritance; (ii) to establish different rules and requirements for men and women to initiate and finalise divorce or to remarry following a divorce; (iii) to weaken women's status and agency in the household by limiting their authority over their children and by distinguishing between custody and legal guardianship; and (iv) to establish a minimum legal age of marriage for girls under the age of 18 years, which may vary across ethnic and/or religious communities (see Chapter 2 on laws).

These legal loopholes have concrete consequences for women's and girls' empowerment. For instance, laws that fail to strictly prohibit child marriage leave girls highly vulnerable to the practice and translate into a large share of them being married before the age of 18 years. In 2023, 17% of Southeast Asian women aged 20 to 24 years were married before the age of 18 years. Across nearly all countries of the region with data available,[8] this share ranges from 15% to 20%. Notable exceptions are countries like Singapore, where girl child marriage has been virtually eliminated despite legal provision allowing exceptions to the minimum age of marriage. Conversely, in LAO PDR, although there are no legal exceptions, informal laws tolerate this harmful practice, leading to one-third of women aged between 20 and 24 years being married before the age of 18 years (OECD Development Centre/OECD, 2023[10]).

The practice of girl child marriage carries deep and long-term consequences on the social, physical and economic well-being of women throughout their lives. The latest research at the global level stresses that girl child marriage and its association with adolescent pregnancy have large impacts on population growth,

with significant negative effects on the health and nutrition of children of child brides. The practice also severely hampers girls' education, affecting human capital and having an impact on women's future status in the labour market, and is associated with higher risks of intimate-partner violence (Wodon et al., 2017[11]). Overall, the costs associated with girl child marriage are estimated at billions of dollars every year for the global economy, with Southeast Asian countries bearing a substantial share of it (ICRW, 2018[12]).

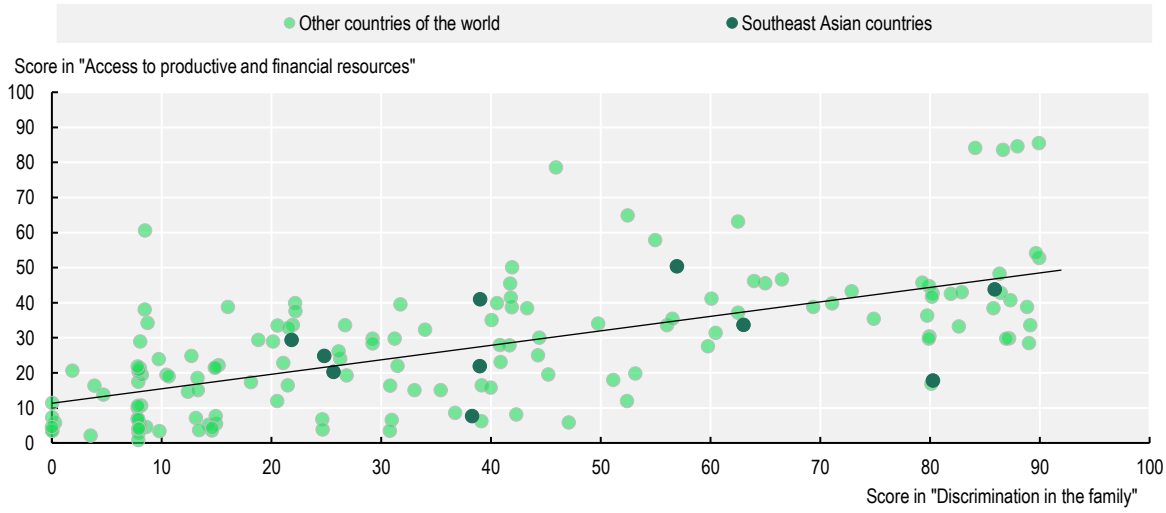
Laws that limit women's status in the family also reflect discriminatory social norms and traditional gender roles. Across the region, views largely support the idea that men should be the breadwinners while women should remain confined to care and reproductive roles (see Chapter 3 on social norms). These discriminatory views reflect the region's societal structures of men's and women's traditional roles (Women and Girls Empowered (WAGE), 2021[13]).

Attitudes endorsing these traditional gender-based divisions of roles in the household translate into Southeast Asian women shouldering most of the unpaid care and domestic work. Information from time-use surveys that measure the amount of time men and women allocate to unpaid care and domestic tasks remains limited, with only four countries in the region having available data – Cambodia, Lao PDR, Malaysia and Thailand. Across these countries, on average, women spend 3.1 times more time than men on unpaid care and domestic tasks, dedicating 3.3 hours per day to them, compared to only 1 hour per day for men. In other words, women dedicate 14% of their day to unpaid care and domestic work, whereas men only spend 4% of their day on such tasks.

Overall, discrimination in the family sphere that is embedded in laws and social norms has deep negative consequences on the economic, social and political empowerment of women and girls. Global data from the fifth edition of the SIGI show that higher levels of discrimination in the family sphere – as measured by the scores in the dimension "Discrimination in the family" – are associated with higher levels of discrimination in the economic sphere (Figure 1.3). Legal discrimination in the family sphere weakens women's and girls' agency, undermining their ability to build human and financial capital and to fully participate in the economic and social spheres (OECD, 2023[7]). For instance, laws that authorise girls to marry before the age of 18 years lead to a large incidence of girl child marriage, which has long-term repercussions on girls' and women's health and education. Laws that limit women's rights to leave the household or that force them to obey their spouses also constitute critical barriers that prevent women from taking paid jobs outside the household. Discriminatory views on women's traditional roles and the resulting systemic differences in unpaid care and domestic work also have deep implications for women's labour engagement and outcomes, such as their overrepresentation in low-wage sectors, in the informal economy or among part-time workers, as well as women's underrepresentation in leadership and management positions (OECD, 2023[7]).

Figure 1.3. Discrimination in the family sphere hampers Southeast Asian women's social and economic empowerment

Correlation between scores in the SIGI dimensions "Discrimination in the family" and "Access to productive and financial resources", 2023



Note: Scores range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination.
Source: (OECD, 2023[6]), "Social Institutions and Gender Index (Edition 2023)", *OECD International Development Statistics* (database), https://doi.org/10.1787/33beb96e-en.

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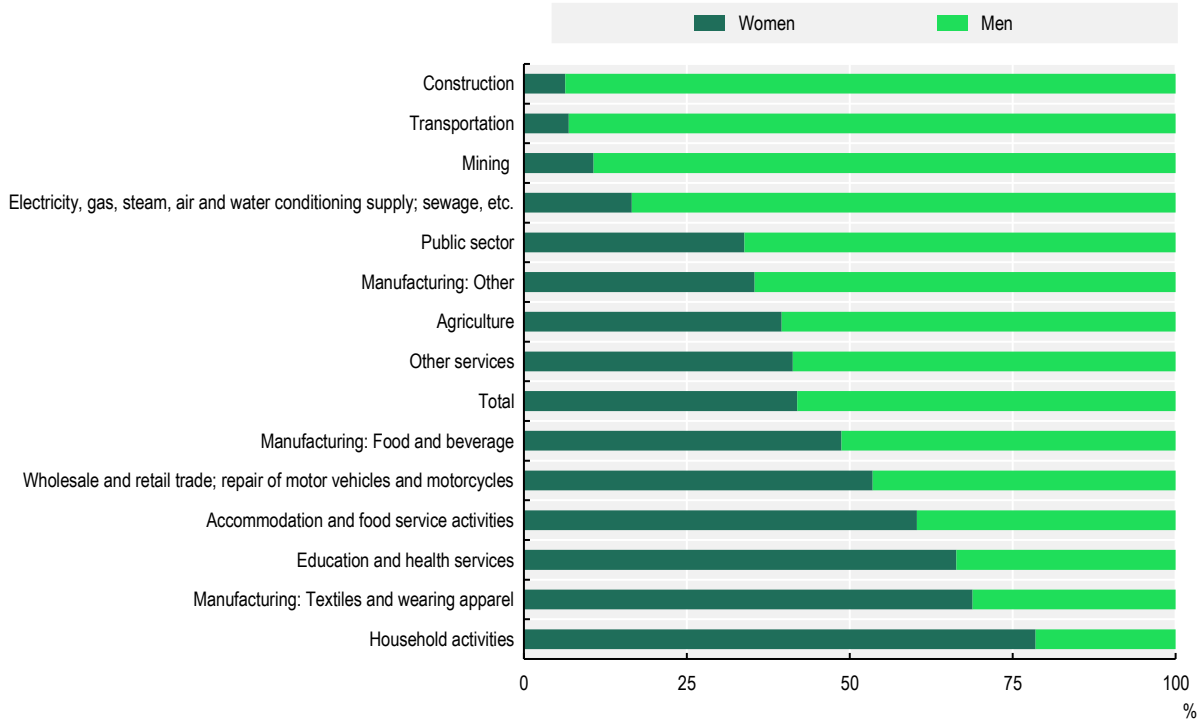
Discriminatory laws and attitudes continue to limit women's empowerment in the labour market

The economic dimension is central to women's empowerment. It focuses primarily on women's capacity to make strategic choices and exercise agency in the economic sphere and, more precisely, their ability to participate in the labour market, earn an income, and access and control key resources such as land. It also encompasses a wider set of issues, including women's control over their own time, lives and bodies, as well as their meaningful participation and representation in economic decision-making processes at all levels – from within the household to the highest economic and political positions. Women's economic empowerment also paves the way for changes in other dimensions of their lives, such as well-being, social empowerment, health or education.

In Southeast Asia, women's participation in the labour market is substantially lower than men's, and each tends to be concentrated in different economic sectors. In 2023, across Southeast Asia, women's labour force participation stood at 57%, compared to 75% for men, translating into a gender gap of 18 percentage points (ILO, 2023[14]).[9] The gender gap attained 31 percentage points in Myanmar, while it dropped to 7 and 9 percentage points in Lao PDR and Viet Nam, respectively. In line with the employment structure of the entire region, in 2023, more than 50% of employed women worked in agriculture and in the wholesale and retail trade sector. Moreover, gender segregation across economic sectors was very important. In 2023, more than 90% of the workers employed in the transportation and construction sectors were men. Conversely, women accounted for more than 60% of the workers employed in household and domestic activities, in the textiles and wearing apparel sector, in the education and health services sector, and in accommodation and food service activities (Figure 1.4).

Figure 1.4. Economic sectors are strongly segregated by gender in Southeast Asia

Share of women and men in economic sectors, 2023



Note: The figure presents Southeast Asia's aggregated shares of women and men in selected economic sectors. For each sector, data are calculated from disaggregated data at level 2 of ISIC Rev. 4. "Electricity, gas, steam, air and water conditioning supply; sewage, etc." corresponds, in full, to "Electricity, gas, steam, air and water conditioning supply; sewage, waste management and remediation activities."
Source: (ILO, 2023[15]), "Employment by sex and economic activity (thousand) | Annual", *ILOSTAT: Labour Force Statistics* (database), https://ilostat.ilo.org/topics/employment/.

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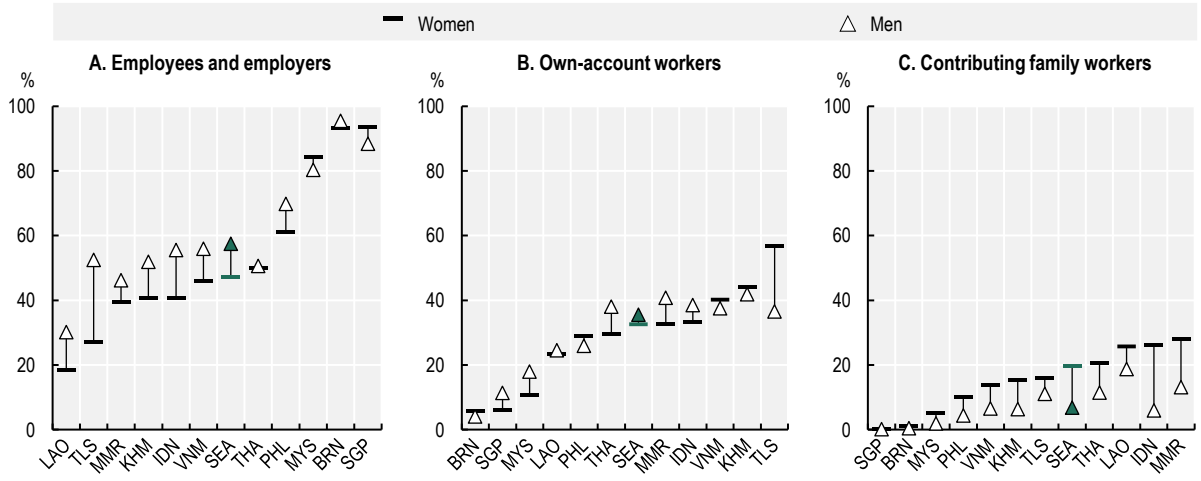
Employment in the informal sector remains the norm in Southeast Asia, for both women and men. In 2022, 69% of employed women worked as informal workers, compared to 70% of employed men (ILO and ADB, 2023[16]). A substantial share of these informal workers operate in the agricultural sector (ILO, 2023[17]). Older individuals, especially women, are particularly affected. In five countries[10] of the region, the informal employment rate of workers aged over 65 years is superior to 90%. In Myanmar, the gender gap in informal employment among individuals aged over 65 years stands at 11 percentage points, while it reaches 6 and 4 percentage points in Thailand and Indonesia, respectively. Evidence from the region suggests that older women are pushed into informality due to difficulties in finding formal employment at their age, which adds additional stress to their multiple responsibilities at work and at home (Alfers and Sevilla, 2022[18]).

Overall, the widespread informality across the region constrains women's access to social protection benefits, which include, among others, health coverage, maternity and parental leave provisions, unemployment benefits, and benefits for their children and families (ILO, 2023[19]). This lack of protection exacerbates their vulnerabilities and reduces their likeliness to work on an equal footing with men.

Women's participation in the labour market is characterised by vulnerable forms of employment in both the formal and informal sectors. On average, in 2022, 57% of men employed in Southeast Asia worked as employees and employers, compared to 47% of women. Conversely, only 7% of employed Southeast Asian men worked as contributing family workers, compared to 20% of women (Figure 1.5).

Figure 1.5. Southeast Asian women work in more vulnerable positions than men

Share of employed women and men according to their status in employment



Note: For each status in employment, countries are ordered from lower to higher shares of women's employment. The year of reference vary by country and ranges from 2019 to 2023.
Source: (ILO, 2023[20]), "Employment by sex and status in employment (thousands) | Annual", *ILOSTAT: Labour Force Statistics* (database), https://ilostat.ilo.org/topics/employment/; and (Government of Malaysia, 2023[21]), *Labour Force Survey Report 2022*, Ministry of the Economy, Department of Statistics Malaysia, https://newss.statistics.gov.my.

StatLink https://stat.link/i0xvj3

Southeast Asia's laws governing women's rights in the workplace are generally robust and guarantee equal rights between men and women, but gaps persist in certain countries of the region. Most countries have eliminated all legal provisions that prevent women from entering certain sectors or professions, or from working during night hours the same way as men.[11] However, some countries' laws governing family relationships may indirectly restrict women's ability to freely choose their professions (see Chapter 2 on laws). Moreover, although all countries of the region have ratified the International Labour Organisation (ILO) Convention 100 stipulating equal pay for work of equal value (ILO, 1951[22]), only six countries[12] have transcribed the principle into their national legislation. Two countries[13] mandate equal remuneration for equal work but not for work of equal value, while three countries[14] do not have any legal provision on the matter.

Women's rights to access financial services are also well protected. Existing legal frameworks guarantee women the same rights as men to open a bank account or obtain credit in all Southeast Asian countries. However, although equal rights may be guaranteed by the law, men's and women's ability to exercise these rights in their daily lives can be limited. For instance, just over half of Southeast Asia's population has a bank account at a financial institution (52% of women and 54% of men) (OECD Development Centre/OECD, 2023[10]). Therefore, although gender gaps in financial inclusion are small, data still underscore low levels of achievement for both women and men.

At the heart of women's labour constraints lie discriminatory social norms. Shared attitudes across the region reflect notions of restrictive masculinities that establish men as natural leaders and that associate managerial skills with characteristics more commonly ascribed to men (see Chapter 3 on social norms) (OECD, 2021[23]). These views often translate into women being underrepresented in managerial positions. In Southeast Asia, 36% of managers are women, and 32% of firms are headed by women, although the region fares better than the rest of the world (with respective shares of 25% and 15%). Discriminatory views on women's ability to be business leaders also hinder the development of female entrepreneurship

and women-led businesses. Other factors at play are limited access to formal financing and collateral, informality and lack of formal documentation, and reduced access to networks – all leading to insufficient access to information on financing options, entrepreneurship advice and mentorship opportunities (The ASEAN, 2022[24]).

Societal expectations on gender roles remain the driving force behind existing structural gender inequalities in the labour market (Chapter 3). Traditional views on women's and men's roles translate into women shouldering the brunt of unpaid care and domestic work. These tasks and responsibilities severely limit the amount of time women can dedicate to other activities, including education and paid employment. Also, to reconcile their family responsibilities with the need to contribute to the household income, women are often pushed into more flexible forms of employment such as the informal sector or part-time employment (ILO, 2018[25]; Hoyman, 1987[26]).

These discriminatory views shape the laws and regulations that govern parental leave schemes, resulting in extremely large differences between maternity and paternity leave. All Southeast Asian countries mandate paid maternity leave, but only 6 countries[15] out of 11 comply with the minimum maternity leave period of 14 weeks recommended by the ILO (2022[27]). Moreover, in contrast with maternity leave, four countries[16] do not mandate any paid paternity or parental leave for fathers, and in countries that do, the legislation establishes leave periods available to fathers that are significantly shorter than for mothers (see Chapter 2 on laws). These stark differences between the duration of maternity and paternity leave primarily reflect the persistence of norms according to which women are the primary child carers and men the breadwinners. In turn, the differences in treatment between mothers and fathers as upheld by the law further encourage a gender-based division of roles within the household. As a result, even when paid paternity or parental leave exists, fathers can be reluctant to use it for fear of being stigmatised and not complying with the dominant model (Pham, Ngo and Pham, 2023[28]; Baird, Hill and Gulesserian, 2019[29]; Hill, 2019[30]). The uptake of maternity or parental leave is also hampered by women's widespread work in the informal sector which excludes most workers from existing programmes (see Chapter 3 on social norms).

Women's civil liberties are restricted by unequal citizenship rights and limited political participation

Citizenship laws are fundamental to avoid statelessness and to guarantee socio-economic and political rights such as access to social protection and education, the right to work and to vote, and so forth. An individual who lacks legal recognition as a national or citizen of a country is considered stateless, which has drastic consequences on his/her ability to enjoy such rights. Southeast Asia is particularly affected by this phenomenon. Estimates suggest that 40% of stateless people live in the Asia-Pacific region, the majority in Southeast Asia (Sperfeldt, 2021[31]). At the same time, Southeast Asian countries have a poor record of ratifying the main international instruments that protect the rights of stateless individuals: only the Philippines has ratified the 1954 Convention relating to the Status of Stateless Persons, and no country in the region is party to the 1961 Convention on the Reduction of Statelessness (Sperfeldt, 2021[31]).

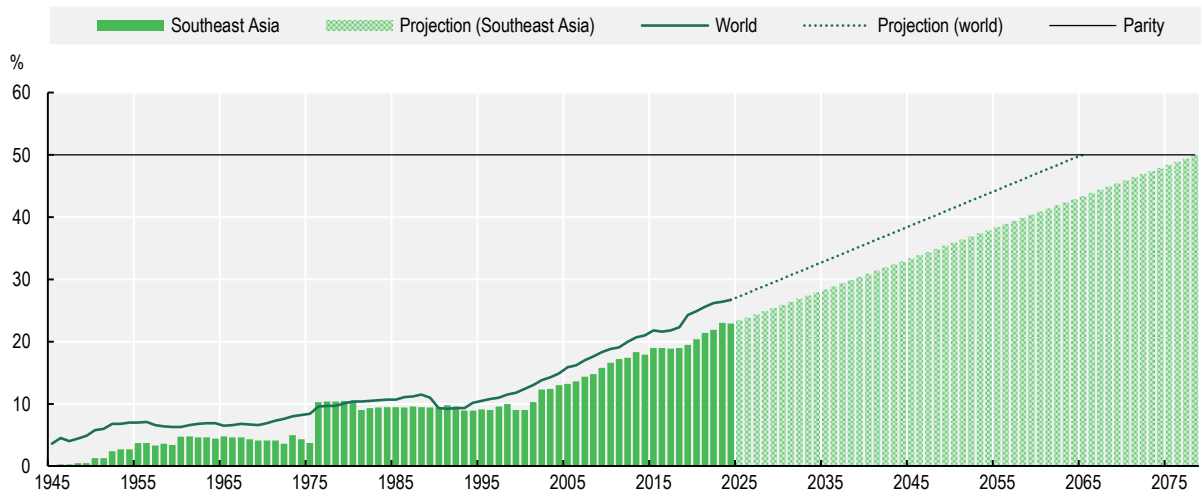
In this context, most citizenship laws of Southeast Asian countries contain provisions that do not grant women and men equal rights – in particular, to acquire or retain citizenship after marriage or to confer it to their children. In 5 Southeast Asian countries[17] out of 11, citizenship laws do not grant women and men the same rights to confer citizenship to their spouses (see Chapter 2 on laws). Such legal provisions can increase the risk of statelessness in cases of marriages between nationals of different countries. For example, a woman marrying a foreigner and applying for his nationality can lose her original or birth nationality. Cases have been reported where Vietnamese brides became stateless when they had to renounce their citizenship to request the nationality of their foreign spouses but subsequently failed to obtain a new nationality (Sperfeldt, 2021[31]). These types of provisions can also exacerbate women's exposure to gender-based violence. When a woman's nationality is tied to an abusive spouse, she faces

greater difficulty in escaping the violent relationship (Global Campaign for Equal Nationality Rights, 2020[32]). At the same time, while nearly all Southeast Asian countries grant women and men the same rights to confer their nationality to their children, some exceptions persist – notably in Brunei Darussalam, Indonesia and Malaysia (see Chapter 2 on laws).

These limitations can have far-reaching implications for individuals' participation in public and political life, which largely depends on being a citizen. Women in Southeast Asia suffer from a lack of political representation; at the end of 2023, only 22% of the members of parliament were women. Their representation ranges from less than 15% in Brunei Darussalam and Malaysia to 30% in Viet Nam and 40% in Timor-Leste. The rate of progress observed across the region over the 2013-23 period is lower than at the global level. Projections suggest that, while it could take the world about 40 additional years to attain gender parity in political representation, it may take Southeast Asia nearly 55 years (Figure 1.6).

Figure 1.6. Women's political representation in Southeast Asian parliaments is increasing, albeit at a slow pace

Share of women in national parliaments, 1945-2078



Note: Projections are calculated using the average yearly increase in women's share in national parliaments in percentage points, over the period 2015-24 (World: +0.57 percentage points per year; Southeast Asia: +0.50 percentage points per year).
Source: (IPU, 2023[33]), "Historical data on women in national parliaments", *IPU Parline* (database), https://data.ipu.org/historical-women.

StatLink https://stat.link/8degcn

Scepticism towards women's abilities as political decision makers is widespread: 62% of the Southeast Asian population states that men make better political leaders, ranging from 31% in Singapore to over 70% in Indonesia and Myanmar. In addition, evidence shows that political parties often act as gatekeepers, marginalising women and restricting resources for their upward political mobility (Welsh, 2020[34]). In this context, gender quotas could serve as a temporary measure to enhance women's political representation (OECD, 2023[7]). These measures not only naturally increase the share of women elected to political offices but also provide talented women with a pathway to enter politics and opportunities to develop their competencies while in office. Over the long term, gender quotas contribute to the emergence of female role models in politics who can, in turn, inspire future generations of women to engage in politics. However, across the region, only Indonesia has implemented gender quotas at both the national and sub-national levels. Timor-Leste and Viet Nam have quotas at the national level, while Cambodia and the Philippines have them at the sub-national level only. In countries where quotas are in place at the national level, women's representation in parliament is significantly higher compared to countries without such quotas.

This trend aligns with global findings indicating that legislated gender quotas have a positive and significant impact on women's representation in parliaments, particularly in the Americas and in Asia (OECD, 2023[7])

At the same time, laws across Southeast Asia tend to guarantee women's rights to justice and their freedom of movement. Contrary to the pressing issues highlighted above, there is less variation across the region's countries, indicating that nearly all women in Southeast Asia seem to fare better in these areas (Table 1.1). In this regard, women and men have the same rights in the justice system, notably concerning suing someone or providing testimony in court, except in Brunei Darussalam.[18] Likewise, women's freedom of movement – captured by the right to travel within and outside of the country and to apply for identity cards or passports – is guaranteed by statutory legal frameworks in most countries.[19] Certain cultural and legal contexts may impose limitations on this right. For instance, in some countries, such as Brunei Darussalam and Malaysia, religious or customary laws may intersect with constitutional protections, leading to restrictions on women's freedom of movement.

However, similar to financial inclusion, practices suggest that these legal guarantees have not yet fully translated into concrete achievements. Both men's and women's ability to exercise their judicial rights remains limited, with about one-third of women and men (29% and 33%, respectively) reporting that they do not have confidence in the judicial system and courts of their country (OECD Development Centre/OECD, 2023[10]). When looking at people's mobility and feeling of safety in public spaces, a greater share of women than men feel insecure when walking alone at night outside (36% and 21%, respectively), which is in line with the dynamic observed in other regions of the world. At the country level, Singapore stands out with the lowest share of women (7%) feeling insecure, compared to Myanmar, where a majority of women (56%) do not feel safe (OECD Development Centre/OECD, 2023[10]). These figures underline that, although legal frameworks free of discrimination are a key prerequisite to achieving gender equality in all areas of life, additional policy measures are needed to translate *de jure* rights into *de facto* opportunities and rights.

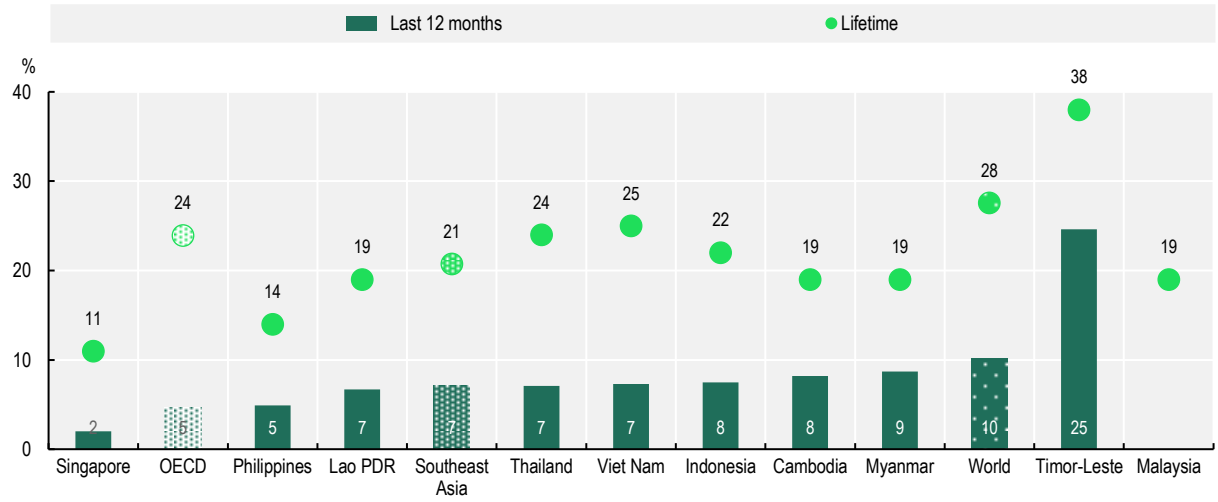
Women's physical integrity remains severely restricted

Throughout their lives, girls' and women's physical integrity may be restricted in different ways. Discriminatory laws and social norms can increase their vulnerability to multiple forms of violence, limit their control over their bodies and undermine their reproductive autonomy. These violations of girls' and women's rights can have lasting consequences on their well-being, socio-economic inclusion, and ability to accumulate knowledge and contribute to the welfare of their families, communities and societies (CARE International, 2018[35]; WHO, 2021[36]). Data from the fifth edition of the SIGI show that women's physical integrity remains restricted in Southeast Asia, particularly in the areas of violence against women and reproductive autonomy.

Despite increased awareness and policy actions, girls and women in Southeast Asia are at risk of experiencing gender-based violence. Violence against women refers to "any act of gender-based violence that results in, or is likely to result in, physical, sexual, or mental harm or suffering to women" (United Nations, 1993[37]). Girls and women are disproportionately vulnerable to experiencing some form of violence throughout the course of their lives – often at the hands of their partners. Across Southeast Asia, at the time data were collected, 21% of women had experienced intimate-partner violence at least once in their lifetime, and 7% had survived intimate-partner violence over the previous 12 months (Figure 1.7). Although prevalence rates in Southeast Asia are below the global averages for both lifetime (28%) and 12-month (10%) intimate-partner violence, data likely underestimate the actual extent of the phenomenon. Because of fear of retaliation as well as limited trust in the ability of the justice system to hold perpetrators accountable and to provide effective protection measures, many victims/survivors may refrain from reporting their cases to public authorities (OECD, 2020[38]).

Figure 1.7. Many Southeast Asian women have experienced intimate-partner violence

Share of women who have survived intimate-partner violence during the last 12 months and during their lifetime



Note: Countries are ordered by increasing shares of women who have experienced intimate-partner violence (IPV) during the last 12 months. Data for the 12-month IPV rate are missing for Brunei Darussalam and Malaysia; data for the lifetime IPV rate are missing for Brunei Darussalam. The population of reference for the 12-month IPV rate are ever-partnered women and girls aged more than 15 years; the population of reference for the lifetime IPV rate are ever-partnered women and girls aged 15 to 49 years.
Source: (OECD Development Centre/OECD, 2023[10]), "Gender, Institutions and Development (Edition 2023)", *OECD International Development Statistics* (database), https://doi.org/10.1787/7b0af638-en.

StatLink https://stat.link/huso5a

Policy and legal frameworks are crucial to preventing and ending violence against women. All Southeast Asian countries, except for Brunei Darussalam, have a national action plan or policy focusing on ending and preventing violence against women. Yet, no country in the region has a legal framework that comprehensively protects girls and women from all forms of violence. The extent to which the law fails to adequately protect women and girls from violence varies substantially across Southeast Asian countries (see Chapter 2 on laws). It ranges from the absence of the notion of consent in the definition of rape to the failure to criminalise specific forms of violence – such as domestic violence, marital rape and sexual harassment –, the existence of reduced penalties in cases of so-called "honour crimes", the existence of provisions that allow rapists to marry the victim/survivor under specific circumstances, and the absence of legal provisions specifically criminalising female genital mutilation and cutting (FGM/C). The latter includes protecting women and girls in the context of so-called “cross-border” FGM/C, i.e. when girls are taken abroad to be cut in places where the practice is not criminalised or law enforcement is limited (OECD, 2023[39]).

The role of laws in preventing and addressing violence against women and girls is further hampered by views that continue to condone and justify intimate-partner violence. In Southeast Asia, one-third of the population thinks that it is acceptable for a man to beat his spouse under certain circumstances, e.g. when she burns the food, neglects the children or refuses sex (see Chapter 3 on social norms) (OECD Development Centre/OECD, 2023[10]). As long as such attitudes persist, girls and women are vulnerable to suffering from violence throughout their lives.

Women’s physical integrity in the region is also constrained by limited access to sexual and reproductive health and rights. These rights are essential to guarantee girls’ and women’s bodily autonomy and are a decisive factor for women’s lifelong health and development (OECD, 2023[7]) (Box 1.2). The right to health and reproductive autonomy is anchored in Articles 12 and 16(e) of the Convention on the Elimination of All

Forms of Discrimination against Women, which was ratified by all Southeast Asian countries (United Nations, 1979[40]). However, at the national level, discriminatory legal frameworks and social norms can severely restrict women's and notably adolescents' sexual and reproductive health and rights, preventing them from realising their rights and achieving the best possible health outcomes.

Box 1.2. What are sexual and reproductive health and rights?

The increasing awareness of how discrimination, stigma and poor quality of care can undermine people's access to sexual and reproductive health and rights (SRHR) is increasingly reflected in definitions of SRHR. Yet, there is no internationally agreed-upon definition, due to lack of consensus on certain rights – particularly regarding sexual and abortion rights.

As of 2023, the Guttmacher-Lancet Commission provides the most holistic definition of SRHR: "[s]exual and reproductive health is a state of physical, emotional, mental and social well-being in relation to all aspects of sexuality and reproduction, not merely the absence of disease, dysfunction or infirmity. Achieving sexual and reproductive health relies on realising sexual and reproductive rights, which are based on the human rights of all individuals [..]."

Source: (Guttmacher-Lancet Commission, 2018[41]), *Accelerate Progress: Sexual and Reproductive Health and Rights for All — Executive Summary*; and (OECD, 2023[7]), *SIGI 2023 Global Report: Gender Equality in Times of Crisis*.

Access to safe and legal abortion is uneven across Southeast Asia. Data from the fifth edition of the SIGI reveal that over 70% of women of reproductive age in the region do not have access to safe and legal abortion under essential circumstances, as recommended by the Committee on the Elimination of All Forms of Discrimination against Women. This represents a violation of their rights and also bears important health risks. Unsafe abortions are a leading, but evitable, cause of maternal mortality, and each year, millions of girls and women worldwide are hospitalised or die because of complications following unsafe abortion procedures (UNFPA, 2022[42]).

While amending discriminatory laws is fundamental for making sexual and reproductive health and rights a reality for all, national policies and programmes can enhance adolescents' and women's access to services, including family planning and contraception. In Southeast Asia, six countries[20] have a policy or action plan in place that establishes universal access to family planning services, and four countries[21] provide for subsidised or free contraceptives. Nevertheless, not all women's family planning needs are met. Across the region, 11% of women of reproductive age report unmet needs for family planning,[22] similar to the worldwide share (12%). While most of the region's countries declare unmet needs ranging between 10% and 15%, there are a few exceptions. In Viet Nam and Thailand, the shares of women who do not have their family planning needs satisfied with modern contraceptives are 5% and 6%, respectively, whereas the share reaches 23% in Timor-Leste (OECD Development Centre/OECD, 2023[10]).

Unequal power dynamics and social norms that establish men as the ultimate decision-makers can limit women's ability to choose, voice and act on contraception and family planning preferences (Moreau et al., 2020[43]). Globally, only 57% of women aged 15-49 years report making their own informed decisions regarding sexual relations, contraceptive use and reproductive health care. In Southeast Asia, data are available for four countries, namely Cambodia, Myanmar, the Philippines and Timor-Leste. Among these countries, women's reproductive autonomy is highest in the Philippines (81%) and lowest in Timor-Leste (40%) (United Nations, 2023[44]). This shows that even in the best-performing country, not all women have full decision-making power over their sexuality and reproduction.

When social norms confirming men in the role of family head and/or decision-making partner are pervasive, adolescents and women can face difficulties in obtaining information on sexuality, in making decisions

based on their own needs and preferences, and in accessing relevant services. In this regard, comprehensive sexuality education could support sexual and reproductive health and rights within wider gender equality efforts in Southeast Asia. Yet, only four countries in the region mandate comprehensive sexuality education as part of the national curriculum (OECD Development Centre/OECD, 2023[45]).[23]

Towards a new legal and social framework conducive to gender equality: Policy recommendations for Southeast Asia

Results from the fifth edition of the SIGI shed light on the fundamental role of discriminatory social institutions in shaping gender inequalities across Southeast Asia. Addressing these obstacles requires a co-ordinated effort from all stakeholders, from policy makers to bilateral and multilateral development partners, private and philanthropic actors, academic and research institutes, as well as feminist and civil society organisations. To accelerate progress towards achieving gender equality and SDG 5, Southeast Asian policy makers and all relevant stakeholders must:

- integrate a gender lens across policies and programmes, with an intersectional approach
- reform laws and ensure their enforcement
- transform discriminatory social norms
- engage men and boys
- collect quality gender-disaggregated, gender-relevant and intersectional data and indicators.

Integrate a gender lens across policies and programmes, with an intersectional approach

Governments must systematically integrate a gender lens into any policy or programme to promote gender equality in all areas of life, ranging from parents' responsibilities in childcare to climate change adaptation mechanisms. Achieving this objective entails providing training on gender mainstreaming to responsible staff across all ministries and allocating the necessary budget and tracking mechanisms to monitor governments' commitments. It also requires empowering women to ensure that their experiences and expertise inform the design and implementation of all policies and programmes.

> *Viet Nam's National Strategy on Gender Equality (2021-30) sets forth ambitious targets to increase women's political leadership, reduce women's time spent on unpaid care and domestic work and lower the number of victims/survivors of gender-based violence. The strategy notably includes a programme to promote equal participation of women in leadership and management positions in different policy-making levels for the 2021-30 period (Government of Viet Nam, 2021[46]; VietnamPlus, 2021[47]).*

Initiatives must recognise the overlapping individual characteristics that can heighten women's vulnerabilities, especially given the coexistence of multiple ethnicities in Southeast Asia. In this context, policies and programmes must incorporate an intersectional approach that acknowledges how fundamental characteristics of individuals that can exacerbate vulnerabilities – such as age, sexual orientation, race, ethnicity, socio-economic status, class, religion, disability, place of residence, and so forth – both deepen the impact of discrimination and crises and shape the experiences and needs of each person.

Reform laws and ensure their enforcement

Data from the fifth edition of the SIGI highlight the need for governments to reform gender-discriminatory legal frameworks, including personal status laws. While laws alone are not sufficient to eradicate all

discrimination or transform the *status quo*, they send a strong signal on what is acceptable or not, laying the foundation for transforming underlying discriminatory social norms.

Beyond implementing the required legal changes, governments must also intensify their efforts to ensure that laws are strictly enforced. This requires informing citizens of any changes in legal frameworks, providing gender-responsive training for officials in the justice sector who execute the law and supporting those in need with free legal aid.

- *Detailed policy recommendations on how to reform laws and guarantee their enforcement across Southeast Asia are outlined in Chapter 2.*

Transform discriminatory social norms

Discriminatory social norms remain pervasive in Southeast Asia, obstructing effective progress towards gender equality. To protect and enhance girls' and women's rights, opportunities and well-being, governments, in collaboration with development partners and key stakeholders, must develop and implement targeted interventions that promote gender-equitable attitudes and practices. Tackling the root causes of gender inequality requires long-term commitments and close collaboration of all relevant actors – ranging from policy makers to bilateral and multilateral development partners, private entities, philanthropists, academic institutions, research organisations, and feminist and civil society groups. It also requires taking into account men's needs, to avoid any backlash.

- *Detailed policy recommendations on how to transform discriminatory social norms across Southeast Asia are outlined in Chapter 3.*

Engage men and boys

Southeast Asian societies tend to firmly reproduce a family model based on women as caregivers and men as financial providers. Governments, together with educational providers and civil society organisations as well as other key actors, must seek to shift traditional and discriminatory views by engaging with men and boys. Promoting gender-equitable norms of masculinities would help rebalance gender roles in the household and also encourage women's educational and career aspirations. Engaging with men and boys is also an effective strategy to prevent gender-based violence and guarantee women's sexual and reproductive health and rights.

- *Detailed policy recommendations on how to engage men and boys across Southeast Asia are outlined in Chapter 3.*

Collect quality gender-disaggregated, gender-relevant and intersectional data and indicators

As data make the invisible visible, governments must commit to systematically collecting gender-disaggregated and gender-relevant data and indicators, taking into account other intersectional factors such as age, ethnicity and geographical location. National statistical offices should be at the heart of these efforts, supported – where necessary – by bilateral and multilateral development partners with sufficient resources and technical expertise.

To close gender data gaps, governments and national statistical offices should adopt strategies that help minimise data collection costs. For instance, gender equality indicators or add-on gender modules could be integrated into surveys carried out regularly. This could help increase the availability of time-use data in Southeast Asia – which are crucial to develop evidence-based strategies to alleviate women's unpaid care and domestic burden.

Governments should also specifically invest in collecting data on social institutions, which includes not only measuring populations' attitudes towards gender roles in society but also the prevalence of harmful practices such as FGM/C and child marriage. Through regular data collection, policy makers could monitor how social norms and practices evolve, take corrective action if needed and evaluate the effectiveness of implemented policies.

> *In 2019, Indonesia issued Presidential Regulation No. 39 of 2019 which sets forth the need for accurate, updated, harmonised and easily accessible data from all ministries as well as governmental and regional agencies. The National Action Plan (2020-22) includes concrete action steps for setting up the One Data Initiative (Satu Data Indonesia) until 2024 (Republic of Indonesia, 2019[48]; Republic of Indonesia, 2019[49]). Although the overall data initiative does not mandate collecting gender and/or sex-disaggregated data, Ministerial Regulation No.4 of 2023 issued by the Ministry of Women's Empowerment and Child Protection (MoWECP) provides for implementing the One Gender and Children Data policy (Satu Data Gender Dan Anak). The MoWECP is responsible for carrying out this policy, including collecting and disseminating gender data (Republic of Indonesia, 2023[50]).*

Notes

[1] Scores range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination. Regions and countries are classified into five groups according to their SIGI score: (1) very low level of discrimination (0 < SIGI < 20); (2) low level of discrimination (20 < SIGI < 30); (3) medium level of discrimination (30 < SIGI < 40); (4) high level of discrimination (40 < SIGI < 50); and (5) very high level of discrimination (50 < SIGI < 100).

[2] ASEAN countries include Brunei Darussalam, Myanmar, Cambodia, Indonesia, Lao PDR, Malaysia, the Philippines, Singapore, Thailand and Viet Nam.

[3] Scores range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination.

[4] Brunei Darussalam, Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar, the Philippines, Singapore, Thailand, Timor-Leste and Viet Nam.

[5] Brunei Darussalam, Indonesia, Malaysia, Myanmar, the Philippines and Viet Nam.

[6] One reform was assessed as both positive and negative as it contained provisions contributing to greater gender equality and others that further limited women's rights and opportunities (see Annex B).

[7] Brunei Darussalam, Indonesia, Malaysia, Myanmar, the Philippines, Singapore and Thailand.

[8] Data are not available for Brunei Darussalam and Malaysia.

[9] All data are from 2023 except for Myanmar, for which the latest data available are from 2020.

[10] Lao PDR (97%), Viet Nam (97%), Cambodia (96%), Timor-Leste (92%) and Indonesia (91%).

[11] Exceptions include (i) Myanmar, where the Factories Act mandates that certain operations can only be carried out by a specially trained adult male worker and prohibits the employment of women in certain types of factories (Republic of the Union of Myanmar, 1951[55]); and (ii) Thailand, where the Labour Protection Act does not allow women to work in mining or underground construction, among others (Kingdom of Thailand, 1998[56]). In Malaysia, in 2022, the Employment (Amendment) Act repealed the

provisions that previously prohibited the employment of women in any underground work, as well as in industrial and agricultural activities if carried out during the night (Malaysia, 2022[53]; Malaysia, 1955[54]).

[12] Cambodia, Indonesia, the Philippines, Thailand, Timor-Leste and Viet Nam.

[13] Lao PDR and Myanmar.

[14] Brunei Darussalam, Malaysia and Singapore.

[15] Lao PDR (105 days), Malaysia (98 days), Myanmar (14 weeks), the Philippines (105 days), Singapore (16 weeks) and Viet Nam (6 months).

[16] Brunei Darussalam, Cambodia, Lao PDR and Thailand.

[17] Brunei Darussalam, Malaysia, the Philippines, Singapore and Thailand.

[18] In Brunei Darussalam, Sections 105, 106, 107 and 117 of the Syariah Courts Evidence Order introduce differences regarding the value of women's and men's testimonies in Sharia courts (Brunei Darussalam, 2001[51]).

[19] In Brunei Darussalam and Malaysia, Muslim personal status laws based on principles of Islamic law establish that a married woman can be deemed disobedient when she leaves the house without her spouse's permission (Brunei Darussalam, 2000[57]; Malaysia, 1984[58]). In Myanmar, Burmese women married to foreigners are required to pay an extra fee when renewing their passports. This is not the case for Burmese men who are married to foreign spouses (OECD Development Centre/OECD, 2023[45]).

[20] Cambodia, Indonesia, the Philippines, Thailand, Timor-Leste and Viet Nam.

[21] Myanmar, the Philippines, Thailand and Timor-Leste.

[22] Women with unmet needs for family planning are defined as “the proportion of women of reproductive age (aged 15-49 years) who have their need for family planning satisfied with modern methods of contraception” and are measured by SDG Indicator 3.7.1 (United Nations, 2022[52]).

[23] Cambodia, the Philippines, Singapore and Thailand.

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2 Laws and gender equality in Southeast Asia

Building on the four dimensions of the SIGI framework, this chapter provides a detailed regional and country-level overview of laws in Southeast Asia and of how they support or hinder gender equality. It also underscores the diversity of the region's legal systems and personal status laws that govern women's status in the family sphere. Against this backdrop, the chapter underscores the progress accomplished and the numerous legal reforms and amendments that were enacted between 2019 and 2023 to strengthen and enforce women's and girls' rights. It concludes by identifying concrete actions and reforms that the region's lawmakers must undertake to accelerate their efforts and ensure that all women of Southeast Asia enjoy the same legal rights as men.

In Brief

Progress towards gender equality in Southeast Asia is hindered by laws that establish unequal rights between men and women

- Laws are fundamental elements of and a pre-requisite to gender equality. This principle is embedded in Indicator 5.1.1 of Sustainable Development Goal 5, for which the OECD Development Centre is a co-custodian agency alongside UN Women and the World Bank's Women, Business and the Law.
- Between 2019 and 2023, Southeast Asian lawmakers enacted numerous legal reforms and amendments aimed at strengthening and enforcing women's and girls' rights. Yet, women and girls in the region continue to experience many legal restrictions across all areas and spheres of their lives.
- Southeast Asia is characterised by the existence of multiple and complex personal status laws. These are statutory and customary laws applicable to specific religious, ethnic or cultural groups within a national jurisdiction. They are complex legal instruments that govern family matters, ranging from marriage to guardianship, child custody, spousal maintenance, divorce and succession. Found across the world, personal status laws exist in 7 out of 11 Southeast Asian countries.[1]
- At the country level, gender-based discriminatory provisions embedded in personal status laws cement inequalities by establishing unequal rights between men and women in the family sphere but also by establishing different rights between women of different groups based on cultural, religious or ethnic affiliation.
- Southeast Asia's laws governing women's rights in the workplace are generally robust and guarantee equal rights between men and women, but some gaps persist in certain countries. These gaps are notably related to the principle of equal pay for work of equal value.
- Although all countries of the region mandate paid maternity leave, many remain below the recommended duration of 14 weeks. Moreover, paid paternity or parental leave for fathers remains rare and is limited in length when it exists. The large differences between maternity and paternity leave are shaped by views on women's and men's traditional roles in the family.
- Most citizenship laws of Southeast Asian countries contain provisions that do not grant women and men equal rights – particularly to acquire or retain citizenship after marriage or to confer it to their own children.
- No country in the region has a legal framework that comprehensively protects girls and women from all forms of violence. However, the extent to which laws fail to adequately protect women and girls from violence varies substantially across countries.
- Access to safe and legal abortion is uneven across Southeast Asia. Only 4 countries out of 11 legally guarantee women's access to abortion under the minimum conditions of the Committee on the Elimination of All Forms of Discrimination against Women – that is when the pregnant women's life or health is at risk and in cases of rape, incest and severe foetal impairment.

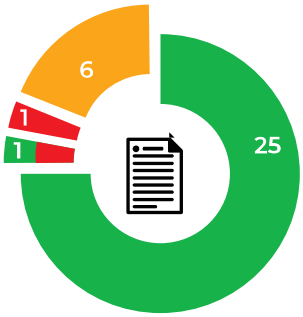
Infographic 2.1. Progress towards gender equality in Southeast Asia is hindered by laws that establish unequal rights between men and women

Discriminatory laws hinder progress towards gender equality

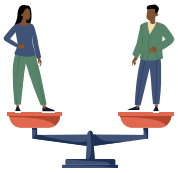
Between 2019 and 2023 Southeast Asian countries enacted

33

gender-related legal reforms



- Positive (i.e. conducive to more gender equality)
- Have both positive and negative aspects
- Negative (i.e. conducive to less gender equality)
- Neutral



During the same period, Southeast Asian countries implemented **25** national action plans or policy frameworks on gender equality

Legal discrimination persists across the 11 countries of the region, especially in the family sphere

In **8** countries

laws allow girls to marry before they are 18, or introduces legal exceptions to the minimum age

In **3** countries

the law obliges married women to obey their spouse

In **4** countries

women do not have the same rights as men to initiate or file for a divorce

In **4** countries

daughters and widows do not have the same rights to inherit as sons and widowers

In many countries, personal status laws (PSLs)
(statutory and customary laws applicable to particular religious, ethnic or cultural groups)
make legal discrimination worse

Why does it matter for women's rights?

- Some PSLs uphold gender-based discrimination and establish different rights between women and men in the family sphere
- Within a country, multiple PSLs grant different rights to women of different groups based on religious, ethnic or cultural affiliation

Laws are fundamental elements and a pre-requisite to gender equality. This principle is embedded in the 2030 Agenda for Sustainable Development as a standalone indicator of Sustainable Development Goal (SDG) 5 – SDG Indicator 5.1.1, for which the OECD Development Centre is a co-custodian agency along with UN Women and the World Bank's Women Business and the Law, and which measures "[w]hether or not legal frameworks are in place to promote, enforce and monitor equality and non-discrimination on the basis of sex". By setting the environment and establishing a common framework governing people's lives, laws and regulations profoundly influence individuals' capacity to accumulate endowments, enjoy returns to such endowments, access rights and resources, and act as free, autonomous agents in society (Hyland, Djankov and Goldberg, 2021[1]; Chiongson et al., 2012[2]).

Any legal provision that limits women's rights has a direct impact on gender equality, while the benefits of gender-equal laws go beyond women and can generate gains for the entire economy. The persistence of unequal or gender-blind provisions in many areas regulated by the law – such as labour, family, citizenship and so forth – continues to severely undermine women's empowerment. At the same time, evidence suggests that greater gender equality in the law facilitates cross-country income convergence over time (Sever, 2022[3]).

The chapter provides a detailed overview of the state of legislation governing women's and girls' rights in Southeast Asia. Building on the framework of the Social Institutions and Gender Index (SIGI) and its four core dimensions – related to the family, physical integrity, the economic sphere and civil liberties – the chapter analyses how laws continue to hinder gender equality in the region, notably through legal provisions that maintain women in an inferior status compared to men, in both private and public areas. Against this backdrop, the chapter underscores the progress accomplished and the numerous legal reforms and amendments that were enacted between 2019 and 2023 to strengthen and enforce women's and girls' rights. Finally, it identifies concrete actions and reforms that Southeast Asian lawmakers must still undertake to accelerate their efforts and ensure that all women of the region enjoy equal legal rights to men.

Discriminatory laws continue to severely restrict women's and girls' rights in the family sphere

Southeast Asia is characterised by the existence of multiple and complex personal status laws

Situated at the crossroads of East Asia, South Asia and the Indian Ocean, Southeast Asia is characterised by a rich diversity of legal systems stemming from a complex history and the coexistence of various ethnic and religious groups. This diversity has played a particular and notable role in the development of plural or dual systems of personal status laws, i.e. the laws and rules that govern matters related to marriage, family, divorce and succession (Box 2.1).

