

CONCEPT NOTE ON THE USE OF GENDER SENSITIVE QUALITATIVE INDICATORS FOR MONITORING IMPLEMENTATION OF THE BEIJING PLATFORM FOR ACTION

I. Background and purpose of the paper

The Beijing Platform for Action emphasized the development of gender sensitive indicators in order to systematize the monitoring and evaluation of progress made in implementing its recommendations. Two key concerns were underscored by the Platform: first, the importance of collecting disaggregated data by sex, age and other variables and the concurrent development of indicators to track changes; and second, the absence of data on such areas of concern as violence against women which has implications for the way interventions are devised and implemented.

Since the Cairo and Beijing Conferences, UNFPA (United Nations Population Fund), WHO (World Health Organization), UNICEF (United Nations Children's Fund), UNIFEM (United Nations Development Fund for Women) and UNDP (United Nations Development Program) have been engaged in compiling statistical indicators to monitor implementation and track improvements or regression in women's situations vis-à-vis the areas of concern and other emerging issues. At the regional level, UNESCAP, APDC (Asian and Pacific Development Centre) and national and regional women's NGOs and groups have brought out monitoring reports of post-Beijing and post-Cairo implementations. The Beijing + five review process in 2000 also resulted in some concerted monitoring efforts and generated the development of gender sensitive indicators.

In monitoring implementation efforts for the Beijing + five review and beyond, the Gender and Development (GAD) Section, Emerging Social Issues Division, of UNESCAP has addressed the development of both gender sensitive qualitative and quantitative indicators (Licuanan,¹ 1999; Kim,² 2002). This paper builds on the efforts made by the GAD Section and the Statistics Division of UNESCAP, to compile and disseminate information on the development and use of gender sensitive indicators to monitor the progress of implementation of the Platform. The paper is to be read in conjunction with the report³ by the Statistics Division of UNESCAP brought out for the High-level Intergovernmental Meeting.

This paper focuses on the development and use of gender sensitive qualitative indicators for three specific issues that have gained increased importance for women in the region in the ten years since Beijing, *viz.*, women's economic migration, women's participation in the informal sector and the persistence of violence against women. In so doing, the paper highlights developments brought on by globalization of economies, the resurgence of political movements including various forms of fundamentalism and insurgencies which

¹ Licuanan, P. B. (1999), Monitoring and Evaluation Strategies for the Empowerment of Women, in Women in Asia and the Pacific: High-level Intergovernmental Meeting to Review Regional Implementation of the Beijing Platform for Action, 26-29 October 1999, UN ESCAP, Bangkok.

² Kim, Y. (2002), Concept paper on Gender indicators for the Regional Implementation of the Beijing Platform for Action, UNESCAP, Bangkok.

³ Gender Equality and Empowerment: a profile of the ESCAP region.

affect women's livelihoods and the securing of their human rights in the areas of labor rights, legal rights and the rights to life, safety and protection.

In the following section, some conceptual points are set down before providing an outline of the rights-based framework used to develop key indicators for monitoring of the situations with women and migration, women's participation in the informal sector and violence against women. The third section of the paper outlines qualitative indicators for the three identified areas which can be seen as a starting point for development of such indicators for the other critical areas of concern from the Platform.

II. Discussion of key conceptual points

This paper employs the analytical framework of the three-fold rights approach used to review the regional implementation of the Beijing + ten⁴ process, in order to think through the development of qualitative indicators. Gender-sensitive qualitative indicators that monitor post-Beijing interventions should necessarily capture more nuanced information about women's perceptions and experiences of any incremental degrees of change that facilitate the securing of their rights through various interventions. But before detailing the three-fold rights approach and its use to develop indicators and measure progress, it would be useful to outline some basic information on the needs, purpose and basis of gender-sensitive qualitative indicators in relation to the implementation of the Platform.

As any review of the Beijing implementation and its monitoring should begin with the premise that the recognition and securing of women's rights by the State is non-negotiable, this paper acknowledges the indivisibility of women's human rights and attempts to construct qualitative indicators based on the notion that States are morally obligated to accord women rights in the public and private spheres. At the level of women's empowerment, which is a key goal in the realization of women's rights, gender-sensitive qualitative indicators need to be able to capture women's sense of self and their perception of positive changes to their lives as a result of interventions.

An indicator can be seen as a form of data that conveys some information on change in a situation through either a figure or a description in comparison to a norm. Indicators go beyond presenting facts to interpreting trends or patterns. The history and use of indicators point to the privileging of quantitative indicators over qualitative indicators. However, the use of qualitative indicators has gained currency with international development agencies. For example, the CEDAW treaty body expects governments to report on advances made to secure women's rights in relation to men's rights in areas such as education and training, employment, health services and marriage among others. Therefore, CEDAW reports offer the opportunity to create gender-sensitive qualitative indicators.