The emergence and process of formation of the personal status laws are strongly intertwined with religious expansion, colonisation and cultural influence from neighbouring Asian countries. Indeed, in many countries of the region, the role of religion has been fundamental in shaping personal status laws that rule women's and girls' lives. Moreover, the process of colonisation that took place across Southeast Asia throughout the 16th and 17th centuries and ended in 1984 with the end of the British protectorate over Brunei Darussalam superimposed imported European civil law and common law onto this religious substrate. In many instances, European colonisation also codified and solidified customary family laws, often introducing gender-based discriminatory provisions in the process (Panditaratne, 2007[4]). Finally, the existence of a substantial diaspora from East and South Asia – such as ethnic Chinese in Brunei Darussalam or Singaporeans of Indian ancestry – led to the introduction of specific rules and laws governing family matters in these communities.

Box 2.1. What are personal status laws?

Personal status laws are statutory and customary laws applicable to particular religious, ethnic or cultural groups within a national jurisdiction. These laws and regulations govern family matters, ranging from marriage to guardianship, child custody, spousal maintenance, divorce and succession. Personal status laws are complex legal instruments sitting at the crossroad of statutory, religious and customary law.

Whereas personal status laws remain prevalent in many parts of the world, they are particularly present in Southeast Asia, where 7 countries out of 11 possess such laws – Brunei Darussalam, Indonesia, Malaysia, Myanmar, the Philippines, Singapore and Thailand.

In many instances, personal status laws take root in customary and religious rules that have been codified and recognised as statutory. In common law jurisdictions, personal status laws are also the product of how statutes and customs are interpreted in judicial decisions (Panditaratne, 2007[4]).

This constant interaction between customs and codified laws is at the heart of personal status laws, which often contain specific reference to customs or schools of thoughts to foresee any potential legal conflict or issues of interpretation. In Southeast Asia, this is notably the case in Muslim personal status laws, which often stipulate from which Islamic school of thought the law is derived. It also specifies that judges should refer to the main school of thought referenced, if there are no provisions in the personal status law for a specific issue.[2] Overall, some of these underlying customs or schools of thoughts can be well documented and accessible, while in other cases they can refer to legal texts that are difficult to access.

In this context, legal frameworks governing personal status matters in Southeast Asia can be grouped into three broad categories (Table 2.1). In the first group of countries (“Unified”), a unified statutory law (civil or common law) governs personal status without any exceptions for religious or ethnic groups. The second group of countries (“Dual”), a unified statutory law (civil or common law) coexists with a legal framework that establishes a religious- or ethnic-based parallel system which may be geographically limited. In the third group of countries (“Multiple”), matters related to family or marriage are solely administered by distinct personal status laws based on religion and/or ethnicity.

The “Unified” group of countries comprises Cambodia, Lao People’s Democratic Republic (hereafter Lao PDR), Timor-Leste and Viet Nam, where family and marriage matters are governed by a unified system of civil and/or common law, without any exceptions for religious or ethnic groups (OECD Development Centre/OECD, 2023[5]).[3] However, informal non-codified customary or religious laws may still exist in certain parts or communities of these countries, even if not formally recognised by the government. For instance, in Lao PDR, customary divorce practices differ substantially across ethnic groups, and informal succession laws and practices often result in widows and daughters inheriting a smaller share of property from their spouses or parents than widowers and sons (ADB, 2022[6]; Lao People's Democratic Republic, 2011[7]). Likewise, although the statutory civil law of Cambodia, Lao PDR and Viet Nam establish the minimum legal age of marriage for girls at 18 years or older, informal laws and customs continue to encourage the early marriage for girls in these three countries (The Asia Foundation, 2019[8]; United Nations, 2018[9]; UNICEF and UNFPA, 2017[10]; Van Der Keur, 2014[11]).

Table 2.1. Personal status laws of Southeast Asian countries can be categorised into three groups

Legal typology of Southeast Asian countries

Group	Countries	Civil law system	Common law system	Existence of personal status laws based on religion and/or ethnicity	Existence of multiple personal status laws	Existence of informal customary laws
Unified	Cambodia	Yes	Yes	No	-	Yes
	Lao PDR	Yes	-	No	-	Yes
	Timor-Leste	Yes	-	No	-	Yes
	Viet Nam	Yes	-	No	-	Yes
Dual	Malaysia	-	Yes	Yes	No	Yes
	Philippines	Yes	Yes	Yes	No	Yes
	Singapore	-	Yes	Yes	No	-
	Thailand	Yes	-	Yes	No	-
Multiple	Brunei Darussalam	-	Yes	Yes	Yes	Yes
	Indonesia	Yes	-	Yes	Yes	Yes
	Myanmar	-	Yes	Yes	Yes	Yes

Note: Countries are clustered into three groups. Countries in the "Unified" group are characterised by a unified statutory law (civil or common law) that governs personal and family matters, without any exceptions for religious or ethnic groups. Countries in the "Dual" group are characterised by the coexistence of a unified statutory law (civil or common law) that governs personal and family matters with a personal status law based on religion and/or ethnicity, which may apply within a geographically limited area. Countries in the "Multiple" group are characterised by the existence of multiple distinct personal status laws based on religion and/or ethnicity that govern personal and family matters.

In the "Dual" group of countries, which covers Malaysia, the Philippines, Singapore and Thailand, a unified statutory law (civil or common law) also regulates personal status matters. However, for historical or political reasons, exceptions to this statutory law exist. In these countries, the legal framework establishes a parallel system for a certain religion or a specific community, whose jurisdiction may be geographically limited to a certain province or part of the country (such as in Thailand).

- In Malaysia, common law inherited from the British rule and administered by federal secular civil courts co-exists with Islamic religious law based on the Sharia (also known as *Syariah* in Malaysia). Religious courts (*Syariah* courts) have jurisdictions for all personal and family matters of Muslims, and civil courts cannot interfere in matters that fall within the jurisdiction of these *Syariah* courts (Tew, 2011[12]). The states of Sabah and Sarawak, located on the island of Borneo, also have their own customary laws (or *adat*)[4] which are uncodified but have the force of law in various matters such as land-holding and inheritance (LawTeacher, 2013[13]).
- In the Philippines, the Family Code and the Civil Code regulate marriage and family affairs (Republic of the Philippines, 1987[14]; Republic of the Philippines, 1949[15]). However, pursuant to Articles 2 and 3 of the Code of Muslim Personal Laws, personal status matters of Muslim people in the Philippines are regulated and governed by the Code of Muslim Personal Laws (Republic of the Philippines, 1977[16]).
- In Singapore, pursuant to Section 35 of the Administration of Muslim Law Act, marriage, family, divorce and inheritance matters of Muslim individuals are governed by the Administration of Muslim Law Act (Republic of Singapore, 1966[17]). This act introduces specific rules that are different than those contained in the general statutory acts that normally regulate these matters, such as the Women's Charter, the Guardianship of Infant Act or the Intestate Succession Act (Republic of Singapore, 1961[18]; Republic of Singapore, 1934[19]; Republic of Singapore, 1967[20]).
- In Thailand, family matters are governed by the Civil and Commercial Code, but the law allows the practice of Sharia as a special legal process outside the national Civil Code for Muslim residents

of the four southernmost provinces of the country, near the Malaysian border: Narathiwat, Pattani, Satun Changwat and Yala (Kingdom of Thailand, 1946[21]; United States Department of State, 2022[22]). In these regions and in courts of first instance, when both parties are Muslims, Islamic law pertaining to family and succession takes precedence over the relevant provisions of the Civil and Commercial Code.

Finally, in the "Multiple" group of countries, which includes Brunei Darussalam, Indonesia, and Myanmar, multiple religious or customary laws are in force.

- In Brunei Darussalam, a civil system based on British common law cohabitates with a religious system for Muslims based on Islamic Sharia in most areas, including family, civil and criminal law. Other religious and ethnic groups have their own legislation regarding certain aspects of family matters. For instance, the Marriage Act establishes that marriage is regulated according to the laws and customs of marriage of the different religious and ethnic groups of the country, including the Hindus, Buddhists, and Dayaks (Brunei Darussalam, 1948[23]). In line with this, the Chinese Marriage Act, for example, establishes the rules regulating the marriage for the Chinese community of Brunei Darussalam (Brunei Darussalam, 1955[24]). The Married Women Act also provides that couples where neither of the spouses is Muslim follow their own laws and customs (Brunei Darussalam, 1999[25]). In all other cases related to family matters, the Islamic Family Law Act takes precedence (Brunei Darussalam, 2000[26]).
- In Indonesia, the Law on Marriage establishes a general framework on marriage and family affairs for all citizens and stipulates that marriage and all matters related to it – such as spousal maintenance, custody of children and divorce – are regulated according to the religious or customary laws of each individual (Republic of Indonesia, 1974[27]). In practice, this translates into individuals of various faiths, or of various ethnic or customary groups, being governed by different legal instruments, with distinct rules for women across these laws. Notably, the Constitution recognises customary law (*sistem hukum adat*) as long as it is in line with the principles of Indonesia's rule of law. For instance, three legal systems of inheritance coexist: civil, customary (*adat*) and Islamic law (Barlinti, 2013[28]). Civil courts have jurisdiction over inheritance disputes based on civil and customary law, while religious courts settle inheritance disputes for Muslims based on Islamic law. Customary law used to govern inheritance matters prior to the Islamic and Dutch colonisation of Indonesia. It continues to apply in local and indigenous communities. Multiple rules and systems exist, with differences in women's and men's inheritance rights depending on whether the community is patrilineal or matrilineal.
- In Myanmar, the Burma Laws Act, which dates back to the British colonisation, provides that succession, inheritance and marriage matters be governed by the relevant religious laws of the countries' communities – including Buddhists, Christians, Hindus and Muslims (Government of Burma, 1898[29]). In practice, since the majority of the population is Buddhist, most women remain governed by Myanmar Customary Law – which corresponds to the personal law of Myanmar's Buddhists. However, ethnic and religious minorities dispose of their own rules and legal systems regarding family matters. For instance, inheritance rules for Muslims follow the principles of Islamic Sharia, whereby female heirs are entitled to half of the inheritance shares of male heirs (Than, 2015[30]). Ethnic minorities such as the Chins, Kachins or Karens, who remain largely Christian and therefore are not subjected to the Buddhist or Muslim personal status, have their own succession systems (Moe, 2019[31]). For example, inheritance customs and practices of the Chin and Kachin people follow the rules of a patrilineal system, whereas among the Karen and Shan people, inherited property is equally divided between the children (Andersen, 2015[32]).

Beyond women's rights and status in the law, legal pluralism, notably in the context of legal systems regulating family matters, may also complicate the enforcement of laws. The multiplication of jurisdictions, from state (sometimes at multiple levels) to customary and religious authorities, results in the application of a variety of different rules and laws, which carries a risk of ambiguities, confusions and conflicts between

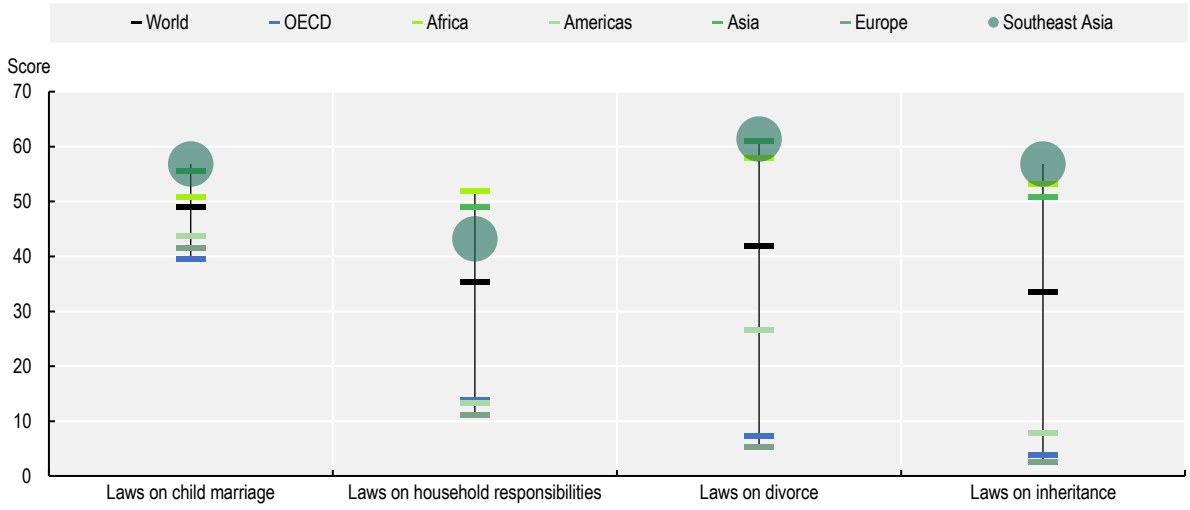
the different jurisdictions and can weaken women's ability to uphold their rights. In many instances, the risk of legal conflict or incoherence is compounded by the absence of mechanisms able to mediate between the jurisdictions or by the failure of such mechanisms (Chiongson et al., 2012[2]).

Multiple and discriminatory personal status laws undermine women's empowerment in the family sphere

Legal data from the fifth edition of the SIGI show the magnitude of legal discrimination women face in matters related to the family. By regulating family and succession matters, personal status laws have a profound impact on women's legal status in the private sphere. Across the different indicators of the "Discrimination in the family" dimension, the region's average scores in law variables indicate that levels of legal discrimination are high in household responsibilities and very high in the other three indicators (child marriage, inheritance and divorce). Average levels of legal discrimination are also substantially higher than the global average (Figure 2.1).

Figure 2.1. Laws on women's family and marriage matters in Southeast Asia are discriminatory

Average legal scores of Southeast Asia and other selected regions in the indicators of the dimension "Discrimination in the family" of the SIGI framework, 2023



Note: The figure presents the average legal scores of Southeast Asia and selected geographical aggregates of the world in all four indicators of the SIGI dimension "Discrimination in the family". Scores range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination.
Source: (OECD Development Centre/OECD, 2023[33]), "Gender, Institutions and Development (Edition 2023)", *OECD International Development Statistics* (database), https://doi.org/10.1787/7b0af638-en.

StatLink https://stat.link/zh4sv5

In Southeast Asia, these high levels of legal discrimination largely stem from gender-based discriminatory provisions embedded in personal status laws that, within a country, establish different rights between men and women or between different groups of women. These legal restrictions not only matter from a rights' perspective but also induce important economic costs at the individual, community and society levels.[5] Personal status laws in force in the region tend to take their roots in religious or customary practices that contain discriminatory provisions and that hamper women's and girls' rights. The codification of these customary or religious rules replicates this discrimination and substantially weakens women's position in the family. Discriminatory legal provisions embedded in personal status laws tend to cement inequalities

by establishing unequal rights between men and women within a culture, religion or ethnic group (World Bank, 2012[34]; Panditaratne, 2007[4]). Moreover, discriminatory legal provisions embedded in personal status laws also establish different rights within a country between women of different groups based on cultural, religious or ethnic affiliation. The co-existence of multiple personal status laws, as well as the potential interaction of customary or religious laws with statutory law, means that women's legal status can vary substantially across different groups within the same country (World Bank, 2012[34]).

In this context, women's rights to inheritance remain limited in countries where multiple personal status laws exist or where personal status laws coexist with a unified statutory law. In countries belonging to the "Dual" or "Multiple" groups (see section "Southeast Asia is characterised by the existence of multiple and complex personal status laws") such as Brunei Darussalam and Malaysia, Muslim personal status laws follow the principles of Islamic Sharia, which establishes discriminatory rules among Muslims regarding inheritance, whereby women are entitled to half of the inheritance share of men (Musawah, 2014[35]; Brunei Darussalam, 1984[36]). In Malaysia, Muslim individuals must obtain a *faraid* certificate issued by *Syariah* courts in accordance with the Sharia. It contains the value of the inheritance and the list of heirs with their respective shares (Government of Malaysia, 2023[37]; Government of Malaysia, 2023[38]; Nasrul et al., 2021[39]). Likewise, in Indonesia, the Islamic Law Compilation stipulates that a surviving widower receives one-half of the estate (or one-quarter if there are surviving children), whereas a surviving widow receives one-quarter of the estate (or one-eighth if there are surviving children) (Republic of Indonesia, 2011[40]). At the same time, the customary law, or *adat*, that still applies in local and indigenous Indonesian communities, and which can be patrilineal or matrilineal, results in different inheritance rules between men and women. Similar provisions are found in the Philippines, Singapore and Thailand within the different acts and personal status laws that govern inheritance rights of their respective Muslim minorities (Republic of the Philippines, 1977[16]; Kingdom of Thailand, 1946[21]; Republic of Singapore, 1966[17]).

Personal status laws tend to establish different rules and requirements for men and women to initiate and finalise divorce. For instance, in Myanmar, laws governing divorce rights are different for Buddhists, Christians, Hindus and Muslims, but also among Buddhists, depending on whether a Buddhist woman is married to a Buddhist or a non-Buddhist man (Eshbach and Roberts, 2017[41]). In the former case, divorce rights are regulated by the Myanmar Customary Law, granting equal rights to men and women, whereas in the latter case, divorce rights are governed by the Myanmar Buddhist Women's Special Marriage Law, which grants the Buddhist woman more rights than her spouse to divorce (Htoo, 2014[42]; Cho, 2012[43]).

Likewise, in Brunei Darussalam, Indonesia and Malaysia, where divorce matters are governed by different faith-based legislations, provisions for Muslims follow the principles of Islamic Sharia (Brunei Darussalam, 2000[26]; Republic of Indonesia, 2011[40]; Republic of Indonesia, 1989[44]; Malaysia, 1984[45]). In line with these principles, laws grant a married man the right to divorce his spouse at will, without any restrictions – also known as *talaq*.[6] Conversely, a married woman's rights to obtain a divorce are more limited, and the authorised grounds are usually precisely specified by the law. The law also often grants a married woman the right to seek divorce by *khul'* – the process whereby the woman obtains a divorce in exchange for paying her spouse an agreed financial compensation. Muslim personal status laws also establish a waiting period (*iddah*) for a divorced Muslim woman before she can remarry.

Discriminatory provisions contained in personal status laws also weaken women's status and agency in the household, notably by limiting their authority over their children. Some clauses specifically prevent women from being recognised as head of the family, such as Article 31 of Indonesia's Law No. 1 of 1974 on Marriage (Republic of Indonesia, 1974[27]) or Section 4 of Brunei Darussalam's Married Woman Act (Cap. 190) of 1999 (Brunei Darussalam, 1999[25]). In addition, numerous personal status laws across the region contain provisions that restrict women's status in the household, for instance by requiring the man to financially maintain his spouse in exchange for her obedience.

Women's distinct status within the family is particularly apparent in the rules that regulate the guardianship and custody of children, including after the separation or divorce of the parents. Personal status laws

applying to Muslim communities in Brunei Darussalam, Indonesia,[7] Malaysia and the Philippines notably dissociate between legal guardianship and custody; they grant guardianship to the father and give priority to the mother for custody, often until the child has reached a certain age (OECD Development Centre/OECD, 2023[5]). Statutory laws in the Philippines and Viet Nam also give the mother priority for child custody (Republic of the Philippines, 1987[14]; Socialist Republic of Viet Nam, 2014[46]). These legal provisions reflect traditional gender roles according to which a woman's identity and responsibilities are closely tied to her role as a mother.

Both statutory laws and personal status laws in Southeast Asia fail to strictly prohibit child marriage, leaving girls highly vulnerable to early marriage. In four countries[8] of the region, the law continues to authorise girls to be married before the age of 18 years (OECD Development Centre/OECD, 2023[5]). In four additional countries,[9] the law establishes the minimum legal age of marriage for women at 18 years or older but introduces legal exceptions and authorises minors to get married before the minimum legal age with the consent of either the parents or a judge. Conversely, only three countries – Lao PDR, the Philippines and Viet Nam – fully prohibit girl child marriage, without any exceptions. In 2021, the Philippines notably enacted a landmark reform across all legal systems, both the statutory system and the system applying to the Muslim minority, which sets the minimum legal age of marriage at 18 years for all women and men, without any exceptions, and imposes harsh legal penalties for the violation of the law (Republic of the Philippines, 2021[47]).

Moreover, in certain countries of the region, the co-existence of multiple personal status laws translates into different minimum legal ages of marriage depending on women's cultural, religious or ethnic affiliation. This is notably the case in four Southeast Asian countries (OECD Development Centre/OECD, 2023[5]).[10] For instance, in Brunei Darussalam, the law regulating marriages celebrated according to the Chinese custom authorises the marriage of any woman aged at least 15 years, whereas the minimum legal age of marriage for Muslim women is 16 years (Brunei Darussalam, 2000[26]; Brunei Darussalam, 1955[24]).

Informal customary laws may also encourage the marriage of girls at a young age, even in countries where the practice is theoretically fully prohibited by the law. In Viet Nam, child marriage remains a common and traditional practice among ethnic minority communities (UNICEF and UNFPA, 2017[10]). Likewise, in Lao PDR, child marriage is reported as prevalent among some ethnic groups, such as the Mon-Khmer and Hmong, and in economically vulnerable households. In particular, the customary practice of "bride price" may create incentives to marry girls at an early age. Customary – and often arranged – marriages take place without a formal registration, leaving young women without any form of legal protection (The Asia Foundation, 2019[8]).

Gaps in the legislative framework weaken women's rights in the workplace

Southeast Asia's laws governing women's rights in the workplace are generally robust and guarantee equal rights between men and women. Most countries of the region have eliminated all legal provisions that prevented women from entering certain sectors, working in certain professions or working during night hours the same way as men.[11]

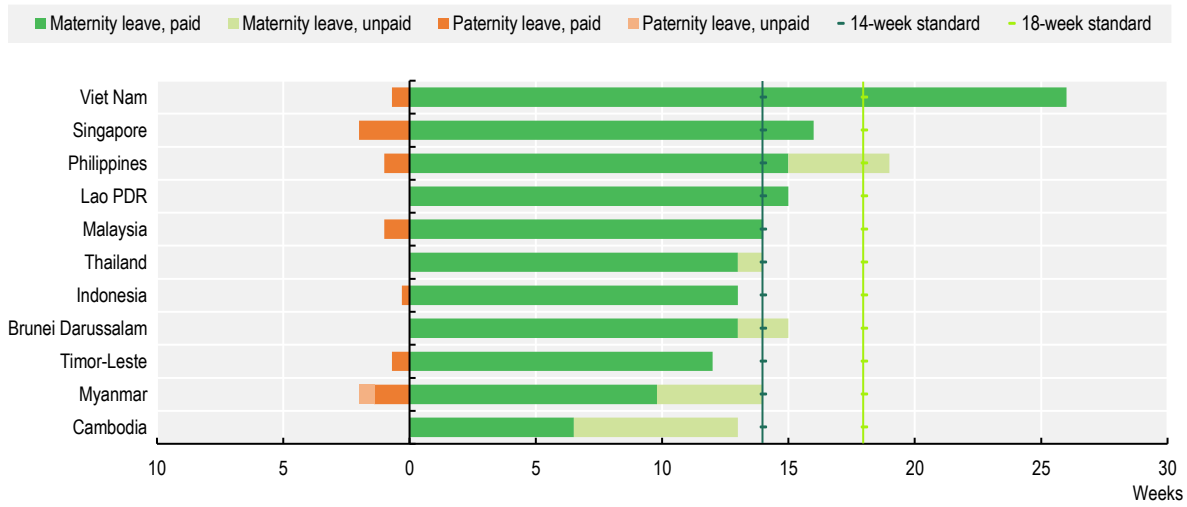
However, some gaps persist. Beyond labour laws that regulate women's and men's rights in the workplace, laws governing family relationships may restrict women's ability to freely choose their professions. For instance, personal status laws can contain specific provisions whereby a woman needs the consent of her spouse to exercise a profession or start a business. In the Philippines, for example, the Code of Muslim Personal Laws establishes such provisions for married Muslim women. All Southeast Asian countries, with the exception of Brunei Darussalam and Myanmar, also prohibit sexual harassment specifically in the workplace, and all of them, except for Brunei Darussalam and Timor-Leste, criminalise it. Yet, four countries[12] of the region do not include civil remedies, thus preventing women from seeking appropriate

compensation when confronted with this form of violence that can severely affect their ability to work and to be economically empowered (OECD Development Centre/OECD, 2023[5]).

The legislation is more contrasted regarding provisions that mandate equal remuneration between women and men. All Southeast Asian countries have ratified the International Labour Organisation (ILO) Convention 100 stipulating equal pay for work of equal value (ILO, 1951[48]). The concept goes beyond ensuring that two workers with the same job are paid the same wage. It aims at ensuring that two workers employed in different sectors of the economy but using the same skills and generating the same value for the economy receive equal compensation. This principle is crucial to overcome systemic pay inequalities across sectors, especially in contexts of horizontal segregation where professions or sectors are traditionally identified as more suitable for women or men, often leading to women's economic contribution being undervalued. In Southeast Asia, six countries[13] mandate, by law, equal remuneration for work of equal value; two countries[14] mandate equal remuneration for equal work but not for work of equal value; and three countries[15] do not foresee any legal provision on the matter (OECD Development Centre/OECD, 2023[5]).

Figure 2.2. Southeast Asian laws mandate paid maternity leave, but paternity leave is almost non-existent

Duration of legislated paid and unpaid maternity and paternity leave, 2023



Note: The duration of paid maternity and paternity leave is assessed directly from the legal texts governing maternity and paternity benefits where the laws explicitly mention the number of weeks that are paid and those that are unpaid. Where the legal texts governing maternity and paternity benefits only mention a share of the income to which the beneficiary is entitled, the duration of paid maternity and paternity leave was calculated applying the same proportion to the entire length of maternity and paternity leave. "14-week standard" refers to the International Labour Organization's (ILO) standard of a *minimum* maternity leave period of 14 weeks; and the "18-week standard" refers to ILO's standard of a *recommended* maternity leave period of 18 weeks to ensure an adequate rest and recovery time for the mother (ILO, 2022[49]).
Source: (OECD Development Centre/OECD, 2023[5]), *SIGI 2023 Legal Survey*, https://oe.cd/sigi.

StatLink https://stat.link/cmp6vi

The region's countries exhibit extremely large differences between maternity and paternity leave. All Southeast Asian countries mandate paid maternity leave and 7 countries[16] out of 11 comply with the minimum maternity leave period of 14 weeks recommended by the ILO (ILO, 2022[49]). However, just 5 of them mandate the full payment of benefits for all 14 weeks (Figure 2.2). Yet, evidence from Viet Nam underscores that the extension of the duration of maternity leave in 2012 did not increase the gender employment gap, but rather it helped narrowing the gender gap in the formal sector for women of

reproductive age (Le and Pham, 2021[50]). Moreover, in contrast with maternity leave, four countries[17] do not mandate any paid paternity or parental leave available to fathers, and in countries that do, the legislation establishes leave periods for fathers that are significantly shorter than for mothers. In Indonesia, Malaysia, the Philippines, Timor-Leste and Viet Nam, the duration of the paid paternity leave mandated by law is lower than or equal to 7 days, whereas it reaches 15 days in Myanmar and 2 weeks in Singapore.

These stark differences between the duration of maternity and paternity leave primarily reflect views on women's and men's traditional roles in the family according to which women are the primary child carers and men the breadwinners (see Chapter 3 on social norms). In turn, differences in treatment between mothers and fathers as upheld by the law further encourage a gender-based division of roles within the household. As a result, even when paid paternity leave exists, fathers can be reluctant to use it for fear of being stigmatised and not complying with the dominant societal model (Pham, Ngo and Pham, 2023[51]; Baird, Hill and Gulesserian, 2019[52]; Hill, 2019[53]). Yet, evidence shows that granting fathers well-paid, individual, earmarked and non-transferable paternity leave has an important impact on shifting gender roles (Kvande and Brandth, 2019[54]). Parental leave policies alone are not sufficient to induce lasting change and challenge the status quo. They must be complemented with programmes that support a more gender-equal distribution of care responsibilities, and efforts led by the private sector to ensure compliance with existing regulations, provide leave schemes that exceed with the minimum standards established by the law, and encourage men to take paternity and parental leaves.

The effectiveness of labour and social protection laws is constrained by high rates of informal employment, which constitutes 70% of total employment in Southeast Asia (ILO, 2023[55]). Existing legislation on labour rights and social protection predominantly applies to formal sector employees, often leaving informal or own-account workers without access to essential provisions such as sick leaves, maternity and paternity benefits, and pensions. Recognising the need to extend social protection to informal workers, several countries in the region have taken steps to address this issue. For instance, in the Philippines, both informal and formal workers are covered by the social protection system. In Lao PDR, Malaysia, Myanmar and Thailand, the law grants informal workers the possibility to voluntarily contribute to social insurance schemes (ILO, 2023[56]; ILO, 2023[57]; ISSA, 2023[58]). Yet, achieving effective coverage for informal workers, including women, remains a crucial policy challenge (see Chapter 4 on the care economy).

Most legal frameworks establish distinct citizenship rights for women and men

Citizenship laws are fundamental to avoid statelessness and to guarantee socio-economic and political rights such as access to social protection and education, the rights to work and to vote, and so forth. An individual who lacks legal recognition as a national or citizen of a country is considered stateless, which has drastic consequences on his/her ability to enjoy such rights. Most citizenship laws of Southeast Asian countries contain provisions that do not grant women and men equal rights – in particular, to acquire or retain citizenship after marriage or to confer it to their own children.

In 5 Southeast Asian countries[18] out of 11, citizenship laws do not grant women and men the same rights to confer citizenship to their spouses. In certain countries, legal provisions establish different rules for women and men, often only granting the right to confer nationality by marriage to men. For instance, in Brunei Darussalam, the Nationality Act establishes that a foreign woman can acquire Bruneian citizenship by marrying a Bruneian national, but the reverse is not true for a foreign man marrying a Bruneian national (Brunei Darussalam, 1962[59]). In other countries, the law establishes different requirements for men and women. For instance, the Constitution of Singapore establishes specific conditions under which a married man can confer Singaporean citizenship to his spouse – namely two years of residence in Singapore, the intention of residing permanently Singapore and being of good faith – while the same provision does not exist for a Singaporean woman who wishes to transmit her citizenship to her spouse (Republic of Singapore, 1965[60]). In the Philippines, a foreign man married to a Filipino woman can apply for Filipino

nationality after five years of continuous residence in the country, instead of the ten years usually required. However, this condition is not specified for a foreign woman married to a Filipino man who wishes to acquire Filipino citizenship (Republic of the Philippines, 1939[61]).

Legal provisions can also increase the risk of statelessness in cases of cross-border marriages. In Brunei Darussalam, Malaysia and Singapore, married women and men do not have the same rights to retain their original citizenship or the one they acquire. For instance, in Malaysia, the law stipulates that a woman who previously acquired Malaysian citizenship by virtue of marriage and acquires another citizenship also by virtue of marriage loses her Malaysian citizenship – while the same clause does not exist for men (Malaysia, 1957[62]). Similarly, in Singapore, a woman who has acquired Singaporean citizenship by virtue of marriage can lose it if the marriage is dissolved – with no such provision existing for men (Republic of Singapore, 1965[60]). These legal provisions can also have adverse effects on countries without such discriminatory laws. In various East and Southeast Asian countries, cases have been reported of cross-border marriages involving Vietnamese brides who had to renounce their birth citizenship to request the nationality of their foreign spouses, but subsequently failed to obtain a new nationality and ended up stateless. Viet Nam successfully addressed the issue by reforming its legislation to ease the reacquisition of Vietnamese citizenship by these stateless women; however, the underlying factor persist – the existence of discriminatory legislations in other countries (Sperfeldt, 2021[63]; Kneebone, York and Ariyawansa, 2019[64]).

These types of provisions can also exacerbate women's exposure to gender-based violence. When their nationality is tied to an abusive spouse, women face greater difficulty in escaping the violent relationship (Global Campaign for Equal Nationality Rights, 2020[65]).

At the same time, nearly all countries grant women and men the same rights to confer their nationality to their children, but some exceptions persist. In Brunei Darussalam, Indonesia and Malaysia, laws establish distinct rights to nationality by birth for married or unmarried women and men. In all three countries, depending on the marital status of the parents, the law stipulates that a child becomes a citizen of the country only if the father holds the citizenship. In these cases, the mother is unable to confer her citizenship to her child. Such a legal provision can have dramatic consequences on children born out of mixed marriages, outside the territory of their state or out of wedlock (Sperfeldt, 2021[63]). Moreover, girls without a nationality face an increased risk of child marriage, as some families may decide to seek legal status for their daughters and themselves through marriage (Global Campaign for Equal Nationality Rights, 2020[65]).

Discrimination embedded in Southeast Asia's laws stems from multiple reasons and places certain groups of people more at risk than others. A complex set of factors can explain the persistence of discriminatory legal provisions in many legislative frameworks of Southeast Asian countries, including colonial rule, discrimination towards certain minorities and weak registration systems (Sperfeldt, 2021[63]). In the aftermath of decolonisation, many nascent governments of the region focused on a state- and nation-building process characterised by models of national integration and citizenship regimes structured around ethnic lines (Miller, 2011[66]). This process resulted in the enactment of citizenship laws which left many people statelessness. Such cases of discrimination based on ethnic differences notably affected minorities such as the Rohingya in Myanmar and the Hill Tribes in Thailand (Sperfeldt, 2021[63]). In the context of Southeast Asia, which is one of the most ethnically diverse regions of the world, being a woman from an ethnic minority is therefore a double challenge in terms of citizenship rights, as she faces both gender- and ethnic-based discriminatory legal provisions in the citizenship legislation (Petcharamesree, 2023[67]).

Laws fail to comprehensively protect women and girls from all forms of violence and to guarantee their sexual and reproductive health and rights

Policy and legal frameworks are key to prevent and end violence against women. All Southeast Asian countries, except for Brunei Darussalam, have a national action plan or policy focusing on preventing and

ending violence against women. For instance, in 2021, the Lao PDR enacted its Second National Plan of Action on Violence against Women and Violence against Children (2021-25), and in 2022, Viet Nam launched its National Programme on Domestic Violence Prevention and Control until 2025 (Socialist Republic of Viet Nam, 2022[68]; Lao People's Democratic Republic, 2021[69]). Despite these positive developments, no country in the region has a legal framework that comprehensively protects girls and women from all forms of violence. Although laws alone cannot end and prevent violence against women, they create an indispensable framework for justice. When thoroughly enforced, legislation can effectively contribute to ending perpetrators' impunity and reducing the social acceptance of violence.

Indonesia, Malaysia and Viet Nam have the most comprehensive legal frameworks on violence against women, but some shortcomings persist. For instance, in Indonesia, rape is criminalised, but the definition is not based on the lack of consent (Article 285 of the Penal Code, as amended) (Republic of Indonesia, 1915[70]). Integrating freely given consent into the legislation is essential to fully protect any person from unwanted sexual relations and to guarantee a person's right to bodily integrity and sexual autonomy (OECD, 2023[71]).

Conversely, women and girls are least protected by the legislation in Brunei Darussalam, Myanmar, the Philippines and Thailand. In Brunei Darussalam and Myanmar, specific forms of violence such as domestic violence, marital rape and sexual harassment are not all criminalised. The case is different for the Philippines and Thailand, where laws prohibit these forms of violence but either introduce reduced penalties in the case of so called "honour crimes" or allow rapists to marry the victim/survivor under specific circumstances (OECD Development Centre/OECD, 2023[5]).

Legislation also insufficiently protects girls from female genital mutilation and cutting (FGM/C) – a specific and extreme form of gender-based violence. FGM/C is practiced in some parts of Southeast Asia, but no country in the region specifically prohibits it. Evidence shows that FGM/C is practiced primarily among Muslim communities in Brunei Darussalam, Malaysia, the Philippines, Singapore and Thailand. In Indonesia, the only country where nationally representative data are available, it is estimated that almost half (49%) of all girls aged up to 11 years have experienced this harmful practice (Equality Now, End FGM European Network and US End FGM/C Network, 2020[72]). In this context, Thailand is the only Southeast Asian country where FGM/C can be prosecuted under narrow grounds.[19] In all other countries of the region – except for Myanmar and Singapore – FGM/C can be prosecuted under broad grounds such as acts of bodily harm, hurt or injury.[20] However, this is not sufficient to adequately protect girls' rights and well-being.

Laws that specifically prohibit FMG/C and hold its practitioners accountable are required, and not only in countries where FMG/C is traditionally being practiced. Evidence shows that FGM/C does not stop at country borders, and laws should account for so-called "cross-border" FGM/C, i.e. when girls are taken abroad to be cut in places where the practice is not criminalised or where law enforcement is limited (OECD, 2023[71]).

Laws can restrict or promote women's bodily and reproductive autonomy, and legal frameworks regulating girls' and women's access to safe abortion are one crucial example. Evidence shows that the share of unsafe abortions is higher in countries with restrictive abortion laws (Singh et al., 2018[73]). In this context, the Committee on the Elimination of All Forms of Discrimination against Women (CEDAW) calls upon countries to legally guarantee women's access to abortion when the pregnant women's life or health is at risk and in cases of rape, incest and severe foetal impairment (CEDAW, 2022[74]). In Southeast Asia, only 4 countries out of 11 provide women all these legal guarantees, namely Cambodia, Singapore, Thailand and Viet Nam. Conversely, the Philippines prohibits abortion under any circumstances, and in Brunei Darussalam, Myanmar and Timor-Leste, abortion is only permitted when necessary to save the pregnant women's life.

Beyond access to safe and legal abortion, laws can also regulate other aspects of sexual and reproductive rights. Adolescents, for instance, can face challenges in accessing adequate services and treatment in the presence of third-party consent laws (OECD, 2023[75]).

Since 2019, Southeast Asia has enacted numerous legal reforms and policies aimed at promoting gender equality

Between 2019 and 2023, Southeast Asian countries implemented 33 legal or regulatory reforms related to gender equality. Among these reforms, 26 (79%) were assessed as contributing to greater gender equality (OECD Development Centre/OECD, 2023[5]). Conversely, 2 reforms were assessed as gender unequal as they further limit women's rights and opportunities, and 6 of them were assessed as neutral from a gender perspective (see Annex B).[21]

The most common issue tackled by legal reforms was the prevention of violence against women, with 13 legal or regulatory reforms in this area between 2019 and 2023. For instance, Indonesia criminalised sexual violence in 2022 (Republic of Indonesia, 2022[76]). Similarly, in 2019, the Philippines drastically tightened its legislation on sexual harassment while including a progressive definition of gender in the law, which, among others, recognises the status of transgender people (Republic of the Philippines, 2019[77]).[22]

Governments also enacted new laws and amendments in other areas of women's and girls' lives, such as:

- Child marriage: In 2019, Indonesia raised the legal age of marriage from 16 to 19 years, although legal exceptions are still allowed with the agreement of a judge (Republic of Indonesia, 2019[78]). In 2021, the Philippines enacted a landmark reform across all legal systems, both the statutory system and the system applying to the Muslim minority, which sets the minimum legal age of marriage at 18 years for all women and men, without any exceptions, and imposes harsh legal penalties for the violation of the law (Republic of the Philippines, 2021[47]).
- Labour rights: In 2019, the Philippines increased the length of paid maternity leave from 60 days to 105 days (Republic of the Philippines, 2019[79]). In 2022, the country further provided additional benefits to single parents (Republic of the Philippines, 2021[80]). In 2019, Thailand amended its labour legislation: New provisions prohibit sex-based discrimination in the workplace, mandate equal pay for work of equal value, outline penalties for companies or institutions that discriminate against women, and mandate paid maternity leave while protecting women's employment security while they are on leave (Kingdom of Thailand, 2019[81]). In 2019, Viet Nam enacted a new Labour Code comprising the recognition of sexual harassment in the workplace as grounds for dismissal (Socialist Republic of Viet Nam, 2019[82]). A subsequent decree in 2020 expanded the definition of sexual harassment to include online harassment and added entitlements to menstrual leave and to periodic breaks for breastfeeding mothers (Socialist Republic of Viet Nam, 2020[83]). The decree also requires companies to report on how much they pay employees.

A multitude of action plans and national policy frameworks on gender equality at various levels support the legislative framework of the region. In Southeast Asia, all countries except for Brunei Darussalam have such national action plans or policy frameworks in place.[23] Between 2019 and 2023, 25 national action plans and policy frameworks related to certain gender issues were adopted in the region.

However, despite the existence of these national action plans, the legislative action towards the commitments they outline is not as consistent. For instance, Cambodia has several sector-based action plans[24] and an overarching national Five-Year Strategic Plan for Strengthening Gender Mainstreaming and Women's Empowerment 2019-2023. One of its objectives it to guide the development and implementation of the first National Policy on Gender Equality (Kingdom of Cambodia, 2019[84]). Yet, although this policy was supposed to be passed into law by 2020, it is still forthcoming. In addition to gaps in the realisation of commitments set forth by national strategies, weak law enforcement represents another channel that can lead to discrepancies between women's and men's *de facto* and *de jure* rights.

Beyond laws and policies, even in countries where positive legal reforms have taken place, discriminatory informal and customary laws hamper the full implementation of gender equitable statutory provisions. For instance, in Lao PDR, the 2019 Law on Gender Equality established equal inheritance rights between men

and women (Lao People's Democratic Republic, 2019[85]). Yet, in 2022, reports underscored that customary practices often prevail over the law regarding land and property inheritance, resulting in widows and daughters inheriting smaller shares of property than widowers and sons (ADB, 2022[6]).

Policy recommendations

Data from the fifth edition of the SIGI show that, despite some progress to eradicate gender-based discrimination in legal frameworks, much remains to be done in Southeast Asia. In close consultation with legal experts and women's rights organisations, Southeast Asian lawmakers must undertake several concrete actions and reforms to ensure that all women in the region enjoy the same legal rights as men.

Reform personal status laws and ensure their enforcement

Most personal status laws (PSL) in Southeast Asia are codified and often contain discriminatory provisions that establish unequal rights between men and women. There are various approaches to reform discriminatory PSLs:

- *A uniform civil code*: Enacting a uniform civil code would enable gender-equal provisions for all, allowing countries to immediately eradicate discriminatory provisions and establishing the same rights for the entire population. However, this could prove challenging in the Southeast Asian context where this approach could be perceived as a devaluation of diversity and cultural identity. There is also a risk that a uniform civil code would be largely informed by the values and customs of the majority ethnic/religious group or be perceived as such by the minority groups.
- *Judicial reform*: In countries whose legal tradition is rooted in common law, courts may have the liberty required to interpret the law in a manner favourable to women and gender equality. However, this carries substantial legal risks. In the worst-case scenario, a court may decide to rule against gender equality setting a precedent that applies to all other cases. Alternatively, a court may rule in favour of gender equality but only on a specific detail that prevents from establishing a more general and robust legal precedent. Judges may also focus on the specific circumstances of one case rather than on the potential impacts their decisions would have on the wider community. A pro-women rights reform could also create opposition by concerned communities and their leaders, possibly resulting in additional restrictions on women's rights (Panditaratne, 2007[4]).
- *Statutory reform*: The government and legislators could make legislative amendments to the discriminatory provisions in PSLs. This is a complicated process that could be politically challenging, as it could trigger opposition from concerned ethnic or religious minorities and their respective leaders. Nevertheless, reforming existing PSLs appears to be the most promising approach for Southeast Asian countries, because it allows recognition of the cultural and religious identities of the various communities (Panditaratne, 2007[4]). In the process, it is essential to establish strong partnerships and feedback loops between legislators and traditional, religious and ethnic leaders. To gain support for needed reforms, the following strategies could be considered:
    - A first step is to undertake research on the origins of discriminatory provisions to understand whether they are embedded in customs or were introduced during periods of colonisation. Highlighting how customary and religious laws have historically valued women can help gain communities' support and can pave the way for future change.
    - Combining women's and minority rights movements can help recognise women as active contributors to political and public decision-making processes, which will eventually aid in overcoming patriarchal norms that currently undermine their representation. Affirmative action, such as quotas for minority groups in political bodies at all levels, can amplify women's voices and contribute to reforming PSLs.

> *In 2021, the Philippines' Act No. 11596 came into force, prohibiting child marriage effectively at national level and imposing penalties for those violating the law. Prior to the reform, the minimum legal age of marriage was already set at 18 years with the exception for Muslims. The new law eliminates certain provisions contained in the Code of Muslim Personal Laws to ensure that all children are equally protected by existing legal frameworks. Despite several consultation processes with local organisations and legislators, the reform was met with fierce resistance from local religious leaders. The success of Act No. 11596 will thus depend on law enforcement alongside a shift in social norms and attitudes. The newly enacted law notably establishes that the Department of Education shall develop a sexual education curriculum with culturally sensitive modules on the impacts of child marriage (Center for Reproductive Rights, 2022[86]; Republic of the Philippines, 2021[47]).*

Strengthen laws to protect women and girls from violence and guarantee their sexual and reproductive rights

Governments and policy makers should closely collaborate with women's rights groups to revise and update legal frameworks governing violence against women to ensure that they comprehensively protect girls' and women's rights without any exceptions. Codified provisions in legal and policy frameworks for the investigation, prosecution and punishment of these crimes, along with protection and support services for victims/survivors are further required. In line with international legal frameworks, governments should also reform laws to enshrine sexual and reproductive rights. This includes:

- Recognising and criminalising all forms of domestic violence and intimate partner violence: physical, sexual, psychological/emotional and economic abuse. This also requires criminalising rape on the basis of lack of freely given consent and explicitly extending its definition to marital rape.
- Criminalising sexual harassment and updating the laws to ensure they account for new challenges and technologies, i.e. sexual harassment should be specifically prohibited in the workplace, in educational institutions, in public spaces as well as online.

> *In 2022, Malaysia enacted the Anti-Sexual Harassment Act, which extends the definition of sexual harassment to all areas of life: in school, public spaces, online, etc. Previously, sexual harassment was prohibited only in the workplace through the Employment Act. Moreover, the new law establishes a dedicated tribunal to deal with any case of sexual harassment (Malaysia, 2022[87]).*

- Eliminating legal loopholes, such as reduced penalties in the case of "honour crimes" or the possibility for a rapist to marry the victim/survivor in order to escape legal punishment.
- Tackling harmful practices by (i) setting the minimum legal age of marriage at 18 years or over, for both women and men without any exceptions, and (ii) enacting laws that explicitly criminalise FGM/C and hold practitioners accountable, even if FGM/C is not traditionally practised or is not an issue of concern, as the practice does not stop at country borders.
- Guaranteeing women's access to a safe and legal abortion under essential circumstances, i.e. to save the life or health of the pregnant woman and in cases of rape, incest and severe foetal impairment, as recommended by the CEDAW.

Eliminate discriminatory legislation in the workplace and enact gender-equitable parental leave policies

- Governments should ensure that the workplace is a secure environment for women, free from sexual harassment, and a place where women can benefit from the same career opportunities as men. This includes, among others, ensuring the principle of equal remuneration for work of equal value, and ensuring that parents have flexible working conditions and are able to welcome maternity and paternity on an equal basis, without impacting their work and employment security. In particular, the length of maternity leave should comply with the ILO's recommended 14 weeks,

and countries should consider granting paid paternity leave, which is almost non-existent in the region.

In 2019, Thailand amended the Labour Protection Act. The new Article 53 enshrines the principles of equal pay for work of equal value. More precisely, it stipulates that male and female employees who perform work of the same type, quality and quantity or work of equal value must receive equal compensation. This includes equality in wages, overtime payments and payments for work performed on holidays (Kingdom of Thailand, 2019[81]).

In 2019, the Philippines enacted Act No. 11210, which extends the duration of paid maternity leave from 60 to 105 days, with an additional 15 days for single parents (Republic of the Philippines, 2019[79]). In addition, Act No. 8187 grants fathers 7 days of paid paternity leave, and Act No. 11861, adopted in 2021, provides for 7 days of paid parental leave every year for single parents (Republic of the Philippines, 1996[88]; Republic of the Philippines, 2021[80]).

Provide women and men equal rights to lead in the political sphere

- Governments should strengthen their efforts to promote women's political participation at all levels, which remains low in the region. Gender quotas at national and local levels and other parity measures prove to be effective, especially when legislation provides for sanctions in case of non-compliance. Governments should develop these instruments in collaboration with political parties, civil society groups and other key actors and complement them with adequate training programmes and mentoring for women candidates and aspiring candidates in political elections.

In Indonesia, Article 245 of Law No. 7 of 2017 on General Elections stipulates that the list of candidates should include at least 30% of women's representation (Republic of Indonesia, 2017[89]).

In 2017, Timor-Leste introduced quotas for village elections, which led to a substantial increase of the number of elected women at the local level (Welsh, 2021[90]).

Grant women and men equal citizenship rights

- Governments should reform their laws to ensure that both women and men can confer their nationality to their spouses and children on an equal basis, as well as retain their own nationality. Women and girls from ethnic minorities, who are at the greatest risk of statelessness, must receive particular attention.

Thailand has taken important steps to reform its nationality laws to facilitate the acquisition of citizenship. Since 2008, over 100 000 people have become Thai nationals (Norapoompipat, 2022[91]).

In 2017, in the context of the #IBelong campaign, the Philippines launched a National Action Plan to End Statelessness which aims at ensuring that, by 2024, no child is born stateless. The strategic objectives of the plan include the improvement of birth registration, the promotion of legal reform and its implementation (UNHCR Philippines, 2021[92]; Republic of the Philippines, 2017[93]).

In 2023, Malaysia established a Cabinet Committee and a Technical Committee for the amendments of the Federal Constitution regarding citizenship matters. The Cabinet Committee and the Technical Committee conducted a detailed study on the proposed amendments of the Federal Constitution with regard to citizenship laws, which included consultations with stakeholders, comparisons with other nations' laws and debates during meetings of the committees. The study resulted in the formulation of eight proposed amendments to Part III of the Federal Constitution as well as the First Schedule and Second Schedule of the Federal Constitution, which cover the issue of citizenship for children born abroad to women who are Malaysian citizens. The Cabinet Committee and Technical Committee will present a final report of the study and proposed amendments of the citizenship laws to the Malaysia Conference of Rulers for approval, before sending it to the Parliament (United Nations, 2023[94]).

Notes

[1] Southeast Asia covers 11 countries: Brunei Darussalam, Cambodia, Indonesia, Lao People's Democratic Republic, Malaysia, Myanmar, the Philippines, Singapore, Thailand, Timor-Leste and Viet Nam.

[2] For instance, in the Philippines, Article 6 of the Code of Muslim Personal Laws specifies that the Code derives from particular uncodified Muslim schools of law – namely the *Hanfi*, the *Hanbali*, the *Maliki* and the *Shafi'i* schools of thought (Republic of the Philippines, 1977[16]). Similar provisions are found in Indonesia, where the Islamic Law Compilation lists five original religious sources, the main one being the *Shafi'i* school of jurisprudence (Otto, 2010[95]).

[3] In Cambodia, Lao PDR and Timor-Leste, most marriage and family affairs are governed by these countries' respective civil codes, whereas in Viet Nam they are governed by the Marriage and Family Law.

[4] Customary laws in Malaysia (also known as *adat* in Malay) comprise four main categories: *Adat Pepatih*, *Adat Temenggong*, *Dusun* customary laws and *Iban* customary laws. *Adat Pepatih* is limited to the state of Negeri Sembilan in West Malaysia. *Adat Temenggong* is based on Islamic principles and is applicable to all states in West Malaysia, except Negeri Sembilan. *Dusun* and *Iban* customary laws are only applicable to the respective states of Sabah and Sarawak in East Malaysia (LawTeacher, 2013[13]).

[5] Laws that limit or fail to protect women's rights can induce negative economic consequences not only for women themselves but also for society as a whole. For instance, laws that require women to obey their husbands and restrict their mobility can limit their ability to make independent decision about their economic participation, which hampers economic growth and generate income losses through lost opportunities (Ferrant and Kolev, 2016[101]).

[6] In Malaysia, *talaq* must be pronounced inside the court and with the permission of the court. Failure to do so may be liable to sanctions by the court.

[7] In Indonesia, this is only the case for custody and not for guardianship. Under the general framework established by the Law on Marriage, Article 47 stipulates that both parents are the child's legal guardians (Republic of Indonesia, 1974[27]). Regarding custody, Article 156 of the Islamic Law Compilation stipulates that a child under the age of 12 years remains in the custody of the mother following a divorce (Republic of Indonesia, 2011[40]).

[8] Brunei Darussalam, Malaysia, Thailand and Timor-Leste.

[9] Cambodia, Indonesia, Myanmar and Singapore.

[10] Brunei Darussalam, Malaysia, Myanmar and Thailand.

[11] Exceptions include (i) Myanmar, where the Factories Act mandates that certain operations can only be carried out by a specially trained adult male worker and prohibits the employment of women in certain types of factories (Republic of the Union of Myanmar, 1951[97]); and (ii) Thailand, where the Labour Protection Act does not allow women to work in mining or in underground construction, among others (Kingdom of Thailand, 1998[96]). In Malaysia, in 2022, the Employment (Amendment) Act repealed the provisions that previously prohibited the employment of women in any underground work, as well as in industrial and agricultural activities if carried out during the night (Malaysia, 2022[99]; Malaysia, 1955[98]).

[12] Brunei Darussalam, Cambodia, Myanmar and Timor-Leste.

[13] Cambodia, Indonesia, the Philippines, Thailand, Timor-Leste and Viet Nam.

[14] Lao PDR and Myanmar.

[15] Brunei Darussalam, Malaysia and Singapore.

[16] Lao PDR (105 days), Malaysia (98 days), Myanmar (14 weeks), the Philippines (105 days), Singapore (16 weeks) and Viet Nam (6 months).

[17] Brunei Darussalam, Cambodia, Lao PDR and Thailand.

[18] Brunei Darussalam, Malaysia, the Philippines, Singapore and Thailand.

[19] Countries are assessed as criminalising FGM/C on narrow grounds when the legal framework specifically criminalises the following acts: female genital mutilation, permanent altering / removal of external genital, female circumcision, excision, infibulation and/or genital mutilation.

[20] Countries are assessed as criminalising FGM/C on broad grounds when the legal framework criminalises the following acts: mutilation, harming of a person's organs, serious bodily injury and bodily injury / hurt / assault.

[21] One reform was assessed as both positive and negative as it contained provisions contributing to greater gender equality and others that further limited women's rights and opportunities.

[22] Section 3 of the Safe Space Act (Republic Act No. 11313), enacted in 2019, stipulates that "[g]ender refers to a set of socially ascribed characteristics, norms, roles, attitudes, values and expectations identifying the social behavior of men and women, and the relations between them" and that "[g]ender identity and/or expression refers to the personal sense of identity as characterized, among others, by manner of clothing, inclinations, and behavior in relation to masculine or feminine conventions. A person may have a male or female identity with physiological characteristics of the opposite sex in which case this person is considered transgender" (Republic of the Philippines, 2019[77]).

[23] Although currently Brunei Darussalam does not have any plan in force, the government announced its intention to release its first action plan on women, at the European Union-Brunei Seminar on Gender Equality and Women's Empowerment held in March 2023. According to the Ministry of Culture, Youth and Sports, the plan will include the promotion of women's rights, healthcare, economic empowerment, employment and work-life balance (Bandial, 2023[100]).

[24] Cambodia sector-based action plans include the National Action Plan to Prevent Violence Against Women 2019-2023, the Policy and Strategic Plan on Gender Mainstreaming in Health 2020-2024, and the Gender Mainstreaming Plan for Education 2021-2025.

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3 Trends in gender roles and social norms in Southeast Asia

Social norms are key determinants of gender equality. This chapter provides an overview of the latest trends across Southeast Asia in different social norms that are crucial to women's rights and empowerment. Comparing data from 2014 and 2022, the chapter reveals how attitudes towards gender equality and gender roles have become more restrictive over time at the regional level. Additional analysis at the national level provides further information on country-specific trends. Finally, the chapter provides concrete policy recommendations to transform discriminatory social norms into more gender-equitable ones, along with efforts to prevent a further backlash against gender equality and women's rights.

In Brief

Between 2014 and 2022, social norms governing gender roles and responsibilities became more restrictive in Southeast Asia

Attitudes upholding traditional gender roles and undermining women's rights worsened in Southeast Asia over the period 2014-22.

- Negative trends regarding attitudes towards women's educational and economic rights have been particularly strong. Between 2014 and 2022, the share of the population declaring that university education is more important for boys than girls increased by 15 percentage points. Over the same period, the share of the population thinking that men should have priority for jobs when employment is scarce increased by 12 percentage points.
- Social acceptance of violence against women has gained ground over time. In 2014, 24% of Southeast Asia's population declared that it is always or sometimes justifiable for a man to beat his wife. In 2022, this share had increased to 38%.
- Limited improvements occurred regarding both attitudes towards women's right to abortion and the belief that being a housewife is as fulfilling as working for pay. However, discriminatory views remained pervasive in 2022: 87% of the region's population agreed that abortion is not justifiable, and 69% believed that being a housewife is as fulfilling as working for pay.

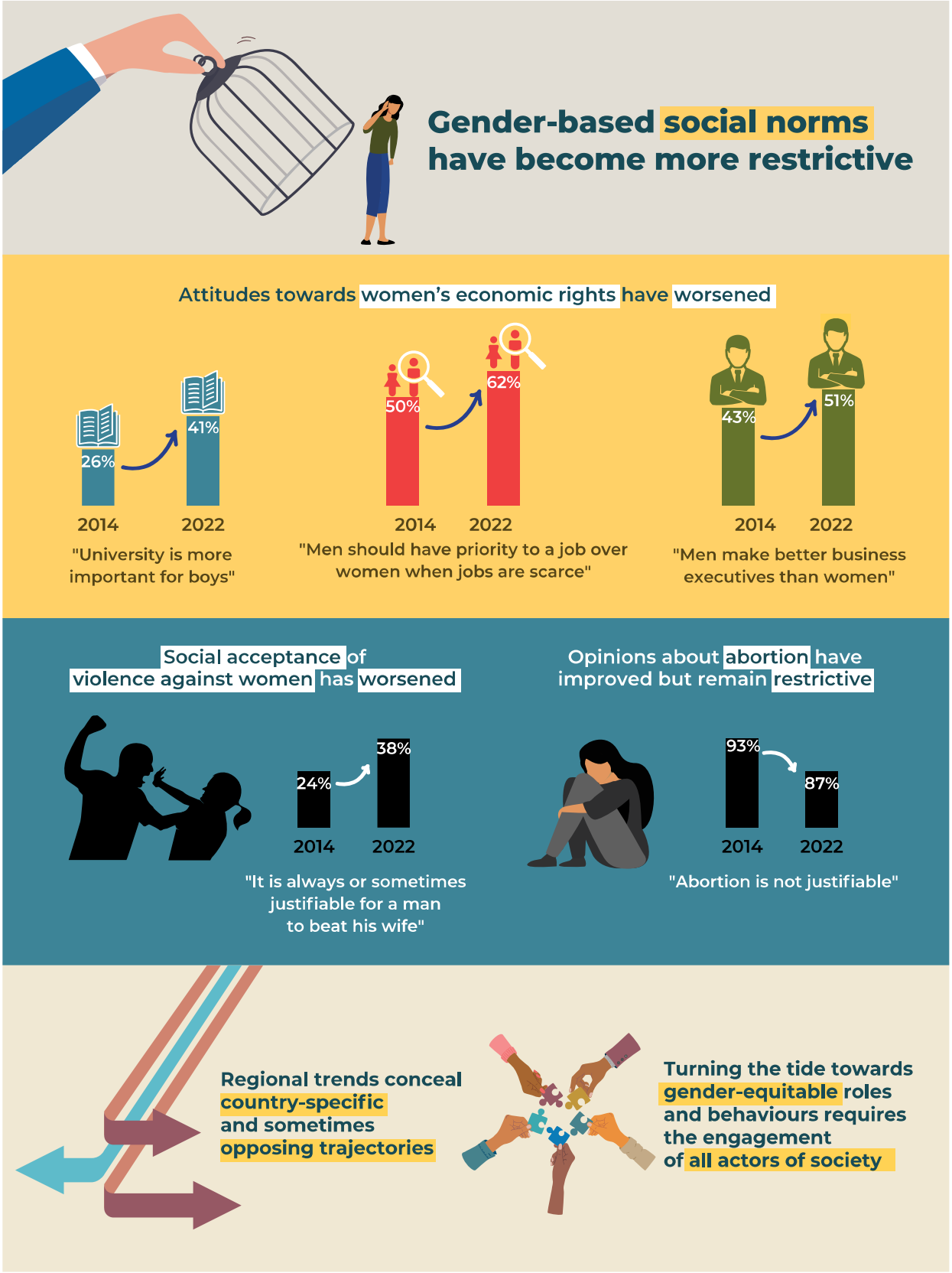
Regional trends conceal country-specific and, sometimes, opposing trajectories.

- Attitudes towards women's roles as mothers and housewives have become less discriminatory over time in Indonesia, Singapore and Viet Nam but have worsened in Malaysia. In 2022, the population's support for the view that children suffer when their mother works for pay varied substantially across countries – ranging from 11% in Indonesia to 78% in Viet Nam.
- Attitudes towards women's educational and economic empowerment have stagnated or worsened in most countries. Attitudes towards women's political empowerment have also worsened in Indonesia. Conversely, changes have been positive in Singapore and Malaysia.
- Attitudes justifying men's use of physical violence against their spouses have worsened in all countries over time, except for Singapore. In 2022, the share of the population declaring that it is justifiable for a man to beat his wife ranged from 15% in Singapore to 60% in Viet Nam.
- The population's views on abortion have remained equally discriminatory in most Southeast Asian countries. Improvements occurred in Malaysia and Viet Nam, where the share of the population thinking that abortion is not justifiable declined by 20 and 30 percentage points, respectively.

Transforming social norms relies as much on individuals' changing beliefs and behaviours as on their perceptions of the dominant views within their environment – be it family, neighbourhood, community or country.

- To turn the tide by addressing rampant discrimination in social norms and expectations around gender roles and behaviours requires engaging with all actors of society.
- Actions should focus on educating individuals and communicating effectively on the benefits of gender equality for all; collaborating closely with grassroots movements and community leaders; engaging with men and boys; and investing in data to better measure social norms over time.

Infographic 3.1. Between 2014 and 2022, social norms governing gender roles and responsibilities became more restrictive in Southeast Asia



Social norms in Southeast Asia,[1] deeply rooted in traditional gender roles, cast long shadows on the path towards gender equality and women's empowerment. As most of the region's societies follow patriarchal power structures, existing gender norms, including norms of masculinities, tend to restrict women's rights and opportunities (Box 3.1). A significant share of the population sustains those norms, which restrict women's agency and rights and reinforce restrictive masculinities. The prevalence of such entrenched beliefs poses challenges to achieving gender equality and inclusive growth. For instance, while legal frameworks are crucial for establishing the *de jure* status quo (see Chapter 2), deeply ingrained norms can impede their effective enforcement. Consequently, transforming discriminatory norms and attitudes is pivotal to establishing a more gender-egalitarian *de facto* reality and to allowing women to pursue paid activities or education.

Box 3.1. How do norms of masculinities affect gender equality?

Masculinities are social constructs that are both shaped by and part of social institutions – formal and informal laws, social norms and practices. They relate to perceived notions, shared by both men and women, about how men behave and how they should behave in order to be considered "real" men.

Masculinities are diverse, and they differ within and across cultures, geographical locations and time periods. They are informed by factors such as age, socio-economic background, race and religion. They also develop and operate at various levels, including the interpersonal, communal, institutional and societal levels.

Masculinities affect the lives of both men and women. While some masculinities promote women's empowerment and gender equality, others encourage men to develop beliefs, behaviours and attributes which undermine women's rights. In this regard, in 2021, the OECD Development Centre developed the following terminology:

- "Gender-equitable masculinities" describe masculinities that support women's empowerment and gender equality and that undermine patriarchal structures and unequal gender power dynamics (OECD, 2021[1]).
- "Restrictive masculinities" refer to masculinities that confine men to their traditional role as the dominant gender group, undermining women's empowerment and gender equality (OECD, 2021[1]).

Although masculinities evolve over time and space, the OECD Development Centre also identified ten restrictive norms that tend to be common across cultures and can affect women's empowerment and rights (Table 3.1).

Table 3.1. The OECD Development Centre defines ten overarching norms of restrictive masculinities

Restrictive masculinities in the **family sphere** dictate that "real" men should …	Restrictive masculinities in the **public sphere** dictate that "real" men should …
not do unpaid care and domestic work	be the breadwinner
have the final say in household decisions	be financially dominant
control household assets	work in "manly" jobs
protect and exercise guardianship of women in the household	be the "ideal worker"
dominate sexual and reproductive choices	be a "manly" leader

Source: (OECD, 2021[1]), *Man Enough? Measuring Masculine Norms to Promote Women's Empowerment*, Social Institutions and Gender Index, OECD Publishing, Paris, https://doi.org/10.1787/6ffd1936-en.

Social norms are not gender-neutral. Through education and socialisation processes, individuals are exposed to social norms, often from a very young age. Throughout life, people internalise prevalent social norms and adhere to them; not doing so can trigger social sanctions or stigmatisation. In this regard, social norms reflect shared societal beliefs on how individuals should be and behave, which often differ for women and men. For instance, 56% of the global population believe that children suffer when their mothers work for pay. When such attitudes are upheld by the majority, they can translate into rigid social norms that anchor women into a primary role as caregivers and, in contrast, establish men as breadwinners.

Change in social norms is far from linear, and crises can exacerbate restrictive gender norms. Changing the status quo requires finding new societal agreements on what it means to be a "real" woman or a "real" man. The dominant gender can perceive changes as a direct threat to its established position and rights, which can lead to a backlash against more gender-equitable norms and rules, particularly during crises. For instance, evidence reveals that during economic crises men tend to experience increased levels of stress, anxiety or depression as it becomes more difficult for them to fulfil their social role as breadwinners (Reeves and Stuckler, 2015[2]). When men sense a threat to their masculinity or dominance, it can lead to a reinforcement of restrictive gender norms. Under such circumstances, women can face heightened risks of experiencing gender-based violence: some men may resort to violence to re-establish their dominant role within the family (OECD, 2023[3]).

Yet, crises can also provide an opportunity for change. They can allow policy makers to design and implement policies and response mechanisms that are gender transformative, integrate both women's and men's needs and concerns, and promote lasting changes.

The transformation of restrictive social norms is two-pronged, relying equally on individuals' adopting more gender-egalitarian attitudes and behaviours and on their perceptions of the dominant views within their environment – be it family, neighbourhood, community or country. Individuals can change their own beliefs, inducing a shift towards greater gender equality. However, the transformation of norms also hinges on individuals' perceptions of the prevailing and dominant norms. Transforming restrictive social norms thus depends not only on changes at the individual level but also on a more accurate measurement and understanding of the dominant views held by a person's larger environment.

Evidence from 60 countries reveals important misperceptions regarding the populations' support for gender equality (Bursztyn et al., 2023[4]). In many places, individuals' support for certain rights, such as women's economic rights, differs from what individuals perceive as the actual level of support in their countries. The gap is partly attributed to people's inclination to exaggerate the views of the minority – whether it holds discriminatory beliefs or gender-egalitarian ones. Additionally, gender stereotypes play a role, as individuals tend to underestimate men's support for gender equality while overestimating women's support. This bias could be explained by stereotypical assumptions that all women favour gender equality while all men oppose it – stereotypes often reinforced by mass media (Bursztyn et al., 2023[4]).

Recent trends in Southeast Asia are disconcerting. Data from 2014 and 2022 reveal that, on average, social norms reinforcing patriarchal gender roles and responsibilities gained support across Southeast Asia. The chapter explores these trends at the regional and country levels. It concludes by providing policy recommendations aimed at establishing an effective transformative approach.

Recent trends suggest a reinforcement of traditional gender roles in Southeast Asia

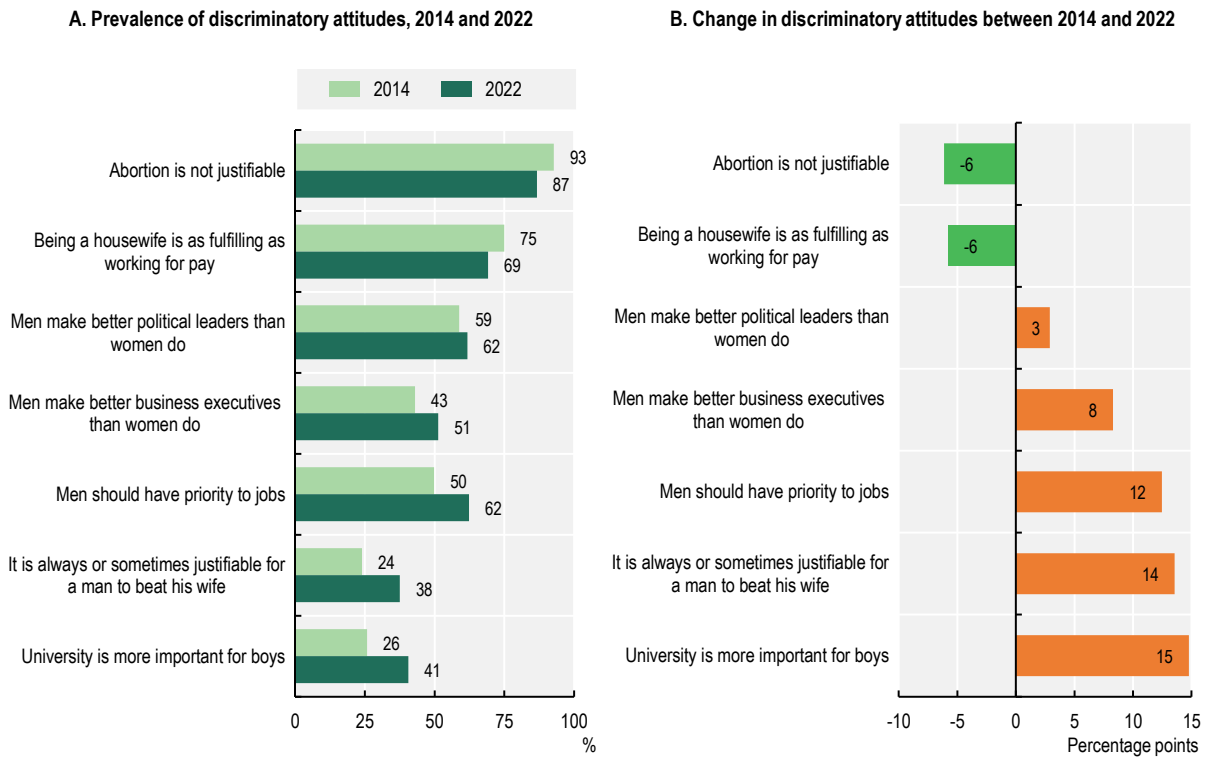
Between 2014 and 2022, social norms that reinforce patriarchal gender roles and responsibilities gained support across Southeast Asia. Despite some localised improvements at the country level, a large share of individuals, regardless of their age, continues to hold gender biases and endorse attitudes that discriminate against women's rights and capabilities across all spheres of life. These discriminatory views

and beliefs affect women daily in the family, economic and political spheres. The impacts on women's rights and opportunities span the entire course of their lifetimes.

Attitudes towards women's educational and economic rights have taken a disheartening turn over the last decade. The most concerning development pertains to the perceived importance of university education for girls and boys. In 2014, 26% of the region's population believed tertiary education was more important for boys; by 2022, this figure had surged to 41% (Figure 3.1). If sustained over time, such trends may severely jeopardise women's and girls' ability to enrol in higher education, with drastic consequences on their future economic empowerment. Over the same period, attitudes restricting women's economic inclusion and opportunities also worsened. Notably, more people believe that men make better business executives and should have priority when jobs are scarce (Figure 3.1). The share of the population declaring that men should have more right to a job than women when jobs are scarce increased from 50% to 62% between 2014 and 2022. Overall, these trends collectively underscore a reinforcement of traditional gender norms, positioning men as the primary breadwinners while confining women to caregiving and reproductive roles.

Figure 3.1. Discrimination in social norms in Southeast Asia increased between 2014 and 2022

Prevalence of discriminatory attitudes in 2014 and 2022 (Panel A) and magnitude of change in discriminatory attitudes between 2014 and 2022 (Panel B)



Note: Southeast Asia's averages are based on six countries covering 89% of the region's population. These countries have data available for consecutive waves 5 or 6 and wave 7 of the World Values Survey (WVS). Countries included are Indonesia, Malaysia, the Philippines, Singapore, Thailand and Viet Nam. Data are not available for Brunei Darussalam, Cambodia, Lao People's Democratic Republic, Myanmar and Timor-Leste. Data from 2022 correspond to wave 7 of WVS (2017-2022), and data from 2014 correspond to wave 6 of WVS (2010-2014). For Indonesia and Viet Nam, 2014 data are from wave 5 of WVS (2005-2009) because data on selected statements were not collected in wave 6.
Source: (Inglehart et al., 2022[5]), "World Values Survey: All Rounds – Country-Pooled Datafile Version 3.0", *World Values Survey*, JD Systems Institute and WVSA Secretariat, https://www.worldvaluessurvey.org/WVSDocumentationWVL.jsp.

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At the same time, some improvements have occurred, but they remain small and limited to views where absolute levels of discrimination are highest. Between 2014 and 2022, slightly fewer people thought that being a housewife is as fulfilling as working for pay, with the share dropping by 6 percentage points, from 75% to 69% (Figure 3.1). The proportion of the population opposing abortion also slightly decreased by 6 percentage points. However, restrictive views on women's reproductive rights remain widespread. On average in 2022, nine out of ten people believed that abortion is not justifiable. The potential impacts on women's and girls' health are far-reaching. Restrictions on access to safe and legal abortion, including the social sanctions associated with it, not only undermine their reproductive autonomy but also bear important health risks (see Chapter 1).

More people tolerate intimate-partner violence, exacerbating the risks for women's physical integrity. Between 2014 and 2022, the share of the Southeast Asian population declaring that it is justifiable for a man to beat his wife increased by 14 percentage points, from 24% to 38% (Figure 3.1). This trend is extremely worrying, notably because evidence suggests that more women experience intimate-partner violence in countries where its social acceptance is higher (OECD, 2023[6]). These views are held by men and women, although to a lesser extent by women. The gender gap, however, does not exceed 10 percentage points across countries with available data.[2] This reflects how women themselves – consciously or not – uphold views that could eventually increase their risk of experiencing violence.

Contrary to recent trends of increasing gender-based discriminatory views among young adults in advanced economies such as France or the United Kingdom (Government of France, 2024[7]; King's College London and Ipsos, 2024[8]), discrepancies across generations in terms of discriminatory attitudes remain limited in Southeast Asia. In 2022, similar shares of youth (individuals aged 15 to 35 years) and older individuals (aged over 35 years) hold restrictive views across the different statements analysed. However, there are notable exceptions, including perceptions that university is more important for boys than for girls and that men make better business executives. In 2022, fewer youth held discriminatory views that undermining girls' and women's economic empowerment compared to older individuals.[3] Between 2014 and 2022, changes in the shares of youth or older individuals holding discriminatory views have largely moved in the same direction and magnitude.[4]

Changes in social norms vary across Southeast Asian countries

Beyond regional trends, data reveal differences across Southeast Asian countries, in terms of both current levels of discrimination in attitudes and changes over time. This section provides a holistic overview of the current state of social norms and changes that took place between 2014 and 2022 at the country level in Southeast Asia.[5] It first focuses on attitudes related to women's traditional roles as well as economic and political empowerment; it then analyses attitudes towards women's physical integrity and reproductive autonomy.

Attitudes towards women's empowerment and economic rights have worsened in many Southeast Asian countries

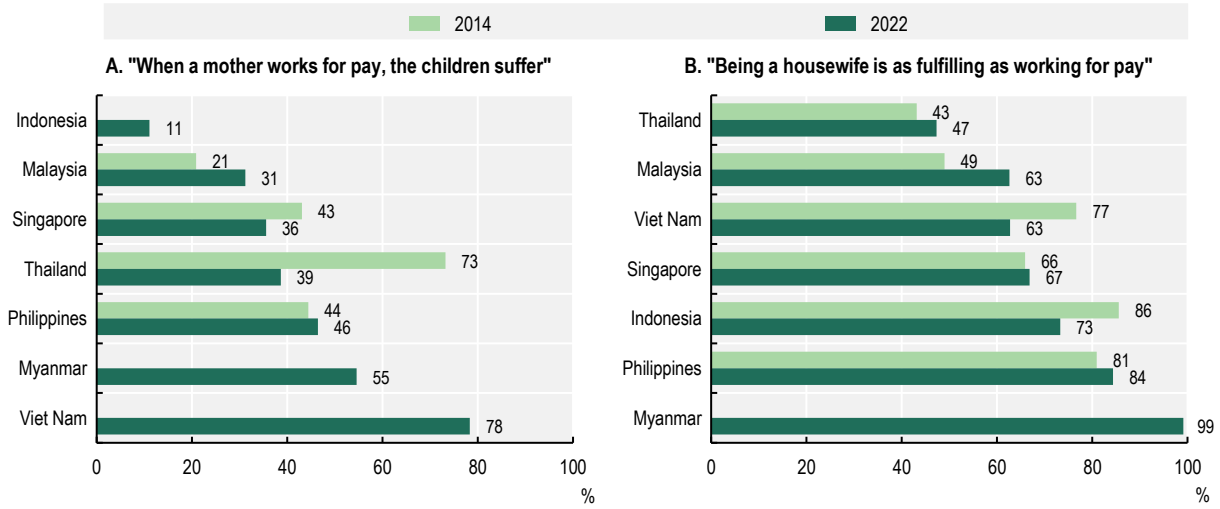
Trends at the regional level show that discriminatory attitudes related to women's and girls' educational and economic empowerment and rights gained ground between 2014 and 2022. However, country-level data reveal a more nuanced picture, both in terms of past and current levels of discriminatory attitudes. For instance, Singapore stands out as a positive example, contrasting sharply with other Southeast Asian countries where most of the selected attitudes towards women's traditional roles, economic empowerment and decision-making power have worsened over time.

Attitudes towards women's roles as mothers and housewives

Social norms that tie women's identity and status to that of mothers and housewives remain widespread in most Southeast Asian countries. As in many parts of the world, discriminatory attitudes uphold these rigid gender norms (OECD, 2023[6]). In 2022, based on countries for which data are available, 35% of the Southeast Asian population believed that when mothers work for pay, their children suffer. Shares range from 11% in Indonesia to approximately half of the population in Myanmar and the Philippines and reaching 78% in Viet Nam (Figure 3.2, Panel A). Moreover, in 2022, about 70% of the region's population considered that being a housewife is as fulfilling as working for pay. Variations across countries are smaller, ranging from 47% in Thailand to 84% in the Philippines (Figure 3.2, Panel B).

Figure 3.2. Southeast Asian women's roles remain primarily those of mothers and carers rather than breadwinners

Share of the population agreeing with the statement "When a mother works for pay, the children suffer" (Panel A) and with the statement "Being a housewife is as fulfilling as working for pay" (Panel B), 2014 and 2022



Note: 2022 data are from wave 7 of the World Values Survey (WVS) (2017-2022); 2014 data are from wave 6 of WVS (2010-2014). In Panel B, 2014 data for Indonesia and Viet Nam are from wave 5 of WVS (2005-2009) because data on selected attitudes were not collected in wave 6. For countries that only have 2022 data, data were not collected in previous WVS waves.
Source: (Inglehart et al., 2022[5]), "World Values Survey: All Rounds – Country-Pooled Datafile Version 3.0", *World Values Survey*, JD Systems Institute and WVSA Secretariat, https://www.worldvaluessurvey.org/WVSDocumentationWVL.jsp.

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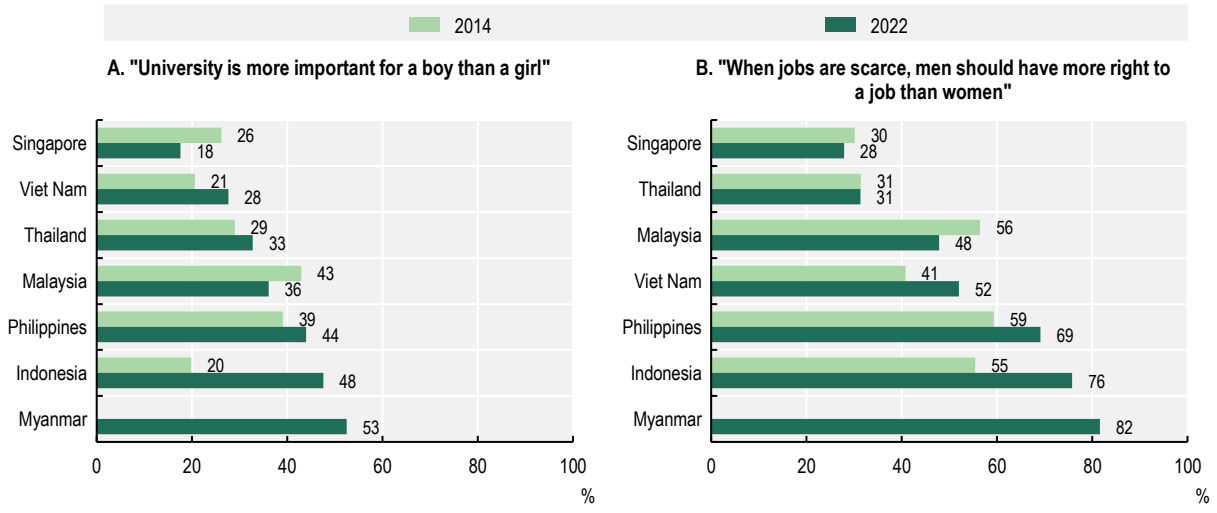
Over time, opposing trends have emerged in the region. In Thailand, the share of the population declaring that children suffer when mothers engage in paid work sharply dropped by 34 percentage points between 2014 and 2022, from 73% to 39% (Figure 3.2, Panel A). Likewise, the proportion of the population holding these views decreased over time in Singapore and remained stable in the Philippines. Conversely, it increased by 10 percentage points in Malaysia. The share of Malaysia's population agreeing that being a housewife is as fulfilling as working for pay increased to a similar extent between 2014 and 2022, whereas it dropped significantly in Indonesia and Viet Nam (Figure 3.2, Panel B).

Attitudes towards the importance of education and towards job priority for men

Women's and girls' opportunities and empowerment are crucially determined by attitudes supporting their access to higher education and their right to employment. Although in 2022 41% of the Southeast Asian population believed that university is more important for boys than girls, important discrepancies existed at the country level. Less than one-fifth of Singaporeans held these views compared to around half of the population in Indonesia and Myanmar (Figure 3.3, Panel A). By curtailing the private or public support that girls receive to pursue higher education, these attitudes can severely restrict women's and girls' future professional opportunities from the onset. Moreover, when such views gain ground among the population, they can become the norm, locking women in a long-term status where tertiary education remains inaccessible to them. Similarly, attitudes that justify giving men priority for jobs can hamper women's economic empowerment. In 2022, more than 70% of the population in Indonesia, Myanmar and the Philippines believed that when jobs are scarce, men should have more right to a job than women (Figure 3.3, Panel B).

Figure 3.3. Discriminatory views on women's educational and economic rights have gained ground in Southeast Asian countries

Share of the population agreeing with the statement "University is more important for a boy than a girl" (Panel A) and with the statement "When jobs are scarce, men should have more right to a job than women" (Panel B), 2014 and 2022



Note: 2022 data are from wave 7 of the World Values Survey (WVS) (2017-2022); 2014 data are from wave 6 of WVS (2010-2014). For Indonesia and Viet Nam, 2014 data are from wave 5 of WVS (2005-2009) because data on selected attitudes were not collected in wave 6. In Myanmar, data are only available for wave 7 of WVS because the country was not covered by previous waves.
Source: (Inglehart et al., 2022[5]), "World Values Survey: All Rounds – Country-Pooled Datafile Version 3.0", *World Values Survey*, JD Systems Institute and WVSA Secretariat, https://www.worldvaluessurvey.org/WVSDocumentationWVL.jsp.

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In most Southeast Asian countries, these attitudes have become more discriminatory over time. The most significant increases occurred in Indonesia – with, between 2014 and 2022, a change of 20 percentage points in attitudes justifying job priority for men and 28 percentage points in attitudes perceiving tertiary education as more important for boys. Conversely, Malaysia and Singapore are the only countries where fewer people think that men should have priority for jobs and that university is more important for boys than for girls. Within the region's countries, attitudes towards these two statements evolved in the same direction

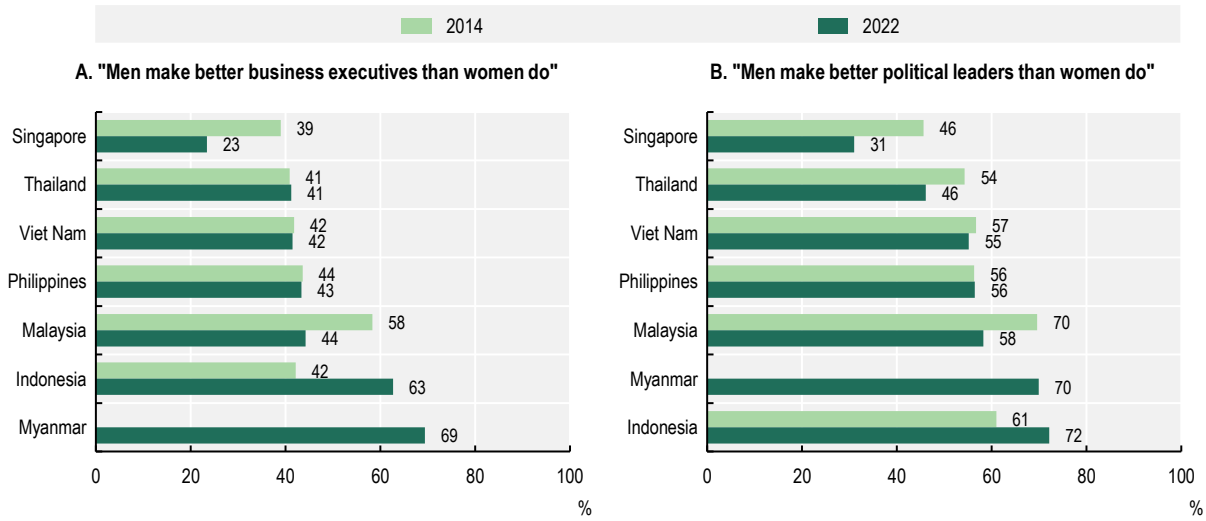
between 2014 and 2022 – either worsening or improving in both statements. These parallel trends reflect the strong interlinkages between both statements, underscoring the role of educational opportunities as a prerequisite for economic empowerment (Figure 3.3).

Attitudes towards women's ability to be decision makers in the economic or political sphere

Attitudes questioning women's ability to be decision-makers in the economic or political sphere are widely shared across the region. In 2022, over 50% of Southeast Asia's population declared that men make better business executives than women, and over 60% believed that men make better political leaders. At the country level, variations are limited, although these discriminatory views are lowest in Singapore and highest in Indonesia and Myanmar (Figure 3.4). Such attitudes have a direct impact on women's ability to be decision-makers in practice. For instance, gender stereotypes and sexism are cited among the main reasons explaining women's low representation in Southeast Asia's national parliaments (Welsh, 2020[9]; Sinpeng and Savirani, 2022[10]). Overall, they severely curtail women's agency and their ability to participate in the design and implementation of policies (see Chapter 1).

Figure 3.4. Levels of discrimination towards women's leadership competencies have stagnated in most Southeast Asian countries

Share of the population agreeing with the statement "Men make better business executives than women do" (Panel A) and with the statement "Men make better political leaders than women do" (Panel B), 2014 and 2022



Note: 2022 data are from wave 7 of the World Values Survey (WVS) (2017-2022); 2014 data are from wave 6 of WVS (2010-2014). For Indonesia and Viet Nam, 2014 data are from wave 5 of WVS (2005-2009) because data on selected attitudes were not collected in wave 6. In Myanmar, data are only available for wave 7 of WVS because the country was not covered by previous waves.
Source: (Inglehart et al., 2022[5]), "World Values Survey: All Rounds – Country-Pooled Datafile Version 3.0", *World Values Survey*, JD Systems Institute and WVSA Secretariat, https://www.worldvaluessurvey.org/WVSDocumentationWVL.jsp.

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Regional trends conceal a more nuanced situation where the overall worsening is, in fact, a country trend. Although the proportion of Southeast Asians who declared that men make better business or political leaders increased between 2014 and 2022 (Figure 3.1), country-level data show that support for these discriminatory views decreased or stagnated in all Southeast Asian countries but Indonesia. Because Indonesia accounts for 40% of Southeast Asia's population, worsening attitudes among Indonesians offset the progress that occurred in the remaining countries of the region. In this context, data notably show that

attitudes undermining women's leadership abilities dropped substantially in Malaysia and Singapore (for both economic and political statements), as well as Thailand (for the political statement only) (Figure 3.4).

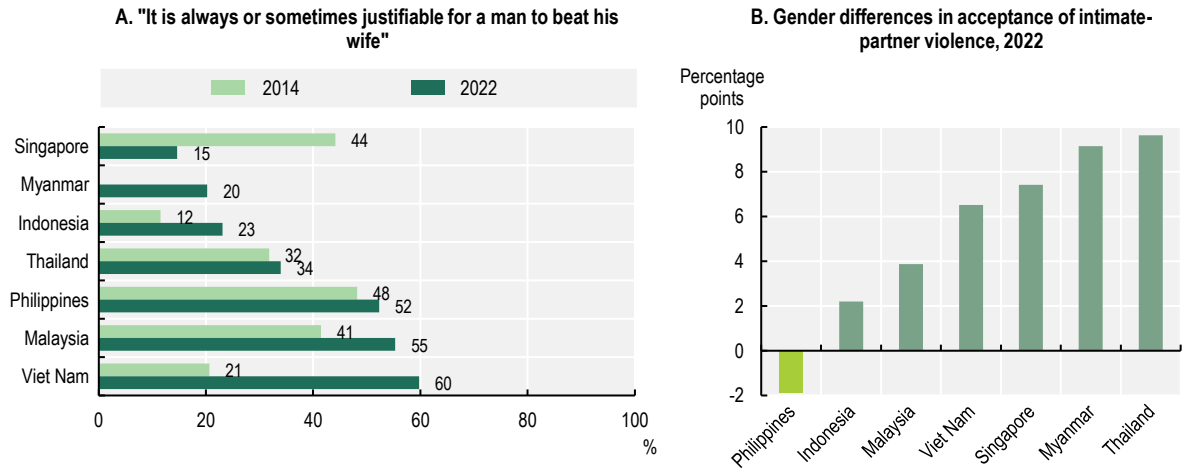
Attitudes towards women's physical integrity remain worrisome

Attitudes towards violence against women

The social acceptance of intimate-partner violence remains widespread across Southeast Asian countries. These pervasive discriminatory attitudes can severely undermine women's physical integrity and bodily autonomy (OECD, 2023[6]). In 2022, attitudes condoning men's use of violence against their spouses ranged from 15% in Singapore to over 50% in Malaysia, the Philippines and Viet Nam (Figure 3.5, Panel A).

Figure 3.5. Both Southeast Asian women and men tolerate intimate-partner violence

Share of the population agreeing with the statement "It is always or sometimes justifiable for a man to beat his wife" (Panel A) and difference between the shares of men and women agreeing with the same statement (Panel B), 2014 and 2022



Note: 2022 data are from wave 7 of the World Values Survey (WVS) (2017-2022); 2014 data are from wave 6 of WVS (2010-2014). For Indonesia and Viet Nam, 2014 data are from wave 5 of WVS (2005-2009) because data on selected attitudes were not collected in wave 6. In Myanmar, data are only available for wave 7 of WVS because the country was not covered by previous waves. In Panel B, positive values mean that more men than women agree with the statement "It is always or sometimes justifiable for a man to beat his wife".
Source: (Inglehart et al., 2022[5]), "World Values Survey: All Rounds – Country-Pooled Datafile Version 3.0", *World Values Survey*, JD Systems Institute and WVSA Secretariat, https://www.worldvaluessurvey.org/WVSDocumentationWVL.jsp.

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Between 2014 and 2022, these discriminatory attitudes worsened in all Southeast Asian countries except for Singapore, where social acceptance dropped significantly by nearly 30 percentage points, from 44% to 15%. On the opposite end of the spectrum, the share of the population declaring that it is justifiable for a man to beat his spouse markedly increased by 39 percentage points in Viet Nam, reaching 60% in 2022 (Figure 3.5, Panel A). These trends are consistent with findings from the second National Study on Violence Against Women in Viet Nam, conducted in 2019. The study showed that over half of Vietnamese women (52%) agree that a man has a good reason to hit his spouse under certain circumstances – such as when she does not complete housework, disobeys, refuses to have sex or asks about girlfriends, when

the man suspects her of being unfaithful or when she does not take good care of the children (MOLISA, GSO and UNFPA, 2020[11]).

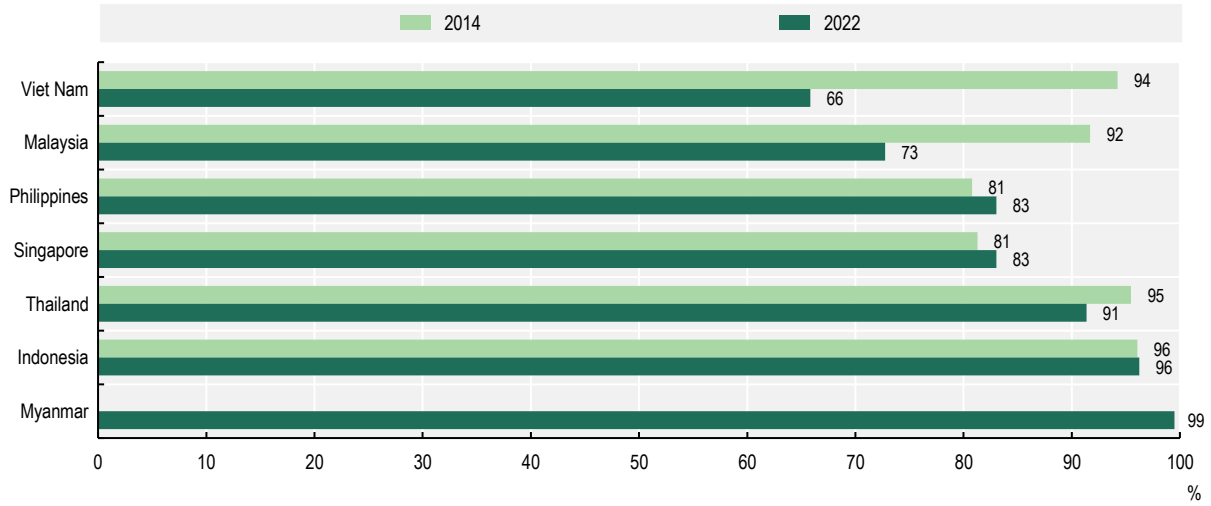
Across Southeast Asian countries, except for the Philippines, more men than women condone intimate-partner violence (Inglehart et al., 2022[5]). Gender differences in social acceptance of such violence against women are lowest in the Philippines, followed by Indonesia, and are particularly large in Myanmar and Thailand. Nevertheless, gender differences never exceed ten percentage points, underscoring that acceptance of violence against women is ubiquitous (Figure 3.5, Panel B).

Attitudes towards abortion

In Southeast Asia, women's right to safe and legal abortion is restricted not only by legal frameworks (see Chapter 2) but also by discriminatory attitudes. The pervasive stigma surrounding abortion in the region can lead to severe health consequences for women and girls, discouraging them from seeking safe abortion services and healthcare (Sciortino, 2020[12]). In 2022, almost nine in ten people held discriminatory attitudes towards women's reproductive rights. Although opposition is lowest in Viet Nam, followed by Malaysia, approximately 70% of these countries' population continue to find abortion unjustifiable. In Indonesia and Malaysia, the quasi-totality of the population holds such views (Figure 3.6).

Figure 3.6. Discriminatory attitudes undermine women's reproductive rights in all Southeast Asian countries

Share of the population agreeing with the statement "Abortion is not justifiable", 2014 and 2022



Note: 2022 data are from wave 7 of the World Values Survey (WVS) (2017-2022); 2014 data are from wave 6 of WVS (2010-2014). For Indonesia and Viet Nam, 2014 data are from wave 5 of WVS (2005-2009) because data on selected attitudes were not collected in wave 6. In Myanmar, data are only available for wave 7 of WVS because the country was not covered by previous waves.
Source: (Inglehart et al., 2022[5]), "World Values Survey: All Rounds – Country-Pooled Datafile Version 3.0", *World Values Survey*, JD Systems Institute and WVSA Secretariat, https://www.worldvaluessurvey.org/WVSDocumentationWVL.jsp.

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At the regional level, the share of the population opposing abortion decreased by 6 percentage points between 2014 and 2022. Progress stemmed from a sharp decline in discriminatory attitudes in Malaysia and Viet Nam, where negative attitudes towards abortion fell by almost 20 and 30 percentage points, respectively (Figure 3.6).

Changes in laws play a crucial role in granting women the right to safe and legal abortion, but their effectiveness and enforcement largely depend on societies' views. In Viet Nam, women have access to legal abortion under all circumstances whereas, in Malaysia, abortion is only permitted to save the pregnant woman's life or to preserve her health. Despite these legal variations, attitudes have improved substantially in both countries. In 2021, Thailand liberalised its abortion law, guaranteeing women the right to abortion under any circumstance during the first 12 weeks of pregnancy. However, the population's view on abortion remains similar to those in Indonesia, where abortion is illegal (OECD Development Centre/OECD, 2023[13]). These asymmetries between attitudes and laws highlight that one does not necessarily mirror the other. It underscores the importance of accompanying legal reforms with dedicated policy interventions aiming to transform corresponding social norms.

Policy recommendations

Enhancing gender equality to the benefit of all requires a societal shift in the norms and expectations that govern gender roles and behaviour and that are detrimental to the fundamental rights of women and girls. Achieving such a transformative change will take time, given the deeply entrenched nature of discriminatory norms. A whole-of-society approach is crucial due to the pervasive influence of these norms and their impact on all aspects of women's and girls' lives. Moreover, the strong patriarchal nature of Southeast Asian societies underscores the importance of engaging men and boys as key allies to address the issue of restrictive masculinities. In this regard, investing in the education of boys and girls and shaping the social views of future generations are essential, starting from early childhood. Building on the main bottlenecks identified in the chapter, this section outlines concrete policy actions that should be undertaken by Southeast Asian policy makers, in collaboration with relevant partners and stakeholders.

Educate and communicate effectively on the benefits of gender equality

- Policy makers should collaborate with educational institutions and experts to ensure that education programmes incorporate a gender lens and that all classrooms and teaching materials use gender-neutral language. Training on gender-responsive teaching methods should be made compulsory to favour an inclusive classroom environment free of gender-based discrimination, where boys and girls benefit from equal participation and learning opportunities.
- Policy makers, in close collaboration with education and gender experts, should incorporate modules on gender roles and power dynamics into age-appropriate and evidence-based comprehensive sexuality education to promote more gender-egalitarian attitudes and decision-making behaviours among youth.

> *In Malaysia, the Ministry of Health has developed guidelines and policies to enhance adolescents' sexual and reproductive health, including modules focusing on better engagement with adolescents, as well as guidelines for healthcare providers (Government of Malaysia, n.d.[14]). The Ministry of Health further collaborates with other actors to design and deliver educational programmes focusing on sexual and reproductive health and rights.*

- Policy makers should collaborate with civil society organisations, the education sector, the media and the entertainment industry to produce and disseminate edutainment content – a mix of education and entertainment – that promotes gender-equitable attitudes and practices in all aspects of life. Movies, television or radio shows, media campaigns, etc. that are being developed should portray different members of society in non-traditional roles in everyday life to allow viewers to identify with people who respect girls' and women's rights and to reflect upon their own behaviour and attitudes.

> *In the Philippines, the #inFAIRness campaign has engaged men as advocates for women's economic empowerment both online and offline. It aims to show positive actions that everyone can undertake to support gender equality, using digital channels and distributing stickers with key messages in various modes of public transportation (Government of Australia, 2018[15]).*

- Policy makers, in collaboration with the media, must sensitise the public to the benefits that gender equality would bring to all, women and men alike. Communication campaigns conveying the benefits of gender equality should be targeted to different demographic groups, from the youngest to the oldest. Ensuring that all people, particularly men, fully understand that gender equality would benefit the entire society is crucial to win over men's and boys' support and prevent a possible backlash against women's rights. In particular, influencers and male celebrities committed to the cause of gender equality can play an important advocacy role in convincing people that shifting away from traditional gender roles carries benefits for men as well, notably for their well-being and mental health.

Collaborate closely with civil society organisations and leaders on targeted interventions

- Policy makers and development partners should work closely with civil society organisations when designing policies and programmes aimed at advancing gender equality. Grassroots and feminist movements relentlessly advocate for gender equality and possess unique knowledge that stems from their direct interactions with local communities.
- Policy makers, development partners and philanthropic actors should provide funding and technical support to civil society organisations implementing projects on gender equality, women's empowerment and masculinities. Continuous support over time is crucial to ensure that local organisations can deploy and sustain their programmes over the long term and fulfil their strategic role in holding other actors accountable.
- Policy makers and development partners should specifically target their collaboration with civil society organisations to operate women-led participatory programmes. Empowering women as decision-makers is critical for women's voices and expertise to be considered. Putting the spotlight on women-led successes and favouring the emergence of role models can also help shift established norms and perceptions of women's capacities.

> *The Feminist Participatory Action Research programme of the Asia Pacific Forum on Women, Law and Development focuses on building movements to challenge patriarchy. It connects women across geographies, ethnicities, sectors and life stages to induce structural change. For example, in Viet Nam, where climate change and disasters have adverse impacts particularly on women, participants used the programme to modify communal regulations so that at least 30% of the previously male-only Village Disaster Response Committee members must be women. As a result, female participants reported an increased sense of power and respect, as they were included in policy making and became active civic decision-makers (Gerard, 2018[16]; APWLD, n.d.[17]).*

- Policy makers should collaborate closely with key community members, i.e. religious and community leaders, as well as parents. As their opinions are well-respected and followed, these gatekeepers have a major role to play in both the success of policies and programmes that focus on promoting gender-equitable attitudes and responsibilities in the household and the eradication of harmful practices such as female genital mutilation and cutting and child marriage.

Engage with men and boys

- Civil society organisations, together with policy makers and development partners, should create safe spaces for boys and men where they can learn about gender equality and can discuss gender

roles and responsibilities without fear of judgment. This can further help by building informal networks among men committed to promoting gender-equitable masculinities.

> *In Malaysia, the Society for Equality, Respect And Trust for All works to dismantle long-held socially constructed gender roles and promote gender equality by engaging men and boys in partnership with women. It focuses on changing harmful gender norms and unequal power dynamics in the family by advocating for equal parenting, for example through the Celebrating Fatherhood campaign. Fathers' increased involvement in childcare can create opportunities for mothers, in terms of both personal and professional development (SERATA, 2020[18]).*
>
> *In Indonesia, the Prevention+ programme aims to increase women's economic participation and reduce violence against women by involving men as agents of change and promoting positive masculinity values based on principles of equality and non-violence. The programme operates at various levels – individual, community, institutional and governmental – and includes community-level discussions for women and men as well as adolescents, counselling, digital campaigns, and advocacy strategies from the local to the national level (Rutgers Indonesia, 2020[19]).*

- At the same time, policy makers, with the support of other relevant stakeholders, should invest in programmes that engage with men and boys to address specific gender inequalities. These programmes should notably focus on the redistribution of gender roles in the household and in public life and on the protection of women's health and well-being, particularly by gaining boys and men as allies to prevent and eliminate gender-based violence.