While quantitative indicators are often privileged because they are seen as 'objective' and able to convey the extent of a problem or rate of progress through 'numbers', 'percentile

⁴ See Review of the Regional Implementation of Beijing Platform for Action and its outcomes issued at the ESCAP High Level Meeting, 7-10 September, 2004, Bangkok.

ranking' and other measures, the development and use of qualitative indicators are equally important. This is despite the fact that they are often seen as 'subjective' and biased; while an extensive survey would allow for generalizations to be made, a few case studies are capable of offering more information on socio-structural relations than a large survey which might fail to capture the nuances of every-day life. Because women's subordination is rooted in socio-cultural norms and practices which filter through in both the private and public spheres, the use of qualitative indicators can help to derive contextual information on women's experiences of situations. Such information together with sex-disaggregated statistics with baselines can be used to develop analysis which can be effectively fed into the policy environment within which change for women in terms of equality and equity is being sought and measured.

Gender-sensitive qualitative indicators aim to capture social processes with particular reference to gender-related social changes and explain why a situation that has been measured or assessed has occurred and also point to how it might be corrected, enhanced or changed. Gender-sensitive quantitative indicators are able to point to degrees of change in gender-related situations through the use of statistical indicators. Therefore the use of both quantitative and qualitative indicators to examine a particular social situation can result in enhanced understanding of what change might mean to people.

Jodha's⁵ (1989) study of poverty in two Indian villages is a good example of how the use of quantitative indicators is complemented by qualitative indicators and qualitative analysis. Using quantitative indicators, he collected information on household income between 1964 and 1984 and found that 38% of the households in his sample had become poorer over the twenty-year time period. At the same time, Jodha also collected information using qualitative indicators from the farming households by examining their perception of change over the same period. He found that although income levels had dropped significantly, poor farmers felt that they were better off as they were now less dependent on elite patrons and had been able to lessen their reliance on low-paid jobs as their mobility had increased. His work demonstrates the complementary use of quantitative and qualitative indicators to capture a holistic picture of social situations. The monitoring of the Beijing Platform implementation calls for the use of both quantitative and qualitative indicators.

In assessing changes in women's socio-economic situations, gender-sensitive qualitative indicators are vital, not merely to know how many women were targeted under an intervention or how many women received micro-credit but also to know the outcomes of that targeting, or how women used micro-credit, or whether others controlled their decision on its use. Such information would have a bearing on making programs work for women's strategic gender interests as well as meet their practical gender needs and thereby improve the focus of future interventions. Molyneux⁶ (1985) defines strategic gender interests as those interests derived from the analysis of women's subordination

⁵ Jodha, N.S, (1989), *Social Science Research on Rural Change: Some Gaps*, in Bardhan, P.K. (ed), *Conversations Between Economists and Anthropologists: Methodological Issues in Measuring Economic Change in Rural India*. Oxford University Press, New Delhi.

⁶ For more conceptual details, see Molyneux, M, 1985, 'Mobilization without Emancipation? Women's Interests, the State and Revolution in Nicaragua', *Feminist Studies*, Vol. 11, No. 2.

and from formulation of an alternative, more satisfactory arrangement, while practical gender needs are seen to arise from the conditions of women's positioning in the division of labor by virtue of their gender. Interventions that address women's practical gender needs focus on improving their material condition while those that address their strategic gender interests seek to change the location/position of women in society through questioning subordination and the gender division of labor.

Kandiyoti's⁷ (1998) assertion that the 'messiness' of social and gender realities often exceeds the explanatory power of conceptual frameworks is pertinent for the development of qualitative indicators as the 'messiness' of socio-economic realities related to the situations of migrant women workers, women in the informal sector and women who have been violated are complex and do not often lend themselves to either being quantified or qualified too easily. That said, qualitative indicators do allow for the inclusion of the 'messiness' when women's perceptions and experiences are considered. However, policy formulation and implementation that could be derived from qualitative indicators can become tricky because women's notion of rights may contradict the State's notion of according them those rights. Such issues are beyond the scope of this paper which is about suggesting initial ideas on the formulation of gender sensitive qualitative indicators. These tensions are however flagged as areas where more conceptual work needs to be done so that monitoring the securing of women's rights becomes more reflective of developments on the ground.