> *In Indonesia, the MenCare+ programme successfully transformed the attitudes of many men towards gender equality through workshops, counselling sessions and messaging campaigns. The programme engaged men in classes on newborn and maternal health, provided counselling to perpetrators of domestic violence, and trained men to advocate for women's sexual and reproductive rights. As a result, "31% more men reported highly equitable gender attitudes at the end of the intervention" (Apolitical, 2017[20]).*

Invest in data and measure social norms over time

- Policy makers and development partners should commit and allocate sufficient budget to collecting up-to-date, sex-disaggregated data on social norms. Resources must be sustained over the long term, as transforming social norms requires time and may not be linear. To reduce costs associated with data collection, national statistics offices and other data collectors could integrate key indicators on social and gender norms into surveys that are already conducted on a regular basis. For instance, a module on attitudes and norms on women's economic empowerment could be incorporated in labour force surveys.
- National Statistical Offices and data providers should systematically include modules on social norms related to gender roles and responsibilities in opinion surveys. This would help monitor changes over time and allow relevant stakeholders to take corrective action if needed, when designing and implementing evidence-based policies or interventions.
- Increased efforts are needed to measure both what individuals believe and what they think are the dominant views of society. Understanding and monitoring these two concepts are crucial, as any discrepancy between one and the other can open up a space where policy makers can intervene in favour of gender equality.

Notes

[1] Southeast Asia covers 11 countries: Brunei Darussalam, Cambodia, Indonesia, Lao People's Democratic Republic, Malaysia, Myanmar, the Philippines, Singapore, Thailand, Timor-Leste and Viet Nam.

[2] Data are available for Indonesia, Malaysia, Myanmar, the Philippines, Singapore, Thailand and Viet Nam. The gender gap in attitudes justifying men's use of violence against their spouse ranges from 2 percentage points in Indonesia to 10 percentage points in Thailand. The Philippines is the only country of the region where a greater share of women (53%) than men (51%) justify men's use of violence.

[3] In Southeast Asia, in 2022: 42% of the population aged over 35 years agrees that university education is more important for a boy than a girl, compared to 35% of the population aged 15 to 35 years; 53% of the population aged over 35 years declares that men make better business executives, compared to 47% of the population aged 15 to 35 years.

[4] Notable exceptions include views that men make better political leaders and that children suffer when their mother works. Between 2014 and 2022, the increase in perceptions that women are less capable than men of being political leaders was larger among the youth (+8 percentage points) than among older individuals (+1 percentage point). In addition, views according to which children suffer when their mother works for pay have decreased faster among older individuals (-14 percentage points) than among the youth (-2 percentage points).

[5] This section relies on data from the World Values Survey (WVS). Data are not available for Brunei Darussalam, Cambodia, Lao People's Democratic Republic or Timor-Leste. For the remaining seven Southeast Asian countries, data are available for wave 7 of WVS (2017-2022). To account for changes over time, data from 2014, which correspond to wave 6 of WVS (2010-2014), are used where available. For Indonesia and Viet Nam, data from wave 5 of WVS (2005-2009) are used, as data were not collected in wave 6.

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4 Building the care economy to empower women in Southeast Asia

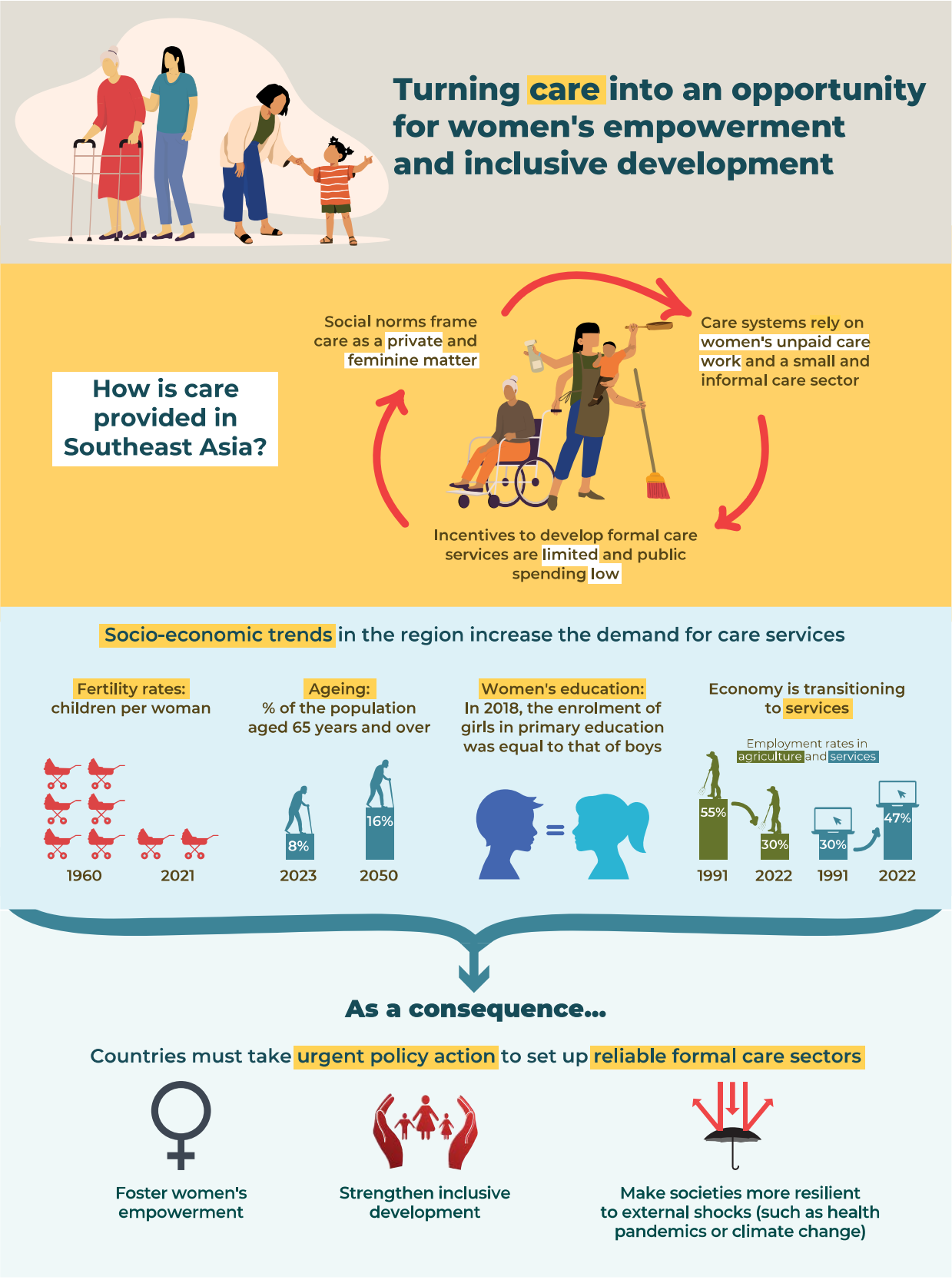
This chapter explores how Southeast Asian policy makers could leverage and invest in the care economy to advance women's empowerment and inclusive development. The chapter starts by painting a panorama of the current state of care in the region, documenting its unpaid, private, informal and gendered dimensions. Drawing on social, demographic, educational and economic evidence, it then argues that Southeast Asian countries will soon face a growing demand for formal care services, requiring policy makers to further develop and structure formal care systems. The chapter lays out some of the benefits that the formalisation of care systems could yield, underscoring notably the impact it would have on women who already work in the care sector, and on women who are out of the labour force or would like to dedicate more time to it. It also shows how formal care sectors could improve the quality of the services provided and make societies more resilient to external shocks. The chapter concludes by highlighting three structural barriers that currently prevent the region from formalising the care sector: the deep-seated informality of employment in Southeast Asia, weak social protection systems and discriminatory social norms.

In Brief

Building a strong care economy could yield important benefits for women's empowerment and inclusive development in Southeast Asia

- The provision of care across Southeast Asia[1] is a private responsibility primarily fulfilled by women. Preferences for care provision by family members, together with social norms that uphold women's role as caregivers, lead to a system that primarily relies on women's unpaid care work.
- The paid care sector is also highly feminised but remains small and largely informal, which increases women's vulnerabilities. In particular, domestic workers face heightened risks of economic and sexual exploitation and often lack access to social protection. These vulnerabilities are accentuated for migrant domestic workers.
- The region's current social, demographic, educational and economic trends suggest that Southeast Asia is at a critical juncture. In the short and long terms, the demand for formal care services will rapidly grow, which requires urgent action to finance and steer the creation or expansion of reliable formal care sectors.
- The benefits of formal care sectors could be substantial, ranging from women's increased economic empowerment to better preparedness and resilience to external shocks.
    - Investment in the care economy is expected to generate a substantial number of formal job opportunities, many of which women would take, given the gendered nature of care. Female care workers transitioning from informal to formal employment would benefit from better access to social protection schemes and improved labour rights.
    - The provision of affordable formal care services would allow unpaid care providers, who are mostly women, to remain in the labour market, to allocate more time to it, or to join it altogether.
    - A well-integrated and structured care economy strengthens countries' resilience. Formal sectors are less vulnerable to external shocks, and formal care workers can be mobilised faster in times of crisis, including health-related ones. In the specific context of climate change, which particularly affects Southeast Asia, resilience-building through the care economy becomes even more critical to effectively address potential shocks induced by climate change.
- However, Southeast Asian countries face certain structural constraints that hamper the emergence of strong care sectors.
    - Labour informality remains the norm across most of the region's economies regardless of the economic sector.
    - Southeast Asian countries have been slow in implementing universal social protection systems. In the context of care, social protection systems can act as a powerful catalyser for the development and rapid expansion of formal care services. However, the absence of such mechanisms largely prevents the emergence of formal care sectors.
    - Social norms continue to consider care as a private responsibility that must be assumed by female family members, which strongly influences the private-oriented design of care systems in the region.

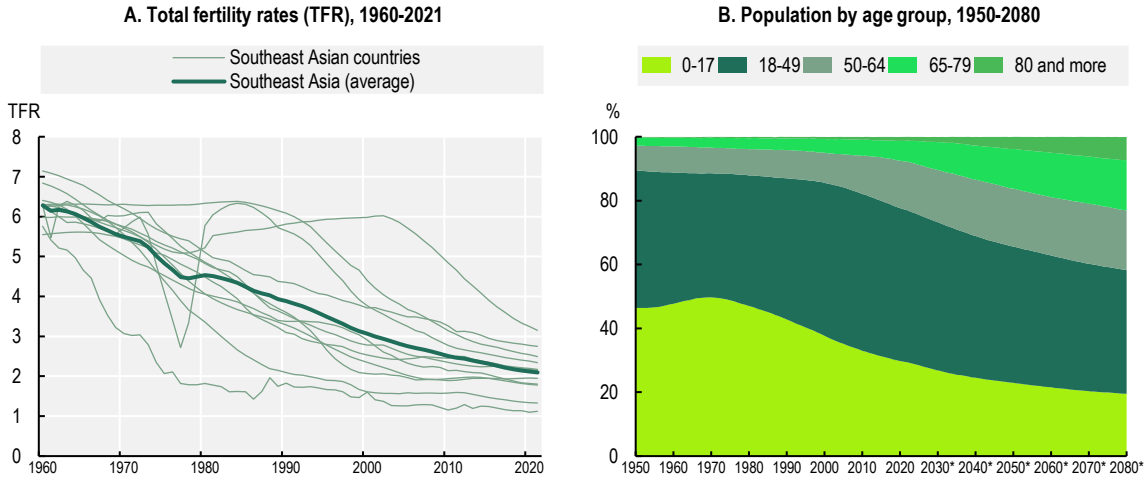
Infographic 4.1. Building a strong care economy could yield important benefits for women's empowerment and inclusive development in Southeast Asia



Everyone needs care at different stages of life – but especially at very young and old ages. As populations continue to grow around the world, so does the global demand for care. In Southeast Asia, the population is growing but also ageing,[2] as fertility rates are falling and life expectancy is increasing (Figure 4.1). The share of the population aged 65 years and over is expected to double between 2023 and 2050 (from 8% to 16%), and the median age will rise from about 30 years in 2023 to over 37 years in 2050. Conversely, the share of the population aged 0 to 17 years is expected to decrease by 6 percentage points over the same period (from 29% in 2023 to 23% in 2050) (UN ESCAP, 2023[1]).

Despite lower fertility rates, demand for childcare remains a pressing issue for the region, and particularly in very populous countries such as Indonesia, the Philippines and Viet Nam. At the same time, the demand for elderly and long-term care will increase across the region as the share of elderly people continues to rise. In this context, how can these needs be met, and what lessons can be learnt from countries that are already facing the challenges of ageing societies? What do Southeast Asia's demographic trends imply for the demand and supply of care in the region?

Figure 4.1. Demographic trends in Southeast Asia will increase demand for elderly care



Note: In Panel A, Southeast Asia's average TFR is calculated as an unweighted average of the TFRs of all Southeast Asian countries. In Panel B, years marked with (*) are projections.
Source: (World Bank, 2021[2]), "Fertility rate (total births per woman)", *World Development Indicators* (database), https://data.worldbank.org/indicator/SP.DYN.TFRT.IN, and (United Nations, 2023[3]), "Population by 1-year age groups and sex", *Data Portal* (database), https://population.un.org/DataPortal/.

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In 2021, in response to the COVID-19 crisis and other challenges, the Association of Southeast Asian Nations (ASEAN) adopted a framework setting out the strategic priorities for developing the region's care economy (ASEAN, 2021[4]).[3] The COVID-19 crisis revealed the importance of strong care and social protection systems to guarantee the well-being of people and to ensure the functioning of society and the economy. Southeast Asia's vulnerability to external shocks, such as climate hazards, further accentuates the need for well-functioning care and protection systems as they can increase societies' resilience through better preparedness and faster response. The ASEAN Comprehensive Framework on Care Economy goes beyond the traditional understanding of care, highlighting the interlinkages between care, social protection, demographic trends and climate change. Moreover, the framework recognises the gendered nature of care provision and the vulnerabilities that carers and care workers face.

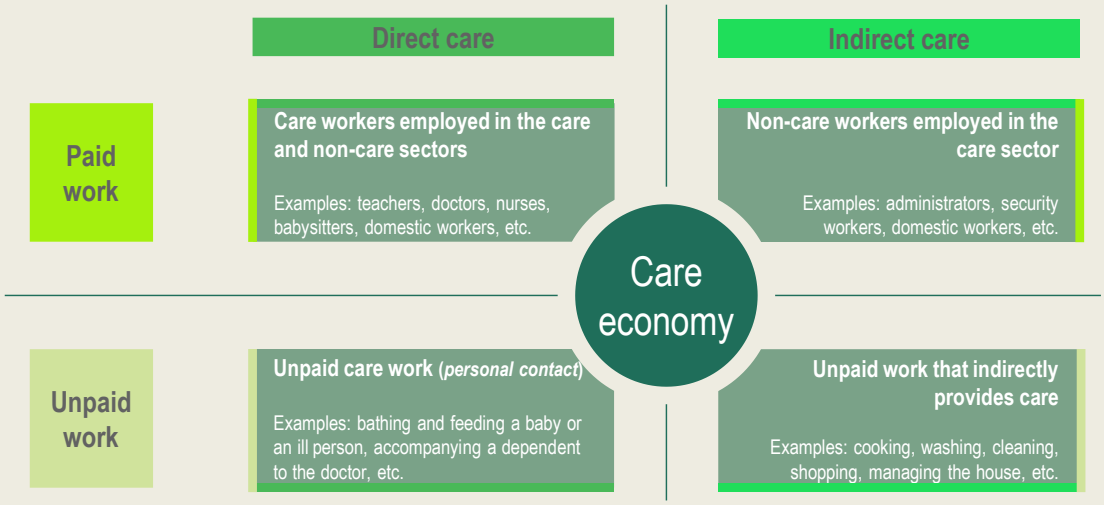
Within the broader goal of inclusive and sustainable development, more attention must be paid to the interlinkages between the care economy and gender equality targets. As recognised in the ASEAN's framework on the care economy or, at the global level, in the International Labour Organization's (ILO) framework on Decent Care Work, most care activities – paid and unpaid – are carried out by women (Box 4.1). Target 5.4 of the 2030 Agenda for Sustainable Development highlights the need to "[r]ecognise and value unpaid care and domestic work through the provision of public services, infrastructure and social protection policies and the promotion of shared responsibility within the household and the family as nationally appropriate" (United Nations, n.d.[5]). To account for the gendered provision of care, it is crucial to understand and address its underlying factors – particularly social institutions that uphold the status quo.

Box 4.1. How does the care economy intersect with gender equality?

The definition of the care economy covers a large and diverse range of activities

There are no internationally agreed statistical standards on the scope or measurement of the care economy. According to the ILO, the care economy offers goods and services required to ensure the physical, social, mental and emotional well-being of both care-dependent groups (e.g. children, the elderly, and ill or disabled people) and healthy working-age adults. The provision of care further includes self-care to support people to function capably, comfortably and safely. Care can be provided directly or indirectly to those in need of support, either through paid or unpaid activities (Figure 4.2). In general terms, direct care involves personal contact, whereas indirect care comprises tasks such as cleaning, cooking or non-care activities in the care sector.

Figure 4.2. Care can be provided in various manners



Source: Authors' elaboration based on (ILO, 2018[6]).

Four main actors are traditionally involved in care provision: families/households, market-based companies, the public sector and the not-for-profit sector. The importance of each one varies across countries, and they can overlap. For example, in many cases, the public sector subsidises the care provided by the private sector (Razavi, 2007[7]).

The ILO's 5R framework recognises the intersection of care and gender

In 2019, the care economy was enshrined as a key policy area in ILO's Centenary Declaration on the Future of Work (ILO, 2019[8]). The 5R framework for Decent Care Work was introduced, replacing the 3R framework. By adding "reward" and "representation" to "recognising", "reducing" and "redistributing" unpaid care work, the ILO expands the understanding of care work. The new framework reflects the need for better-paid and decent work conditions for care workers and the need to guarantee care workers' representation. Grounded in human rights, the 5R framework seeks to address care-related inequalities and the barriers that prevent women from entering into paid work. It further focuses on improving the working conditions of unpaid carers and care workers and, consequently, also the quality of care provided (ILO, 2018[6]).

The chapter starts by providing an overview of the current state of care in Southeast Asia, highlighting its private and gendered dimensions. The analysis then frames the provision of care and the participation of women in the labour market within the context of the region's socio-economic development. It highlights that recent social, demographic and economic trends in Southeast Asia may soon create a growing demand for care services provided by people outside of the family sphere, which supports the argument for structuring and formalising care sectors across the region. In this perspective, the chapter underlines how the development of formal care sectors could have positive implications for women's economic empowerment and could enhance countries' resilience. In doing so, it also discusses the main challenges that currently prevent this formalisation from occurring across the region and outlines their policy implications.

What is the state of care in Southeast Asia?

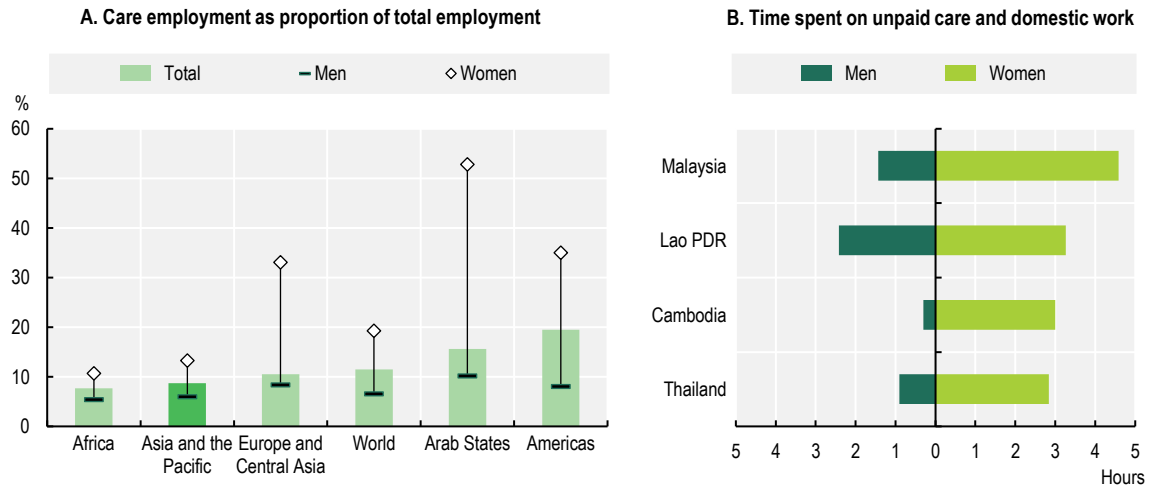
The provision of care remains a private responsibility, predominantly shouldered by women

Paid employment in care sectors is low in Southeast Asia, and care work remains a private, often unpaid responsibility mostly handled by women within households. In Asia and the Pacific, employment in the care economy accounts for 9% of total employment, below the global average of 12% (Figure 4.3, Panel A). Among Southeast Asian countries with available data, the total care workforce ranges from 3% of total employment in Myanmar to 7% in the Philippines. Brunei Darussalam stands out as an exception with a total care workforce amounting to over 20% of total employment (Figure 4.4, Panel A).[4] These low rates of paid employment in care sectors across the region suggest a relatively stronger reliance on the provision of care via unpaid arrangements within households. Moreover, as in the rest of the world, this unpaid care work is predominantly undertaken by women (ILO, 2018[6]). In the Lao People's Democratic Republic (hereafter Lao PDR), where the gender-based division of unpaid care and domestic work is the least unequal across the region, women spend one hour more than men on these tasks every day. In Cambodia, women dedicate a similar amount of time to unpaid care and domestic work as in Lao PDR. However, they spend nearly three hours more on these tasks than men (Figure 4.3, Panel B), resulting in Cambodian women undertaking 91% of the daily unpaid workload.

Social norms uphold the gendered division of unpaid care and domestic work. Data in Southeast Asia reveal a social preference for receiving care from family members – ideally females (ISSP Research Group, 2016[9]; UN ESCAP, 2021[10]). Deeply rooted views held by both women and men designate mothers as irreplaceable caregivers, questioning fathers' care abilities (Yeoh et al., 2020[11]). The preference for and reliance on women to provide care is further reflected in social norms that closely link women's status to that of being caregivers and mothers. Conversely, men are viewed as decision makers and primary financial providers for their families (see Chapters 1 and 3). In line with this, data from the fifth

edition of the Social Institutions and Gender Index (SIGI) show that 72% of the region's population agree that being a housewife is as fulfilling as working for pay, and 64% think that men should have the priority to a job when those are scarce (OECD Development Centre/OECD, 2023[12]). Such pervasive attitudes reinforce the traditional gender-based division of unpaid care work.

Figure 4.3. Paid care in Southeast Asia remains limited, while unpaid care is predominantly provided by women



Note: Panel A is based on data from the ILO 2018 report. Panel B is based on data from the GID-DB 2023.
Source: (ILO, 2018[6]), *Care work and care jobs for the future of decent work*, International Labour Organization, Geneva, https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_633135.pdf; (OECD Development Centre/OECD, 2023[12]), "Gender, Institutions and Development (Edition 2023)", *OECD International Development Statistics* (database), https://doi.org/10.1787/7b0af638-en.

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Certain groups of women, especially those living in poor or rural households, tend to face a heavier total workload. In households where the income of all working-age members is needed to sustain their livelihoods, women tend to shoulder a larger workload, as they not only carry out the bulk of unpaid care and domestic work but also engage in income-generating activities (Chopra and Zambelli, 2017[13]; OECD, 2022[14]). In addition, while essential infrastructures such as safe water, sanitation or transportation have become widely available in most parts of Southeast Asia, rural populations' access to infrastructure lags behind that of urban populations (UN ESCAP, 2021[10]). Consequently, rural women's daily working hours – paid and unpaid – tend to exceed those of men in their families or communities as well as those of women living in different socio-economic conditions (ILO, 2019[15]).

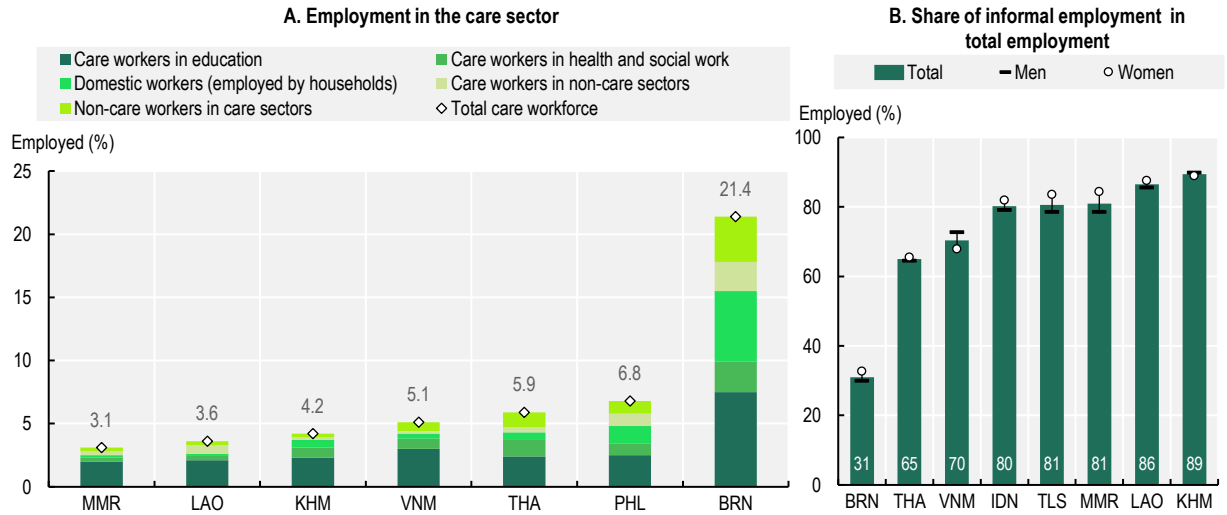
Ongoing trends such as increasing rural-urban or transnational migration, including due to climate shocks, may exacerbate women's care burden. Several studies highlight the direct link between land degradation and the mobility of farming communities. Southeast Asian countries are particularly vulnerable to shocks induced by climate change such as heavy rainfalls, storms or droughts, all of which have a disproportionate impact on farmers' livelihoods (Zander, Richerzhagen and Garnett, 2019[16]). As a coping strategy, farmers increasingly migrate to urban areas in search of more secure income sources. Evidence from Cambodia and Viet Nam documents this increased rural-urban migration as a result of climate shocks, notably by male farmers. In the origin communities, it partly results in a "feminisation" of agriculture, as women left behind undertake the work previously done by men. It also exacerbates women's time poverty as they still need to fulfil their care and reproductive responsibilities (Bacud et al., 2019[17]; Natarajan, Brickell and Parsons, 2019[18]; ASEAN and UN Women, 2021[19]). Women's unpaid care burden can also increase when the primary female caregiver migrates. Evidence from Indonesia and the Philippines shows that some of

the care and domestic work is redistributed to fathers but also to other women within the direct and extended family, e.g. daughters, aunts or grandmothers (Yeoh et al., 2020[11]).

Paid care work is highly feminised and informal, which increases women's vulnerabilities

The gendered dimension of the paid care sector is a reality worldwide, as in Southeast Asia. Data on the care sector and workforce are scarce, and the lack of internationally agreed statistical standards complicates the measurement and production of harmonised indicators on the care economy (Box 4.1). Globally, women are disproportionately represented in the care workforce. With 249 million women and 132 million men, two-thirds of the world's care workforce are women (ILO, 2018[6]). Similarly, in Southeast Asia, women represented 68% of all workers employed in education, human health and social work activities in 2022 (ILO, 2023[20]). Overall, employment in care sectors is relatively low in the region, representing 9% of total employment (see above). In all Southeast Asian countries, most of the care workforce is employed in the education sector (Figure 4.4, Panel A). In more advanced economies such as Brunei Darussalam, Malaysia and Singapore, domestic workers also account for a significant share of the care workforce (ILO, 2018[6]; ILO, 2019[15]). In these economies, greater formalisation, coupled with higher disposal income among households, may serve as important factors influencing the decision to hire domestic workers.

Figure 4.4. Employment in care work remains limited in Southeast Asian countries



Note: In Panel A, comparable data are missing for Indonesia, Malaysia, Singapore and Timor-Leste. Based on the ILO's definitions, care workers are workers whose paid professions involve providing face-to-face services, i.e. personal or "nurturing" care to the care recipient. This includes the work of doctors, nurses, early education, primary and secondary teachers, therapists, and personal care workers. Care workers can be employed in care or non-care sectors, e.g. a nurse working in a hospital or in a factory. Domestic workers refer to workers employed by households. Typical tasks include caring for children, older persons or persons with disabilities but also cooking or cleaning, which are indirect care activities. Non-care workers in care sectors (health, social work or education) contribute to the provision of care services in their functions as, for example, administrative officers, cooks or cleaners. Panel B is based on data from Sustainable Development Goal Indicator 8.3.1 and displays the proportion of informal employment in total employment for all individuals as well as for men and women.

Source: (ILO, 2018[6]), *Care work and care jobs for the future of decent work*, International Labour Organization, Geneva, https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_633135.pdf; (United Nations, 2023[21]), "SDG Indicators Database", https://unstats.un.org/sdgs/dataportal/database; (ILO, 2023[22]), *Women and men in the informal economy. A statistical update*, International Labour Organization, Geneva, https://www.ilo.org/global/topics/employment-promotion/informal-economy/publications/WCMS_869188/lang--en/index.htm.

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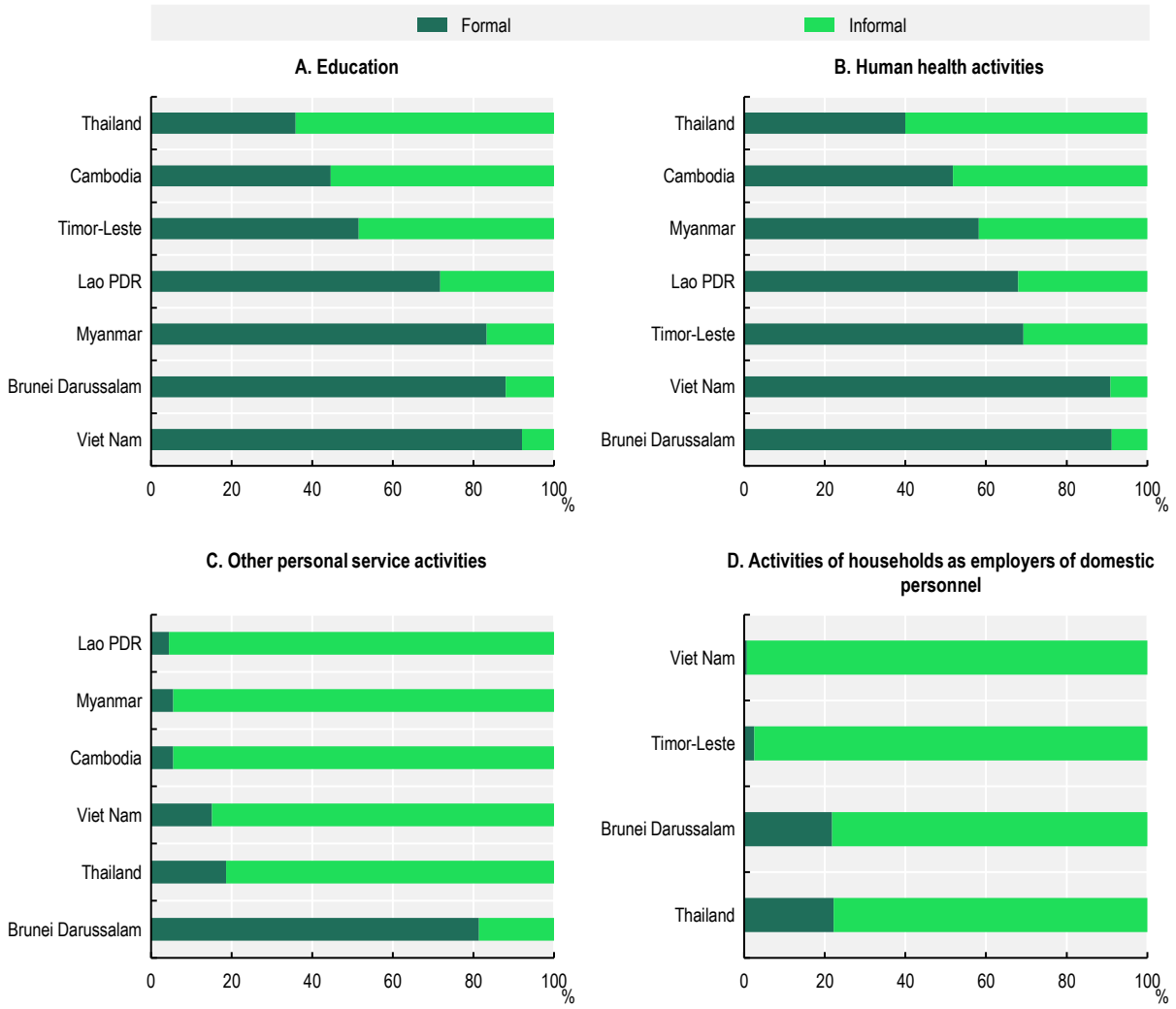
Employment in Southeast Asia is largely informal. On average, informal employment accounts for 70% of total employment in the region (ILO, 2023[22]). Across all Southeast Asian countries, apart from high-income economies such as Brunei Darussalam and Singapore, informal employment accounts for an even greater share of total employment – two-thirds or more (Figure 4.4, Panel B) – with no major differences between women and men (United Nations, 2023[21]).[5] In line with this, the large majority of employees working in sectors of the care economy are informal. The share of informal workers is particularly elevated in less institutionalised sectors such as personal service activities or domestic activities. Conversely, informality is relatively lower in sectors where the public sector is traditionally more involved, such as education or health (Figure 4.5). Gender-based differences persist in terms of employment status, with women concentrated in the most vulnerable forms of informal work. For instance, 28% of women working informally are contributing family workers compared to 10% of men (ILO, 2023[22]).

Figure 4.5. Sectors of the care economy are largely informal in Southeast Asian countries

Shares of employees whose main job is formal or informal in selected sectors of the care economy



Source: (ILO, 2023[23]), "Employment by sex, informal / formal economy and economic activity – ISIC level 2 (thousands) | Annual", *ILOSTAT: Labour Force Statistics* (database), https://ilostat.ilo.org/topics/employment/.

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Within the care economy, domestic workers play a key role in providing child and elderly care. In contexts where public care provision remains limited and/or is expensive, domestic workers represent a more accessible option for families that dispose of enough resources to outsource unpaid care activities.

In Southeast Asia, the majority of domestic workers are women. This is aligned with the social preference to be cared for by a woman (see section "Discriminatory social norms weaken the demand for and supply of formal care services"). In 2022, in Brunei Darussalam, Malaysia and Viet Nam, women accounted for more than 90% of employees of the ILO category grouping domestic workers,[6] and in Lao PDR, the Philippines and Thailand, between 80% and 90% (ILO, 2022[24]). In addition, some countries' care policies are designed to facilitate the hiring of domestic workers, through subsidies or tax breaks (ILO, 2018[6]). For instance, in Singapore, the Foreign Domestic Worker Levy (FDWL) Relief is granted to married women who employ a domestic worker. As the FDWL Relief aims at encouraging married women's labour force participation, unmarried people and married men are not eligible to apply (Inland Revenue Authority of Singapore, 2023[25]).

Despite their essential role, domestic workers – primarily women – face significant challenges that can undermine their income security and well-being. In line with the rest of the region's labour force, domestic workers largely operate in the informal sector and thus are not covered by existing social protection systems. Short- and long-term implications for their income stability and health are severe, as informal workers have no access to paid leave in case of sickness or pregnancy, lack unemployment benefits in case of job loss and do not contribute to the national pension system (Kolev, La and Manfredi, 2023[26]; ILO, 2021[27]). Regardless of their employment status – formal or informal – domestic workers mostly operate under poor working conditions, often at risk of exploitation as their labour and social protection rights are often not respected. For instance, evidence from Malaysia reveals that the working conditions of 29% of surveyed domestic workers fall under ILO's classification of forced labour (ILO, 2023[28]). In addition, while all domestic workers, men and women alike, risk economic exploitation in terms of wages and working hours, female domestic workers face a disproportionate risk of experiencing violence or harassment (ILO, 2018[6]).

Migration plays a key role in the supply of domestic workers across the region. Although data remain scarce, estimates from 2013 show that migrant domestic workers accounted for 19% of all domestic workers in Southeast Asia and the Pacific – one of the highest shares worldwide (ILO, 2019[15]). In line with the rest of the world, these migrant domestic workers are mostly women. Globally, for instance, 73% of all migrant domestic workers are women, and 13% of female migrant workers are employed in domestic work compared to only 4% of male migrant workers. Moreover, nearly one-fourth of all female migrant domestic workers are located in Southeast Asia and the Pacific (ILO, 2019[15]). These female migrant domestic workers are subject to multiple vulnerabilities, with even weaker social protection than native-born domestic workers and increased risks of violence.

Southeast Asian countries are both the origin of and destination for migrant domestic workers. Indonesia, the Philippines and, more recently, Viet Nam are major origin countries of domestic workers whose destinations are the more advanced economies of the region, but also other countries of Asia and the Gulf (Yeoh et al., 2020[11]; ILO, 2019[15]). Within Southeast Asia, Malaysia and Singapore are the primary destinations for migrant domestic workers from Cambodia, Indonesia, Myanmar and the Philippines (UN ESCAP, 2021[10]). To support these flows and ensure that their economies have enough domestic workers, advanced economies of the region have established specific foreign worker programmes (ILO, 2018[6]). For example, Singapore introduced the so-called "Foreign Maid Scheme" as early as 1978 to facilitate the immigration of domestic workers from other Southeast Asian countries (ILO, 2019[15]). In these countries, through the provision of essential care and domestic services, foreign-born female domestic workers allow other women to reduce the amount of time they spend on unpaid care and domestic work and to re-allocate it to other activities such as paid employment (ILO, 2019[15]).

The reliance on migrant domestic workers for care provision has implications for organising the care economy not only in the destination country but also in the home countries of these workers. The long-term absence of predominantly female migrant workers alters the provision of unpaid care work in their countries of origin (Withers and Hill, 2023[29]). For instance, research from Indonesia and the Philippines shows that unpaid care and domestic activities that were carried out by a mother who then migrated to another country were redistributed to the father as well as to other women in the family, including daughters, aunts or grandmothers – thus increasing their daily time spent on care provision (Withers and Hill, 2023[29]; Yeoh et al., 2020[11]).

The effects of Southeast Asia's economic transition on women's labour status will fuel a growing demand for formal care services

At the heart of women's provision of care are personal choices regarding the allocation of time between paid work and unpaid care work, constrained by the inherent limitation of 24 hours per day. In this context, women have historically made a trade-off between participating in the labour market and dedicating their time to unpaid care and domestic tasks within the household. Moreover, even when women work for pay, they bear the brunt of unpaid care and domestic work, which results in a double burden of paid and unpaid work, and a substantially larger total workload than men. The underlying factors that have pushed women to one side or the other of this trade-off on the allocation of their time are multiple and complex, and have been the subject of intense research over the last 50 years. Among the main factors that can explain women's entry into or exit out of the labour force – and their consequences on the capacity of women to privately provide care – are countries' economic development, sectoral transitions, women's increasing levels of education and the structural role of social norms.

Historically, the correlation between women's participation in the labour market and economic development follows a U-shaped trend: as countries develop, women's participation in the labour market first decreases before increasing again at a later stage (Figure 4.6). In general, countries' economic development has been and remains characterised by a two-stage sectoral transition, from agriculture to industry and from industry to services. At the end of the 20th century, Goldin's work underscored the impact of this transformational process on women's labour force participation (Goldin, 1994[30]), which can be roughly described as follows:

- At the initial stage, when the economy remains largely based on agriculture, most women are in the labour force, either as paid workers or unpaid family workers on farms and in household businesses.
- As economies develop and household incomes increase, women's earnings become less crucial to secure livelihoods, triggering a reallocation of their time to unpaid care activities, which pushes them to exit the labour force.
- As human capital increases with higher levels of education and skills, and countries continue to develop and further transition towards service activities, women's potential income in the labour market increases compared to the value of the unpaid care work they provide privately. When this potential value offsets the value of women's unpaid care work, they re-enter the labour force, leading to the famous U-shaped curve popularised by Goldin (Figure 4.6).

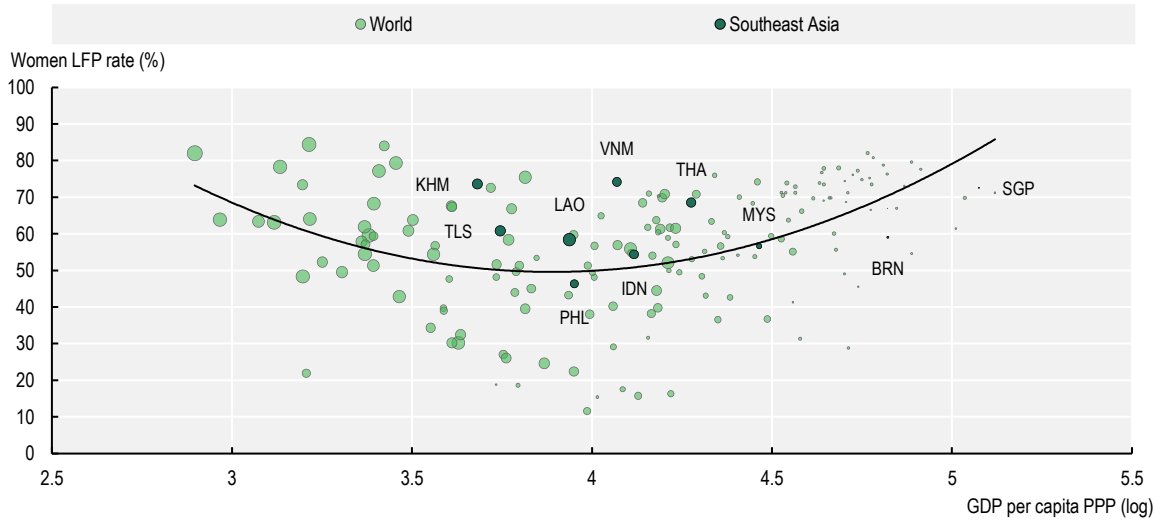
In this process, social norms play a fundamental role, both in the downward phase of the U-shaped curve and during the upward phase. At the initial stage, the impact of discriminatory social norms on the role and place of women is offset by the fact that households need to have all their members contribute to their income-generating activities. As countries develop and households' incomes increase, this balance shifts in favour of discriminatory social norms according to which men are breadwinners and women are, in the first place, responsible for care and domestic work. During this phase, women's paid work is implicitly bought by their families who can do without their income contribution, leading to a reallocation of women's

time towards unpaid care work. Moreover, the transition towards industrial jobs exacerbates discriminatory social norms as many industrial activities may be perceived as unfit for women, further relegating them to the family sphere. In the upward phase of the U-shaped curve, women's labour force participation theoretically increases, and care becomes increasingly provided by a third party. However, social norms can significantly constrain this dynamic. On the supply side of women's labour, it involves social norms that can limit women's access to capital or collateral (such as unequal inheritance rights), hinder their ability to work outside the household, or promote early marriage. On the supply side of care, it notably includes societal attitudes toward care provided by a third party and norms dictating that care must be performed by a female member at home. A lack of trust in the quality of the care provided by a third party can also restrict the adoption of formal care services.

Meanwhile, education plays a crucial role in facilitating women's re-entry into the labour market (upward phase). As economies develop, they transition towards service-based activities, while education levels tend to improve and gender gaps in education close. This dynamic leads to an increase in the returns on education for both men and women, provided that measures are implemented to address structural social barriers that may hinder girls' and women's skill development, such as early marriages. Additionally, efforts to improve the overall quality of education are essential. As returns on education continue to grow with economic development and women's educational levels increase, their potential income in the labour market keeps rises until it surpasses the value of the unpaid work they provide in the household in the form of care and domestic tasks. In this regard, women's higher levels of education are the key in enabling them to re-enter the labour market with higher wages – which shift the benefits of the working/not working trade-off in favour of working – and service-based jobs – which carry a lower social stigma than industrial jobs (Goldin, 2006[31]; Goldin, 1994[30]). However, discriminatory social norms may delay this dynamic, particularly if norms upholding a traditional division of gender roles and responsibilities, and opposing women's paid work, change at a slower pace than women's educational levels and the sectoral transition of the economy.

In Southeast Asia, evidence suggests countries are either reaching the end of the downward phase or starting to enter the upward phase of the U-shaped curve (Figure 4.6). For the last 50 years, the region has experienced continuous and sustained economic growth, characterised by rising income levels and a progressive sectoral transition (OECD, 2023[32]). The economic development of the region drew on a decline of the agricultural sector as a share of gross domestic product (GDP), dropping from nearly 30% of GDP by the end of the 1970s to around 10% in 2022 (World Bank, 2023[33]). From 1991 to 2022, the share of workers employed in agriculture dropped from 55% to 30% (ILO, 2023[20]). At the same time, the service sector expanded to account for 54% of the region's GDP in 2022 and 47% of employment (World Bank, 2023[34]; ILO, 2023[20]). Moreover, access to higher education across Southeast Asia has expanded massively over the past 40 years (Lim et al., 2022[35]). Gender gaps in education have also narrowed, particularly in achieving parity in primary and secondary education (OECD, 2021[36]). In this context, current economic and labour data suggest that most Southeast Asian countries may soon enter the upward phase of the U-shaped curve during which women's labour force participation normally increases (Figure 4.6).

Figure 4.6. Globally, women's participation in the labour market relative to economic development is U-shaped



Note: The figure shows the relationship between the labour force participation (LFP) rate of women aged 15 to 65 years and the log of gross domestic product (GDP) per capita in purchasing power parity (PPP). The size of the circles representing the countries is proportional to the share of the employed workforce in the agricultural sector (a smaller circle indicates a smaller share of the workforce working in agriculture). Data cover 172 countries.

Source: Adapted from (Goldin, 1994[30]), based on data from (World Bank, 2021[37]; World Bank, 2021[38]; World Bank, 2021[39]), *World Development Indicators* (database), https://databank.worldbank.org/source/world-development-indicators.

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The anticipated increase in women's labour force participation may soon result in a rapidly growing demand for care services. In the context of Southeast Asia where care continues to be provided privately and the paid care sector remains mostly informal and small, this growing demand may create a supply shortage. Moreover, the lack of care options may prevent women from taking advantage of new economic opportunities and benefiting from the increasing returns on education. Evidence from Indonesia shows that, although conditions are increasingly conducive to women's labour force participation – structural changes to the economy, gains in education, declining early marriage rates and lower fertility rates –, the scarcity of childcare prompts many women to stop working for pay outside the home. In 2018, nearly half of the women who dropped out of the labour force cited family-related reasons (O'Donnell, 2023[40]).

As Southeast Asia's societies are ageing, long-term care services for the elderly will become crucial in upcoming years. Evidence suggests that the provision of private unpaid care by women is closely related to gender gaps in the labour market and that, as gender gaps in labour market participation close, elderly people will be less likely to receive informal care from their children, and notably their daughters. In countries where the gender gap is large, daughters are the primary providers of care, mainly because of the adverse signal sent by the labour market. Conversely, in countries where gender gaps in employment are narrow, gender is no longer a crucial factor in who supplies care to the elderly (Bonsang and Costa-i-Font, 2023[41]). Consequently, policies aimed at closing the gender gap in employment, and the current trajectories of countries in this regard, may lead to an expansion of the demand for long-term care services and an increase in related expenditures. In this perspective, Southeast Asian countries are at a critical juncture, as most of them do not have long-term care service systems in place (Box 4.2), let alone a structured formal care economy (Addati, Cattaneo and Pozzan, 2022[42]).

Box 4.2. Long-term care services in Southeast Asia

The provision of long-term care service systems remains limited in Southeast Asia (Table 4.1). Countries that have long-term care systems in place fund it through general taxation or in combination with contributory social insurance. Only in Myanmar and Singapore are the services provided for free to all older persons irrespective of their socio-economic circumstances (Addati, Cattaneo and Pozzan, 2022[42]). Data show that most Southeast Asian countries have statutory provisions which provide for in-home personal care services. In addition, in four countries (Cambodia, the Philippines, Singapore and Viet Nam), the law requires family members to care for their relatives. This mirrors the presence of strong social norms which relegate the provision of care to the family sphere.

Table 4.1. Most Southeast Asian countries do not have well-developed public care systems for older persons

	Presence of a statutory public long-term care service system for older persons	Presence of statutory family obligations to care for relatives	Provision of statutory in-home personal care services for older persons	Provision of statutory residential care services in the long-term care system	Source of funding for long-term care services	Government support for long-term care services
Brunei Darussalam	Yes	Not found in the law	Yes	No	Taxation (oil fund)	Universal and free
Cambodia	No	Yes	-	-	-	-
Indonesia	No	Not found in the law	-	-	-	-
Lao PDR	No	Not found in the law	-	-	-	-
Malaysia	Sporadic: most care is provided by families	Not found in the law	No	Yes	Taxation	Out-of-pocket
Myanmar	Sporadic: most care is provided by families	Not found in the law	Yes	Yes	Taxation	Universal and free
Philippines	Sporadic: most care is provided by families	Yes	No	Yes	Mixed social insurance and taxation	Targeted or means-tested
Singapore	Yes	Yes	Yes	Yes	Mixed social insurance and taxation	Targeted or means-tested
Thailand	Sporadic: most care is provided by families	Not found in the law	Yes	Yes	Taxation	Targeted or means-tested
Timor-Leste	No, but provision of healthcare and a basic pension exists	Not found in the law	-	-	-	-
Viet Nam	Sporadic: most care is provided by families	Yes	Yes	Yes	Taxation	Targeted or means-tested

Note: The different categories of government support are defined as follows by the ILO: Universal and free = full or almost full cost of services is paid by social insurance, general taxation or a combination of these systems; Targeted or means-tested = the cost of services is shared between older persons and the above funding systems according to means tests and without causing financial hardship to older persons; Out-of-pocket = full or almost full cost of services is paid by users with no or very limited public subsidies, causing financial hardship to older persons. Older persons refer to individuals aged 60 years and over.
Source: Authors' elaboration based on (Addati, Cattaneo and Pozzan, 2022[42]).

Formal care sectors can support women's economic empowerment and enhance countries' resilience

Building and structuring formal care sectors can have major implications for women's economic empowerment and for countries at large. On the one hand, given their gendered nature, care sectors primarily create jobs and economic opportunities for women while formalising and strengthening the status of women and men who already work in them. On the other hand, they increase the supply of care services and the options available to other working and non-working women, who can decide to dedicate more time and effort towards paid activities in other economic sectors. Moreover, formal care sectors can improve the quality of the care provided, and countries with strong formal care sectors tend to be more resilient to external shocks.

Formalising care can catalyse women's economic empowerment

Investing in the care economy not only makes economic sense but can also significantly increase women's employment. Estimates for Asia and the Pacific show that investments in the care sector could create about 300 million jobs by 2035, most of which would be in formal employment (84%) and carried out by women (78%) (Value for Women, 2023[43]). In Indonesia, investments in universal childcare and long-term care services may generate over 10 million jobs by 2035 (ILO, 2023[44]). Because care is primarily undertaken by women, the creation and/or expansion of the care economy would disproportionately benefit women and create employment opportunities for them.

Moreover, formalising the care sector can improve the well-being, working conditions and rights of current care workers, particularly domestic workers, and those who operate in the informal sector. As paid care services in Southeast Asia primarily rely on women employed informally, a progressive shift towards formal care jobs would enhance their rights and welfare. When formally employed, workers gain protection under existing labour laws and regulations, which can include statutory minimum wages, fixed working hours, protection from exploitation and sexual harassment, and social security benefits. Combined, these factors can increase care workers' job security, income stability, health, and overall well-being (OECD, 2023[45]).

Recognising caregiving as a formal occupation can encourage the professionalisation of the care sector, offering career opportunities and increasing the quality of care. The formalisation of a sector or certain occupations tends to come with minimum requirements for qualifications and skills. Dedicated training programmes can help meet these standards, allowing care workers the chance to develop specific skills or to specialise in specific areas of the care sector. This is particularly relevant in the fields of elderly care, long-term healthcare or support for persons with disabilities. Care providers who increasingly qualify as skilled workers, may have more opportunities for career progression within the care sector, which can enhance their job satisfaction and, ultimately, ensure high-quality standards in care provision (ILO, 2018[6]).

Beyond the impact on current care workers, the increased provision and use of formal care services can enhance women's labour force participation. When formal childcare and elderly care services are available, households with care-dependent people can outsource care responsibilities, alleviating the unpaid load of care providers from the family – most of whom are women. Depending on the intensity and amount of care provided privately, this outsourcing can allow the care provider to remain in the labour market, to allocate more time to it or to join it altogether (UN ESCAP, 2022[46]). The uptake of such services not only depends on the affordability of the care but also on its quality and social acceptance (Barigozzi, Cremer and Roeder, 2020[47]; Ahmed et al., 2023[48]). The quality of care – especially long-term care for sick or elderly people – is crucial to build trust in formal care services provided by a third party and to ensure the well-being of care receivers.

Formalising the care economy could reshape societal perceptions and valuations of care work, including through the income associated with care jobs. Evidence shows that sectors and professions perceived as typically female, and where women are overrepresented, tend to be undervalued (UN ESCAP, 2022[46];

Shannon et al., 2019[49]). A well-developed, formal care sector signals that care is essential and valuable for the functioning of society. Increased recognition of care workers and the services they provide may raise their status and help attract a broader range of workers, including men. Furthermore, a care economy that provides well-compensated jobs and decent working conditions can also attract more men, thereby diversifying the sector. In the long term, the existence of well-compensated job opportunities in the care sector that appeal to male workers could help shift social norms that traditionally assign the care of children, persons with disabilities, and elderly individuals to women. However, the experiences of other countries with well-developed formal care sectors reveal that ensuring social and financial recognition for all care workers, including elementary and primary school teachers or nurses, remains a key challenge. This challenge persists even after the COVID-19 pandemic, which highlighted the crucial role played by these care actors.

Strong care sectors increase countries' resilience to external shocks

External shocks, including health pandemics, climate-change-induced disasters and long-term demographic changes, deeply affect people's socio-economic stability and well-being, placing significant pressure on countries' healthcare and social protection systems (Asian Development Bank, 2022[50]). In this context, formal care sectors, backed by comprehensive social protection systems (Box 4.3), are fundamental to strengthening Southeast Asia's resilience.

In general, formal sectors prove less vulnerable to the impacts of external shocks. Labour market regulations, together with the protection enjoyed by workers of formal sectors, ensure a certain degree of stability – both for employers and employees. The COVID-19 pandemic showed that governments more easily channelled emergency support to formal sectors and their workers than to informal workers, who saw their livelihoods threatened, affecting the services and products they provide (OECD, 2023[45]; ASEAN, 2022[51]). As formal sectors prove to be more robust and faster in recovering from shocks, the disruption of services – such as care – and of workers' livelihoods are also less intense.

The formalisation of the care sector can extend the coverage of social protection systems to more workers. Formal workers are better covered by social protection systems than informal workers. In Southeast Asia, most countries' social protection schemes do not extend automatically to informal workers, leaving them with insufficient protection and benefits in times of sickness, unemployment or retirement (ILO, 2023[52]; ILO, 2023[53]; ISSA, 2023[54]). It is imperative to improve informal workers' access to social protection, and a gradual formalisation of the care sector would increase the share and number of care workers covered by social security schemes. Expanding the coverage through the formalisation of the care sector would not only benefit current care workers, but also potential new care workers, most of whom currently provide care under unpaid private arrangements that do not grant access to any social protection schemes.

By broadening the contributory base, the formalisation of care sectors would also strengthen social protection systems and improve their capacity to overcome crises. Many Southeast Asian countries face substantial challenges in ensuring the financial balance of their social security systems; this is due to the limited number of employers and employees who contribute on a regular basis to social insurance schemes, or pay taxes in the case of social protection systems funded through taxation (ILO, 2023[52]). Irregular contributions tend to be lower in well-structured formal sectors. Increased resources could allow governments to implement social safety nets that can act as buffers in times of crisis.

The integration and co-ordination of formal care sectors with national healthcare systems can raise the region's degree of resilience to shocks. Care workers are crucial to support the people most vulnerable to shocks, including children, people with disabilities and the elderly. During events of extreme cold or hot temperatures, which are becoming more frequent because of climate change, healthcare workers, but also domestic workers who are on the frontline, are key actors to prevent health issues and to provide adequate care for those in need. Moreover, care workers from the education sector can raise awareness of climate change among children and youth and equip them with important information on how to respond to cases

of external shocks. Finally, mobilising formal care workers can be faster and easier than informal care providers. In particular, in the events of disasters, the co-ordination of emergency responders, healthcare professionals, social workers and care providers is crucial to ensure the speed and adequacy of help and relief. In this regard, the ASEAN Comprehensive Framework on Care Economy underscores that the care economy could be leveraged to improve Southeast Asian countries' response to and recovery from disasters, mitigating the effects of climate change (ASEAN, 2021[4]).

Box 4.3. What are social protection systems?

Social protection is a human and labour right. It is the set of policies and programmes designed to reduce risks of income insecurity and vulnerability over the course of a worker's life. Social protection includes health protection, as well as benefits for maternity and paternity, unemployment, employment injury, sickness, old age, disability, children and families.

Social protection system refers to all schemes and programmes of a country's social protection – which can be contributory or non-contributory.

- *Contributory* social protection schemes are financed through a mix of workers' and employers' social contributions – sometimes supported by the government. They can be managed by the state, such as social insurance for pensions, but the private sector can also offer voluntary schemes. *Social insurance* schemes are the most common form of contributory schemes. The insured person contributes financially along with his/her employer, which entitles him/her to social insurance benefits, such as health insurance, sickness or parental benefits, unemployment benefits or a pension.
- *Non-contributory* social protection schemes are mainly financed through general taxation, with funding sometimes coming from other actors such as the private sector or donors. Non-contributory schemes can be universal or targeted at specific groups of the population – often based on income levels. Examples include social assistance, universal healthcare, social pensions and social safety nets.

Source: (OECD, 2018[55]; ILO, 2023[52]; WIEGO, 2021[56]).

Structural socio-economic challenges hamper the emergence and formalisation of Southeast Asia's care sectors

The formalisation of the care economy and its sectors remains a distant reality for most Southeast Asian countries. Among the many challenges that policy makers face, three structural socio-economic barriers hamper the emergence of strong and formal care sectors: (i) labour informality remains the norm; (ii) social protection systems are weak and cannot act as a catalyser for the care economy; and (iii) discriminatory social norms continue to consider care a private matter that must be handled by female family members.

Labour informality remains the norm, making it challenging to develop a formal care sector

Apart from Brunei Darussalam and Singapore, employment in Southeast Asia is primarily informal (see section "Paid care work is highly feminised and informal, which increases women's vulnerabilities"). As previously discussed, the care sector is no exception, with most paid care workers in the region operating under informal arrangements. However, because informality affects all Southeast Asian economies, the

formalisation of the care economy would not be an isolated endeavour. Rather, it would take place within the broader context of the efforts aimed at formalising Southeast Asia's economies.

The formalisation of employment, including in the care sectors, may come at a cost for the most vulnerable workers and necessitates a specific approach. Formalising care sectors may exacerbate the pre-existing vulnerabilities of paid care workers operating in the informal sector, particularly domestic workers, for instance through job losses. With its standards and norms, formalisation can leave behind workers with low levels of education or sets of skills and deprive them of their livelihoods. For these reasons, formalising Southeast Asia's care sectors requires an approach that is comprehensive in design but context-specific in practice.

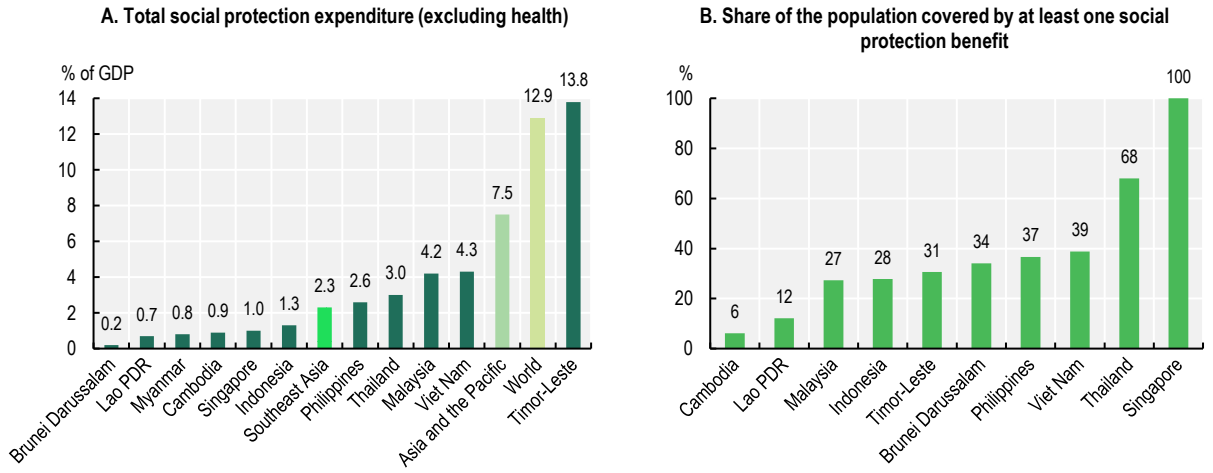
The process of formalising the region's care sectors poses the crucial question of informal employers. One of the main challenges of the formalisation of employment is whether and how to make informal employers comply with labour regulations and offer their employees formal benefits and protections (WIEGO, 2023[57]). In the context of the care economy in Southeast Asia, difficulties vary across sectors. Given the nature of the employers and their size, ensuring employers in the education or health sectors comply with labour regulations is easier than verifying compliance by employers of domestic workers – often households.

Weak social protection systems hamper the formalisation of the care sector

Current government spending on social protection in Southeast Asia remains weak, while the coverage of existing systems is limited and often blind to care. Government spending on social protection stands at about 2%, well below the global average of 13%. Apart from Timor-Leste, government spending on social protection does not exceed 4% (Figure 4.7, Panel A). This translates into countries' social protection systems having a limited reach. For instance, the proportion of the population that is covered by at least one social protection benefit ranges from 6% in Cambodia to 68% in Thailand (Figure 4.7, Panel B). Singapore is the exception where everyone has access to at least one type of social protection benefit which includes social assistance for those in need (ILO, 2021[27]; ILO, 2023[52]).

Non-contributory schemes dominate the social protection landscape in Southeast Asia, resulting in a coverage gap of the "missing middle". The region's social protection systems are limited in terms of the different pillars they cover but also in terms of actual reach. With a strong focus on old-age benefits and health insurance, other crucial areas such as unemployment insurance fall short. Conversely, social assistance programmes occupy an important space in Southeast Asia's social protection systems, targeting primarily the poor and marginalised population groups. Contributory schemes, and notably social insurance, are in place in most countries to support workers in case of work injury, sickness or pregnancy. However, these social insurance schemes are only mandatory for formal workers, which undermines their effective reach. As a consequence, people who are not poor enough to benefit from social assistance and do not operate in the formal sector – the so-called "missing middle" – are left without effective social protection. Governments have started to set up voluntary contribution schemes for informal workers, but the nature of informal work may obstruct their effective take-up (Kolev, La and Manfredi, 2023[26]; ILO, 2023[52]; ILO, 2021[27]).[7]

Figure 4.7. Social protection spending and coverage remain low on average in Southeast Asia



Note: In Panel A, the year of reference is 2022 or the most recent year available. Data in Panel B draw on Sustainable Development Goal Indicator 1.3.1 "Proportion of population covered by social protection floors/systems, by sex, distinguishing children, unemployed persons, older persons, persons with disabilities, pregnant women, newborns, work-injury victims and the poor and the vulnerable."
Source: (ILO, 2021[27]), *World Social Protection Report 2020-22: Regional companion report for Asia and the Pacific*, International Labour Organization, Geneva, https://www.social-protection.org/gimi/RessourcePDF.action?id=57852; (ILO, 2020[58]), "Public health and social protection expenditure", *World Social Protection Data Dashboards*, https://www.social-protection.org/gimi/WSPDB.action?id=1461; and (United Nations, 2023[21]), *SDG Indicators Database*, https://unstats.un.org/sdgs/dataportal/database.

StatLink https://stat.link/wvxta9

Social assistance programmes targeted at children risk reinforcing traditional care patterns. Data show that overall government spending on social protection benefits women and men equally in most Southeast Asian countries, although women and men may benefit from it through different channels.[8] Countries' efforts to increase health coverage tend to equalise spending on men and women. However, men are more likely entitled to social security, while social assistance programmes targeted at children focus on mothers as the main recipients (Asian Development Bank, 2022[50]). These programmes generally target women in their traditional role as mothers or caregivers to promote children's health and well-being. This prevents breaking with long-standing gender roles and responsibilities, which are currently limiting women's economic empowerment (Unicef, 2023[59]).

The integration of care-sensitive and gender-transformative social protection systems is costly but indispensable. As formal care services are likely to be more expensive than informal ones, governments must allocate money to subsidise them in order to ensure access for all groups of society. Investments are required to expand existing care infrastructure, to improve the design of employment-related care policies – such as parental leave schemes or family-friendly working arrangements – and to enhance their effective reach, as well as to foster the provision of care services for children, older persons and persons with disabilities or illnesses (UN ESCAP, 2021[10]).

In the context of care, social protection systems can act as a powerful catalyst for developing and rapidly expanding formal care services, but limited government action has prevented their establishment. By structuring care programmes and establishing subsidies for institutions and companies operating in the care sector, social protection systems can incentivise workers and economic actors to progressively formalise. To apply and obtain government subsidies targeted at care providers, actors and organisations that currently offer informal care services would need to structure and formalise. However, Southeast Asian governments have been slow in establishing such mechanisms and subsidies, and their absence acts as a powerful barrier to the emergence of formal care sectors.

Discriminatory social norms weaken the demand for and supply of formal care services

In Southeast Asia, social norms uphold care systems that rely on intergenerational support. These norms establish that the family, rather than the state, is responsible for providing essential care services, and have resulted in a system that relies heavily on (unpaid) care provided within households. For instance, in 2012, in the Philippines, 60% of the population reported that the best family model to ensure childcare is when the mother stays at home and the father works full time. In addition, 97% of the population agreed that the family – rather than the state, the private sector or non-governmental organisations – should provide childcare for children under school age; and 96% declared that the family should bear the costs of this type of care. Likewise, 90% of the population reported that families should be responsible for helping older people with their daily domestic tasks; and 65% declared that the elderly themselves or their families should bear the associated costs (ISSP Research Group, 2016[9]).

Such preferences limit the possibilities of alleviating women's unpaid care burden for two reasons. First, they make it difficult to redistribute care work more equally between men and women within households. Second, they obstruct the outsourcing of care to non-family members even when households can afford it. These limitations come at a cost: on the one hand for women themselves, in the form of limited economic opportunities, and on the other hand for societies as a whole, in the form of foregone qualified labour force. In this context, recognising unpaid care as the backbone of a functioning society and economy is the first step out of five to promote a more equal distribution of care work between women and men, enhance women's economic empowerment, and create stronger economies. The ILO's 5R framework highlights the need not only to recognise unpaid care work but also to reduce and redistribute it, as well as to reward it through better-paid and decent work conditions, and to ensure better representation of care workers (Box 4.1) (ILO, 2019[8]; UN Women, 2022[60]). In particular, it is crucial to develop new models to assess the economic contribution of unpaid care workers and to find ways of financially compensating these indispensable unpaid services.

Policies across the region reflect these norms and preferences for a private form of care provision. Government spending on social protection remains limited following the understanding that the provision of care and health services, as well as income security, is a family matter, whereby individuals should rely on intergenerational support. Data show that Southeast Asian governments allocate limited budgets to address women's unpaid care needs or to develop gender-responsive care policies, which reinforces existing gender dynamics in care provision (UN ESCAP, 2021[10]).

Beyond financial considerations, social preferences are pivotal in shaping the design of care systems. In Singapore, Southeast Asia's wealthiest country with the lowest fertility rates, the government has restructured the care system, moving away from institutionalised care services towards more in-home and daycare services. Despite Singapore's greater capacities in domestic resource mobilisation compared to other countries in the region, this option represents a lower-cost alternative. In-home carers, although less skilled than healthcare professionals, tend to be less expensive. Moreover, the approach caters for older people's preference to stay in their own homes. In many instances, families may view hiring a live-in domestic worker and keeping care within the household as an acceptable compromise. This may align with their preference that the provision of care should remain a family responsibility. In fact, in 2010, eight out of ten Singaporean families reported hiring a foreign domestic worker to care for an older person (Addati, Cattaneo and Pozzan, 2022[42]). Across the region, notably in contexts where fiscal space may be constrained, most countries have enacted statutory provisions that provide for in-home personal care services. In four Southeast Asian countries (Cambodia, the Philippines, Singapore and Viet Nam), the law specifically mandates family members to care for their relatives (see Box 4.2).

Conclusion and policy recommendations

The formalisation of the care economy in Southeast Asia presents a myriad of potential advantages ranging from enhancing women's economic empowerment to strengthening countries' resilience to external shocks. Over the long term, it can also play a pivotal role in transforming ingrained discriminatory social norms. Notably, formal workers tend to be better protected by labour laws and have better access to social protection schemes than informal ones. Additionally, the establishment of a formal care sector would provide households with viable options to outsource unpaid child and elderly care responsibilities, thereby freeing up women's time for other types of activities such as education, paid work and running income-generating businesses.

However, Southeast Asia faces a unique challenge: the current characteristics of care provision also constitute the main structural barriers that impede formalising care sectors. For instance, traditional gender roles and societal preferences that establish female family members as primary caregivers perpetuate care systems that heavily rely on women's unpaid care services. These social norms not only shape the way care is currently provided across the region but also contribute to the limited public spending on formal care services and social protection systems. Furthermore, they explain the low uptake rate of external care services, thereby diminishing the incentives to develop a formal care economy facilitated by non-family actors. This creates a vicious circle where causes and consequences are closely intertwined, locking countries in a status quo – and sometimes aggravating it.

In the context of rapid demographic changes that will substantially escalate the demand for care, Southeast Asian countries must therefore exit this vicious circle. They must transition into a positive dynamic whereby the emergence and expansion of a formal care economy becomes a catalyst for women's empowerment and inclusive development. This shift requires understanding how causes and consequences may be profoundly intertwined. For instance, as institutional care services become increasingly available, challenging social norms that establish family members as the primary providers of care may become easier. In return, transforming these norms and people's preferences would not only boost the demand for formal care services but also reduce families' reliance on women's unpaid care work. Overall, such a transformation would encourage a more gender-egalitarian approach to the division of household and care tasks. However, altering the inherent gendered nature of the care economy could prove more difficult and may depend on a variety of structural and socioeconomic measures.

This shift also requires addressing two other major obstacles: the affordability and the quality of formal care services. In many Southeast Asian countries, restricted fiscal space, low domestic resource mobilisation and limited household resources for a substantial part of the population require innovative solutions that integrate the affordability constraint from the onset. Moreover, in a regional context where most of the population desires to receive care from family members, the quality of care is crucial to build trust in formal care services provided by a third party and to ensure the well-being of both care providers and care receivers. In parallel, acknowledging that not everyone will rely on formal care services, adequately compensating unpaid care work would help meet these preferences for family-based care while recognising the value of these indispensable unpaid services.

All in all, Southeast Asian countries stand at a crucial juncture where they can either perpetuate the current care provision model or opt for decisively investing in a robust and resilient care economy. The latter choice demands strong political will and long-term commitments from policy makers. To pursue this objective, countries can capitalise on the current momentum created by the increased awareness of the importance of strong care and social protection systems following the COVID-19 pandemic and the adoption of the ASEAN Comprehensive Framework on Care Economy in 2021.

Policy makers, in close collaboration with key stakeholders, must commit to addressing structural socio-economic barriers that currently prevent the emergence of a strong and formal care economy. Dedicated actions are required across four key pillars.

Address the informal nature of labour markets

- Policy makers in close collaboration with experts and labour market representatives should develop policies that (i) target groups of workers and economic units operating in the informal economy; (ii) encourage the formalisation of micro- and small enterprises; (iii) promote the development of sector-based approaches to formalisation; and (iv) take into account non-standard forms of employment.
- To tackle structural drivers of informality, policy makers should focus on extending social security coverage and improving compliance with the law, developing labour market institutions, structuring and empowering organisations of informal workers and employers, and designing and implementing integrated approaches to formalisation that cut across sectors (ILO, 2021[61]; ILO, 2015[62]).
- Policy makers should account for the different needs of informal workers and the specificities of the sectors in which they operate. Understanding these needs and differences is crucial to adequately design the incentives offered by formalisation policies. This understanding is also critical to ensure that formalisation policies protect current informal workers, and particularly informally employed domestic workers, from the risks of job losses and income insecurity.
- Strong political commitment and allocation of sufficient resources are indispensable in a context where informality is rampant. From the onset, policy makers should acknowledge that formalisation has its limits and that not all workers or enterprises will formalise (WIEGO, 2023[57]). This consequently requires developing innovative solutions to enhance the rights and working conditions of workers who will remain informal.

Strengthen social protection systems

- Policy makers should invest in the creation of comprehensive social protection systems which can catalyse the formalisation of the care economy. This requires integrating the provision of care services as a central pillar – especially child and elderly care (UN ESCAP, 2022[46]).
- Policy makers should ensure that social protection schemes are available to the entire population, e.g. through broad-based social insurance programmes. Extending the coverage of and updating social protection systems requires innovative approaches to reach informal workers. This may necessitate making legal changes, as certain groups of workers are explicitly excluded by existing legal frameworks, and/or designing voluntary contribution schemes for informal workers, recognising the specific challenges these workers face in paying regular contributions.

> *In Thailand, the Informal Workers Administration Plan (2023-27) focuses on extending social protection to informal workers. In Indonesia, discussed initiatives foresee providing pension security for informal workers or establishing contribution or subsidy assistance schemes for vulnerable and poor informal workers. In Cambodia, the National Social Security Fund (NSSF) has launched a pilot project to allow voluntary self-employed contributors to access healthcare benefits such as medical care services and maternity allowance (Sevilla, 2023[63]).*
>
> *In Malaysia, the Employment Insurance System Act of 2017 and amendments to the Employee's Social Security Act adopted in 2018 extended the social security coverage to domestic employees in 2021 (Malaysia, 2017[64]; Malaysia, 1969[65]). As of June 2022, employers must officially register domestic workers for the social protection scheme (Government of Malaysia, 2021[66]).*

- Experiences from European countries, as well as Singapore, reveal the importance of informal care workers in the provision of care. Policy makers should recognise the role of informal care providers and foster effective collaboration between them and care professionals (Juin, 2019[67]; Hengelaar et al., 2017[68]). Public policies and social protection systems should seek to improve access to

formal home care services while encouraging informal support and solidarity, not only from family members but also from the social network of dependent elderly people (Juin, 2019[67]).

Reinforce the quality and the recognition of the care services provided

- Policy makers, investors and the private sector must prioritise quality in the design of formal care systems and services. In a context where most of the population prefers care from family members, the uptake of institutionalised care services hinges not only on affordability but also on quality. This requires the establishment of regulations specifying minimum standards for care providers and mechanisms to ensure service quality. These standards should be tailored to meet the needs and well-being of both care providers and care receivers.
- Policy makers should recognise the value of unpaid care work for individuals who will not rely on formal care services. Targeted financial and social security provisions can help recognise unpaid care work for its real economic value, thereby improving the livelihoods of current unpaid care providers, who are predominantly women. At the same time, such provisions could offer viable options for those who desire to care for family members, but refrain do so due to potential economic losses. To prevent unintended negative consequences, such as increased reliance on women's unpaid care work, policy makers and key stakeholders must complement these measures with gender-transformative policies and programmes.

> *In Malaysia, the* Kumpulan Wang Simpanan Pekerja *or Employees Provident Fund (EPF), which manages the compulsory savings plan and retirement planning for private sector workers, implemented two programmes aimed at strengthening the financial security of unpaid care and domestic workers. The* i-Suri *programme allows housewives to register to the EPF and to contribute to a dedicated retirement savings plan. The scheme includes a 50% incentive contribution deposited by the EPF for every monetary unit contributed by the beneficiary. Eligible beneficiaries are Malaysian housewives registered under the National Poverty Data Bank and who are below 55 years (Employees Provident Fund, 2024[69]). The* i-Sayang *programme allows a male EPF member (giver) to transfer 2% of his employee's contribution share received from the employer to his spouse's (recipient) EPF account (Employees Provident Fund, 2024[70]).*

Transform discriminatory social norms

- Policy makers, together with all actors of society – including development partners, private and philanthropic actors, academic and research institutes, as well as feminist and civil society organisations – should design initiatives and programmes that shift social norms and expectations related to gender roles and care provision. This is necessary to ensure the uptake of care services provided by non-family members.
- Interventions aimed at transforming discriminatory social norms should build on evidence-based initiatives that have proved successful. This notably includes leveraging the power of edutainment – a mix of education and entertainment – to promote more equitable alternatives to long-standing gender roles and responsibilities.
- Empowering civil society actors, working with gatekeepers, such as religious or community leaders, and putting gender equality principles at the heart of the education system are further key features to lastingly transform discriminatory gender and social norms.
- Transforming norms and expectations related to traditional gender roles also requires engaging with men and boys. Policy makers, with the support of gender experts and civil society organisations, should design programmes that aim at turning restrictive norms of masculinities into gender-equitable ones (see Chapter 3).

Notes

[1] Brunei Darussalam, Cambodia, Indonesia, Lao People's Democratic Republic, Malaysia, Myanmar, the Philippines, Singapore, Thailand, Timor-Leste and Viet Nam.

[2] According to the United Nations, a country is "ageing" when more than 7% of the population is 65 years old or older, and a country is "aged" when that age group accounts for more than 14% of the population.

[3] The ASEAN Comprehensive Framework on Care Economy includes six strategic priorities: (i) promoting healthy ageing in light of the increasing number of elderly people and demand for long-term care; (ii) leveraging the role of the care economy to build disaster resilient societies; (iii) accelerating the digital transformation of the care economy along with technological innovations; (iv) building stronger and more resilient families – focusing on mental health and a better combination of work and family responsibilities – as the foundation of the care economy; (v) enhancing social protection to ensure that the human and labour rights of care workers are guaranteed; and (vi) increasing the resilience and care for the environment, including through green recovery (ASEAN, 2021[4]).

[4] Brunei Darussalam is one of Southeast Asia's two high-income countries. It provides its small population with universal healthcare coverage, financed by oil and other natural resource revenues. The availability of resources and the development of a strong national healthcare system are among the main factors explaining why employment in care sectors (including both care workers and non-care workers) is relatively high compared to other Southeast Asian countries. Moreover, data show that domestic workers constitute a substantial share of the employed population. This is in line with the literature and observed trends, according to which more affluent households outsource unpaid care, notably to domestic workers who are often foreign-born (ILO, 2021[74]). The situation is similar in Singapore – the region's other high-income country.

[5] Regarding the proportion of informal employment in the agricultural sector in Brunei Darussalam and Myanmar, significantly more women than men work informally. In the remaining Southeast Asian countries with data available, gender gaps are limited, ranging between one and six percentage points (United Nations, 2023[21]).

[6] Economic activities follow the fourth revision of the International Standard Industrial Classification of All Economic Activities (ISIC Rev 4). Under the ISIC Rev 4 framework, domestic workers are categorised under Section T: "Activities of households as employers; undifferentiated goods- and services-producing activities of households for own use" (United Nations, 2008[71]).

[7] For instance, in half of the regions' countries, social security and labour market regulations regarding old-age benefits provide informal workers with the possibility to voluntarily contribute to existing social protection programmes. In Lao PDR, Malaysia, Thailand and Viet Nam, informal workers' access to old-age, disability and survivor benefits is regulated through voluntary contributions to social insurance or provident funds. In Indonesia, informal workers are covered by life insurance but, unlike formal workers, are not covered by social insurance (ILO, 2023[52]). In Malaysia, in 2022, the Housewives and Social Security Act introduced a social security scheme for housewives (SKSSR) which seeks to protect them against domestic accidents and invalidity while performing their household duties (Malaysia, 2022[73]). The new scheme substantially increases the social security coverage of households and housewives, many of which are not actively engaged in the labour force (Government of Malaysia, 2022[72]). Overall, informal workers' capacity to contribute to social protection programmes that require regular payments remains

constrained by the nature of their income which is often irregular and/or low (Asian Development Bank, 2022[50]; Kolev, La and Manfredi, 2023[26])

[8] Government spending on social protection is fairly gender-balanced in most Southeast Asian countries. In Cambodia and the Philippines, there are no gender differences, and in Indonesia, Lao PDR, Malaysia and Viet Nam, spending is fairly balanced. In Thailand, government spending is slightly skewed towards women. Conversely, in Singapore, social protection spending is biased towards men, as most spending is allocated to social insurance which largely benefits those employed in the formal sector; as women's labour force participation rate is below that of men's, a smaller share of social protection spending reaches them (Asian Development Bank, 2022[50]).

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SIGI Country Profiles for Southeast Asia

Overview

The Gender team of the OECD Development Centre produced SIGI Country Profiles for all 11 countries of Southeast Asia.

SIGI Country Profiles provide an overview of the state of gender equality in each Southeast Asian country, highlighting key challenges and positive developments, and discussing in detail the level of gender-based discrimination in social institutions across all areas covered by the SIGI. The chapter only presents the overview of the state of gender equality for each Southeast Asian country.

SIGI Country Profiles for Southeast Asia were drafted between September and November 2023, using data on legal systems and frameworks collected through the *SIGI 2023 Legal Survey*, and data on social norms and practices from the Gender, Institutions and Development Database 2023. Although the cut-off date for data collection on laws was 31 August 2022, important legal reforms that occurred in Southeast Asia past this date are included in the analysis of the country profiles but are not taken into account to calculate countries' SIGI scores.

The production of the SIGI Country Profiles for Southeast Asia received the support of the Korean delegation to the OECD.

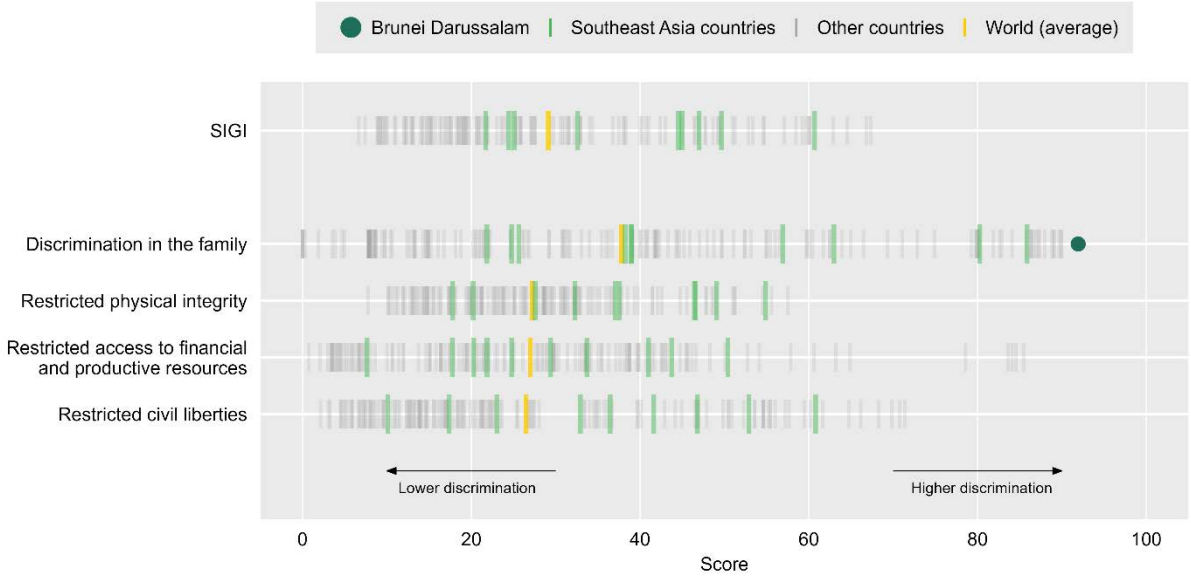
The full SIGI Country Profiles for the 11 Southeast Asian countries are available on the website of the Social Institutions and Gender Index (https://www.oecd.org/stories/gender/social-norms-and-gender-discrimination/sigi/dashboard) where they can be downloaded as PDF files.

Brunei Darussalam

The state of gender equality in Brunei Darussalam

The SIGI 2023 profile for Brunei Darussalam provides a comprehensive overview of the state of gender equality in the country, as measured by the OECD's Social Institutions and Gender Index (SIGI).[1] The fifth edition of the SIGI, released in 2023, assesses 140 countries based on the level of gender-based discrimination in their social institutions. These discriminatory social institutions encompass both formal and informal laws, as well as social norms and practices that restrict women's and girls' access to rights, justice, empowerment opportunities and resources, thereby undermining their agency and authority.

SIGI and dimension scores for Brunei Darussalam, 2023



Note: Scores range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination. The Southeast Asia region covers Brunei Darussalam, Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar, the Philippines, Singapore, Thailand, Timor-Leste and Viet Nam.
Source: (OECD, 2023[1]), "Social Institutions and Gender Index (Edition 2023)", *OECD International Development Statistics* (database), https://doi.org/10.1787/33beb96e-en.

In 2023, Brunei Darussalam did not obtain a SIGI score due to missing data in the "Restricted physical integrity", "Restricted access to productive and financial resources" and "Restricted civil liberties" dimensions.[2] The country is missing data on nearly all attitude and practice variables necessary to compute the SIGI, from violence against women to women's reproductive autonomy, access to financial services, freedom of movement and access to justice. The country obtained a score of 92 in the "Discrimination in the family" dimension, denoting very high levels of discrimination in this dimension.

Legislative framework in Brunei Darussalam

Brunei Darussalam's legal system is a dual system characterised by a civil system based on British common law cohabitating with a parallel religious system for Muslims based on Islamic Sharia, which supersedes the common law system in areas such as family and property law (Greenwalt, 2020[2]) (University of Melbourne, n.d.[3]). There are also other legislations enforced in Brunei Darussalam to govern the conduct of Muslims in the country, such as the Islamic Family Law Act, which make different provisions related to Islamic family law in areas such as marriage, divorce, maintenance, guardianship and other matters connected with family life (ASEAN Law Association, 2019[4]). Between 2013 and 2019, Brunei Darussalam underwent a series of reforms to amend the Penal Code. The Syariah Penal Code Order 2013, which went into effect in 2019, expands upon the existing religious legal systems and applies to all persons who live in Brunei Darussalam. Offences in the Penal Code follow a specific Islamic interpretation and justification, and include punitive measures such as corporal punishments, amputation and even capital punishment (Greenwalt, 2020[2]). As part of the Malay cultural area, Brunei Darussalam is strongly associated with Malay *adat.*[3] These customs, although unwritten and sometimes conflicting with Islamic principles, remain a core element of Brunei's social and cultural life and continue to be practiced, for example in the context of marriage (Samad, 2023[5]). The Constitution only refers to customs in Article 3(A) to establish that the Adat Istiadat Council (or Council of Customs and Traditions) is the responsible authority for advising on matters of customs (Brunei Darussalam, 1959[6]).

Brunei Darussalam's Constitution does not recognise or prohibit multiple and intersectional discrimination – an essential provision to enhance gender equality from a legal perspective. Nevertheless, Brunei Darussalam ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in 2006 but holds reservations on Article 9(2) and Article 29(1) (United Nations, 1979[7]; United Nations, 2023[8]). Article 9(2) refers to men's and women's equal rights with respect to the nationality of their children, and Article 29(1) is on the inter-State dispute procedure. Brunei Darussalam also expresses a general reservation regarding provisions that may be contrary to its Constitution and to the principles of Islam.

Gender-disaggregated, gender-relevant and intersectional data and indicators are essential to better identify policy areas that have strong linkages with gender. In Brunei Darussalam, there are no applicable legal provisions regulating the production and dissemination of gender statistics.

Positive highlights and significant challenges since the fourth edition of the SIGI

Positive highlights

The law in Brunei Darussalam grants women and men equal rights to own and use land and non-land assets, including business properties, regardless of their marriage status.

Significant challenges

The limited availability of data on practices and social norms restricts the analysis and prevents from having a clear understanding of the state of gender equality in the country. Brunei Darussalam lacks data that are comparable to other countries in nearly all areas covered by the SIGI, from the division of domestic responsibilities to violence against women, access to productive and financial assets, feeling of security and trust in the judicial system.

Discriminatory social institutions undermine women's rights and opportunities in many spheres of their lives. Marriage is regulated according to the laws and customs of different religious and ethnic groups in the country, which allows the marriage of women below the age of 18 years. In addition, Brunei

Darussalam's Islamic Family Law Act, which regulates family matters for Muslims, contains many discriminatory provisions that restrict women's rights to be legal guardians of their children, to seek divorce and to inherit on an equal basis with men. Moreover, the legal framework on violence against women does not comprehensively protect women and girls from all forms of violence. For instance, domestic violence is not criminalised and there is no law specifically addressing violence against women. Discriminatory legal provisions also limit women's freedom of movement, citizenship rights, and access to justice. For instance, the Sharia Courts Evidence Order introduce differences regarding the value of women's and men's testimonies in Sharia Courts.

Summary of results for Brunei Darussalam

Discrimination in the family	Unit	Value
Laws on child marriage	Score	100
Girl child marriage rate[1]	%	3.2
Boy child marriage rate[1]	%	0.6
Laws on household responsibilities	Score	100
Share of the population that agrees or strongly agrees that "if a woman earns more than her husband, it is a problem"	%	-
Share of the population that agrees or strongly agrees that "when a mother works for pay, the children will suffer"	%	-
Female-to-male ratio of time spent on unpaid care and domestic work	Ratio	-
Number of hours spent by men on unpaid care and domestic work in a 24-hour period	Hours	-
Number of hours spent by women on unpaid care and domestic work in a 24-hour period	Hours	-
Laws on divorce	Score	100
Laws on inheritance	Score	100
Restricted physical integrity		
Laws on violence against women	Score	75
Share of women who consider a husband to be justified in hitting or beating his wife under certain circumstances	%	-
Lifetime intimate-partner violence rate[2]	%	-
12-month intimate-partner violence rate[2]	%	-
Laws on female genital mutilation	%	75
Boy-to-girl ratio at birth (natural = 105)[3]	Ratio	108.1
Laws on reproductive autonomy	Score	75
Unmet needs for family planning[4]	%	-
Restricted access to productive and financial resources		
Laws on land assets	Score	0
Share of women among landowners	%	-
Laws on non-land assets	Score	0
Share of women among house owners	%	-
Laws on financial assets	Score	0
Share of women among bank account owners	%	-
Laws on workplace rights	Score	75
Share of the population declaring that "when jobs are scarce, men should have more right to a job than women"	%	-
Share of the population declaring that "men make better business executives than women do"	%	-
Share of women among managers	%	36.5
Share of firms with a woman as top manager	%	-
Restricted civil liberties		
Laws on citizenship rights	Score	100
Laws on political voice	Score	50
Share of the population declaring that "men make better political leaders than women do"	%	-
Share of women in Parliament (lower chamber)	%	9.1
Laws on freedom of movement	Score	75
Share of women among those who declare not feeling safe walking alone at night in the city or area where they live	%	-
Laws on access to justice	Score	75
Share of women among those who declare not having confidence in the judicial system and courts of their country	%	-

Note: Scores of legal variables range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination.
1. % of girls/boys aged 15-19 years who have been or are still married, divorced, widowed or in an informal union.
2. % of ever-partnered women and girls who have experienced physical and/or sexual violence by a current or former intimate partner during their lifetime/over the previous 12 months. Population base for lifetime IPV: 15-49 years. Population base for 12-month IPV:15 years and older.
3. A natural boy-to-girl sex ratio at birth is generally estimated to be below 105. A ratio exceeding 105 implies the existence of more boys aged 0-4 than one would expect, indicating a potential phenomenon of son preference resulting in the systemic elimination of new-born girls.
4. % of married or in-union women of reproductive age who want to either stop or delay childbearing but are not using any contraception method.
Source: (OECD Development Centre/OECD, 2023[9]), "Gender, Institutions and Development Database", https://doi.org/10.1787/7b0af638-en.

Notes

[1] The full SIGI Country Profile for Brunei Darussalam is available at: OECD Development Centre (2023), "Brunei Darussalam SIGI Country Profile", *SIGI 2023 Country Profiles*, OECD, https://oe.cd/sigi-dashboard.

[2] SIGI scores range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination. Levels of discrimination in the SIGI and its dimensions are assessed based on scores as follow: very low [0-20]; low [20-30]; medium [30-40]; high [40-50]; and very high [50-100].

[3] *Adat* refers to customary law in Malay.

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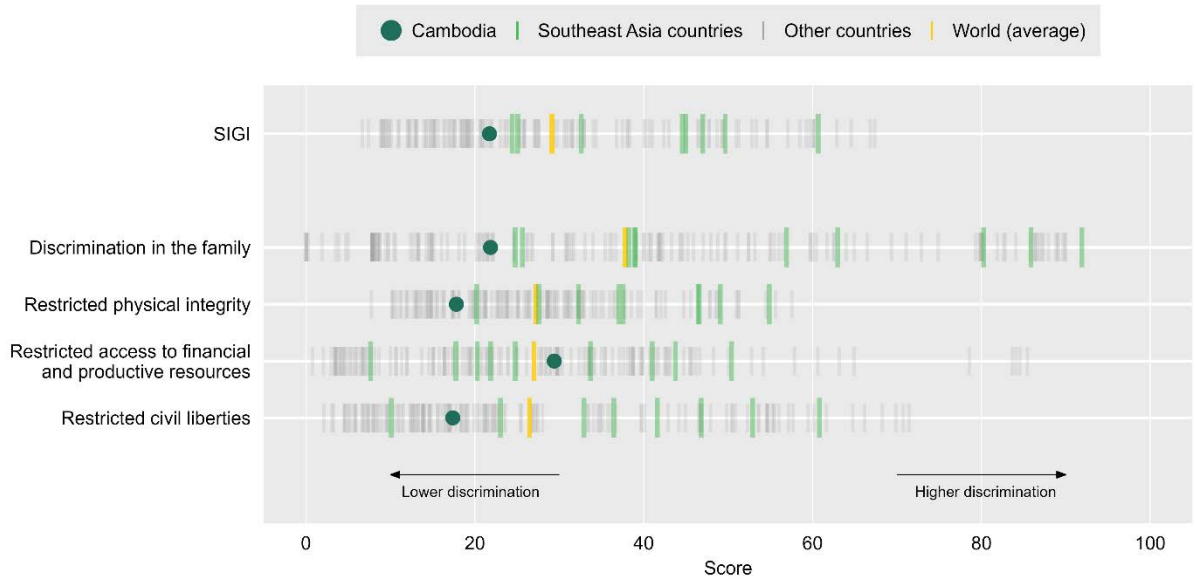
Cambodia

The state of gender equality in Cambodia

The SIGI 2023 profile for Cambodia provides a comprehensive overview of the state of gender equality in the country, as measured by the OECD's Social Institutions and Gender Index (SIGI).[1] The fifth edition of the SIGI, released in 2023, assesses 140 countries based on the level of gender-based discrimination in their social institutions. These discriminatory social institutions encompass both formal and informal laws, as well as social norms and practices that restrict women's and girls' access to rights, justice, empowerment opportunities and resources, thereby undermining their agency and authority.

SIGI and dimension scores for Cambodia, 2023



Note: Scores range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination. The Southeast Asia region covers Brunei Darussalam, Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar, the Philippines, Singapore, Thailand, Timor-Leste and Viet Nam.
Source: (OECD, 2023[1]), "Social Institutions and Gender Index (Edition 2023)", *OECD International Development Statistics* (database), https://doi.org/10.1787/33beb96e-en.

In 2023, Cambodia obtained a SIGI score of 22, denoting low levels of discrimination, compared to an average score of 39 in Southeast Asia, denoting medium levels of discrimination, and a world average score of 29.[2] The country obtained a score of 29 in the "Restricted access to productive and financial resources" dimension, followed by "Discrimination in the family" (22), "Restricted physical integrity" (18) and "Restricted civil liberties" (17).

Legislative framework in Cambodia

The Cambodian legal system has evolved from unwritten customary law to statutory law. Today, it is a mixture of Cambodian customs, French-based civil law – inherited from the period of French colonisation – and common law system which results from foreign aid assistance to Cambodia's legal and judicial reforms (Council of ASEAN Chief Justices, n.d.[2]). The Constitution of Cambodia does not refer to customary law but Article 52 of the Constitution specifies that "the Royal Government of Cambodia shall protect the independence, sovereignty and territorial integrity of the Kingdom of Cambodia, adopt a policy of national reconciliation to ensure national unity, and preserve good customs and traditions of the nation."

Articles 31 and 45 of the Constitution of the Kingdom of Cambodia of 1993, as amended, recognise and prohibit multiple and intersectional discrimination – which constitutes an essential element to enhance gender equality. Cambodia ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in 1992, without any reservations (United Nations, 1979[3]; United Nations, 2023[4]). Article 31 of the Constitution stipulates that the country recognises and respects "human rights as stipulated in the United Nations Charter, the Universal Declaration of Human Rights and the covenants and conventions related to human rights, women's rights and children's rights."

Gender-disaggregated, gender-relevant and intersectional data and indicators are essential to better identify policy areas that have strong linkages with gender. In Cambodia, Chapter 3 of the Law on Statistic of 2005, regulates the production and dissemination of gender statistics (Kingdom of Cambodia, 2005[5]).

Positive highlights and significant challenges since the fourth edition of the SIGI

Positive highlights

Cambodia presents a strong national legal framework that protects women's rights in most areas of their lives. The law grants women and men equal rights in the area of the family, and also grants them equal rights to own and use critical economic assets – land and non-land assets as well as financial services. The law also generally grants women and men equal civil and political rights.

Significant challenges

Although Cambodia establishes the legal age of marriage at 18 years for both boys and girls, the law contains exceptions. Moreover, in practice, child marriage remains an issue in Cambodia, especially as arranged marriages are still deeply rooted in traditional customs. In the private sphere, women continue to bear the brunt of responsibilities at home. Women dedicate 3 hours per day to unpaid care and domestic tasks compared to 0.3 hours for men, which limits their time to engage in other activities. Women's role is also limited in the public sphere. The law does not mandate political gender quotas to promote women's political representation at the national or local levels, which translates into women's under-representation in decision-making power positions. In 2023, women only account for 31% of employees in a managerial position, and 21% of the members of parliament. This under-representation of women in public roles is reflected in the fact that Cambodia does not have a dedicated law addressing all forms of violence against women and the legislation covers different forms of violence (such as domestic violence or sexual violence) in separate or general pieces of legislation – including the Law on Prevention of Domestic Violence and Protection of Victims (2005), the Law on the Suppression of Human Trafficking and Sexual Exploitation (2008), or the Criminal Code (2009). A large part of the population normalises domestic violence and socially accepts it, with 46% of Cambodian women aged 15-49 who think that it is justified for a husband to hit or beat his wife under certain circumstances.

Summary of results for Cambodia

Discrimination in the family	Unit	Value
Laws on child marriage	Score	50
Girl child marriage rate[1]	%	15.6
Boy child marriage rate[1]	%	3
Laws on household responsibilities	Score	25
Share of the population that agrees or strongly agrees that if a woman earns more than her husband, it is a problem	%	-
Share of the population that agrees or strongly agrees that when a mother works for pay, the children will suffer	%	-
Female-to-male ratio of time spent on unpaid care and domestic work	Ratio	10
Number of hours spent by men on unpaid care and domestic work in a 24-hour period	Hours	0.3
Number of hours spent by women on unpaid care and domestic work in a 24-hour period	Hours	3
Laws on divorce	Score	25
Laws on inheritance	Score	0
Restricted physical integrity		
Laws on violence against women	Score	50
Share of women who consider a husband to be justified in hitting or beating his wife under certain circumstances	%	46
Lifetime intimate-partner violence rate[2]	%	19
12-month intimate-partner violence rate[2]	%	8.2
Laws on female genital mutilation	%	25
Boy-to-girl ratio at birth (natural = 105)[3]	Ratio	105
Laws on reproductive autonomy	Score	0
Unmet needs for family planning[4]	%	10.6
Restricted access to productive and financial resources		
Laws on land assets	Score	25
Share of women among landowners	%	52.6
Laws on non-land assets	Score	25
Share of women among house owners	%	55.7
Laws on financial assets	Score	0
Share of women among bank account owners	%	49.1
Laws on workplace rights	Score	75
Share of the population declaring that when jobs are scarce, men should have more right to a job than women	%	-
Share of the population declaring that men make better business executives than women do	%	-
Share of women among managers	%	31
Share of firms with a woman as top manager	%	57.3
Restricted civil liberties		
Laws on citizenship rights	Score	0
Laws on political voice	Score	25
Share of the population declaring that men make better political leaders than women do	%	-
Share of women in Parliament (lower chamber)	%	20.8
Laws on freedom of movement	Score	0
Share of women among those who declare not feeling safe walking alone at night in the city or area where they live	%	57.3
Laws on access to justice	Score	25
Share of women among those who declare not having confidence in the judicial system and courts of their country	%	41.5

Note: Scores of legal variables range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination.
1. % of girls/boys aged 15-19 years who have been or are still married, divorced, widowed or in an informal union.
2. % of ever-partnered women and girls who have experienced physical and/or sexual violence by a current or former intimate partner during their lifetime/over the previous 12 months. Population base for lifetime IPV: 15-49 years. Population base for 12-month IPV:15 years and older.
3. A natural boy-to-girl sex ratio at birth is generally estimated to be below 105. A ratio exceeding 105 implies the existence of more boys aged 0-4 than one would expect, indicating a potential phenomenon of son preference resulting in the systemic elimination of new-born girls.
4. % of married or in-union women of reproductive age who want to either stop or delay childbearing but are not using any contraception method.
Source: (OECD Development Centre/OECD, 2023[6]), "Gender, Institutions and Development Database", https://doi.org/10.1787/7b0af638-en.

Notes

[1] The full SIGI Country Profile for Cambodia is available at: OECD Development Centre (2023), "Cambodia SIGI Country Profile", *SIGI 2023 Country Profiles*, OECD, https://oe.cd/sigi-dashboard.