The development of gender-sensitive qualitative indicators, in addition to being informed by theory and having a sound knowledge base including the employment of appropriate methodologies, must also adhere to a checklist on the realization of rights. The report on the APDC⁸ regional training course on gender mainstreaming offers an example of such a checklist. Using the APDC example as a template, briefly, such an indicators checklist could expand on the following key questions:

- Do the indicators measure results or outcomes in terms of women's rights such as achievement of gender equality or facilitation of women's empowerment?
- Do the indicators measure processes through which gender equality and women's empowerment are being promoted or hindered?
- Do the indicators track obstacles and opportunities? For example, economic facilities/schemes, social opportunities and technical aspects of interventions.
- Do the indicators take into account socio-cultural and political realities?
- What type of data will be relied upon?

Another fundamental question is, who sets indicators? We can identify four sets of actors for the monitoring of the Beijing Platform for Action implementation:

- a) Governments,
- b) International development agencies including donors,

⁷ Kandiyoti, D, (1998), Gender, Power and Recontestation: 'Rethinking Bargaining with Patriarchy', in Jackson, C, and R, Pearson, (eds), *Feminist Visions of Development: gender, analysis and policy*. Routledge, London.

⁸ Asian and Pacific Development Centre (APDC), 2003, *Report on Effective Mainstreaming for Gender Equality: Concepts, Tools and Strategies*, APDC, Malaysia.

- c) NGOs, and,
- d) Women, who are the target of implementation.

While there is ample evidence that the first three categories of actors or stakeholders are actively involved in setting indicators for monitoring implementation, the fourth set of actors, women whose lives are under focus in interventions, seem not to be that involved in monitoring the changes in their lives. It is within this context that Beck⁹ (1999), asserts that indicators could often be developed by experts who may not use participatory methods to develop these indicators or consider important cultural and other local factors that have a bearing on the realization of women's rights. Gender-sensitive qualitative indicators have to be content and context specific to be able to capture information that can be used in conjunction with information generated from quantitative indicators as a basis to initiate change.

However, gender-sensitive indicators are not without limitations. Gender relations have a profound effect on women's capacity to access and control resources and any information that sheds light on the causes, characteristics and consequences of unequal gender relations will benefit policy formulation and intervention. It has been pointed out that it is difficult to find indicators that provide information on the dynamics of gender relations (Brambilla,¹⁰ 2001).

Given all of the above, in order to make the monitoring of the Platform implementation successful in its advocacy, the tracking process has to be systematized and effective and both quantitative and qualitative indicators have to be employed to measure progress and/or record setbacks with the emerging analysis being framed in ways to inform the policy process. An example of such a monitoring is offered by the CEDAW treaty body: governments receive comments on not only their 'performance' as reflected in their official report but the treaty body also considers feedback from NGO reports to inform their advice to governments.

The use of qualitative indicators therefore enables the charting of socio-economic and political contexts of women's lives within which specific actions/activities that have been instituted are assessed for gender implications and progress. The Beijing Platform monitoring then becomes not only a reporting exercise, but also an analytical and advocacy project. And if that analysis is situated within global, regional and national socio-political contexts and trends, then the monitoring is able to track progress made to secure women's rights as well as point to potential areas where women's rights would be at risk and therefore merit concerted action. Post-Beijing monitoring is then also about a strategy for gender mainstreaming and more importantly, an effective tool to hold States accountable for their commitments to promoting and protecting women's rights.

This paper now briefly describes the rights framework that will be used to inform/guide the exploration of gender-sensitive qualitative indicators for the identified issues.

⁹ Beck, T (1999), Using Gender-Sensitive Indicators, A Reference Manual for Governments and Other Stakeholders, Gender Management Series, Commonwealth Secretariat, London.

¹⁰ Brambilla, P, (2001), Gender and monitoring: a review of practical experiences, BRIDGE Report 63, Institute of Development Studies, Brighton.

III. Towards an analytical framework

The Beijing Platform for Action advocates a rights-based approach for addressing gender inequalities and inequities that emphasizes non-discrimination, pays attention to vulnerabilities and seeks to empower women. In also advocating the use of a rights-based approach to examine issues affecting women so as to develop gender-sensitive qualitative indicators to measure progress made by interventions within the Beijing Platform for Action implementation framework, this paper reinforces a rights-based approach to monitoring. The rights discourse provides a powerful overarching framework to discuss the attainment of gender equality as the operation of rights can be seen as circular, with rights in each area of women's lives being linked (Subrahmanian,¹¹ 2003). In highlighting women's rights as human rights, women's rights activists have emphasized the role of the State as a duty bearer in not only securing women's rights but also refraining from violating their rights and preventing others from committing such violations, particularly within the family.