[2] SIGI scores range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination. Levels of discrimination in the SIGI and its dimensions are assessed based on scores as follow: very low [0-20]; low [20-30]; medium [30-40]; high [40-50]; and very high [50-100].

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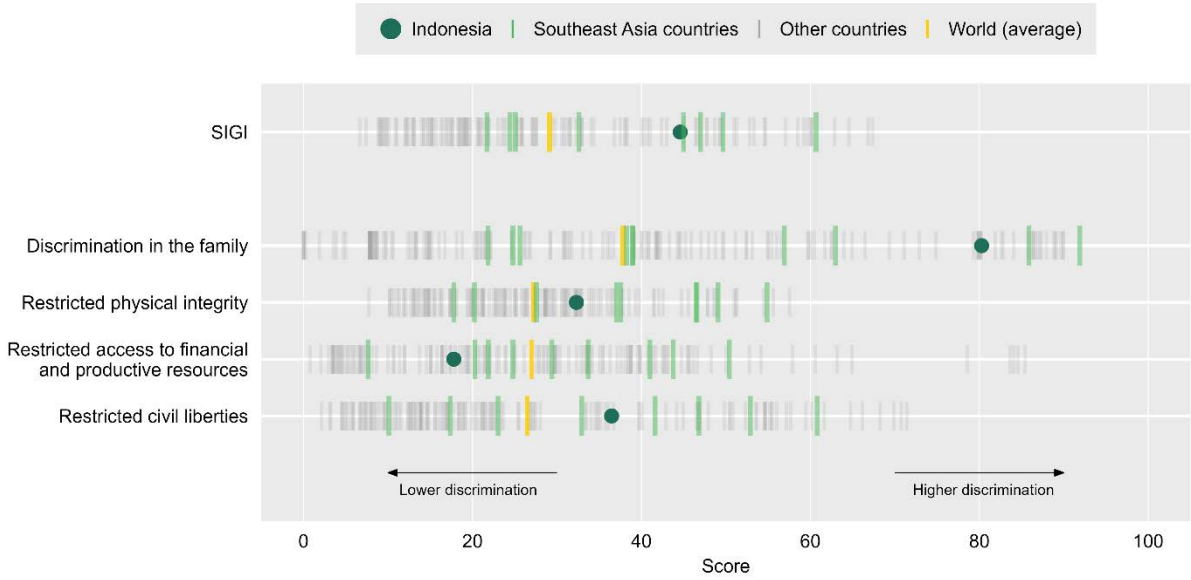
Indonesia

The state of gender equality in Indonesia

The SIGI 2023 profile for Indonesia provides a comprehensive overview of the state of gender equality in the country, as measured by the OECD's Social Institutions and Gender Index (SIGI).[1] The fifth edition of the SIGI, released in 2023, assesses 140 countries based on the level of gender-based discrimination in their social institutions. These discriminatory social institutions encompass both formal and informal laws, as well as social norms and practices that restrict women's and girls' access to rights, justice, empowerment opportunities and resources, thereby undermining their agency and authority.

SIGI and dimension scores for Indonesia, 2023



Note: Scores range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination. The Southeast Asia region covers Brunei Darussalam, Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar, the Philippines, Singapore, Thailand, Timor-Leste and Viet Nam.
Source: (OECD, 2023[1]), "Social Institutions and Gender Index (Edition 2023)", *OECD International Development Statistics* (database), https://doi.org/10.1787/33beb96e-en.

In 2023, Indonesia obtained a SIGI score of 45, denoting high levels of discrimination, compared to an average score of 39 in Southeast Asia, denoting medium levels of discrimination, and a world average score of 29.[2] The country obtained a score of 80 in the "Discrimination in the family" dimension, followed by "Restricted civil liberties" (36), "Restricted physical integrity" (32) and "Restricted access to productive and financial resources" (18).

Legislative framework in Indonesia

Indonesia's legal system is a mixture of civil law – rooted in French Napoleon Civil Code and codified by the Dutch at the beginning of the 19th century – customary law and Sharia law, which applies to different groups of people depending on their ethnicity and faith (Council of ASEAN Chief Justices, n.d.[2]). Article 18B(2) of the Constitution recognises customary law (*sistem hukum adat*) as long as it is in line with the principles of Indonesia's rule of law (Republic of Indonesia, 1945[3]). For instance, the use of customary rights (*hak ulayat*) in rural communities is recognised in the Law on Basic Regulations on Agrarian Principles (Republic of Indonesia, 1960[4]; Hamzah, Narang and Yusari, 2021[5]). Moreover, marriage and family affairs of Muslims are regulated by Islamic religious law based on Sharia law. The Islamic Law Compilation, promulgated in 1991, contains three chapters that serve as the main legal references on marriage, inheritance, divorce and religious endowments for Indonesia's religious courts (*peradilan agama*) that have jurisdiction over Muslims. In the special autonomous province of Aceh, Islamic law also extends to certain criminal offences (Otto, 2010[6]).

Articles 28A to 28J of the Constitution, as amended, and Article 1 of the Law on Human Rights recognise and prohibit multiple and intersectional discrimination[3] – which constitutes an essential element to enhance gender equality (Republic of Indonesia, 1945[3]; Republic of Indonesia, 1999[7]). Indonesia ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in 1984 (United Nations, 1979[8]). Indonesia does not consider itself bound by the provisions of Article 29(1) of the Convention regarding the inter-State dispute procedure (United Nations, 2023[9]). Gender-disaggregated, gender-relevant and intersectional data and indicators are essential to better identify policy areas that have strong linkages with gender. In Indonesia, there are no applicable legal provisions regulating the production and dissemination of gender statistics.

Positive highlights and significant challenges since the fourth edition of the SIGI

Positive highlights

The law in Indonesia grants women the same rights as men to own and use financial assets, which translates into a small gender gap in bank account ownership – women represent 51% of bank account holders. The legal framework also grants women and men the same rights to own and use land and non-land assets, although discriminatory informal laws persist among some ethnic groups for which inheritance follows patrilineal lines of descent. In practice, women represent for 42% of landowners in the country. Indonesia also has a strong legal framework that guarantees women and men equal rights in terms of citizenship rights, freedom of movement and access to justice. However, an important exception is that unmarried women do not have the same legal rights as unmarried men to confer nationality to their children.

Significant challenges

Discriminatory laws and social norms that confine women to their care and reproductive roles and position men as the breadwinner and decision maker in the family persist in Indonesia. Notably, the Law on Marriage establishes that a married man is the head of the family, and that his spouse has the obligation to take care of the household. In addition, in line with Sharia principles that regulate family matters for Muslims, Muslim women are required to be devoted to their spouse and do not have the same rights to inherit as men. Social norms that confine women to the private sphere and dictate that men should be the breadwinner of the household are widespread. The vast majority of the population believes that men make better political leaders or business executives than women – 72% and 63% of the population, respectively. In addition, 76% of the population thinks that when jobs are scarce, men should have more right to a job than women.

Summary of results for Indonesia

Discrimination in the family	Unit	Value
Laws on child marriage	Score	50
Girl child marriage rate[1]	%	9.3
Boy child marriage rate[1]	%	1.5
Laws on household responsibilities	Score	75
Share of the population that agrees or strongly agrees that "if a woman earns more than her husband, it is a problem"	%	37.6
Share of the population that agrees or strongly agrees that "when a mother works for pay, the children will suffer"	%	11.1
Female-to-male ratio of time spent on unpaid care and domestic work	Ratio	-
Number of hours spent by men on unpaid care and domestic work in a 24-hour period	Hours	-
Number of hours spent by women on unpaid care and domestic work in a 24-hour period	Hours	-
Laws on divorce	Score	100
Laws on inheritance	Score	100
Restricted physical integrity		
Laws on violence against women	Score	25
Share of women who consider a husband to be justified in hitting or beating his wife under certain circumstances	%	20.2
Lifetime intimate-partner violence rate[2]	%	22
12-month intimate-partner violence rate[2]	%	7.5
Laws on female genital mutilation	%	50
Boy-to-girl ratio at birth (natural = 105)[3]	Ratio	105.5
Laws on reproductive autonomy	Score	75
Unmet needs for family planning[4]	%	11.1
Restricted access to productive and financial resources		
Laws on land assets	Score	25
Share of women among landowners	%	41.6
Laws on non-land assets	Score	25
Share of women among house owners	%	42.1
Laws on financial assets	Score	0
Share of women among bank account owners	%	51.2
Laws on workplace rights	Score	0
Share of the population declaring that "when jobs are scarce, men should have more right to a job than women"	%	75.8
Share of the population declaring that "men make better business executives than women do"	%	62.7
Share of women among managers	%	32.4
Share of firms with a woman as top manager	%	22.1
Restricted civil liberties		
Laws on citizenship rights	Score	75
Laws on political voice	Score	0
Share of the population declaring that "men make better political leaders than women do"	%	72.2
Share of women in Parliament (lower chamber)	%	21.9
Laws on freedom of movement	Score	0
Share of women among those who declare not feeling safe walking alone at night in the city or area where they live	%	71.3
Laws on access to justice	Score	0
Share of women among those who declare not having confidence in the judicial system and courts of their country	%	45.8

Note: Scores of legal variables range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination.
1. % of girls/boys aged 15-19 years who have been or are still married, divorced, widowed or in an informal union.
2. % of ever-partnered women and girls who have experienced physical and/or sexual violence by a current or former intimate partner during their lifetime/over the previous 12 months. Population base for lifetime IPV: 15-49 years. Population base for 12-month IPV:15 years and older.
3. A natural boy-to-girl sex ratio at birth is generally estimated to be below 105. A ratio exceeding 105 implies the existence of more boys aged 0-4 than one would expect, indicating a potential phenomenon of son preference resulting in the systemic elimination of new-born girls.
4. % of married or in-union women of reproductive age who want to either stop or delay childbearing but are not using any contraception method.
Source: (OECD Development Centre/OECD, 2023[10]), "Gender, Institutions and Development Database", https://doi.org/10.1787/7b0af638-en.

Notes

[1] The full SIGI Country Profile for Indonesia is available at: OECD Development Centre (2023), "Indonesia SIGI Country Profile", *SIGI 2023 Country Profiles*, OECD, https://oe.cd/sigi-dashboard.

[2] SIGI scores range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination. Levels of discrimination in the SIGI and its dimensions are assessed based on scores as follow: very low [0-20]; low [20-30]; medium [30-40]; high [40-50]; and very high [50-100].

[3] Article 1 of the Law on Human Rights specifically outlines that "discrimination means all limitations, affronts, or ostracism, both direct and indirect, on grounds of differences in religion, group of family, race, ethnicity, group, faction, social status, economic status, sex, language, or political belief, that results in the degradation, aberration, or eradication of recognition, execution, or application of human rights and basic freedoms in individual or collective live in the field of politic, economy, law, social, culture, or any other aspects of life" (Republic of Indonesia, 1999[7]).

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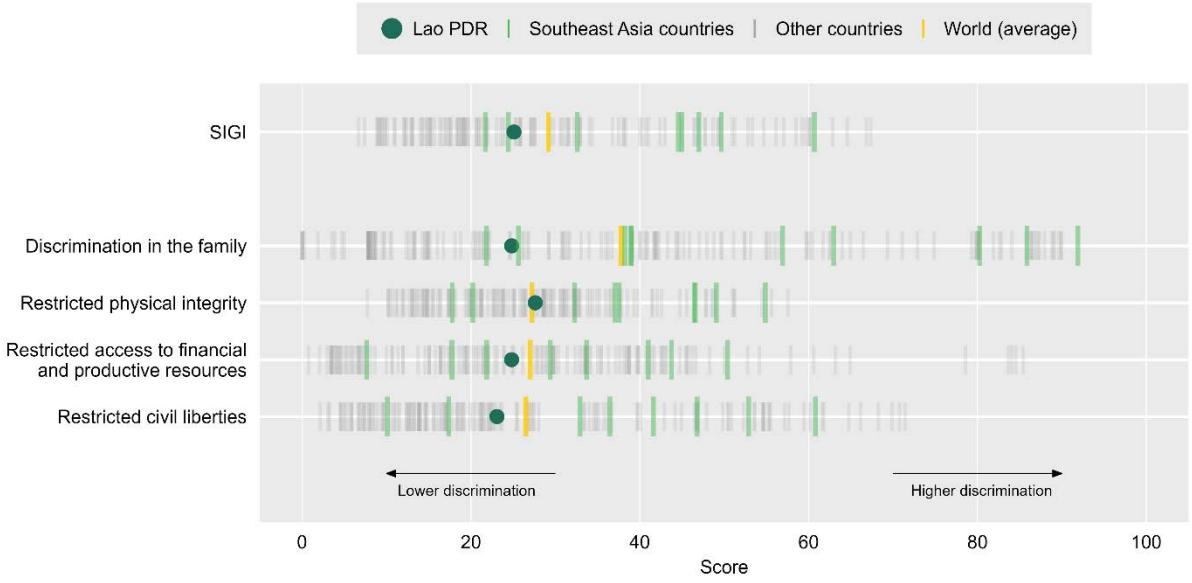
Lao PDR

The state of gender equality in Lao PDR

The SIGI 2023 profile for Lao People's Democratic Republic (hereafter "Lao PDR") provides a comprehensive overview of the state of gender equality in the country, as measured by the OECD's Social Institutions and Gender Index (SIGI).[1] The fifth edition of the SIGI, released in 2023, assesses 140 countries based on the level of gender-based discrimination in their social institutions. These discriminatory social institutions encompass both formal and informal laws, as well as social norms and practices that restrict women's and girls' access to rights, justice, empowerment opportunities and resources, thereby undermining their agency and authority.

SIGI and dimension scores for Lao PDR, 2023



Note: Scores range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination. The Southeast Asia region covers Brunei Darussalam, Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar, the Philippines, Singapore, Thailand, Timor-Leste and Viet Nam.

Source: (OECD, 2023[1]), "Social Institutions and Gender Index (Edition 2023)", *OECD International Development Statistics* (database), https://doi.org/10.1787/33beb96e-en.

In 2023, Lao PDR obtained a SIGI score of 25, denoting low levels of discrimination, compared to an average score of 39 in Southeast Asia, denoting medium levels of discrimination and a world average score of 29.[2] The country obtained a score of 28 in the "Restricted physical integrity" dimension, followed by "Discrimination in the family" (25), "Restricted access to productive and financial resources" (25), and "Restricted civil liberties" (23).

Legislative framework in Lao PDR

The legal system in Lao PDR is based on civil law, with influence from the socialist legal system and traditions of the country's ethnic groups (Council of ASEAN Chief Justices, n.d.[2]). The Constitution of Lao PDR, as amended, recognises the existence of indigenous customary law in the country. Article 8 of the Constitution specifies that "the State pursues the policy of promoting unity and equality among all ethnic groups. All ethnic groups have the right to protect, preserve and promote the fine customs and cultures of their own tribes and of the nation. All acts creating division and discrimination among ethnic groups are prohibited. The State implements every measure to gradually develop and upgrade the socio-economic levels of all ethnic groups" (Lao People's Democratic Republic, 1991[3]). Yet, Article 10 of the Constitution stipulates that "the State governs the society through the provisions of the Constitution and the laws. Party and state organisations, the Lao Front for National Construction, mass organisations, social organisations and all citizens must function within the bounds of the Constitution and the laws" (Lao People's Democratic Republic, 1991[3]).

Articles 8, 9 and 35 of the Constitution, as amended, and Article 8 of the Law on Gender Equality recognise and prohibit multiple and intersectional discrimination – which constitutes an essential element to enhance gender equality (Lao People's Democratic Republic, 1991[3]; Lao People's Democratic Republic, 2019[4]). Lao PDR ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in 1981, without any reservations (United Nations, 1979[5]; United Nations, 2023[6]).

Gender-disaggregated, gender-relevant and intersectional data and indicators are essential to better identify policy areas that have strong linkages with gender. In Lao PDR, there are no applicable legal provisions regulating the production and dissemination of gender statistics.

Positive highlights and significant challenges since the fourth edition of the SIGI

Positive highlights

Laws in Lao PDR grant women and men equal rights in most aspect of their lives. In the private sphere, the legal framework guarantee women's rights in the household, including in terms of divorce and inheritance, and protects girls from child marriage. However, the presence of deeply rooted customary and informal laws, notably among ethnic minority groups, weakens the protection offered by the law and threaten women's rights. In the economic sphere, the law also grants women and men equal rights to own and use key assets such as land or financial instruments. On the practice side, 59% of employees in a managerial position are women, which is more than twice the global average (25%). Finally, in the public and civil sphere, the law also protects women's rights, despite the absence of gender political quotas.

Significant challenges

Despite the protection offered by the law, girl child marriage remains a severe issue in Lao PDR, with 23% of girls aged 15-19 who were or are still married, and 33% of women aged 20-24 who were married or in a union before the age of 18. Moreover, laws insufficiently protect women's physical integrity and contains specific loopholes. For example, the law on rape, although based on the notion of lack of consent, requires proof of physical force. Likewise, abortion is authorised under most circumstances, but not if the pregnancy results from an incest. Finally, in the economic sphere, the law fails to mandate the principle of equal remuneration for work of equal value and does not provide for a paid paternity leave.

Summary of results for Lao PDR

Discrimination in the family	Unit	Value
Laws on child marriage	Score	25
Girl child marriage rate[1]	%	23.5
Boy child marriage rate[1]	%	5.9
Laws on household responsibilities	Score	25
Share of the population that agrees or strongly agrees that if a woman earns more than her husband, it is a problem	%	-
Share of the population that agrees or strongly agrees that when a mother works for pay, the children will suffer	%	-
Female-to-male ratio of time spent on unpaid care and domestic work	Ratio	1.4
Number of hours spent by men on unpaid care and domestic work in a 24-hour period	Hours	2.4
Number of hours spent by women on unpaid care and domestic work in a 24-hour period	Hours	3.3
Laws on divorce	Score	25
Laws on inheritance	Score	25
Restricted physical integrity		
Laws on violence against women	Score	50
Share of women who consider a husband to be justified in hitting or beating his wife under certain circumstances	%	30
Lifetime intimate-partner violence rate[2]	%	19
12-month intimate-partner violence rate[2]	%	6.7
Laws on female genital mutilation	%	25
Boy-to-girl ratio at birth (natural = 105)[3]	Ratio	104.4
Laws on reproductive autonomy	Score	75
Unmet needs for family planning[4]	%	13.7
Restricted access to productive and financial resources		
Laws on land assets	Score	25
Share of women among landowners	%	-
Laws on non-land assets	Score	25
Share of women among house owners	%	-
Laws on financial assets	Score	0
Share of women among bank account owners	%	50.6
Laws on workplace rights	Score	75
Share of the population declaring that when jobs are scarce, men should have more right to a job than women	%	-
Share of the population declaring that men make better business executives than women do	%	-
Share of women among managers	%	59
Share of firms with a woman as top manager	%	43.1
Restricted civil liberties		
Laws on citizenship rights	Score	0
Laws on political voice	Score	50
Share of the population declaring that men make better political leaders than women do	%	-
Share of women in Parliament (lower chamber)	%	22
Laws on freedom of movement	Score	0
Share of women among those who declare not feeling safe walking alone at night in the city or area where they live	%	66.6
Laws on access to justice	Score	25
Share of women among those who declare not having confidence in the judicial system and courts of their country	%	35.2

Note: Scores of legal variables range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination.
1. % of girls/boys aged 15-19 years who have been or are still married, divorced, widowed or in an informal union.
2. % of ever-partnered women and girls who have experienced physical and/or sexual violence by a current or former intimate partner during their lifetime/over the previous 12 months. Population base for lifetime IPV: 15-49 years. Population base for 12-month IPV:15 years and older.
3. A natural boy-to-girl sex ratio at birth is generally estimated to be below 105. A ratio exceeding 105 implies the existence of more boys aged 0-4 than one would expect, indicating a potential phenomenon of son preference resulting in the systemic elimination of new-born girls.
4. % of married or in-union women of reproductive age who want to either stop or delay childbearing but are not using any contraception method.
Source: (OECD Development Centre/OECD, 2023[7]), "Gender, Institutions and Development Database", https://doi.org/10.1787/7b0af638-en.

Notes

[1] The full SIGI Country Profile for Lao PDR is available at: OECD Development Centre (2023), "Lao PDR", *SIGI 2023 Country Profiles*, OECD, https://oe.cd/sigi-dashboard.

[2] SIGI scores range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination. Levels of discrimination in the SIGI and its dimensions are assessed based on scores as follow: very low [0-20]; low [20-30]; medium [30-40]; high [40-50]; and very high [50-100].

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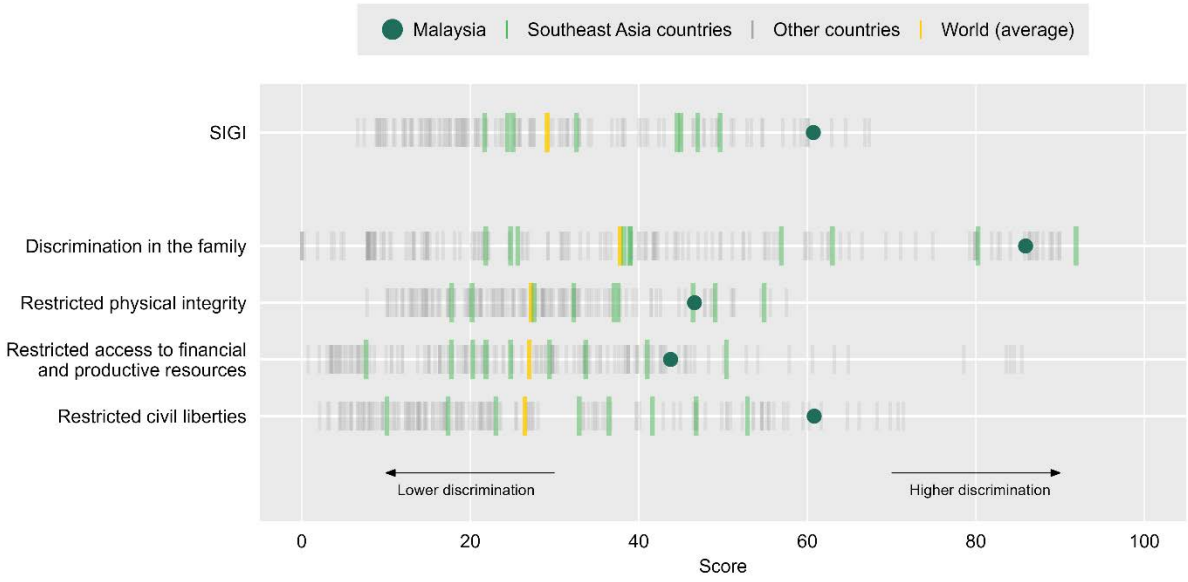
United Nations (1979), *Convention on the Elimination of All Forms of Discrimination Against Women*, https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women. [5]

Malaysia

The state of gender equality in Malaysia

The SIGI 2023 profile for Malaysia provides a comprehensive overview of the state of gender equality in the country, as measured by the OECD's Social Institutions and Gender Index (SIGI).[1] The fifth edition of the SIGI, released in 2023, assesses 140 countries based on the level of gender-based discrimination in their social institutions. These discriminatory social institutions encompass both formal and informal laws, as well as social norms and practices that restrict women's and girls' access to rights, justice, empowerment opportunities and resources, thereby undermining their agency and authority.

SIGI and dimension scores for Malaysia, 2023



Note: Scores range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination. The Southeast Asia region covers Brunei Darussalam, Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar, the Philippines, Singapore, Thailand, Timor-Leste and Viet Nam.
Source: (OECD, 2023[1]), "Social Institutions and Gender Index (Edition 2023)", *OECD International Development Statistics* (database), https://doi.org/10.1787/33beb96e-en.

In 2023, Malaysia obtained a SIGI score of 61, denoting very high levels of discrimination, compared to an average score of 39 in Southeast Asia, denoting medium levels of discrimination and a world average score of 29.[2] The country obtained a score of 86 in the "Discrimination in the family" dimension, followed by "Restricted civil liberties" (61), "Restricted physical integrity" (47) and "Restricted access to productive and financial resources" (44).

Legislative framework in Malaysia

The legal system in Malaysia is a dual system based on common law inherited from the British rule and Islamic religious law based on Sharia law (also known as Syariah in Malaysia) alongside customary law. Article 3(1) of the Federal Constitution of Malaysia of 1957 (Malaysia, 1957[2]), which provides the framework for Malaysia's modern legal system, establishes Islam as the religion of the country, recognising the right of other religion to be practiced. Malaysia's judicial system is characterised by the co-existence of a dual court system with, on the one hand, a federal secular legal system in the form of the civil courts and, on the other hand, religious courts (Syariah courts) for Muslims, which have jurisdictions for all Islamic personal and family matters. Pursuant to Article 121(1A) of the Constitution, civil courts have no jurisdiction in matters that fall within the jurisdiction of Syariah courts (Tew, 2011[3]). Moreover, recognising the existence of Malay customs and other native laws, Article 76(2) of the Constitution prohibits Malaysia's parliament from enacting any law on the customs of the Malay or on the customs or native laws of the states of Sabah and Sarawak. In this context, customary laws (or *adat*)[3] have the force of law in various matters of personal status (for example land-holding and inheritance) (LawTeacher, 2013[4]).

Article 8(2) of the Constitution recognises and prohibits multiple and intersectional discrimination – which constitutes an essential element to enhance gender equality (Malaysia, 1957[2]). Malaysia ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in 1995 but maintains reservations to Articles 9(2), 16(1)(a), 16(1)(c), 16(1)(f) and 16(1)(g), and does not consider itself bound by the provisions of these articles (United Nations, 1979[5]; United Nations, 2023[6]). Malaysia considers that its accession is subject to the understanding that the provisions of the Convention do not conflict with the provisions of the Islamic Sharia law and its Federal Constitution. Malaysia also stipulates that it interprets Article 11 of the Convention as a reference to the prohibition of discrimination on the basis of equality between men and women only.

Gender-disaggregated, gender-relevant and intersectional data and indicators are essential to better identify policy areas that have strong linkages with gender. In Malaysia, there are no applicable legal provisions regulating the production and dissemination of gender statistics.

Positive highlights and significant challenges since the fourth edition of the SIGI

Positive highlights

Malaysia's legal framework grants women the same rights as men in terms of access to non-land assets and financial resources. Moreover, women's financial inclusion is very high and they account for 49% of bank account holders. Reforms passed in 2022 have eliminated discriminatory provisions prohibiting the work of women in certain sectors or during the night. The law also guarantees men and women equal rights to access justice.

Significant challenges

Discriminatory social institutions undermine women's rights and opportunities in many spheres of their lives. In the family sphere, Malaysia's legal framework – notably the Islamic Family Law Act – restricts women's rights to divorce, inherit or being the guardian of their child, and sets the minimum legal age of marriage of girls below 18 years. The law also limits women's control over their own bodies. Although the Penal Code protects women against most forms of violence, abortion remains criminalised and is only permitted to save the pregnant woman's life or if her physical or mental health is in danger. Social norms weaken women's agency in this dimension with 55% of women themselves who consider that domestic violence is acceptable in certain circumstances, compared to an average of 33% in Southeast Asia. Women's economic empowerment is limited by discriminatory provisions in the Employment Act and by attitudes undermining

women's role – 44% of the population believes that men make better business leaders than women. As a result, women only account for 25% of managers and only 33% of Malaysian companies being headed by women. These norms on women's ability to hold decision-making positions are also present in the political sphere with 58% of the population who thinks that men make better political leader than women. Combined with the absence of political quotas at the national and local levels, it translates into women accounting for only 14% of the members of parliament. Finally, the law establishes different rights and requirements for men and women to confer their Malaysian nationality to their spouse or children.

Summary of results for Malaysia

Discrimination in the family	Unit	Value
Laws on child marriage	Score	100
Girl child marriage rate[1]	%	6
Boy child marriage rate[1]	%	5.1
Laws on household responsibilities	Score	75
Share of the population that agrees or strongly agrees that "if a woman earns more than her husband, it is a problem"	%	29.1
Share of the population that agrees or strongly agrees that "when a mother works for pay, the children will suffer"	%	31.2
Female-to-male ratio of time spent on unpaid care and domestic work	Ratio	3.2
Number of hours spent by men on unpaid care and domestic work in a 24-hour period	Hours	1.4
Number of hours spent by women on unpaid care and domestic work in a 24-hour period	Hours	4.6
Laws on divorce	Score	100
Laws on inheritance	Score	100
Restricted physical integrity		
Laws on violence against women	Score	25
Share of women who consider a husband to be justified in hitting or beating his wife under certain circumstances	%	55.3
Lifetime intimate-partner violence rate[2]	%	19
12-month intimate-partner violence rate[2]	%	-
Laws on female genital mutilation	%	75
Boy-to-girl ratio at birth (natural = 105)[3]	Ratio	106.6
Laws on reproductive autonomy	Score	75
Unmet needs for family planning[4]	%	14.5
Restricted access to productive and financial resources		
Laws on land assets	Score	50
Share of women among landowners	%	-
Laws on non-land assets	Score	50
Share of women among house owners	%	-
Laws on financial assets	Score	0
Share of women among bank account owners	%	48.6
Laws on workplace rights	Score	75
Share of the population declaring that "when jobs are scarce, men should have more right to a job than women"	%	47.8
Share of the population declaring that "men make better business executives than women do"	%	44.2
Share of women among managers	%	24.9
Share of firms with a woman as top manager	%	33.2
Restricted civil liberties		
Laws on citizenship rights	Score	100
Laws on political voice	Score	50
Share of the population declaring that "men make better political leaders than women do"	%	58.3
Share of women in Parliament (lower chamber)	%	13.6
Laws on freedom of movement	Score	75
Share of women among those who declare not feeling safe walking alone at night in the city or area where they live	%	67.7
Laws on access to justice	Score	0
Share of women among those who declare not having confidence in the judicial system and courts of their country	%	40.3

Note: Scores of legal variables range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination.
1. % of girls/boys aged 15-19 years who have been or are still married, divorced, widowed or in an informal union.
2. % of ever-partnered women and girls who have experienced physical and/or sexual violence by a current or former intimate partner during their lifetime/over the previous 12 months. Population base for lifetime IPV: 15-49 years. Population base for 12-month IPV:15 years and older.
3. A natural boy-to-girl sex ratio at birth is generally estimated to be below 105. A ratio exceeding 105 implies the existence of more boys aged 0-4 than one would expect, indicating a potential phenomenon of son preference resulting in the systemic elimination of new-born girls.
4. % of married or in-union women of reproductive age who want to either stop or delay childbearing but are not using any contraception method.
Source: (OECD Development Centre/OECD, 2023[7]), "Gender, Institutions and Development Database", https://doi.org/10.1787/7b0af638-en.

Notes

[1] The full SIGI Country Profile for Malaysia is available at: OECD Development Centre (2023), "Malaysia SIGI Country Profile", *SIGI 2023 Country Profiles*, OECD, https://oe.cd/sigi-dashboard.

[2] SIGI scores range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination. Levels of discrimination in the SIGI and its dimensions are assessed based on scores as follow: very low [0-20]; low [20-30]; medium [30-40]; high [40-50]; and very high [50-100].

[3] Customary laws in Malaysia (also known as *adat* in Malay) comprise four main categories: *Adat Pepatih*, *Adat Temenggong*, *Iban* customary laws and *Dusun* customary laws. *Adat Pepatih* is limited to the state of Negeri Sembilan in West Malaysia. *Adat Temenggong* is based on Islamic principles and is applicable to all states in West Malaysia, except Negeri Sembilan. *Iban* and *Dusun* customary laws are only applicable to the respective states of Sarawak and Sabah in East Malaysia.

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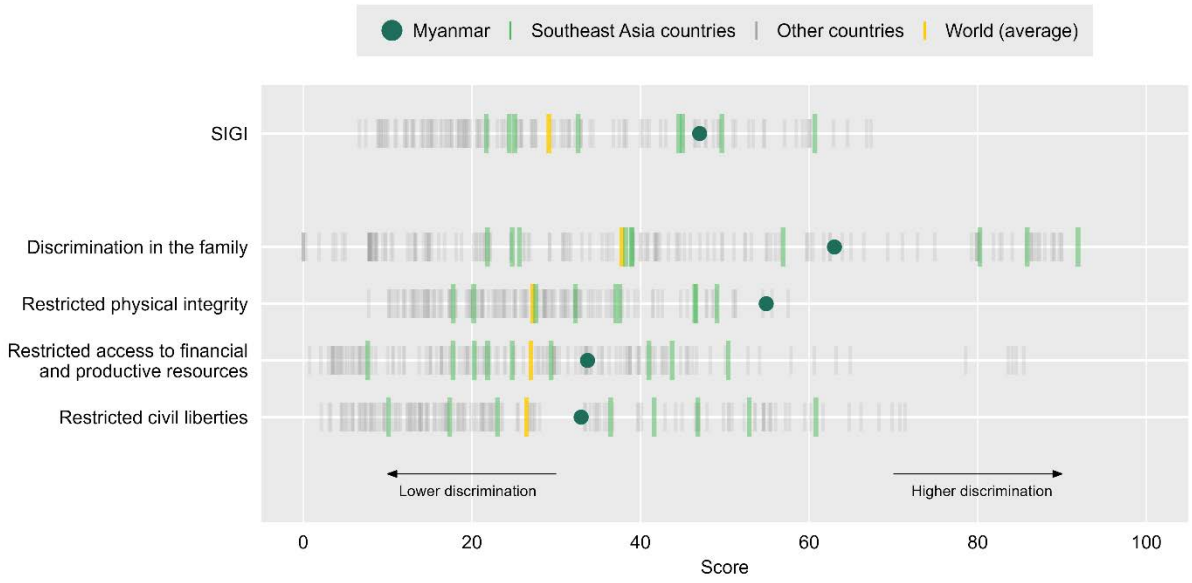
United Nations (1979), *Convention on the Elimination of All Forms of Discrimination Against Women*, https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women. [5]

Myanmar

The state of gender equality in Myanmar

The SIGI 2023 profile for Myanmar provides a comprehensive overview of the state of gender equality in the country, as measured by the OECD's Social Institutions and Gender Index (SIGI).[1] The fifth edition of the SIGI, released in 2023, assesses 140 countries based on the level of gender-based discrimination in their social institutions. These discriminatory social institutions encompass both formal and informal laws, as well as social norms and practices that restrict women's and girls' access to rights, justice, empowerment opportunities and resources, thereby undermining their agency and authority.

SIGI and dimension scores for Myanmar, 2023



Note: Scores range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination. The Southeast Asia region covers Brunei Darussalam, Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar, the Philippines, Singapore, Thailand, Timor-Leste and Viet Nam.
Source: (OECD, 2023[1]), "Social Institutions and Gender Index (Edition 2023)", *OECD International Development Statistics* (database), https://doi.org/10.1787/33beb96e-en.

In 2023, Myanmar obtained a SIGI score of 47, denoting high levels of discrimination, compared to an average score of 39 in Southeast Asia, denoting medium levels of discrimination, and a world average score of 29.[2] The country obtained a score of 63 in the "Discrimination in the family" dimension, followed by "Restricted physical integrity" (55), "Restricted access to productive and financial resources" (34) and "Restricted civil liberties" (33).

Legislative framework in Myanmar

The legal system in Myanmar is a mixed system based on common law – inherited from the British colonisation – customary law and post-independence Burmese legislation (Proelium Law LLP, n.d.[2]). Section 198 of the Constitution (Republic of the Union of Myanmar, 2008[3]), as amended, provides that the Constitution prevails over any other law that may be inconsistent with any of its provisions. In addition, Section 13(1) of the Burma Laws Act (Government of Burma, 1898[4]) recognises the different religions of the country and provides that for succession, inheritance or marriage matters, the relevant religious laws apply – such as Buddhists, Christians, Muslims or Hindus.[3]

Section 348 of the Constitution (Republic of the Union of Myanmar, 2008[3]) recognises and prohibits multiple and intersectional discrimination – which constitutes an essential element to enhance gender equality. Myanmar ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in 1997, but holds reservations on Article 29 regarding the inter-State dispute procedure (United Nations, 1979[5]; United Nations, 2023[6]). Gender-disaggregated, gender-relevant and intersectional data are essential to better identify policy areas that have strong linkages with gender. In Myanmar, there are no applicable legal provisions regulating the production and dissemination of gender statistics.

Positive highlights and significant challenges since the fourth edition of the SIGI

Positive highlights

The law in Myanmar grants women the same rights as men in several spheres of their lives, although specific legislations may apply to distinct groups of the population, undermining certain women's rights. The law notably guarantees women and men equal rights to own and use financial assets. Likewise, Myanmar has a relatively strong legal framework that guarantees women and men equal rights terms of citizenship rights and access to justice. Finally, in 2017, the legislation set the minimum legal age of marriage at 18 years. These legal advances have translated into some modest practical gains. Girl child marriage has decreased to reach 13%, and the share of women having experienced domestic violence during the last 12 months has fallen to 9%. Although women's representation in economic spheres has not attained parity yet, it is relatively high. In 2023, 36% of managers were women and 41% of companies were headed by women.

Significant challenges

Pursuant to Section 13(1) of the Burma Laws Act (Government of Burma, 1898[4]), marriage and family affairs – including divorce, inheritance and the administration of assets within the family – are regulated by religious laws, which establish different rules for women depending on their faith or ethnicity. These coexisting rules regulating family matters weaken the legislation and introduce distinct provisions under which women may not necessarily have the same rights as men. Legal loopholes and discriminatory provisions in the Penal Code also pose a threat to women's physical integrity. Most notably, the law fails to criminalise domestic violence, does not prohibit marital rape, and only allows abortion if it is necessary to save the life of the pregnant woman.

Discriminatory social norms prevail in Myanmar when it comes to expected gender roles in society. For example, 56% of the population thinks that if a woman earns more than her husband, it is almost certain to cause problems, and 55% agrees that children will suffer if the mother has a paid job outside the home. These norms on social roles are also present in the public sphere – 70% of the country's population believes that men make better political leaders than women. This is reflected in practice, with women accounting for only 17% of the members of parliament, compared to an average of 22% in Southeast Asia and a world average of 27%.

Summary of results for Myanmar

Discrimination in the family	Unit	Value
Laws on child marriage	Score	50
Girl child marriage rate[1]	%	12.6
Boy child marriage rate[1]	%	5
Laws on household responsibilities	Score	25
Share of the population that agrees or strongly agrees that "if a woman earns more than her husband, it is a problem"	%	56.2
Share of the population that agrees or strongly agrees that "when a mother works for pay, the children will suffer"	%	54.6
Female-to-male ratio of time spent on unpaid care and domestic work	Ratio	-
Number of hours spent by men on unpaid care and domestic work in a 24-hour period	Hours	-
Number of hours spent by women on unpaid care and domestic work in a 24-hour period	Hours	-
Laws on divorce	Score	75
Laws on inheritance	Score	100
Restricted physical integrity		
Laws on violence against women	Score	75
Share of women who consider a husband to be justified in hitting or beating his wife under certain circumstances	%	14.4
Lifetime intimate-partner violence rate[2]	%	19
12-month intimate-partner violence rate[2]	%	8.7
Laws on female genital mutilation	%	100
Boy-to-girl ratio at birth (natural = 105)[3]	Ratio	105.9
Laws on reproductive autonomy	Score	75
Unmet needs for family planning[4]	%	13.7
Restricted access to productive and financial resources		
Laws on land assets	Score	25
Share of women among landowners	%	50.2
Laws on non-land assets	Score	25
Share of women among house owners	%	49.7
Laws on financial assets	Score	0
Share of women among bank account owners	%	48.9
Laws on workplace rights	Score	100
Share of the population declaring that "when jobs are scarce, men should have more right to a job than women"	%	81.6
Share of the population declaring that "men make better business executives than women do"	%	69.4
Share of women among managers	%	35.7
Share of firms with a woman as top manager	%	41.1
Restricted civil liberties		
Laws on citizenship rights	Score	25
Laws on political voice	Score	50
Share of the population declaring that "men make better political leaders than women do"	%	69.9
Share of women in Parliament (lower chamber)	%	16.8
Laws on freedom of movement	Score	50
Share of women among those who declare not feeling safe walking alone at night in the city or area where they live	%	51.6
Laws on access to justice	Score	25
Share of women among those who declare not having confidence in the judicial system and courts of their country	%	48

Note: Scores of legal variables range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination.
1. % of girls/boys aged 15-19 years who have been or are still married, divorced, widowed or in an informal union.
2. % of ever-partnered women and girls who have experienced physical and/or sexual violence by a current or former intimate partner during their lifetime/over the previous 12 months. Population base for lifetime IPV: 15-49 years. Population base for 12-month IPV:15 years and older.
3. A natural boy-to-girl sex ratio at birth is generally estimated to be below 105. A ratio exceeding 105 implies the existence of more boys aged 0-4 than one would expect, indicating a potential phenomenon of son preference resulting in the systemic elimination of new-born girls.
4. % of married or in-union women of reproductive age who want to either stop or delay childbearing but are not using any contraception method.
Source: (OECD Development Centre/OECD, 2023[7]), "Gender, Institutions and Development Database", https://doi.org/10.1787/7b0af638-en.

Notes

[1] The full SIGI Country Profile for Myanmar is available at: OECD Development Centre (2023), "Myanmar SIGI Country Profile", *SIGI 2023 Country Profiles*, OECD, https://oe.cd/sigi-dashboard.

[2] SIGI scores range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination. Levels of discrimination in the SIGI and its dimensions are assessed based on scores as follow: very low [0-20]; low [20-30]; medium [30-40]; high [40-50]; and very high [50-100].

[3] The majority of the Burmese population is Buddhist. Among ethnic minorities, such as the Kachins, Chins or Karens, Christianity is the main religion. See (Moe, 2019[8]).

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Philippines

The state of gender equality in the Philippines

The SIGI 2023 profile for the Philippines provides a comprehensive overview of the state of gender equality in the country, as measured by the OECD's Social Institutions and Gender Index (SIGI).[1] The fifth edition of the SIGI, released in 2023, assesses 140 countries based on the level of gender-based discrimination in their social institutions. These discriminatory social institutions encompass both formal and informal laws, as well as social norms and practices that restrict women's and girls' access to rights, justice, empowerment opportunities and resources, thereby undermining their agency and authority.

SIGI and dimension scores for the Philippines, 2023

Note: Scores range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination. The Southeast Asia region covers Brunei Darussalam, Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar, the Philippines, Singapore, Thailand, Timor-Leste and Viet Nam.
Source: (OECD, 2023[1]), "Social Institutions and Gender Index (Edition 2023)", *OECD International Development Statistics* (database), https://doi.org/10.1787/33beb96e-en.

In 2023, the Philippines obtained a SIGI score of 50, denoting high levels of discrimination, compared to an average score of 39 in Southeast Asia, denoting medium levels of discrimination, and a world average score of 29.[2] The country obtained a score of 57 in the "Discrimination in the family" dimension, followed by "Restricted access to productive and financial resources" (50), "Restricted physical integrity" (49), and "Restricted civil liberties" (42).

Legislative framework in the Philippines

The Philippines' legal system is a mixture of civil law and common law, derived from the successive periods of colonisation of Spain and the United States, together with the presence of indigenous customary law and a separate and distinct Muslim legal system for the Muslim minority (Council of ASEAN Chief Justice, n.d.[2]). Article XII, Section 5 of the Constitution (Republic of the Philippines, 1987[3]), as amended, recognises the existence of indigenous customary law in the country and specifically refers to its applicability in relation to property rights and to determining ownership and the extent of ancestral domain. Additionally, the Code of Muslim Personal Laws (Republic of the Philippines, 1977[4]), as amended, recognises and codifies the system of Philippines' Muslim personal laws. Section 3 of the Code of Muslim Personal Laws stipulates that in case of conflict between the provisions of the Code and laws of general application, the provisions of the Code prevail.

Article III of the Constitution recognises and prohibits multiple and intersectional discrimination – which constitutes an essential element to enhance gender equality. The Philippines ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in 1981 without any reservations (United Nations, 1979[5]; United Nations, 2023[6]).

Gender-disaggregated, gender-relevant and intersectional data and indicators are essential to better identify policy areas that have strong linkages with gender. In the Philippines, there are applicable legal provisions regulating the production and dissemination of gender statistics. For instance, the Magna Carta of Women (Republic of the Philippines, 2009[7]), as amended, establishes the Commission on Human Rights which, together with the Philippine Commission on Women (PCW) and other state agencies, is notably in charge of overseeing the development of indicators and guidelines to fulfil its duties related to women's human rights, including the right to non-discrimination (Chapter VI, Section 39). The Magna Carta of Women also mandates that all public institutions develop and maintain a Gender and Development (GAD) database containing gender statistics and sex-disaggregated data that have been systematically gathered, regularly updated, and subjected to gender analysis for planning, programming, and policy formulation (Chapter VI, Section 36(c)).

Positive highlights and significant challenges since the fourth edition of the SIGI

Positive highlights

The Philippines have a strong legal framework that guarantees women and men equal rights in certain aspects of their lives, although the coexistence of specific legislations which applies to distinct groups of the population may weaken certain women's rights (see below). The law notably guarantees women and men equal rights in terms of freedom of movement, access to justice and political voice, although the absence of quotas and the prevalence of discriminatory attitudes towards women's political leadership limit women's political representation in parliament. In the economic sphere, laws guarantee women and men equal rights, prohibiting discrimination in employment in the basis of sex and mandating equal remuneration for work of equal value. Although attitudes continue to undermine women's economic empowerment – 69% of the population believes that men should have more right to a job than women and 43% think that men make better business leaders than women – the strong legal framework translates into a high representation of women in economic decision-making positions. In 2023, 53% of managers were women and 30% of companies were headed by women. In the family sphere, the equal rights granted by the general legislation are often undermined by the presence of a parallel Code of Muslim Personal Laws. However, the Philippines have taken steps to address the potential legal loopholes and to eliminate discriminatory provisions. For instance, the enactment of the "Prohibition of Child Marriage Law" in 2021 set the minimum legal age for marriage at 18 years for all girls and boys without any exceptions and across the entire legislation.

Significant challenges

Discriminatory social institutions undermine women's rights and opportunities in many spheres of their lives. In the Philippines, distinct legislations regulate family and marriage matters – including divorce, inheritance or the administration of assets within the household – for Muslim and non-Muslim individuals. Both systems contain provisions that weaken women's rights. For instance, the Family Code, which regulates marriage and family affairs for non-Muslim individuals, contains discriminatory provisions that restrict a woman's right to be the legal guardian of her child or that limit a married woman's right to equally administer land assets and properties of the household. Likewise, the Code of Muslim Personal Laws, which governs marriage and family affairs for Muslim individuals, contains discriminatory provisions that limit a woman's guardianship over her child, that grant men more rights to divorce, that establish a waiting period for women to remarry following a divorce, that grant male heirs larger shares of inheritance compared to female heirs, and that prevent a woman from working without the consent of her spouse.

The legal framework also fails to fully protect women's physical integrity and to guarantee them control and autonomy over their body. For instance, the law continues to provide for reduced penalties in cases of "honour crimes", perpetrators of rape can avoid prosecution if they marry the victim/survivor, and abortion is criminalised under all circumstances, even if the pregnant woman's life is at risk.

Summary of results for the Philippines

Discrimination in the family	Unit	Value
Laws on child marriage	Score	25
Girl child marriage rate[1]	%	8.5
Boy child marriage rate[1]	%	4.8
Laws on household responsibilities	Score	75
Share of the population that agrees or strongly agrees that "if a woman earns more than her husband, it is a problem"	%	27.4
Share of the population that agrees or strongly agrees that "when a mother works for pay, the children will suffer"	%	46.5
Female-to-male ratio of time spent on unpaid care and domestic work	Ratio	-
Number of hours spent by men on unpaid care and domestic work in a 24-hour period	Hours	-
Number of hours spent by women on unpaid care and domestic work in a 24-hour period	Hours	-
Laws on divorce	Score	75
Laws on inheritance	Score	50
Restricted physical integrity		
Laws on violence against women	Score	75
Share of women who consider a husband to be justified in hitting or beating his wife under certain circumstances	%	53.6
Lifetime intimate-partner violence rate[2]	%	14
12-month intimate-partner violence rate[2]	%	4.9
Laws on female genital mutilation	%	50
Boy-to-girl ratio at birth (natural = 105)[3]	Ratio	107.3
Laws on reproductive autonomy	Score	100
Unmet needs for family planning[4]	%	15.4
Restricted access to productive and financial resources		
Laws on land assets	Score	75
Share of women among landowners	%	-
Laws on non-land assets	Score	75
Share of women among house owners	%	-
Laws on financial assets	Score	0
Share of women among bank account owners	%	44
Laws on workplace rights	Score	50
Share of the population declaring that "when jobs are scarce, men should have more right to a job than women"	%	69.1
Share of the population declaring that "men make better business executives than women do"	%	43.3
Share of women among managers	%	53
Share of firms with a woman as top manager	%	29.9
Restricted civil liberties		
Laws on citizenship rights	Score	100
Laws on political voice	Score	0
Share of the population declaring that "men make better political leaders than women do"	%	56.5
Share of women in Parliament (lower chamber)	%	27.3
Laws on freedom of movement	Score	0
Share of women among those who declare not feeling safe walking alone at night in the city or area where they live	%	55.6
Laws on access to justice	Score	0
Share of women among those who declare not having confidence in the judicial system and courts of their country	%	49.3

Note: Scores of legal variables range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination.
1. % of girls/boys aged 15-19 years who have been or are still married, divorced, widowed or in an informal union.
2. % of ever-partnered women and girls who have experienced physical and/or sexual violence by a current or former intimate partner during their lifetime/over the previous 12 months. Population base for lifetime IPV: 15-49 years. Population base for 12-month IPV:15 years and older.
3. A natural boy-to-girl sex ratio at birth is generally estimated to be below 105. A ratio exceeding 105 implies the existence of more boys aged 0-4 than one would expect, indicating a potential phenomenon of son preference resulting in the systemic elimination of new-born girls.
4. % of married or in-union women of reproductive age who want to either stop or delay childbearing but are not using any contraception method.
Source: (OECD Development Centre/OECD, 2023[8]), "Gender, Institutions and Development Database", https://doi.org/10.1787/7b0af638-en.

Notes

[1] The full SIGI Country Profile for the Philippines is available at: OECD Development Centre (2023), "Philippines SIGI Country Profile", *SIGI 2023 Country Profiles*, OECD, https://oe.cd/sigi-dashboard.

[2] SIGI scores range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination. Levels of discrimination in the SIGI and its dimensions are assessed based on scores as follow: very low [0-20]; low [20-30]; medium [30-40]; high [40-50]; and very high [50-100].