This paper draws on Wilson's¹² (2003) three-fold rights approach used to assess the promotion of gender equality in and through education for the UNESCO Global Monitoring Report on Education for All. Wilson's elaboration of a rights approach to examine government commitment to education is based on a rights discourse, and, as explained by Subrahmanian (2003), the rights approach in education is framed in terms of States' obligation to citizens.

Briefly, the rights approach to education can be understood to mean the right *to* education (access and participation), rights *within* education (gender aware educational environments, processes, and outcomes) and rights *through* education (educational outcomes that link equality in education to wider processes of gender justice). If one applies Wilson's rights approach to assess women's rights to health, we could take the right *to* health to mean access to information and services, rights *within* health systems to mean access to comprehensive, affordable and gender sensitive health care, and rights *through* health services to mean improvements in wider outcomes such as improved nutritional intake for women and girls as a result of increased information about health and well-being, reduction in violence against women as a result of knowledge about one's rights to safety, and women's increased influence on decision-making at the household level.

Such an approach, because it examines equality in terms of opportunities, treatment, outcomes and benefits for women, considers what Kabeer¹³ (1999) terms substantive

¹¹ Subrahmanian, R, (2003) Gender equality in education: definitions and measurements, background paper for EFA Global Monitoring Report 2003/4, UNESCO, Paris.

¹² Wilson, D, (2003), Human Rights: promoting gender equality in and through education. Background paper for EFA Global Monitoring Report 2003/4, UNESCO, Paris.

¹³ Kabeer, N, (1999), 'From feminist insights to an analytical framework: an institutional perspective on gender inequality', in N. Kabeer and R Subrahmanian (eds), Institutions, Relations and Outcomes: A Framework and Case Studies for Gender-aware Planning, Kali for Women, New Delhi.

equality, which is about examining the differences between women and men in terms of their capacity and in terms of the socially constructed disadvantages that women face relative to men. In examining interventions for the identified issues from a rights-based framework, this paper will explore and suggest broad categories of qualitative indicators that would take the form of questions and/or ask for specific information in order to situate both positive and negative effects of interventions for the securing of women's rights.

Given the above exposition of rights, how would one begin to develop gender-sensitive qualitative indicators to monitor government actions for securing the rights of migrant women workers, protecting the rights of women in the informal sector and addressing the rights of women who face violence in their lives? First, in order to understand women's situations in each of these areas of concern, it is necessary to get information on their life conditions including such factors as types of household and living arrangements, household income levels, control of assets, access to resources, educational and training qualifications, available work opportunities, women's status within household, caste/class dynamics, women's health situation, and constraining factors such as poverty levels and the types of violations faced by women. These are a combination of quantitative and qualitative indicators which would offer basic information from where one could start thinking about qualitative indicators to monitor plans and actions for securing women rights in the identified areas.

Secondly, information on current interventions offers the scope of not only examining resources and opportunities available to women but also assessing how effective these are in terms of gender sensitivity and women's claims to them. From the information so culled, one could then formulate key questions on two types of qualitative indicators: condition-focused indicators and capabilities-focused indicators. Condition-focused indicators can point specifically to women's life and work conditions and identify areas for future action by governments through examining the areas of *rights to* and *rights within* in interventions. Capabilities-focused indicators are those that reveal information on how women perceive and actualize their opportunities and strategize for addressing constraints thereby identifying spaces for interventions that are not only guided by actual experiences but also allow for women's participation in formulating these interventions. Capabilities-focused indicators are derived from an examination of the *rights through* component of interventions.

This paper now examines the issues of women and migration, women's participation in the informal sector and the persistence of violence against women and uses the three-fold rights approach to identify key questions that will form the two types of qualitative indicators defined above.

IV. Exploring the development of qualitative indicators

Women and migration

Using the rights framework referred to earlier, let us examine what, *rights to*, *within* and *through* migration, could mean for migrant women domestic workers in terms of their economic and social empowerment. This paper has chosen to focus on migrant women

domestic workers as they form a large part of female migrants in Asia and engage in gender-stereotyped work. In addition, because their workplace is the home, it is largely unregulated and the women are vulnerable to abuse. *Right to* economic migration at the point of origin can be taken to mean access to information on safe and secure employment in destination countries and protection from exploitation and violence, including violence from State agents during recruitment procedures and passage to destination. At the destination these rights would include access to judicial and administrative resources and procedures upon arrival. *Rights within* migration would include women's access to health services, consular, legal and social assistance where applicable, facilitation with remittance services, and protection from abuse and harassment from both State and non-State actors.