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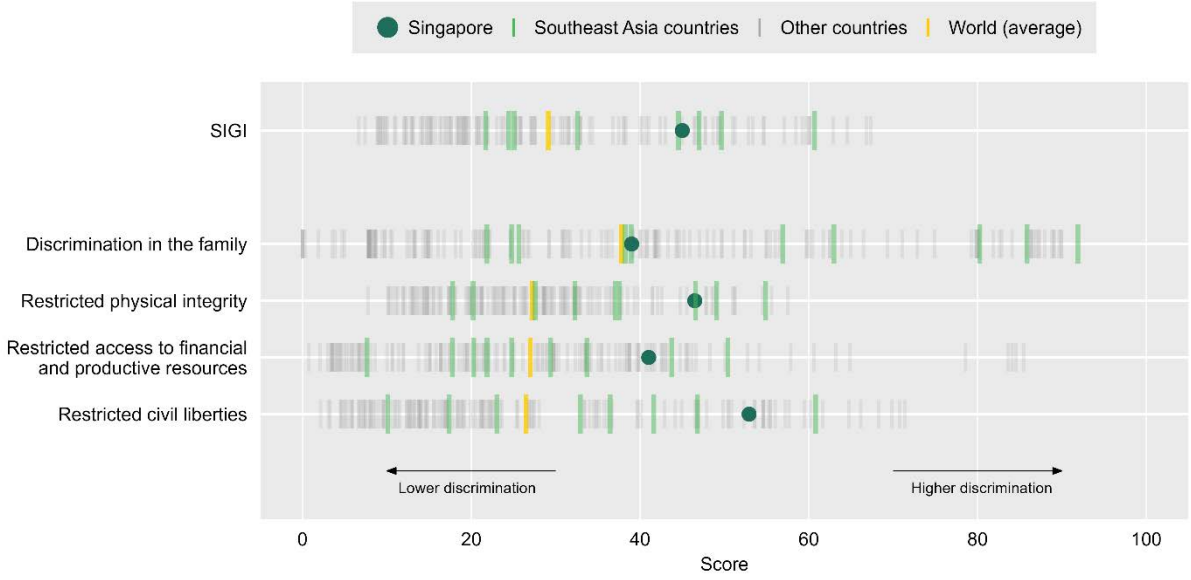
Singapore

The state of gender equality in Singapore

The SIGI 2023 profile for Singapore provides a comprehensive overview of the state of gender equality in the country, as measured by the OECD's Social Institutions and Gender Index (SIGI).[1] The fifth edition of the SIGI, released in 2023, assesses 140 countries based on the level of gender-based discrimination in their social institutions. These discriminatory social institutions encompass both formal and informal laws, as well as social norms and practices that restrict women's and girls' access to rights, justice, empowerment opportunities and resources, thereby undermining their agency and authority.

SIGI and dimension scores for Singapore, 2023



Note: Scores range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination. The Southeast Asia region covers Brunei Darussalam, Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar, the Philippines, Singapore, Thailand, Timor-Leste and Viet Nam.
Source: (OECD, 2023[1]), "Social Institutions and Gender Index (Edition 2023)", *OECD International Development Statistics* (database), https://doi.org/10.1787/33beb96e-en.

In 2023, Singapore obtained a SIGI score of 45, denoting high levels of discrimination, compared to an average score of 39 in Southeast Asia, denoting medium levels of discrimination, and a world average score of 29.[2] The country obtained a score of 53 in the "Restricted civil liberties" dimension, followed by "Restricted physical integrity" (46), "Restricted access to productive and financial resources" (41) and "Discrimination in the family" (39).

Legislative framework in Singapore

The legal system of Singapore is based on common law, but Article 153 of the Constitution (Republic of Singapore, 1965[2]), as amended, provides that the legislature shall make provisions to regulate Muslims' religious affairs. Sharia law (also known as *Syariah* in Singapore) is administered by the Administration of Muslim Law Act (or AMLA). Section 3 of the Administration of Muslim Law Act (Republic of Singapore, 1966[3]), as amended, establishes the Majlis Ugama Islam, also known as the Islamic Religious Council of Singapore, to advise the President on matters relating to the Muslim religion and entrusts it with the function of administering Muslim law in specific personal legal matters governing marriages, divorces, annulment of marriages, judicial separations, among others. Moreover, Article 2 of the Constitution addresses the presence of customary law in the country and Article 152 stipulates the responsibility of the government on caring for the interests of the racial and religious minorities. Article 152 specifically recognises the special position of the Malays, the indigenous people of Singapore, as well as the State's responsibility to protect and support their political, educational, religious, economic, social, and cultural interests.

Articles 12 and 16 of the Constitution of the Republic of the Singapore recognises and prohibits multiple and intersectional discrimination – which constitutes an essential element to enhance gender equality. Singapore ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in 1995 but expresses reservations on Articles 2(a) to 2(f), 16(1)(a), 16(1)(c), 16(1)(h), 16(2) and 29(1) on the basis that compliance with these provisions would be contrary to Singapore's religious or personal laws (United Nations, 1979[4]; United Nations, 2023[5]). Specifically, Article 2 covers the incorporation of the principle of equality between men and women in the Constitution and other appropriate legislations, as well as the elimination of any existing legal discrimination, and Article 16 covers equality in marriage and family life. Moreover, Singapore expresses reservations on Article 11, on eliminating discrimination against women in the field of employment, considering it unnecessary for the minority of women who do not fall within the ambit of Singapore's employment legislation.

Gender-disaggregated, gender-relevant and intersectional data and indicators are essential to better identify policy areas that have strong linkages with gender. In Singapore, there are no applicable legal provisions regulating the production and dissemination of gender statistics.

Positive highlights and significant challenges since the fourth edition of the SIGI

Positive highlights

The law in Singapore generally grants women the same rights as men, although specific legislations may apply to distinct groups of the population, undermining certain women's rights (see below). The law notably guarantees women and men equal rights to own and use financial assets, which translates into an extremely high financial inclusion of both men and women. Likewise, Singapore has a strong legal framework that guarantees women and men equal rights in terms of access to justice and freedom of movement. Additionally, abortion is legal and accessible without restriction with the written consent of the pregnant woman. Concrete practical gains have also been made. Girl child marriage has been virtually eliminated, and the share of women who have experienced domestic violence during the last 12 months has fallen to 2%. Although women's representation in economic and political spheres has not attained parity yet, it has increased. In 2023, 37% of managers and 29% of the members of parliament were women.

Significant challenges

Discriminatory social institutions continue to undermine women's rights and opportunities in certain spheres of their lives. In Singapore, distinct legislations regulating family and marriage matters – including divorce, inheritance or the administration of assets within the household – apply to different groups of the

population, with varying levels of gender-based discrimination. For instance, the Administration of Muslim Laws Act contains discriminatory provisions that restrict Muslim women's rights to file for divorce and to inherit on equal grounds as men. Legal loopholes also put women's physical integrity and reproductive rights at risk. For instance, female genital mutilation and cutting (FGM/C) is not prohibited and the legal framework on violence against women does not comprehensively protect women and girls, failing to criminalise marital rape or to include sexual and economic abuse in the definition of domestic violence. Moreover, the law does not prohibit sex-based discrimination in employment and fails to mandate equal remuneration for equal work nor equal remuneration for work of equal value. Finally, rules to retain and confer citizenship through marriage differ for married men and women.

Summary of results for Singapore

Discrimination in the family	Unit	Value
Laws on child marriage	Score	50
Girl child marriage rate[1]	%	0.4
Boy child marriage rate[1]	%	0.1
Laws on household responsibilities	Score	25
Share of the population that agrees or strongly agrees that "if a woman earns more than her husband, it is a problem"	%	21.5
Share of the population that agrees or strongly agrees that "when a mother works for pay, the children will suffer"	%	35.6
Female-to-male ratio of time spent on unpaid care and domestic work	Ratio	-
Number of hours spent by men on unpaid care and domestic work in a 24-hour period	Hours	-
Number of hours spent by women on unpaid care and domestic work in a 24-hour period	Hours	-
Laws on divorce	Score	50
Laws on inheritance	Score	50
Restricted physical integrity		
Laws on violence against women	Score	50
Share of women who consider a husband to be justified in hitting or beating his wife under certain circumstances	%	13.8
Lifetime intimate-partner violence rate[2]	%	11
12-month intimate-partner violence rate[2]	%	2
Laws on female genital mutilation	%	100
Boy-to-girl ratio at birth (natural = 105)[3]	Ratio	107.3
Laws on reproductive autonomy	Score	0
Unmet needs for family planning[4]	%	9.7
Restricted access to productive and financial resources		
Laws on land assets	Score	50
Share of women among landowners	%	-
Laws on non-land assets	Score	50
Share of women among house owners	%	-
Laws on financial assets	Score	0
Share of women among bank account owners	%	47.4
Laws on workplace rights	Score	75
Share of the population declaring that "when jobs are scarce, men should have more right to a job than women"	%	27.9
Share of the population declaring that "men make better business executives than women do"	%	23.4
Share of women among managers	%	37.2
Share of firms with a woman as top manager	%	-
Restricted civil liberties		
Laws on citizenship rights	Score	100
Laws on political voice	Score	50
Share of the population declaring that "men make better political leaders than women do"	%	31
Share of women in Parliament (lower chamber)	%	29.1
Laws on freedom of movement	Score	0
Share of women among those who declare not feeling safe walking alone at night in the city or area where they live	%	84.1
Laws on access to justice	Score	0
Share of women among those who declare not having confidence in the judicial system and courts of their country	%	48.4

Note: Scores of legal variables range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination.
1. % of girls/boys aged 15-19 years who have been or are still married, divorced, widowed or in an informal union.
2. % of ever-partnered women and girls who have experienced physical and/or sexual violence by a current or former intimate partner during their lifetime/over the previous 12 months. Population base for lifetime IPV: 15-49 years. Population base for 12-month IPV:15 years and older.
3. A natural boy-to-girl sex ratio at birth is generally estimated to be below 105. A ratio exceeding 105 implies the existence of more boys aged 0-4 than one would expect, indicating a potential phenomenon of son preference resulting in the systemic elimination of new-born girls.
4. % of married or in-union women of reproductive age who want to either stop or delay childbearing but are not using any contraception method.
Source: (OECD Development Centre/OECD, 2023[6]), "Gender, Institutions and Development Database", https://doi.org/10.1787/7b0af638-en.

Notes

[1] The full SIGI Country Profile for Singapore is available at: OECD Development Centre (2023), "Singapore SIGI Country Profile", *SIGI 2023 Country Profiles*, OECD, https://oe.cd/sigi-dashboard.

[2] SIGI scores range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination. Levels of discrimination in the SIGI and its dimensions are assessed based on scores as follow: very low [0-20]; low [20-30]; medium [30-40]; high [40-50]; and very high [50-100].

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OECD (2023), "Social Institutions and Gender Index (Edition 2023)", *OECD International Development Statistics* (database), https://doi.org/10.1787/33beb96e-en (accessed on 10 January 2024). [1]

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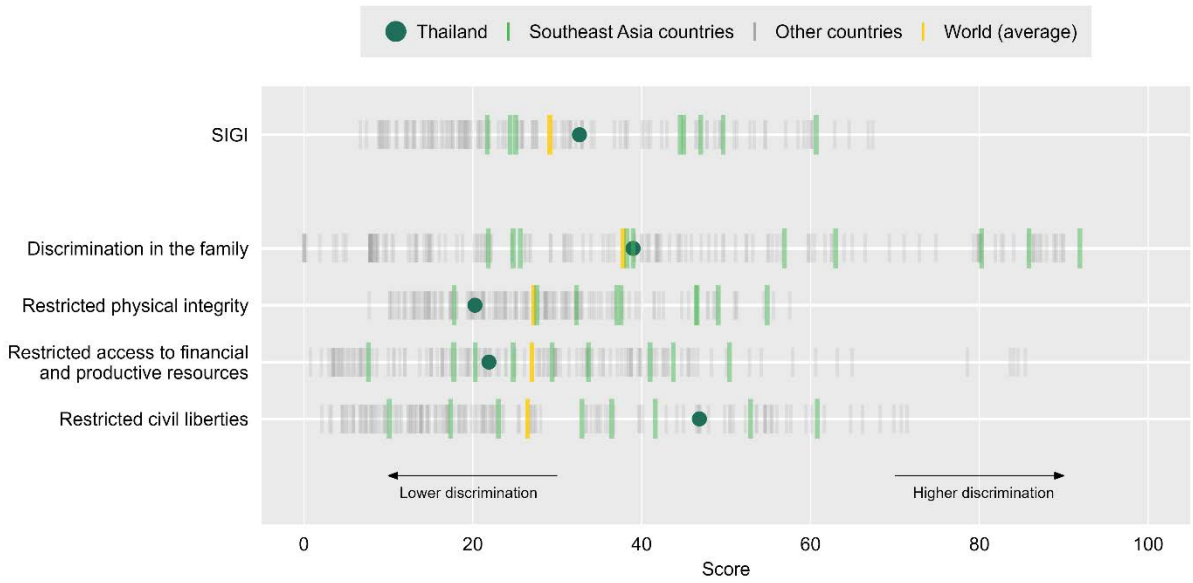
United Nations (1979), *Convention on the Elimination of All Forms of Discrimination Against Women*, https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women. [4]

Thailand

The state of gender equality in Thailand

The SIGI 2023 profile for Thailand provides a comprehensive overview of the state of gender equality in the country, as measured by the OECD's Social Institutions and Gender Index (SIGI).[1] The fifth edition of the SIGI, released in 2023, assesses 140 countries based on the level of gender-based discrimination in their social institutions. These discriminatory social institutions encompass both formal and informal laws, as well as social norms and practices that restrict women's and girls' access to rights, justice, empowerment opportunities and resources, thereby undermining their agency and authority.

SIGI and dimension scores for Thailand 2023



Note: Scores range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination. The Southeast Asia region covers Brunei Darussalam, Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar, the Philippines, Singapore, Thailand, Timor-Leste and Viet Nam.
Source: (OECD, 2023[1]), "Social Institutions and Gender Index (Edition 2023)", *OECD International Development Statistics* (database), https://doi.org/10.1787/33beb96e-en.

In 2023, Thailand obtained a SIGI score of 33, denoting medium levels of discrimination, compared to an average score of 39 in Southeast Asia, denoting medium levels of discrimination, and a world average score of 29.[2] The country obtained a score of 47 in the "Restricted civil liberties" dimension, followed by "Discrimination in the family" (39), "Restricted access to productive and financial resources" (22) and "Restricted physical integrity" (20).

Legislative framework in Thailand

The legal system of Thailand is based on civil law, with some roots tracing back to the ancient Hindu Code of Manu, which was modified to conform to local custom (University of Melbourne, 2023[2]). However, Section 3 of the Act on the Application of Islamic Law in Areas of Pattani, Narathiwat, Yala and Satun allows the practice of Sharia as a special legal process outside the national Civil Code for Muslim residents of the four southernmost provinces of the country, near the Malaysian border (Pattani, Narathiwat, Yala, and Satun Changwat) (Kingdom of Thailand, 1946[3]; United States Department of State, 2022[4]). In these regions and in Courts of first instance, when both parties are Muslims, Islamic law pertaining to family and succession takes precedence over the provisions of the Civil and Commercial Code concerning these matters.

Section 27 of the Constitution of Thailand recognises and prohibits multiple and intersectional discrimination – an essential provision to enhance gender equality from a legal perspective. Moreover, Thailand ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in 1985, but expressed reservations on Article 29(1) regarding the inter-State dispute procedure (United Nations, 1979[5]; United Nations, 2023[6]).

Gender-disaggregated, gender-relevant and intersectional data and indicators are essential to better identify policy areas that have strong linkages with gender. In Thailand, there are applicable legal provisions regulating the production and dissemination of gender statistics. Gender is one of the 21 categories for which data is mandated under Thailand's Statistical Act. The government gathers gender-disaggregated data through various means, including the census and additional surveys such as the Labour Force Survey, the Income Expenditure Survey, the Multiple Indicators Cluster Survey, and the Elderly Survey. The Bureau of Registration Administration, within the Department of Provincial Administration, has also created a national database which contains data categorised by gender and enables users to gain improved insights into the intersection of gender equality with other factors, such as disability (Nicol, Guven and Pennisi, 2021[7]).

Positive highlights and significant challenges since the fourth edition of the SIGI

Positive highlights

The law in Thailand tends to guarantee men and women equal rights in most aspects of their lives. For instance, within the family, the law grants women and men equal rights to be the legal guardian of their child, to file for divorce, to inherit and to be considered as the head of the household or the family – with the exception of Muslim women in certain parts of the country. In the economic sphere, the law grants women the same rights as men to own and use land and non-land assets as well as financial services, which translates into a small gender gap in bank account ownership – women represent 51% of bank account holders. Finally, women and men enjoy equal rights to apply for national identity cards and passports, and to travel in- and outside the country.

Significant challenges

Discriminatory social institutions continue to undermine women's rights and opportunities in specific spheres of their lives. The minimum legal age of marriage stands at 17 for both girls and boys, with exceptions permitting marriages prior to reaching the minimum legal age. Consequently, approximately 20% of women in the country aged 20-24 have entered into marriage or a union before turning 18. The application of Islamic law for family and inheritance matters in four states located in the south of Thailand also creates discrepancies between non-Muslim and Muslim women in the country. Moreover, the law does not comprehensively protect women from all forms of violence and allows for removal of legal

punishments in certain cases of rape if the perpetrator marries the victim. In this context, 24% of women aged 15-49 years report having suffered intimate-partner violence at least once during their lifetime. In the economic sphere, the law restricts women's ability to enter certain professions. Discriminatory attitudes and traditional gender roles further undermine women's economic empowerment. For instance, 39% of the population agrees that when a mother works, the children suffer, and women spend 3 times more time on unpaid care and domestic work than men do. Finally, women in Thailand also face discrimination regarding their civil rights. Married women do not have the same rights as married men to acquire or transfer nationality to their spouse.

Summary of results for Thailand

Discrimination in the family	Unit	Value
Laws on child marriage	Score	75
Girl child marriage rate[1]	%	9.6
Boy child marriage rate[1]	%	4.2
Laws on household responsibilities	Score	0
Share of the population that agrees or strongly agrees that "if a woman earns more than her husband, it is a problem"	%	30.9
Share of the population that agrees or strongly agrees that "when a mother works for pay, the children will suffer"	%	38.7
Female-to-male ratio of time spent on unpaid care and domestic work	Ratio	3.2
Number of hours spent by men on unpaid care and domestic work in a 24-hour period	Hours	0.9
Number of hours spent by women on unpaid care and domestic work in a 24-hour period	Hours	2.8
Laws on divorce	Score	50
Laws on inheritance	Score	50
Restricted physical integrity		
Laws on violence against women	Score	75
Share of women who consider a husband to be justified in hitting or beating his wife under certain circumstances	%	8
Lifetime intimate-partner violence rate[2]	%	24
12-month intimate-partner violence rate[2]	%	7.1
Laws on female genital mutilation	%	25
Boy-to-girl ratio at birth (natural = 105)[3]	Ratio	106.2
Laws on reproductive autonomy	Score	0
Unmet needs for family planning[4]	%	6.2
Restricted access to productive and financial resources		
Laws on land assets	Score	0
Share of women among landowners	%	-
Laws on non-land assets	Score	0
Share of women among house owners	%	-
Laws on financial assets	Score	0
Share of women among bank account owners	%	50.8
Laws on workplace rights	Score	100
Share of the population declaring that "when jobs are scarce, men should have more right to a job than women"	%	31.3
Share of the population declaring that "men make better business executives than women do"	%	41.2
Share of women among managers	%	39.2
Share of firms with a woman as top manager	%	64.8
Restricted civil liberties		
Laws on citizenship rights	Score	100
Laws on political voice	Score	0
Share of the population declaring that "men make better political leaders than women do"	%	46.1
Share of women in Parliament (lower chamber)	%	15.8
Laws on freedom of movement	Score	0
Share of women among those who declare not feeling safe walking alone at night in the city or area where they live	%	65.2
Laws on access to justice	Score	0
Share of women among those who declare not having confidence in the judicial system and courts of their country	%	50.3

Note: Scores of legal variables range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination.
1. % of girls/boys aged 15-19 years who have been or are still married, divorced, widowed or in an informal union.
2. % of ever-partnered women and girls who have experienced physical and/or sexual violence by a current or former intimate partner during their lifetime/over the previous 12 months. Population base for lifetime IPV: 15-49 years. Population base for 12-month IPV:15 years and older.
3. A natural boy-to-girl sex ratio at birth is generally estimated to be below 105. A ratio exceeding 105 implies the existence of more boys aged 0-4 than one would expect, indicating a potential phenomenon of son preference resulting in the systemic elimination of new-born girls.
4. % of married or in-union women of reproductive age who want to either stop or delay childbearing but are not using any contraception method.
Source: (OECD Development Centre/OECD, 2023[8]), "Gender, Institutions and Development Database", https://doi.org/10.1787/7b0af638-en.

Notes

[1] The full SIGI Country Profile for Thailand is available at: OECD Development Centre (2023), "Thailand SIGI Country Profile", *SIGI 2023 Country Profiles*, OECD, https://oe.cd/sigi-dashboard.

[2] SIGI scores range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination. Levels of discrimination in the SIGI and its dimensions are assessed based on scores as follow: very low [0-20]; low [20-30]; medium [30-40]; high [40-50]; and very high [50-100].

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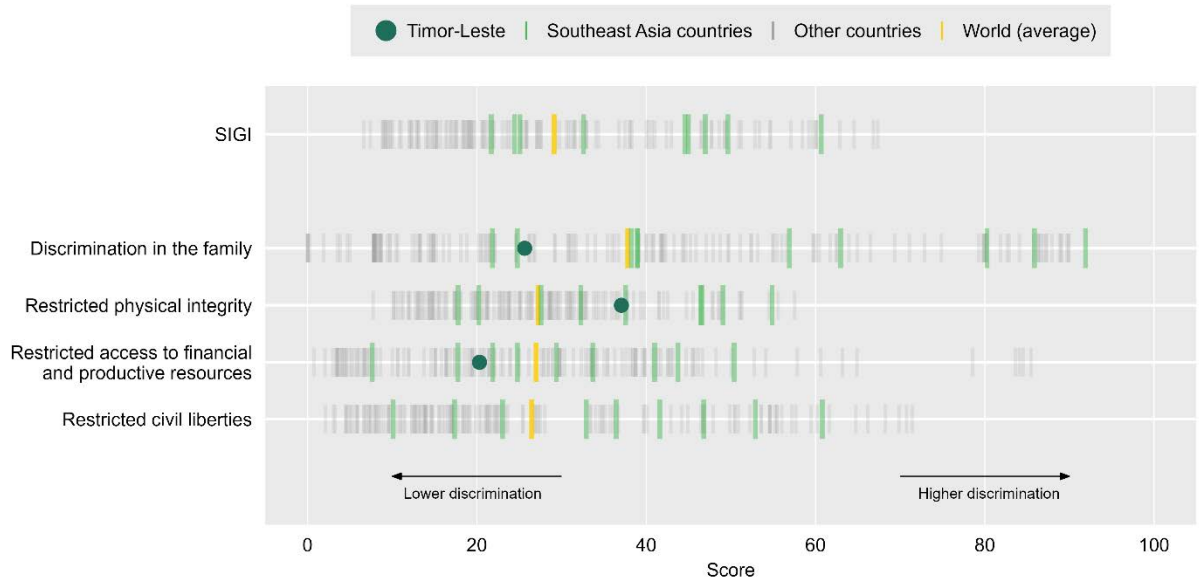
Timor-Leste

The state of gender equality in Timor-Leste

The SIGI 2023 profile for Timor-Leste provides a comprehensive overview of the state of gender equality in the country, as measured by the OECD's Social Institutions and Gender Index (SIGI).[1] The fifth edition of the SIGI, released in 2023, assesses 140 countries based on the level of gender-based discrimination in their social institutions. These discriminatory social institutions encompass both formal and informal laws, as well as social norms and practices that restrict women's and girls' access to rights, justice, empowerment opportunities and resources, thereby undermining their agency and authority.

SIGI and dimension scores for Timor-Leste 2023



Note: Scores range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination. The Southeast Asia region covers Brunei Darussalam, Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar, the Philippines, Singapore, Thailand, Timor-Leste and Viet Nam.
Source: (OECD, 2023[1]), "Social Institutions and Gender Index (Edition 2023)", *OECD International Development Statistics* (database), https://doi.org/10.1787/33beb96e-en.

In 2023, Timor-Leste did not obtain a SIGI score due to missing data in the "Restricted civil liberties" dimension. The country is missing data on practices related to access to financial services, freedom of movement and access to justice – more specifically, (1) the share of women among those declaring not feeling safe walking alone at night in the city or area where they live and (2) the share of women among those declaring not trusting the country's judicial system and courts. The country obtained a score of 37 in

the “Restrictive physical integrity” dimension, followed by “Discrimination in the family” (26) and “Restricted access to productive and financial services” (20).[2]

Legislative framework in Timor-Leste

The legal system is based on civil law. Section 2 of the Constitution (Democratic Republic of Timor-Leste, 2002[2]) recognises and values the norms and customs of Timor-Leste as long as these remain in accordance with to the Constitution and to any legislation dealing specifically with customary law. However, there is no approved legislation in Timor-Leste that confers legal value to customary justice mechanisms (Almeida, 2017[3]).

Section 16 of the Constitution recognises and prohibits multiple and intersectional discrimination – an essential provision to enhance gender equality from a legal perspective. Moreover, Timor-Leste ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in 2003, without reservations (United Nations, 1979[4]; United Nations, 2023[5]).

Gender-disaggregated, gender-relevant and intersectional data and indicators are essential to better identify policy areas that have strong linkages with gender. In Timor-Leste, there are applicable legal provisions regulating the production and dissemination of gender statistics. Decree-Law No. 17/2019 (Democratic Republic of Timor-Leste, 2019[6]) governs the organisation of the Secretary of State for Equality and Inclusion. Article 10(2) of Decree-Law No. 17/2019 mandates, among others, the statistical production and analysis of sex-disaggregated data.

Positive highlights and significant challenges since the fourth edition of the SIGI

Positive highlights

Timor-Leste has a strong legal framework which guarantees women and men equal rights regarding family and marriage matters, as well as in the economic and political spheres. Yet, in practice, informal laws often undermine this *de jure* equality, for instance by limiting women’s ability to inherit land or property assets. Nonetheless, gender gaps in asset ownership remain very limited. In the political sphere, legal quotas are in place since 2011 and have helped promote women’s political representation. As a result, in 2023, 40% of members of parliament are women, which is substantially higher than the global and regional averages.

Significant challenges

The limited availability of data on practices and social norms restricts the analysis and prevents from having a clear understanding of the state of gender equality in the country. Timor-Leste lacks data that are comparable to other countries in many dimensions covered by the SIGI. For instance, data on the division of domestic responsibilities, attitudes on women’s and men’s roles in society, as well as feeling of security and trust in the judicial system are not available.

Discriminatory social institutions undermine women’s and girls’ agency, bodily autonomy and integrity. Child marriage is not prohibited. The minimum legal age of marriage is 17 years for both girls and boys and there are also legal exceptions that allow for minors over 16 to get married. Moreover, the law does not comprehensively protect women from all forms of violence – particularly regarding sexual violence and rape. Prevalence levels of intimate-partner violence remain high and attitudes justifying men’s use of physical violence against their spouses are widespread. Moreover, women’s reproductive autonomy is restricted. Access to safe and legal abortion is only permitted if necessary to save the pregnant woman’s life, safeguard her health or in cases of foetal impairment, whereas nearly one quarter of women report an unmet need for family planning.

Summary of results for Timor-Leste

Discrimination in the family	Unit	Value
Laws on child marriage	Score	75
Girl child marriage rate[1]	%	8.2
Boy child marriage rate[1]	%	0.7
Laws on household responsibilities	Score	25
Share of the population that agrees or strongly agrees that "if a woman earns more than her husband, it is a problem"	%	-
Share of the population that agrees or strongly agrees that "when a mother works for pay, the children will suffer"	%	-
Female-to-male ratio of time spent on unpaid care and domestic work	Ratio	-
Number of hours spent by men on unpaid care and domestic work in a 24-hour period	Hours	-
Number of hours spent by women on unpaid care and domestic work in a 24-hour period	Hours	-
Laws on divorce	Score	0
Laws on inheritance	Score	25
Restricted physical integrity		
Laws on violence against women	Score	50
Share of women who consider a husband to be justified in hitting or beating his wife under certain circumstances	%	69
Lifetime intimate-partner violence rate[2]	%	38
12-month intimate-partner violence rate[2]	%	24.6
Laws on female genital mutilation	%	25
Boy-to-girl ratio at birth (natural = 105)[3]	Ratio	106.4
Laws on reproductive autonomy	Score	75
Unmet needs for family planning[4]	%	23.2
Restricted access to productive and financial resources		
Laws on land assets	Score	25
Share of women among landowners	%	48
Laws on non-land assets	Score	25
Share of women among house owners	%	47.8
Laws on financial assets	Score	0
Share of women among bank account owners	%	53
Laws on workplace rights	Score	0
Share of the population declaring that "when jobs are scarce, men should have more right to a job than women"	%	-
Share of the population declaring that "men make better business executives than women do"	%	-
Share of women among managers	%	24.5
Share of firms with a woman as top manager	%	32.2
Restricted civil liberties		
Laws on citizenship rights	Score	0
Laws on political voice	Score	0
Share of the population declaring that "men make better political leaders than women do"	%	-
Share of women in Parliament (lower chamber)	%	40
Laws on freedom of movement	Score	0
Share of women among those who declare not feeling safe walking alone at night in the city or area where they live	%	-
Laws on access to justice	Score	0
Share of women among those who declare not having confidence in the judicial system and courts of their country	%	-

Note: Scores of legal variables range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination.
1. % of girls/boys aged 15-19 years who have been or are still married, divorced, widowed or in an informal union.
2. % of ever-partnered women and girls who have experienced physical and/or sexual violence by a current or former intimate partner during their lifetime/over the previous 12 months. Population base for lifetime IPV: 15-49 years. Population base for 12-month IPV:15 years and older.
3. A natural boy-to-girl sex ratio at birth is generally estimated to be below 105. A ratio exceeding 105 implies the existence of more boys aged 0-4 than one would expect, indicating a potential phenomenon of son preference resulting in the systemic elimination of new-born girls.
4. % of married or in-union women of reproductive age who want to either stop or delay childbearing but are not using any contraception method.
Source: (OECD Development Centre/OECD, 2023[7]), "Gender, Institutions and Development Database", https://doi.org/10.1787/7b0af638-en.

Notes

[1] The full SIGI Country Profile for Timor-Leste is available at: OECD Development Centre (2023), "Timor-Leste SIGI Country Profile", *SIGI 2023 Country Profiles*, OECD, https://oe.cd/sigi-dashboard.

[2] SIGI scores range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination. Levels of discrimination in the SIGI and its dimensions are assessed based on scores as follow: very low [0-20]; low [20-30]; medium [30-40]; high [40-50]; and very high [50-100].

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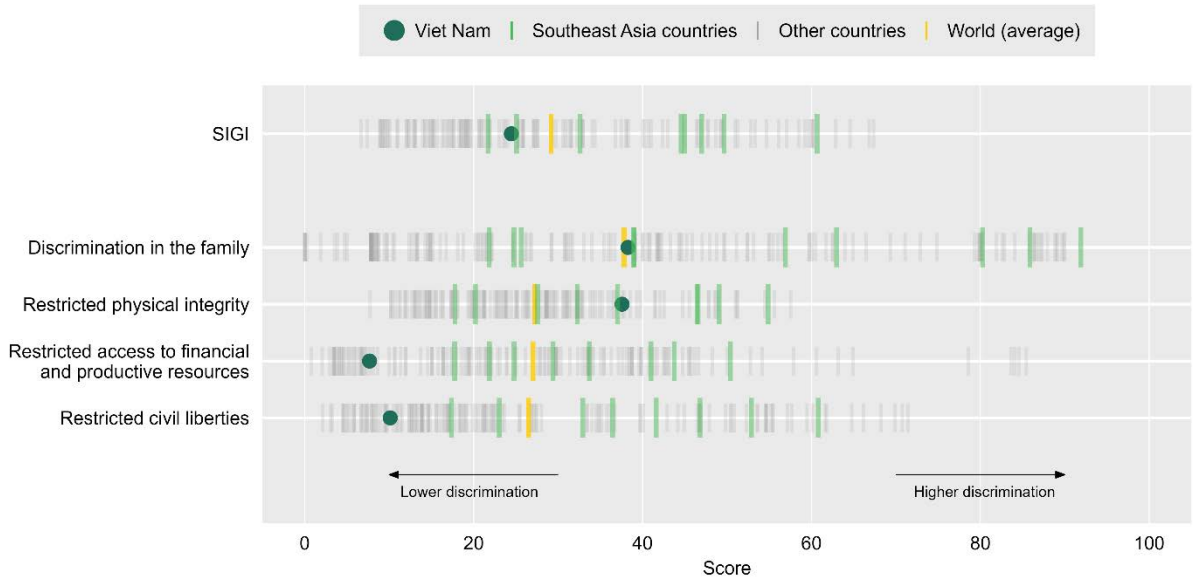
United Nations (1979), *Convention on the Elimination of All Forms of Discrimination Against Women*, https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women. [4]

Viet Nam

The state of gender equality in Viet Nam

The SIGI 2023 profile for Viet Nam provides a comprehensive overview of the state of gender equality in the country, as measured by the OECD's Social Institutions and Gender Index (SIGI).[1] The fifth edition of the SIGI, released in 2023, assesses 140 countries based on the level of gender-based discrimination in their social institutions. These discriminatory social institutions encompass both formal and informal laws, as well as social norms and practices that restrict women's and girls' access to rights, justice, empowerment opportunities and resources, thereby undermining their agency and authority.

SIGI and dimension scores for Viet Nam, 2023



Note: Scores range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination. The Southeast Asia region covers Brunei Darussalam, Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar, the Philippines, Singapore, Thailand, Timor-Leste and Viet Nam.
Source: (OECD, 2023[1]), "Social Institutions and Gender Index (Edition 2023)", *OECD International Development Statistics* (database), https://doi.org/10.1787/33beb96e-en.

In 2023, Viet Nam obtained a SIGI score of 24, denoting low levels of discrimination, compared to an average score of 39 in Southeast Asia, denoting medium levels of discrimination, and a world average score of 29.[2] The country obtained a score of 38 in the "Discrimination in the family" and "Restrictive physical integrity" dimensions, followed by "Restricted civil liberties" (10) and "Restricted access to productive and financial resources" (8).

Legislative framework in Viet Nam

The legal system is based on civil law, although customary laws may apply under certain circumstances. Article 5(4) of the Constitution of Viet Nam guarantees the rights of ethnic minorities to promote their physical and spiritual abilities and to develop together with the nation (Socialist Republic of Vietnam, 2013[2]). Moreover, Article 5 of the Civil Code establishes that in specific cases where codified laws do not apply, customs and traditions are also recognised as an official source of law as long as they do not obstruct the State laws (Socialist Republic of Vietnam, 2015[3]).

Viet Nam's Constitution recognises and prohibits multiple and intersectional discrimination – which constitutes an essential element to enhance gender equality. Article 16 specifically states that all citizens are equal before the law and prohibits discrimination based on an individual's political, civic, economic, cultural or social life. Moreover, Article 26 prohibits sex-based discrimination and Article 35 forbids discrimination in employment. Viet Nam ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in 1982, but expressed reservations on Article 29(1) regarding inter-State dispute procedure (United Nations, 1979[4]; United Nations, 2023[5]).

Gender-disaggregated, gender-relevant and intersectional data and indicators are essential to better identify policy areas that have strong linkages with gender. In Viet Nam, there are applicable legal provisions regulating the production and dissemination of gender statistics. Article 8(7) of the Law on Gender Equality promotes the production of statistics, information and reports on gender equality (Socialist Republic of Vietnam, 2006[6]). Additionally, Article 12 of the Decree No. 70/2008/ND-CP details the implementation of the Law on Gender Equality by co-ordinating the entities, ministries, and agencies in charge of the production and dissemination of information and statistics regarding gender and gender equality (Socialist Republic of Vietnam, 2008[7]).

Positive highlights and significant challenges since the fourth edition of the SIGI

Positive highlights

The legal framework in Viet Nam guarantees women and men equal rights in almost all aspects of their life (see below). Laws governing women and men's rights in the family, economic and political spheres are non-discriminatory. Moreover, they protect women's bodily integrity and reproductive autonomy. In practice, however, persisting social norms and informal laws undermine this *de jure* equality – particularly regarding women's role and responsibilities at home and in the labour market.

Significant challenges

Discriminatory social institutions undermine women's empowerment and rights in practice and reinforce traditional gender roles. For instance, following a divorce, the custody of child aged less than three years is vest in priority to the mother. This legal priority given to the mother reflects traditional gender roles according to which a woman's identity and responsibilities are closely tied to her role as a mother. In this regard, 78% of the population think that children suffer when their mother works for pay and 52% think that men should have priority to jobs when those are scarce. Women's ability to occupy decision-making roles in companies or in politics also remains limited, despite legal quotas being in place to promote women's representation in parliament. Moreover, deeply rooted discriminatory attitudes can put women's bodily integrity at risk. Over half of Vietnamese women (57%) justify men's use of physical violence against their spouse under certain circumstances. Finally, the boy-to-girl ratio in the country is significantly higher than the natural average, hinting at the possible existence of sex-selection practices.

Summary of results for Viet Nam

Discrimination in the family	Unit	Value
Laws on child marriage	Score	25
Girl child marriage rate[1]	%	7.4
Boy child marriage rate[1]	%	2.2
Laws on household responsibilities	Score	25
Share of the population that agrees or strongly agrees that "if a woman earns more than her husband, it is a problem"	%	47.1
Share of the population that agrees or strongly agrees that "when a mother works for pay, the children will suffer"	%	78.3
Female-to-male ratio of time spent on unpaid care and domestic work	Ratio	-
Number of hours spent by men on unpaid care and domestic work in a 24-hour period	Hours	-
Number of hours spent by women on unpaid care and domestic work in a 24-hour period	Hours	-
Laws on divorce	Score	75
Laws on inheritance	Score	25
Restricted physical integrity		
Laws on violence against women	Score	25
Share of women who consider a husband to be justified in hitting or beating his wife under certain circumstances	%	56.9
Lifetime intimate-partner violence rate[2]	%	25
12-month intimate-partner violence rate[2]	%	7.3
Laws on female genital mutilation	%	25
Boy-to-girl ratio at birth (natural = 105)[3]	Ratio	111.2
Laws on reproductive autonomy	Score	0
Unmet needs for family planning[4]	%	5.4
Restricted access to productive and financial resources		
Laws on land assets	Score	0
Share of women among landowners	%	-
Laws on non-land assets	Score	0
Share of women among house owners	%	-
Laws on financial assets	Score	0
Share of women among bank account owners	%	50.6
Laws on workplace rights	Score	0
Share of the population declaring that "when jobs are scarce, men should have more right to a job than women"	%	52
Share of the population declaring that "men make better business executives than women do"	%	41.5
Share of women among managers	%	25.3
Share of firms with a woman as top manager	%	22.4
Restricted civil liberties		
Laws on citizenship rights	Score	0
Laws on political voice "	Score	0
Share of the population declaring that "men make better political leaders than women do	%	55.2
Share of women in Parliament (lower chamber)	%	30.3
Laws on freedom of movement	Score	0
Share of women among those who declare not feeling safe walking alone at night in the city or area where they live	%	65.7
Laws on access to justice	Score	0
Share of women among those who declare not having confidence in the judicial system and courts of their country	%	45.6

Note: Scores of legal variables range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination.
1. % of girls/boys aged 15-19 years who have been or are still married, divorced, widowed or in an informal union.
2. % of ever-partnered women and girls who have experienced physical and/or sexual violence by a current or former intimate partner during their lifetime/over the previous 12 months. Population base for lifetime IPV: 15-49 years. Population base for 12-month IPV:15 years and older.
3. A natural boy-to-girl sex ratio at birth is generally estimated to be below 105. A ratio exceeding 105 implies the existence of more boys aged 0-4 than one would expect, indicating a potential phenomenon of son preference resulting in the systemic elimination of new-born girls.
4. % of married or in-union women of reproductive age who want to either stop or delay childbearing but are not using any contraception method.
Source: (OECD Development Centre/OECD, 2023[8]), "Gender, Institutions and Development Database", https://doi.org/10.1787/7b0af638-en.

Notes

[1] The full SIGI Country Profile for Viet Nam is available at: OECD Development Centre (2023), "Viet Nam SIGI Country Profile", *SIGI 2023 Country Profiles*, OECD, https://oe.cd/sigi-dashboard.

[2] SIGI scores range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination. Levels of discrimination in the SIGI and its dimensions are assessed based on scores as follow: very low [0-20]; low [20-30]; medium [30-40]; high [40-50]; and very high [50-100].

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United Nations (1979), *Convention on the Elimination of All Forms of Discrimination Against Women*, https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women. [4]

Annex A. Results of the fifth edition of the SIGI for Southeast Asia

The fifth edition of the SIGI in 2023 covers 179 countries, including all 11 Southeast Asian countries (Brunei Darussalam, Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar, the Philippines, Singapore, Thailand, Timor-Leste and Viet Nam). Because of data gaps, SIGI scores are calculated for 9 out of 11 countries in Southeast Asia. SIGI scores range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination. Based on their SIGI scores, countries and territories are classified into five levels of discrimination, ranging from very low to very high.[1]

SIGI 2023 scores for Southeast Asia

Table A A.1 provides full overview of the results for the 11 Southeast Asian countries included in the fifth edition of the SIGI. Aggregated scores are calculated at different geographical levels using the countries and territories for which data and scores are available.

Table A A.1. SIGI 2023 results: Southeast Asia

Geographical area	SIGI score	Classification	SIGI score by dimension			
			Discrimination in the family	Restricted physical integrity	Restricted access to productive and financial resources	Restricted civil liberties
Southeast Asian countries						
Cambodia	22	Low	22	18	29	17
Viet Nam	24	Low	38	38	8	10
Lao PDR	25	Low	25	28	25	23
Thailand	33	Medium	39	20	22	47
Indonesia	45	High	80	32	18	36
Singapore	45	High	39	46	41	53
Myanmar	47	High	63	55	34	33
Philippines	50	High	57	49	50	42
Malaysia	61	Very high	86	47	44	61
Brunei Darussalam	NA	NA	92	NA	NA	NA
Timor-Leste	NA	NA	26	37	20	NA
Regional aggregates						
Southeast Asia	39	Medium	52	37	29	36
Asia	37	Medium	51	33	31	36
OECD	15	Very low	14	18	13	15
World	29	Low	38	27	27	26

Note: The regional SIGI score for Southeast Asia is calculated as the weighted average among the nine countries with available data, representing 99% of the region's population.
Source: (OECD, 2023[1]), "Social Institutions and Gender Index (SIGI) 2023", https://doi.org/10.1787/33beb96e-en.

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Geographical coverage of the SIGI 2023 for Southeast Asia

For the fifth edition of the SIGI, the OECD Development Centre collected data for 179 countries. This included primary data collection on the status of gender-based discrimination in legal frameworks, and mapping of secondary data on social norms and practices that can be gender discriminatory. Legal data is available for all 11 Southeast Asian countries, but two countries have data gaps in the variables used to capture social norms and practices. In other words, SIGI scores could not be calculated for Brunei Darussalam and Timor-Leste to missing data points (Table A A.2).

Table A A.2. Number of SIGI variables missing, by country

			Countries	
			Brunei Darussalam	Timor-Leste
Discrimination in the family	Child marriage	L	+	+
		P	+	+
	Household responsibilities	L	+	+
	Divorce	L	+	+
	Inheritance	L	+	+
Restricted physical integrity	Violence against women	L	+	+
		A	-	+
		P	-	+
	Female genital mutilation	L	+	+
	Missing women	P	+	+
	Reproductive autonomy	L	+	+
		P	-	+
Restricted access to productive and financial resources	Land assets	L	+	+
	Non-land assets	L	+	+
	Financial services	L	+	+
		P	-	+
	Workplace rights	L	+	+
		P	+	+
Restricted civil liberties	Citizenship rights	L	+	+
	Freedom of movement	L	+	+
		P	-	-
	Political voice	L	+	+
		P	+	+
	Access to justice	L	+	+
		P	-	-
Number of missing variables			**6**	**3**

Note: Legal variables are labelled L, attitudinal variables are labelled A and practice variables are labelled P. Although Brunei Darussalam and Timor-Leste did not obtain a SIGI score, available data are featured in the Gender, Institutions and Development Database (GID-DB).
Source: (OECD Development Centre/OECD, 2023[2]), "Gender, Institutions and Development Database (GID-DB) 2023", https://doi.org/10.1787/7b0af638-en

StatLink https://stat.link/z4miys

Notes

[1] Scores range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination. Regions and countries are classified into five groups according to their SIGI score: (1) very low level of discrimination (0 < SIGI < 20); (2) low level of discrimination (20 < SIGI < 30); (3) medium level of discrimination (30 < SIGI < 40); (4) high level of discrimination (40 < SIGI < 50); and (5) very high level of discrimination (50 < SIGI < 100).

References

OECD (2023), "Social Institutions and Gender Index (Edition 2023)", *OECD International Development Statistics* (database), https://doi.org/10.1787/33beb96e-en (accessed on 20 February 2024). [1]

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Annex B. Legal and policy reforms in Southeast Asia between 2019 and 2023

Between 2019 and 2023, Southeast Asian countries passed 33 legal and regulatory reforms related to gender equality, including 13 new and 20 amendments to existing legislation. Among these reforms, 26 (or 79%) were assessed as contributing to greater gender equality (Table A B.1). The most common issue tackled by reforms is the prevention of violence against women, while others address the issues of child marriage, inheritance rights, and equal treatment in the workplace. The legislative framework of the region is supported by a multitude of action plans and national policy frameworks on gender equality at various levels. In Southeast Asia, all countries except for Brunei Darussalam have such national action plans or policy frameworks in place.

Table A B.1. Legal and policy reforms since 2019

Country	Name / Title	Year	Description	Relevant SIGI indicator	Assessment
Laws					
Brunei Darussalam	Syariah Penal Code Order 2013, made under Article 83(3) of the Constitution of Brunei Darussalam	2013-2019	Between 2013 and 2019, Brunei Darussalam underwent a series of reforms to amend the Penal Code. Under the new Penal Code, sexual harassment is no longer prohibited and criminalised. The Penal Code also condemns a Muslim woman who is pregnant or who gives birth to a child out of wedlock.	Violence against women	Negative
Indonesia	Presidential Regulation No. 68 of 2019	2019	Presidential Regulation No. 68 of 2019 reorganised ministries, including the Ministry of Women's Empowerment and Child Protection, and specified that each is responsible for formulating policies and co-ordinating their implementation.	General	Neutral
	Law No. 16 of 2019 on marriage, amending Law No. 1 of 1974	2019	Article 7 of Law No. 16 of 2019 changed the legal age of marriage from 16 to 19 for women, although judges can grant exemptions. Previously, it was 16 for women and 19 for men.	Child marriage	Positive
	Presidential Regulation No. 65 of 2020	2020	Presidential Regulation No. 65 of 2020 further clarifies the position, duties and functions of the Ministry of Women's Empowerment and Child Protection. It is	General	Neutral

			given the task, among others, to monitor gender equality and improve the status or rights of women.		
	Law No. 11 of 2020 on job creation, amending various labour laws	2020	Article 153 provides that an employer may not terminate their employee based on the reason of difference in ideology, religion, political ideology, ethnicity, gender, race, marital status, physical condition, and more. This law was later amended by Law No. 2 of 2022 but Article 153 was not changed.	Workplace rights	Positive
	Law No. 12 of 2022 on sexual violence crimes and online gender-based violence against women	2022	Law No. 12 of 2022 criminalises sexual violence, including abuses carried out online. Rape is specifically criminalised – although not on the base of free consent – as well as domestic violence and forced marriage. The law outlines the rights of survivors to legal and medical services and provides penalties for perpetrators.	Child marriage Violence against women Workplace rights	Positive
Lao PDR	Civil Code of 2019	2019	The Civil Code stipulates the legal age of marriage is 18 for both men and women (Article 150) and states that men and women have equal rights in all aspects pertaining to family relationships (Articles 140 and 160), including joint land titling for land used or acquired by married couples (Article 168) equal rights to file for divorce (Articles 174 and 176) and equal inheritance rights for daughters and sons (Articles 574 - 576).	Child marriage Household responsibilities Divorce Inheritance Access to land assets	Positive
	Law No. 70 of 2019 on Land, amending Law No. 4/NA of 2003	2019	As amended by Law No. 70 of 2019, Article 105 does not specify that the names of both husband and wife should be included on joint land titles. However, under the 2019 Civil Code (see above) land used or acquired by married titles is subject to joint land titling.	Secure access to land assets	Neutral
	Law No. 77 of 2019 on Gender Equality	2019	Law No. 77 of 2019 seeks to guarantee gender equality, including ending all forms of violence against women, ensuring that women can fully participate in politics, economics, socio-cultural activities, and family affairs. Aspects of the civil code are reiterated, including equal inheritance rights for daughters and sons and equal rights in family relationships.	General	Positive
	Decision No. 2077 of 2021 on Management of Surrogacy and Spontaneous Abortion	2021	Item 12 of Decision No. 2077 of 2021 legalises abortion in certain conditions, such as: the physical or mental health of the mother is in jeopardy; the woman has already given birth to four children; the pregnancy is a result of rape or failed contraception; or the family does not have sufficient financial means. The legislation also regulates lawful surrogacy for consenting, married adults.	Reproductive autonomy	Positive
Malaysia	Employment (Amendment) Act No. 1651 of 2022, amending Employment Act No. 265 of 1955	2022	The Employment (Amendment) Act No. 1651 of 2022 adds a prohibition of dismissal of female workers during pregnancy; and requires companies to display sexual harassment prevention notices. It further repealed provisions that prohibited the employment of women in any underground work, as well as in industrial and agricultural activities if carried out during the night	Workplace rights	Positive
	Anti-Sexual Harassment Act No. 840 of 2022	2022	The Anti-Sexual Harassment Act No. 840 of 2022 establishes a Tribunal for Anti-Sexual Harassment and provides a right to compensation for any person who has been sexually harassed. Prior to this law, there were sexual harassment provisions	Violence against women	Positive

			under the Employment Act of 1955, which applied more narrowly to sexual harassment in the workplace only.		
	Penal Code (Amendment) Act No. A1681 of 2023	2023	In force as of May 2023, the Act No. A1681 adds section 507A to the Penal Code establishing that physical and online stalking are offences that should be punished with imprisonment, a fine or both.	Violence against women	Positive
Myanmar	The Pyidaungsu Hluttaw Law No. 10 of 2019, amending the Penal Code (INDIA ACT XLV of 1860)	2019	The Pyidaungsu Hluttaw Law No. 10 of 2019 adds a clause to Article 376 to increase the punishment for raping a woman under 20 years of age, establishing that the rapist shall be punished with imprisonment for life, or with imprisonment for a term of twenty years.	Violence against women	Positive
	Child Rights Law No. 22 of 2019, repealing the Child Law No. 9 of 1993	2019	Article 23 of Law No. 22 of 2019 establishes 18 years as the minimum age for marriage. The law further contains provisions to punish forced child marriage, physical and sexual violence, and promotes basic rights to ensure the protection of children.	Child marriage	Positive
Thailand	Labour Protection Act (Law No. 7 of 2019), amending Labour Protection Act of 1998	2019	The new Article 53 introduced by Law No. 7 of 2019 requires equal compensation for work of equal value for male and female employees, including equality in wages, overtime payments, and compensation for work performed on holidays.	Workplace rights	Positive
Philippines	105-Day Expanded Maternity Leave Law (Republic Act No. 11210)	2019	Section 4 of Republic Act No. 11210 increases the maternity leave period from 60 to 105 days, which can further be extended for an additional 30 days without pay. Female employees who are solo parents are entitled to an additional 15 days paid maternity leave. Section 6 states that a woman can also allocate 7 days to the child's father (in addition to those provided by the Paternity Leave Act of 1996).	Workplace rights	Positive
	Safe Spaces Act (Republic Act No. 11313)	2019	Republic Act No. 11313 defines gender-based sexual harassment in streets, public spaces, online, workplaces, and educational or training institutions; provides for protective measures; and sets forth penalties. It also defines gender as a set of socially ascribed characteristics, norms, roles, attitudes, values and expectations, and provides a definition for gender identity.	Violence against women	Positive
	Act Prohibiting the Practice of Child Marriage and Imposing Penalties for Violations Thereof (Republic Act No. 11596)	2021	Republic Act No. 11596 prohibits the practice of child marriage and sets penalties for violations. Section 1 (Declaration of State Policy) specifies that the State abolishes all traditional and cultural practices that perpetuate discrimination and exploitation of children. It also recognises the importance of women to the nation and fosters their protection and empowerment.	Child marriage	Positive
	Expanded Solo Parents Welfare Act (Republic Act No. 11861), amending Republic Act No. 8972	2022	Republic Act No. 11861 expands the definition of a solo parent and provides for additional benefits for solo parents. For instance, Section 4 recognises a woman who gives birth following rape as a solo parent; Section 2 extends social services and welfare benefits to solo parents; and Section 8 enables them to access additional parental leave.	Workplace rights	Positive
Singapore	Act No. 27 of 2018, amending the Women's Charter of 1961	2018	Section 65 of Act No. 27 of 2018 provides for a protection order when family violence has been committed or is likely to be committed against a family member, and raises the fines applied when someone contravenes the protection order.	Violence against women	Positive

Act No. 15 of 2019, amending the Penal Code of 1871	2019	Act No. 15 of 2019 adds Section 335A to the Penal Code, setting forth penalties for those who allow (by knowing or not trying to stop) the neglect, hurt, injury and sexual abuse occurring domestic workers and vulnerable persons (positive). Section 375 is amended by introducing sub-section (1A) that specifies that penetration of anus and mouth also qualifies as rape. Moreover, Sections 375 on rape and 376 on sexual assault are amended regarding the provision of consent and whether penetration qualifies as an offence. For instance, when the accused person's spouse consented to penetration, or when the accused person can prove that he mistakenly believed that consent was provided, included by persons under the age of 14, it does not constitute a criminal offence (neutral/negative). Section 376AA on exploitative sexual penetration of minors between 16 and 18 years is added, as well as Sections 376EA to 376EF which define criminal offences for exploitative sexual grooming, communication or exposure to sexual activity or imagery of minors (positive). Section 376H is added on sexual offences related to the procurement of sexual activity by deception or false representation (positive). Similarly, Sections 377BA to 377BO are added laying out offences for voyeurism, distribution of intimate image or recording; or child abuse (positive).	Violence against women	Negative and positive
Act No. 19 of 2021, amending the Child Development Co-Savings Act of 2001	2021	Act No. 19 of 2021 updates Section 12 of Part 3 (Leave and Benefits) on adoption benefits for eligible adoptive mothers, by giving more details about the governmental support for them.	Workplace rights	Positive
Act No. 23 of 2021, amending the Penal Code of 1871	2021	Act No. 23 of 2021 updates and enhances the punishment for three sexual offences – outrage of modesty (Section 354(1)), sexual activity in presence of a minor or showing sexual image to a minor (Sections 376EB to 376ED), and making it an offence for a person who induces the victim to consent to being sexually touched by a third person (Section 376H).	Violence against women	Positive
Act No. 11 of 2022, amending the Administration of Muslim Law Act of 1966	2022	Act No. 11 of 2022 updates Section 48, which regulates "conditional divorce", called *Cerai taklik*. According to this article, a married woman may apply to the Court to validate and register a divorce. As amended, the act removed the fee that was previously required for this registration.	Divorce	Positive
Act No. 3 of 2022, amending the Women's Charter of 1961	2022	Act No. 3 of 2022 introduces many amendments regarding rights and duties of husband and wife, like: co-operation in caring and providing for the children; the right of separately engaging in professions and social activities etc. But all those rights were already guaranteed by law, meaning that they just rewrote and reorganised the paragraphs.	Household responsibilities	Neutral
Act No. 32 of 2023, amending the Child Development Co-Savings Act of 2001	2023	Act No. 32 of 2023 adds Section 12JA which provides that employers who grant male employees (who are natural or adoptive fathers) extra benefits, both in terms of leave duration and payments, that go beyond the statutory paid paternity leave are entitled to reimbursement by the Government (within a limited amount).	Workplace rights	Positive

Timor-Leste	Decree-Law No. 17 of 2019, under the terms of Article 115(3) of the Constitution of the Republic	2019	Decree-Law No. 17 of 2019 defines the structure of the Secretariat of State for Equality and Inclusion, based on the Constitutional assumption that all men and women have the same rights and obligations regarding family, cultural, social, economic and political aspects. This new Secretariat is responsible for implementing and evaluating policies, raising public awareness and developing reports and studies etc.	General	Neutral
	Ministerial Decision No. 47 of 2022	2022	Ministerial Decision No. 47 of 2022 establishes a support mechanism for the private sector and it fosters the development of micro, small and medium companies, especially those led by women and young people.	Access to financial services	Positive
	Decree-Law No. 54 of 2023	2023	Decree-Law No. 54 of 2023 provides details on the organisations of the Ministry of Social Solidarity and Inclusion. One of its tasks is to guarantee the implementation of the National Plan against gender-based violence 2022-2032.	Violence against women	Neutral
Viet Nam	Labour Code (Law No. 45/2019/QH14), amending the Labour Code of 2012	2019	Law No. 45/2019/QH14 prohibits sex-based discrimination (Article 8), mandates equal compensation for work of equal value (Article 9), recognises sexual harassment in the workplace as grounds for dismissal (Article 125), and outlines penalties for companies that discriminate against women in recruitment and promotions (Article 217). It also provides for paid maternity leave and protects mothers' employment security while on leave (Articles 137 and 139).	Violence against women Workplace rights	Positive
	Decree No. 144/2021/ND-CP	2021	While sexual harassment is already prohibited in the 2015 Criminal Code, Articles 7 and 11 of Decree No. 144/2021/ND-CP outline fines that may be imposed on perpetrators of sexual harassment in the workplace.	Violence against women Workplace rights	Positive
	Law No. 13/2022/QH15 on the Prevention and Control of Domestic Violence	2022	Law No. 13/2022/QH15 came into force in July 2023, replacing Law No. 02/2007/QH12 on the Prevention and Control of Domestic Violence. Among the changes made, Article 3 of the new law expanded the definition of individuals vulnerable to domestic violence, such as people with disabilities, children and the elderly. In addition, Chapter II contains several articles on the prevention of domestic violence related to guaranteeing better education, communication and information.	Violence against women	Positive
National action plans and policies					
Cambodia	National Action Plan to Prevent Violence Against Women	2019-2023	The plan targets cross-sectoral action to prevent violence against women, including national and subnational government, civil society, development partners, and survivors.	Violence against women	Positive
	Five Year Strategic Plan for Strengthening Gender Mainstreaming and Women's Empowerment (*Neary Rattanak V*)	2019-2023	The plan focuses on promoting gender mainstreaming in policies, plans and development programmes at various levels of government. The framework is intended to guide the development and implementation of the first national policy on gender equality (forthcoming).	General	Positive
	Rectangular Strategy Phase IV	2019-2023	The plan outlines Cambodia's overall national strategy for growth, employment, equity and efficiency. It recognises the importance of gender equality and women's empowerment for development in these four areas, and guides the gender-specific action plans referenced here.	General	Positive

	Policy and Strategic Plan on Gender Mainstreaming in Health	2020-2024	The policy provides the country's first framework for mainstreaming gender considerations and expanding equitable access to healthcare.	General	Positive
	Gender Mainstreaming Plan for Education	2021-2025	The plan aims to ensure equal access to formal and informal education, increase women's participation in delivering educational services, and promote a gender-sensitive educational environment.	General	Positive
Indonesia	Strategic Plan of the National Commission on Violence Against Women	2020-2024	The plan outlines priority areas for combatting violence against women, with specific initiatives targeting vulnerable women such as women in conflict, prisoners, and victims of sexual violence.	Violence against women	Positive
Lao PDR	3rd National Plan of Action on Mother and Children	2021-2025	The plan aims to achieve improved health outcomes for women and children and guides the review and development of new policy and legislation to protect the rights of mothers and children.	General	Positive
	4th Five Year National Plan of Action on Gender Equality	2021-2025	The plan builds on the third national action plan on gender equality (2016-2020), with the overall goal of ending all forms of violence against women and ensuring that women can fully participate in political, economic and social life. It includes programmes for awareness raising, promoting equal access to education, health care, employment, and justice, and developing new legislation.	General	Positive
	2nd National Plan of Action on Violence against Women and Violence against Children	2021-2025	Building on the goals outline in the National Plan of Action on Gender Equality, the plan aims to reduce violence against women and girls, improve support for survivors, and, to this end, enhance co-ordination between government services.	Violence against women	Positive
Malaysia	National Strategy Plan in Handling the Causes of Child Marriage	2020-2025	The plan has a cross-cutting approach to tackle child marriage in the country, covering issues such as legislation, parenting, family support, education, health and awareness. One pillar of the plan focuses on improving sexual and reproductive health among boys and girls – particularly through education.	Child marriage Reproductive autonomy	Positive
	12th Malaysia Plan	2021-2025	The plan seeks to address the low participation of women in the labour force, especially in political and senior roles. It also emphasises the importance of including more women in sports, raising awareness about women's rights in society, and developing new legislation to eliminate violence and gender-based discrimination.	General	Positive
Myanmar	National Strategic Plan for the Advancement of Women	2013-2022	The plan is based on the Beijing Platform for Action's priorities. Among other areas tackled, the strategy aims to develop and strengthen laws and practices to eliminate violence against women; and implement community-based awareness raising activities to eliminate customs and beliefs that promote child marriage and discourage girls from accessing education. The country is developing an updated plan for 2023-2031.	Child marriage Violence against women	Positive
Philippines	Philippines Plan for Gender-Responsive Development (PPGD)	1995-2025	This is a comprehensive, long-term plan to achieve gender equality and development. It covers areas such as education, health, media, culture, justice, employment, housing, and urban development.	General	Positive
	Updated Gender Equality and	2019-2025	The plan supports the Updated Philippines Development Plan (2017-2022) and the	General	Positive

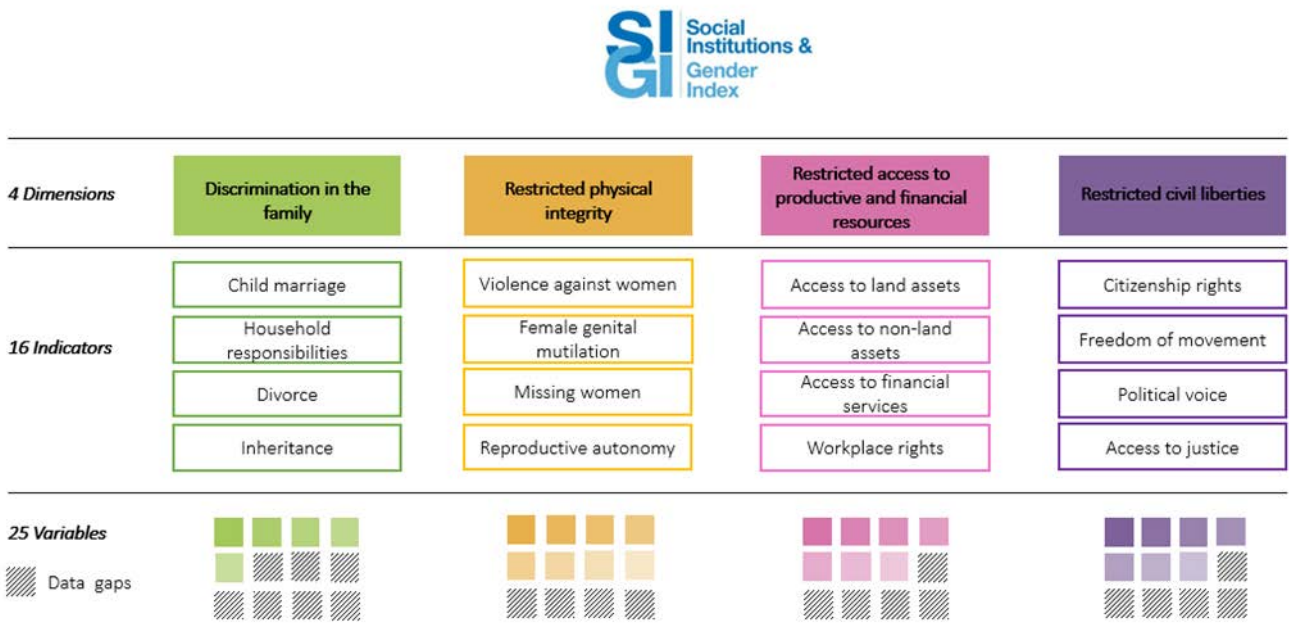
	Women's Empowerment (GEWE) Plan		Philippines Plan for Gender-Responsive Development (1995-2025). It takes a whole-of-government approach, emphasising the need for gender mainstreaming at various levels. It also notes the changing needs of women and girls due to the COVID-19 pandemic.		
Singapore	White Paper on Singapore Women's Development	2022-2032	The paper provides recommendations to foster equal opportunities in the workplace, such as strengthening legislation and fostering flexible work agreements to include more women and increase women in leadership roles. It also tackles violence against women and family violence and includes actions related to raising awareness and promoting a culture of safety and respect within society.	Violence against women Workplace rights General	Positive
Thailand	Action Plan on Women's Development	2020-2022	The plan sets as a key priority the elimination of violence against women. Initiatives proposed include broadcasting news relating to the suppression of violence against women, providing guidelines relating to sexual harassment in the workplace, and mandating specialised gender-sensitivity training for professional services and the judicial system.	Violence against women Workplace rights	Positive
	National Action Plan on Women's Development	2022-2026	Building on previous strategies, the plan addresses the elimination of all forms of violence against women as one of key pillars for women's advancement and guides other national and subnational strategies for promoting gender equality.	General	Positive
	13th National Economic and Social Development Plan	2023-2027	While the action plan provides a framework for economic and social development going beyond a gender perspective, Strategy 1 includes the goal of increasing access to quality services for pregnant women.	Reproductive autonomy	Positive
Timor-Leste	National Policy on Family Planning	2022	Government Resolution No. 10 of 2022 created a National Policy on Family Planning, stating that this initiative is essential to reduce maternal mortality and to achieve women's empowerment. The policy emphasises women's right to decide upon sexual and reproductive choices and the concept of responsible maternity and paternity.	Reproductive autonomy	Positive
	National Plan against Gender-based Violence	2022-2032	The plan has 3 pillars: (i) prevention of violence against women and girls, (ii) provision of essential services to women and girls who have suffered violence, and (iii) legal support and access to justice. It also includes targets for monitoring and evaluation and brings together different stakeholders from government and civil society.	Violence against women Access to justice	Positive
Viet Nam	Programme to Increase Equal Participation of Women in Leading and Management Positions at Policy Planning Levels	2021-2030	The strategy aims to increase women's participation in leadership and management positions at policy-making levels to promote women's empowerment.	Workplace rights	Positive
	National Strategy on Gender Equality	2021-2030	The strategy provides a guiding framework for enhancing women's empowerment at various levels of government.	General	Positive
	Communication Programme on Gender Equality	2021-2030	The policy outlines programmes for raising awareness around laws and policies related to gender equality to be undertaken by ministries and local governments.	General	Positive

	Programme to Prevent and Respond to Gender-based Violence for the period 2021-2025	2021-2025	The programme was issued for the period 2021-2025 by the Prime Minister through Decision No. 2232/QD-TTg. It aims to prevent and respond to gender-based violence. The main stated objectives are to guarantee: (1) that at least 50% of people experiencing gender-based violence seek help from service providers and (2) that 100% of cases needing help for gender-based violence receive help in different forms.	Violence against women	Positive
	National Programme on Domestic Violence Prevention and Control	2022-2025	The programme outlines mechanisms for improving the effectiveness of domestic violence prevention initiatives, including increasing awareness raising and improving access to services for survivors. The National Programme on Domestic Violence Prevention and Control was developed under the umbrella of the programme “Elimination of Violence against Women and Children in Viet Nam 2021-2025”, which is a joint co-operation effort between the government of Viet Nam, the United Nations (UNFPA, UNICEF and UN Women) and the government of Australia. The joint programme covers the period 2021-2025 and takes a multisectoral approach for promoting gender and social norm changes through awareness raising, advocacy and community mobilisation.	Violence against women	Positive

Annex C. Conceptual framework of the SIGI

The SIGI is a composite index that builds on a framework of 4 dimensions and 16 indicators. For the fifth edition of the SIGI, these indicators build on 25 underlying variables (Figure A C.1).

Figure A C.1. Conceptual framework of the fifth edition of the SIGI



The four dimensions of the SIGI cover the major socio-economic areas that affect women and girls throughout their lifetime:

- The “Discrimination in the family” dimension captures social institutions that limit women’s decision-making power and undervalue their status in the household and the family.
- The “Restricted physical integrity” dimension captures social institutions that increase women’s and girls’ vulnerability to multiple forms of violence and limit their control over their bodies and reproductive autonomy.
- The “Restricted access to productive and financial resources” dimension captures women’s restricted access to and control over critical productive and economic resources and assets.
- The “Restricted civil liberties” dimension captures discriminatory social institutions restricting women’s access to, and participation and voice in, the public and social spheres.

Variables included in the SIGI conceptual framework

Each dimension of the SIGI comprises four indicators (Figure A C.1). Theoretically, each indicator builds on three variables. The first variable aims to measure the level of discrimination in formal and informal

laws, while the second and the third variables aim to measure the level of discrimination in social norms and practices:

- Legal variables describe the level of gender-based discrimination in legal frameworks. Data for these variables are collected by the OECD Development Centre via a legal questionnaire (the SIGI 2023 Legal Survey) consisting of 173 questions. The survey was first filled by legal experts and professional lawyers from national and international law firms, before being reviewed by the Gender team of the OECD Development Centre and sent to governments for validation of the data. The cut-off date for the legal information collected was 31 August 2022.
- Attitudinal variables describe the level of discrimination in social norms. Data for these variables are compiled from secondary data sources. The cut-off date for the attitudinal data was 31 December 2022.
- Practice variables describe the level of discrimination in terms of prevalence and parity. Data for these variables are compiled from secondary data sources. The cut-off date for the practice data was 31 December 2022.

Treatment of missing data

In theory, the computation of the SIGI should be based on 48 variables (16 indicators each composed of 3 variables). However, because of data gaps, discrepancies exist between the conceptual framework and the number of variables used to calculate the SIGI. In total, the fifth edition of the SIGI in 2023 is based on 25 variables – including 15 legal variables, 9 practice variables and 1 attitudinal variable (Table A B.1). These variables were selected based on the following criteria:

- Conceptual relevance: The variable should be closely related to the conceptual framework of discriminatory social institutions and measure what it is intended to capture.
- Underlying factor of gender inequality: The variable should capture an underlying factor that leads to unequal outcomes for women and men.
- Data quality, reliability, and coverage: The variable should be based on high-quality, reliable data. Ideally, the data should be standardised across countries/territories and have extensive coverage across countries/territories.
- Distinction: Each variable should measure a distinct discriminatory institution and should add new information not measured by other variables.
- Statistical association: Variables included in the same dimension should be statistically associated, and thereby capture similar areas of social institutions without being redundant.

Variables that measure important concepts covered by the SIGI but that could not be used to calculate the SIGI because of their low geographical coverage, are featured in the Gender, Institutions and Development Database (GID-DB). The GID-DB is a repository of legal, attitudinal and practice data measuring gender-based discrimination. For the fifth edition of the SIGI, this database includes 53 variables, including the 25 variables used to compute the SIGI (Table A C.1).

Table A C.1. SIGI and GID-DB variables included in the fifth edition of the SIGI

Variable	Coding	Sources	Type of variable
Discrimination in the family			
Child marriage			
Laws on child marriage	[Scale: 0-100: scores range from 0 (no discrimination) to 100 (absolute discrimination)] 0: Child marriage is illegal for both women and men and the legal age of marriage is the same for women and men, without any legal exception. There are no informal laws (customary, traditional or religious laws/rules) that allow or encourage girl child marriage. 25: Child marriage is illegal for both women and men, without any legal exception. However, some informal laws (customary, traditional or religious laws/rules) allow or encourage girl child marriage. 50: Child marriage is illegal for both women and men. However, legal exceptions exist for some groups of women or with the consent of certain persons (e.g. parents, legal guardians or judge). 75: Child marriage is legal for both women and men, or there is no legal age of marriage specified. 100: Child marriage is legal for women whereas the legal age of marriage of men is 18 or above.	(OECD Development Centre/OECD, 2023[1])	SIGI
Prevalence of boy child marriage	Percentage of boys aged 15-19 years who have been or are still married, divorced, widowed or in an informal union.	(UNICEF, 2022[2])	GID-DB
Prevalence of girl child marriage	Percentage of girls aged 15-19 years who have been or are still married, divorced, widowed or in an informal union.	(UNICEF, 2022[3])	SIGI
Prevalence of girl child marriage (SDG Indicator 5.3.1)	Percentage of women aged 20-24 years married or in union before age 18.	(UNICEF, 2022[4])	GID-DB
Household responsibilities			
Laws on household responsibilities	[Scale: 0-100: scores range from 0 (no discrimination) to 100 (absolute discrimination)] 0: Women have the same legal rights as men to be “head of household” or “head of family” (or the law does not make any reference to these concepts) and to be legal guardians of their children during marriage or in informal unions. There are no informal laws (customary, traditional or religious laws/rules) that create different rights or abilities regarding being recognised as the head of household, being the legal guardians of children nor choosing where to live. 25: Women have the same legal rights as men to be “head of household” or “head of family” (or the law does not make any reference to these concepts) and to be legal guardians of their children during marriage or in informal unions. However, some informal laws (customary, traditional or religious laws/rules) create different rights or abilities regarding being recognised as the head of household, being the legal guardians of children or choosing where to live. 50: Women have the same legal rights as men to be “head of household” or “head of family” (or the law does not make any reference to these concepts) and to be legal guardians of their children during marriage or in informal unions. However, legal exceptions exist for some groups of women. 75: Women do not have the same legal rights as men to be either “head of household” or “head of family” or to be legal guardians of their children during marriage or in informal unions. 100: Women neither have the same legal rights as men to be “head of household” or “head of family” nor to be legal guardians of their children during marriage or in informal unions.	(OECD Development Centre/OECD, 2023[1])	SIGI

Attitudes on gender roles in the household	Percentage of the population aged 18 years and above agreeing or strongly agreeing that "being a housewife is just as fulfilling as working for pay."	(Inglehart et al., 2022[5])	GID-DB
Attitudes on women's income	Percentage of the population aged 18 years and above agreeing or strongly agreeing that "if a woman earns more money than her husband, it's almost certain to cause problems."	(Inglehart et al., 2022[5])	GID-DB
Attitudes on women's work and children	Percentage of the population aged 18 years and above agreeing or strongly agreeing that "when a mother works for pay, the children suffer."	(Inglehart et al., 2022[5])	GID-DB
Unpaid care and domestic work (UCDW) ratio	Female-to-male ratio of time spent on unpaid, domestic and care work in a 24-hour period.	(United Nations, 2022[6])	GID-DB
UCDW daily hours: Men	Men's average time spent (in hours) on unpaid domestic and care work in a 24-hour period.	(United Nations, 2022[6])	GID-DB
UCDW daily hours: Women	Women's average time spent (in hours) on unpaid domestic and care work in a 24-hour period.	(United Nations, 2022[6])	GID-DB
Divorce			
Laws on divorce	[Scale: 0-100: scores range from 0 (no discrimination) to 100 (absolute discrimination)] 0: All women and men have the same rights as men to initiate or file for a divorce, to finalise a divorce or an annulment, and to retain child custody following a divorce. There are no informal laws (customary, traditional or religious laws/rules) that create different rights or abilities regarding initiating a divorce or being the legal guardians of children after a divorce. 25: All women and men have the same rights as men to initiate or file for a divorce, to finalise a divorce or an annulment, and to retain child custody following a divorce. However, some informal laws (customary, traditional or religious laws/rules) create different rights or abilities regarding initiating a divorce or being the legal guardians of children after a divorce. 50: Women have the same rights as men to initiate or file for a divorce, to finalise a divorce or an annulment, and to retain child custody following a divorce. However, legal exceptions exist for some groups of women. 75: Women do not have the same rights as men to initiate or file for a divorce, or to finalise a divorce or an annulment, or to retain child custody following a divorce. 100: Women do not have the same rights as men to initiate or file for a divorce, or to finalise a divorce or an annulment. Women do not have the same rights as men to retain child custody following a divorce.	(OECD Development Centre/OECD, 2023[1])	SIGI
Inheritance			
Laws on inheritance	[Scale: 0-100: scores range from 0 (no discrimination) to 100 (absolute discrimination)] 0: All widows and daughters have the same rights as widowers and sons to inherit. There are no informal laws (customary, traditional or religious laws/rules) that create different rights or abilities regarding inheritance between sons and daughters and between male and female surviving spouses. 25: All widows and daughters have the same rights as widowers and sons to inherit. However, some informal laws (customary, traditional or religious laws/rules) create different rights or abilities regarding inheritance between sons and daughters or between male and female surviving spouses. 50: Widows and daughters have the same rights as widowers and sons to inherit. However, legal exceptions exist for some groups of widows and/or daughters. 75: Widows do not have the same rights as widowers to inherit, or daughters do not have the same rights as sons to inherit. 100: Widows and daughters do not have the same rights as widowers and sons to inherit.	(OECD Development Centre/OECD, 2023[1])	SIGI

Restricted Physical Integrity			
Violence against women			
Laws on violence against women	[Scale: 0-100: scores range from 0 (comprehensive legal framework) to 100] 0: The law protects women from the following forms of violence: honour crimes, intimate partner violence, rape and sexual harassment. There are no legal exceptions that reduce penalties for domestic violence and the law recognises marital rape. The law is comprehensive (e.g. regarding specific provisions, all types of violence covered and all places covered). 25: The law protects women from the following forms of violence: honour crimes, intimate partner violence, rape and sexual harassment. There are no legal exceptions that reduce penalties for domestic violence and the law recognises marital rape. However, the approach is not fully comprehensive (e.g. lack of specific provisions, not all types of violence covered or not all places covered). 50: The law protects women from the following forms of violence: honour crimes, intimate partner violence, rape and sexual harassment. However, legal exceptions reduce penalties for domestic violence, or the law does not recognise marital rape. 75: The law protects women from some but not all of the following forms of violence: honour crime, intimate partner violence, rape and sexual harassment. 100: The law does not protect women from any of the following forms of violence: intimate partner violence, rape and sexual harassment.	(OECD Development Centre/OECD, 2023[1])	SIGI
Attitudes justifying intimate-partner violence	Percentage of women aged 15 to 49 years who consider a husband to be justified in hitting or beating his wife.	(WHO, 2022[7]) (Inglehart et al., 2022[5]) (European Commission, 2016[8])	SIGI
Lifetime intimate-partner violence (IPV)	Percentage of ever-partnered women and girls aged 15-49 years subjected to physical and/or sexual violence by a current or former intimate partner over their lifetime	(WHO, 2022[7])	SIGI
Intimate partner-violence (IPV) rate in the last 12 months	Percentage of ever-partnered women and girls subjected to physical and/or sexual violence by a current or former intimate partner in the previous 12 months.	(United Nations, 2022[6])	GID-DB
Female genital mutilation (FGM)			
Laws protecting girls and women from FGM	[Scale: 0-100: scores range from 0 (strongest protection by the law) to 100 (no protection by the law)] 0: The law criminalises FGM on narrow grounds and there are no informal laws that allow or encourage FGM. 25: The law criminalises FGM on broad grounds and there are no informal laws (customary, traditional or religious laws) that allow or encourage FGM; or the law criminalises FGM on narrow grounds, informal laws exist, but the statutory law takes precedence over them. 50: The law criminalises FGM on broad grounds only. Informal laws (customary, traditional or religious laws) that allow or encourage FGM exist but the statutory law takes precedence over them. 75: The law criminalises FGM on broad grounds only. Informal laws (customary, traditional or religious laws) that allow or encourage FGM exist and the statutory law does not take precedence over them. 100: The law does not protect women and girls from FGM at all. Narrow grounds: Laws that explicitly criminalise FGM. Laws make reference to FGM, excision, female circumcision, genital mutilation or permanent altering/removal of external genitalia.	(OECD Development Centre/OECD, 2023[1])	SIGI

	Broad grounds: FGM can be prosecuted under law provision on mutilation, harming of a person's organs, (serious) bodily injury, hurt or assault.		
Attitudes of women towards FGM	Percentage of women aged 15-49 years who have heard about FGM and think the practice should continue.	(UNICEF, 2022[9])	GID-DB
Attitudes of men towards FGM	Percentage of men aged 15-49 years who have heard about FGM and think the practice should continue.	(UNICEF, 2022[9])	GID-DB
Prevalence rate of FGM	Percentage of women aged 15-49 years who have undergone FGM.	(UNICEF, 2022[9])	GID-DB
Missing women			
Missing women: measurement whether the population has a preference for sons over daughters	Boy-to-girl ratio among 0-4-year-old (number of males per 100 females). Note: The natural birth ratio is 105 boys for 100 girls.	(United Nations, 2022[10])	SIGI
Reproductive autonomy			
Laws on women's right to safe and legal abortion	[Scale: 0-100: scores range from 0 (rights are guaranteed) to 100 (rights are not guaranteed)] 0: The law protects women's right to a legal and safe abortion and does not require the approval of the father of the foetus to seek a legal abortion. 25: The law protects women's right to a legal and safe abortion. However, the law requires the approval of the father of the foetus to seek a legal abortion. 50: The law protects women's right to a legal and safe abortion when it is essential to save the woman's life and when the pregnancy is the result of rape, statutory rape and incest. However, the law does not protect women's right to a legal and safe abortion in one or more of the following circumstances: to preserve the mother's mental or physical health, for social and economic reasons, or in case of foetal impairment. 75: The law does not protect women's right to a legal and safe abortion in one or more of the following circumstances: when it is essential to save the woman's life or when pregnancy is the result of rape, statutory rape or incest. 100: The law does not provide women the right to a legal and safe abortion under any circumstance.	(OECD Development Centre/OECD, 2023[1])	SIGI
Prevalence of unmet family planning needs	Percentage of currently married or in-union women of reproductive age (15-49) who want to stop or delay childbearing but are not using any method of contraception	(United Nations, 2022[11])	SIGI
Restricted access to productive and financial resources			
Access to land assets			
Laws on access to land assets	[Scale: 0-100: scores range from 0 (no discrimination) to 100 (absolute discrimination)] 0: All women and men have the same legal rights to own and use land assets. There are no informal laws (customary, traditional or religious laws/rules) that create different rights or abilities regarding the ownership or use of land. 25: All women and men have the same legal rights to own and use land assets. However, some informal laws (customary, traditional or religious laws/rules) create different rights or abilities regarding the ownership or use of land. 50: Women and men have the same legal rights to own and use land assets. However, legal exceptions exist for some groups of women. 75: Women and men have the same legal rights to own land assets. However, women do not have the same legal rights to use and/or make decisions over land. 100: Women do not have the same legal rights and access as men to own and use land assets.	(OECD Development Centre/OECD, 2023[1])	SIGI

Gender gap in land ownership	Share of women in the total number of land holders.	(DHS Program, 2022[12])	GID-DB
Land ownership of men	Percentage of men who are land holders.	(DHS Program, 2022[12])	GID-DB
Land ownership of women	Percentage of women who are land holders.	(DHS Program, 2022[12])	GID-DB
Access to non-land assets			
Laws on access to non-land assets	[Scale: 0-100: scores range from 0 (no discrimination) to 100 (absolute discrimination)] 0: All women and men have the same legal rights to own and use non-land assets. There are no informal laws (customary, traditional or religious laws/rules) that create different rights or abilities regarding the ownership or use of non-land assets. 25: All women and men have the same legal rights to own and use non-land assets. However, some informal laws (customary, traditional or religious laws/rules) create different rights or abilities regarding the ownership or use of non-land assets. 50: Women have the same legal rights as men to own and use non-land assets. However, legal exceptions exist for some groups of women. 75: All women and men have the same legal rights to own non-land assets. However, women do not have the same legal rights as men to use and/or make decisions over non-land assets. 100: Women do not have the same legal rights as men to own non-land assets.	(OECD Development Centre/OECD, 2023[1])	SIGI
Gender gap in house ownership	Share of women in the total number of people who own a house alone.	(DHS Program, 2022[12])	GID-DB
House ownership of men	Percentage of men who own a house alone.	(DHS Program, 2022[12])	GID-DB
House ownership of women	Percentage of women who own a house alone.	(DHS Program, 2022[12])	GID-DB
Access to financial services			
Gender-based discrimination in the legal framework on financial assets and services	[Scale: 0-100: scores range from 0 (no discrimination) to 100 (absolute discrimination)] 0: All women have the same rights as men to open a bank account at a formal financial institution and to obtain credit, and the law does not require married women to obtain the signature and authority of their husband to do so. There are no informal laws (customary, religious, or traditional laws/rules) that create different rights or abilities between men and women to open a bank account or obtain credit. 25: All women have the same rights as men to open a bank account at a formal financial institution and to obtain credit, and the law does not require married women to obtain the signature and authority of their husband to do so. However, informal laws (customary, religious, or traditional laws/rules) create different rights or abilities between men and women to open a bank account or obtain credit. 50: Women have the same rights as men to open a bank account at a formal financial institution and to obtain credit, and the law does not require married women to obtain the signature and authority of their husband to do so. However, legal exceptions regarding access to formal financial services exist for some groups of women. 75: Women have the same rights as men to open a bank account at a formal financial institution and the law does not require married women to obtain the signature and authority of their husband to do so. However, the law does not provide women with the same rights as men to obtain credit. 100: Women do not have the same rights as men to open a bank account at a formal financial institution or the law requires married women to obtain the signature and authority of their husband to do so.	(OECD Development Centre/OECD, 2023[1])	SIGI
Gender gap in bank account ownership	Share of women in the total number of people aged 15 and above who have a bank account at a financial institution (by themselves or together with someone else)	(World Bank, 2021[13])	SIGI

Bank account ownership of men	Percentage of men who have a bank account at a financial institution (by themselves or together with someone else).	(World Bank, 2021[13])	GID-DB
Bank account ownership of women	Percentage of women who have a bank account at a financial institution (by themselves or together with someone else).	(World Bank, 2021[13])	GID-DB
Workplace rights			
Laws on workplace rights	[Scale: 0-100: scores range from 0 (no discrimination) to 100 (absolute discrimination)] 0: Women and men are guaranteed equality in the workplace, including the right to equal remuneration for work of equal value, to work the same night hours, to work in all professions, and to register a business. The rights of all women are protected during pregnancy and maternity/parental leave. There are no informal laws (customary, religious, or traditional laws/rules) that create different rights or abilities between men and women to enter certain professions, take a paid job or register a business. 25: Women and men are guaranteed equality in the workplace, including the right to equal remuneration for work of equal value, to work the same night hours, to work in all professions, and to register a business. The rights of all women are protected during pregnancy and maternity/parental leave. However, some informal laws (customary, religious, or traditional laws/rules) create different rights or abilities between men and women to enter certain professions, take a paid job or register a business. 50: Women and men are guaranteed equality in the workplace, including the right to equal remuneration for work of equal value, to work the same night hours, to work in all professions, and to register a business. Women's rights are protected during pregnancy and maternity/parental leave. However, legal exceptions to the rights to take a paid job and/or to register a business exist for some groups of women. 75: Women and men are guaranteed equal rights to enter all professions, to work the same night hours as men, and to work or register a business without the permission of someone else. However, women are not guaranteed non-discrimination in employment on the basis of sex, equal remuneration for work of equal value, or protection of their rights during pregnancy and maternity/parental leave. 100: Women do not have the same rights as men to enter all professions, to work the same night hours as men, or to work or register a business without the permission of their husband or legal guardian.	(OECD Development Centre/OECD, 2023[1])	Yes
Attitudes on women's right to a job	Percentage of the population aged 18 years and above agreeing or strongly agreeing that "when jobs are scarce, men should have more right to a job than women."	(Inglehart et al., 2022[5])	GID-DB
Attitudes on women's ability to be a business executive	Percentage of the population aged 18 years and above agreeing or strongly agreeing that "men make better business executives than women do."	(Inglehart et al., 2022[5])	GID-DB
Gender gap in management positions	Share of women among managers (SDG Indicator 5.2.2)	(United Nations, 2022[6])	SIGI
Gender gap in top management positions	Share of firms with a woman as top manager.	(World Bank, 2022[14])	GID-DB
Restricted civil liberties			
Citizenship rights			
Laws on citizenship rights	[Scale: 0-100: scores range from 0 (no discrimination) to 100 (absolute discrimination)] 0: Women and men have the same rights to acquire, change and retain their nationality as well as to confer their nationality to their spouse and children. There are no informal laws (customary, traditional, or religious laws) that create different rights or abilities between men and women to acquire, change, or retain their nationality, or to confer nationality to their spouse and/or children. 25: Women and men have the same rights to acquire, change and retain their nationality as well as to confer their nationality to their spouse and children. However, some informal laws (customary, traditional, or religious laws) create different rights or abilities	(OECD Development Centre/OECD, 2023[1])	SIGI

	between men and women to acquire, change, or retain their nationality, or to confer nationality to their spouse and/or children. 50: Women and men have the same rights to acquire, change and retain their nationality as well as to confer their nationality to their spouse and children. However, legal exceptions exist for some groups of women. 75: Women and men have the same rights to acquire, change and retain their nationality. However, women do not have the same rights as men to confer their nationality to their spouses and/or children. 100: Women do not have the same rights as men to acquire, change or retain their nationality.		
Freedom of movement			
Laws on freedom of movement	[Scale: 0-100: scores range from 0 (no discrimination) to 100 (absolute discrimination)] 0: Women have the same rights as men to apply for national identity cards (if applicable) or passports, and to travel outside the country. There are no informal laws (customary, religious, or traditional laws/rules) that create different rights or abilities between men and women to apply for identity cards or passports. 25: Women have the same rights as men to apply for national identity cards (if applicable) or passports, and to travel outside the country. However, some informal laws (customary, religious, or traditional laws/rules) create different rights or abilities between men and women to apply for identity cards or passports. 50: Women have the same rights as men to apply for national identity cards (if applicable) or passports, and to travel outside the country. However, legal exceptions exist for some groups of women. 75: Women do not have the same rights as men to apply for national identity cards (if applicable) or passports, or to travel outside the country. 100: Women do not have the same rights as men to apply for national identity cards (if applicable) or passports, nor to travel outside the country.	(OECD Development Centre/OECD, 2023[1])	SIGI
Gender gap in safety feeling	Share of women among the total number of persons declaring not feeling safe walking alone at night in the city or area where they live.	(Gallup, 2021[15])	SIGI
Safety feeling of men	Percentage of men declaring not feeling safe walking alone at night in the city or area where they live.	(Gallup, 2021[15])	GID-DB
Safety feeling of women	Percentage of women declaring not feeling safe walking alone at night in the city or area where they live.	(Gallup, 2021[15])	GID-DB
Political voice			
Laws on political voice	[Scale: 0-100: scores range from 0 (no discrimination) to 100 (absolute discrimination)] 0: Women and men have the same rights to vote and to hold public and political office in the legislature and executive branches. There are constitutional/legislated quotas or special measures other than quotas (e.g. disclosure requirements, parity laws, alternating the sexes on party lists, financial incentives for political parties) in place to promote women's political participation at the national or local levels. There are no informal laws (customary, religious or traditional laws/rules) that create different rights or abilities between men and women to vote or hold public office. 25: Women and men have the same rights to vote and to hold public and political office in the legislature and executive branches. There are constitutional/legislated quotas or special measures other than quotas (e.g. disclosure requirements, parity laws, alternating the sexes on party lists, financial incentives for political parties) in place to promote women's political participation at the national or local levels. However, some informal laws (customary, religious or traditional laws/rules) create different rights or abilities between men and women to vote or hold public office. 50: Women and men have the same rights to vote and to hold public and political office in the legislature and executive branches. However, there are no constitutional/legislated quotas or special measures other than quotas (e.g. disclosure	(OECD Development Centre/OECD, 2023[1])	SIGI

	requirements, parity laws, alternating the sexes on party lists, financial incentives for political parties) in place to promote women's political participation at the national or local levels. 75: Women and men have the same rights to vote. However, women do not have the same rights as men to hold public and political office in the legislative or executive branch. 100: Women do not have the same rights as men to vote.		
Attitudes on women's ability to be a political leader	Percentage of the population aged 18 years and above agreeing or strongly agreeing that "men make better political leaders than women do."	(Inglehart et al., 2022[5])	GID-DB
Gender gap in political representation	Share of women in the total number of representatives in parliament (lower house).	(IPU Parline, 2022[16])	SIGI
Access to justice			
Laws on access to justice	[Scale: 0-100: scores range from 0 (no discrimination) to 100 (absolute discrimination)] 0: Women and men have the same rights to sue. Women's and men's testimony carries the same evidentiary weight in all types of courts, and in all justice systems when parallel plural legal systems exist. Women have the same rights as men to hold public or political office in the judiciary branch. There are no informal laws (customary, religious or traditional laws/rules) that create different rights or abilities between men and women to sue someone, to provide testimony in court, or to be a judge, advocate or other court officer. 25: Women and men have the same rights to sue. Women's and men's testimony carries the same evidentiary weight in all types of courts, and in all justice systems when parallel plural legal systems exist. Women have the same rights as men to hold public or political office in the judiciary branch. However, some informal laws (customary, religious or traditional laws/rules) create different rights or abilities between men and women to sue someone, to provide testimony in court, or to be a judge, advocate or other court officer. 50: Women and men have the same rights to sue. Women's and men's testimony carries the same evidentiary weight in all types of courts, and in all justice systems when parallel plural legal systems exist. However, women do not have the same rights as men to hold public or political office in the judiciary branch. 75: Women and men have the same rights to sue. However, women's testimony does not carry the same evidentiary weight as men's testimony in all types of courts, or in all justice systems when parallel plural legal systems exist. 100: Women do not have the same rights as men to sue.	(OECD Development Centre/OECD, 2023[1])	SIGI
Gender gap in population's confidence in the judicial system and courts	Share of women among the total number of persons declaring not having confidence in the judicial system and courts of their country.	(Gallup, 2021[15])	SIGI
Confidence in the judicial system and courts of men	Percentage of men who declare not having confidence in the judicial system and courts of their country.	(Gallup, 2021[15])	GID-DB
Confidence in the judicial system and courts of women	Percentage of women who declare not having confidence in the judicial system and courts of their country.	(Gallup, 2021[15])	GID-DB

Note: SIGI variables refer to variables used to construct the composite index. GID-DB variables refer to variables measuring gender-based discrimination included in the Gender, Institutions and Development Database but not used to calculate the index.

Statistical computation of the SIGI

The statistical methodology of the SIGI consists in aggregating the levels of discrimination as measured by the variables into 16 indicators, which are in turn aggregated into 4 dimensions. These 4 dimensions are then aggregated into the SIGI score. At each stage of the aggregation process, the same aggregation formula is used.

The current methodology was developed in 2017 following an extensive process of consultation with gender and statistical experts and was first applied for the fourth edition of the SIGI published in 2019 (Ferrant, Fuiret and Zambrano, 2020[17]). In 2020, the methodology was reviewed during an Expert Group Meeting, and an internal quality review was undertaken in 2021 with the support of OECD's Statistics and Data Directorate. The fifth edition of the SIGI in 2023 is the second time this methodology is applied.

Data cleaning and manipulation

Attitudinal and practice data

The SIGI relies on secondary data for the attitudinal and practice variable with varying data sources depending on the country/territory and the variable in question.

To ensure comparability across countries and adherence to the SIGI framework, quantitative data are first cleaned. This includes, for instance, ensuring that the population base is the same, or ensuring that the most recent datapoint is selected when relying on data from various sources.

In order to fit the SIGI scale that ranges from 0 to 100, with 0 being the best outcome and 100 being the worst, all quantitative variables are rescaled following a min-max normalisation process, which varies depending on the type of variable.

- Variables measuring absolute levels of women's deprivation: These variables do not have a male counterpart. Examples include the prevalence rate of female genital mutilation or the share of women facing unmet needs for family planning. These variables are expressed so that 0% corresponds to the best outcome for women – e.g. no women having experienced female genital mutilation – and 100% as the worst possible outcome for women – e.g. all women of reproductive age who want to delay a pregnancy with unmet needs for family planning.
- Variables measuring relative levels of achievement or deprivation of women compared to men as the fraction of women among a particular sub-population: For these variables, the best possible outcome is 50%, indicating equality between men and women. These variables are capped at 50% and rescaled following a min-max normalisation process so that scores range from 0 to 100 with 0 being the best outcome for gender equality and 100 the worst possible outcome.
    - Case 1: The worst possible outcome is 100%, indicating that women account for the entire population deprived or facing discrimination. In this case, discrimination exists as long as women's share is above 50%. No penalties are applied if women perform better than men and if their share drops below 50%. Examples include the gender gap in safety feeling, i.e. the share of women among those not feeling safe when walking alone at night, or the gender gap in bank account ownership, i.e. the share of women among bank account owners.
    - Case 2: The worst possible outcome is 0%, indicating that women account for the entire population deprived or facing discrimination. In this case, discrimination exists as long as women's share is below 50%. No penalties are applied if women perform better than men and if their share exceeds 50%. Examples include the gender gap in management positions or among members of national parliaments.

- Variables measuring the relative levels of achievement or deprivation of women compared to men as the female-to-male ratio: These variables are calculated as the value for women divided by the value for men. For these variables, the best possible outcome is 1, indicating equality between men and women. The worst possible outcome is the maximum value of the ratio across all countries covered. These variables are capped at 1, meaning that discrimination exists as long as the female-to-male ratio is above 1. No penalties are applied if women perform better than men and if the ratio drops below 1. These variables are rescaled following a min-max normalisation process so that scores range from 0 to 100 with 0 being the best outcome for gender equality and 100 the worst possible outcome. Examples include the boy-to-girl ratio where, because the natural birth ratio stands at 105 boys per 100 girls, the variable is capped at 105.

Legal data

The SIGI relies on primary data collection for the legal variables, measuring gender-based discrimination in formal and informal laws. The SIGI 2023 Legal Survey consists of 173 questions, among which 114 are used to create the legal variables (see Annex C in (OECD, 2023[18])). Legal experts and lawyers completed the SIGI 2023 Legal Survey between March 2022 and February 2023, with a cut-off date for legal information on 30 August 2022. The Gender team of the OECD Development Centre performed data quality checks before sharing the responses with governments to validate the collected data.

The information captured by the SIGI 2023 Legal Survey is encoded to build 15 legal variables across each indicator of the SIGI conceptual framework – the only indicator that does not have a legal variable is the *Missing women* indicator as there are no laws that can be measured for this type of discrimination against girls.

A coding manual was created to quantify the level of legal discrimination based on the information collected via the SIGI 2023 Legal Survey. The coding manual ensures consistency across variables, guarantees objectivity in the selection criteria for scoring, and allows for comparability across countries as well as over time. A five-level classification (0, 25, 50, 75 and 100) serves as the basis to encode the legal information and reflects the level of discrimination in formal and informal laws: 0 denotes equal legal protections between women and men, without legal or customary exceptions, and 100 denotes a legal framework that fully discriminates against women's and girls' rights (Table A C.2).

Table A C.2. Scoring methodology for legal variables

	Score
The legal framework provides women with the same rights as men, with no exceptions, and applies to all groups of women. There are no customary, religious or traditional practices or laws that discriminate against women.	0
The legal framework provides women with the same rights as men, with no exceptions, and applies to all groups of women. However, some customary, religious or traditional practices or laws do discriminate against women.	25
The legal framework provides women with the same rights as men. However, it foresees exceptions or does not apply to all groups of women.	50
The legal framework restricts some women's rights.	75
The legal framework fully discriminates against women's rights.	100

Scores of legal variables take into account all applicable legal frameworks in the country whether formal or informal, including those that may only apply to part of the population. In many countries across the world, parallel, dual, plural or federal legal frameworks exist, all of which can further co-exist with informal law and justice systems. The SIGI methodology takes this legal plurality into account by assessing whether all women have the same rights under the respective applicable formal laws. The SIGI methodology further assesses whether informal laws create exceptions to the formal law(s).

Construction of indicators, dimensions and the SIGI

Following the cleaning and rescaling of attitudinal and practice data, as well as the encoding of legal data, quantitative and qualitative variables are grouped into a unique database, which serves to build the indicators, dimensions and the SIGI.

The computation of the SIGI relies on the use of the same formula in three different stages to aggregate variable into indicators, indicators into dimensions and dimensions into the SIGI. The formula was developed in 2017, during the revision process that produced the current methodology (Ferrant, Fuiret and Zambrano, 2020[17]).

Aggregation of variable into indicators

In theory, each indicator of the SIGI relies on three distinct variables, each measuring a different area where discrimination can occur: a legal variable, an attitudinal variable and a practice variable. Because of data gaps, this is not always possible and certain indicators rely on only one or two variables. Underlying variables are equally weighted within a given indicator. For instance:

$$Violence\ against\ women = \ln\left(\frac{1}{3}e^{Legal\ variable} + \frac{1}{3}e^{Practice\ variable} + \frac{1}{3}e^{Attitudinal\ variable}\right)$$

or

$$Political\ voice = \ln\left(\frac{1}{2}e^{Legal\ variable} + \frac{1}{2}e^{Practice\ variable}\right)$$

Scores for an indicator can only be calculated if data are available for all underlying variables. In case of missing data, the indicator score is left to missing.

Aggregation of indicators into dimensions

Each dimension builds on four indicators that are equally weighted. For instance:

$$\text{Disrimination in the family} = \ln\left(\frac{1}{4}e^{Child\ marriage} + \frac{1}{4}e^{Household\ responsibilities} + \frac{1}{4}e^{Divorce} + \frac{1}{4}e^{Inheritance}\right)$$

Scores for a dimension can only be calculated if data are available for all underlying indicators. In case of missing data in one or more indicators – resulting from missing data in the underlying variables – the dimension score is left to missing.

Aggregation of dimensions into the SIGI

The four dimensions are aggregated into the SIGI score for each country. Dimensions are equally weighted:

$$\text{SIGI Score} = \ln\left(\frac{1}{4}e^{Discrimination\ in\ the\ family} + \frac{1}{4}e^{Restricted\ physical\ integrity} + \frac{1}{4}e^{Restricted\ access\ to\ productive\ and\ financial\ resources} + \frac{1}{4}e^{Restricted\ civil\ liberties}\right)$$

SIGI scores can only be calculated if data are available for all underlying dimensions. In case of missing data in one or more dimensions – resulting from missing data in the underlying variables – the country does not obtain a SIGI score.

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Social Institutions and Gender Index

SIGI 2024 Regional Report for Southeast Asia

TIME TO CARE

What are the structural barriers to women's empowerment and inclusive development in Southeast Asia? Building on data from the fifth edition of the SIGI, the *SIGI 2024 Regional Report for Southeast Asia: Time to Care* provides new evidence-based analysis on the progress and setbacks in eliminating the root causes of gender inequality in 11 countries of the region. It underscores how multiple personal status laws perpetuate gender-based legal discrimination. The analysis also shows that social norms governing gender roles and responsibilities worsened between 2014 and 2022, particularly affecting women's educational and economic rights.

The report explores a critical policy area for the region, the care economy. Stressing the gendered, informal, and unpaid dimensions of care, it draws on social, demographic, educational and economic evidence to forecast a growing demand for care services in Southeast Asian countries. The report advocates for the strategic development of formal care systems as a unique opportunity to accelerate women's economic empowerment, build inclusive societies and strengthen the region's resilience to external shocks – including those induced by climate change. To dismantle the barriers that prevent the emergence and expansion of such a formal care economy, it provides concrete recommendations to policy makers and other stakeholders.

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