Rights through economic migration would refer to increased autonomy and power to negotiate terms of work in the destination country. In the home country these rights would translate into control over earnings and more decision-making power at the household level to ensure positive social outcomes including having more say in family decisions on daughters' education, ownership of property and other assets, higher savings and increased capacity to build social support networks.

Currently, government reports from sending countries register progress made on securing migrant women workers' rights through outlining specific pre-departure programs, but what is not reported is how migrant women themselves perceive and utilize these interventions. Some receiving countries have interventions in place for migrant women workers, and most programs tend to provide information on services and facilitate access to such services. However, migrant women workers are not necessarily given the right to organize themselves into negotiating groups or unions or have their perceptions considered in the formulation of policy. There are also discriminatory policies in certain countries whereby foreign women migrant domestic workers are not allowed to marry male citizens of the country.

In order to address the inclusion of migrant women domestic workers' viewpoints and experiences in policy formulation, the following questions can be asked to arrive at some condition-focused qualitative indicators from which policy initiatives could be derived.

At the level of sending countries:

- Are mechanisms in place to help potential women migrants to make informed decisions about their work at destination countries? Does the available information provide women a comparative picture of what might be the opportunities available and the types of remuneration and benefits?
- Are there current agreements with certain countries with regard to the terms of work? Do these agreements address minimum wage requirements, medical benefits, leave requirements, and mandated hours of work?
- Are potential women migrants aware of such agreements?
- Do training/orientation programs include the active participation of women migrants who have since returned?
- What types of regulations are in place to oversee the operations of recruitment agencies and their representatives? Is there evidence of potential women migrants

- being asked to provide exorbitant fees for travel and other arrangements in preparation for their overseas work?
- How are State agents involved in processing papers for women migrant workers monitored?
 - Are there channels for complaints in the event of rights violations by both State and non-state actors?
 - What are the facilities available to women migrant workers to remit salaries? Are there incentives available to their families for subsidizing children's education, availing loans for promoting business interests of the male partner who is left behind at home and other facilities such as home loans?

At the level of receiving countries:

- What types of programs are in place to facilitate arrival and orientation?
- How are the departments of immigration, health and labor involved in these procedures?
- Are there monitoring mechanisms for regulating employment agencies?
- Is there a graded salary scale for workers from different countries, if yes, what is the basis of the calculation? Does a similar gradation also exist for male foreign migrant workers?
- How are employers assessed and who carries out these assessments?
- Does the department of labor provide information to workers on their labor rights?
- In the event of labor rights and human rights violations, what are the channels open to foreign women domestic workers to lodge complaints and be supported through the investigation process?
- What types of health check requirements are in place for women migrant workers and how different are they to what is required of male migrant workers?
- Are there counseling services available? How far are embassies able to help women in foreign locations?
- Are migrant women domestic workers allowed to continue work during the time they are waiting to give evidence in cases where investigations have been instituted for rights violations on either party (employees and employers)?
- What events/acts by migrant women domestic workers constitute a serious offense meriting deportation?
- What types of facilities exist to facilitate remittances back home?

From the above list of questions which is by no means exhaustive, one could sketch a picture of migrant women domestic workers' conditions and emerging gaps could be addressed through policy and programmatic interventions. Turning now to capabilities-focused qualitative indicators which could point to areas where policy initiatives could benefit from migrant women workers' participation and are arrived at through interrogating the *rights through* component of interventions.

The following questions can be asked at the level of sending countries:

- How much of evidence is there and how detailed is it to support the assumption that migrant women domestic workers have enhanced their capacity to influence decision-making at the household level?

- Have migrant women domestic workers become empowered to change gender equations with their husbands/partners and other family members?
- Has the empowerment or disempowerment had implications for their capacity to create social networks that help the care of their families and upkeep of households when they are away?
- Have migrant women domestic workers access to and ownership of resources such as landed assets and other immovable and movable assets increased?
- Do government planning bodies on migration have women migrant domestic workers represented?

At the level of receiving countries, the following questions can be raised:

- Are foreign migrant women domestic workers able to negotiate terms of their work contract with employers?
- How are new entrants to the country able to tap on the experience and expertise of those already there?
- Are any interventions designed with inputs from the women, for example, on coping skills, tackling multicultural environments etc.?

These questions can be built upon and expanded to analyze emergent patterns and gain more information that could be useful for policy formulation. The paper now examines women's participation in the informal sector and violence against women.

Women's participation in the informal sector

Women's *right to* employment and benefits in the formal and informal sectors addresses itself to State institutions, transnational and local corporations and conglomerates. The *right to* employment covers unhindered access to employment and training opportunities and resources. *Rights within* employment are about benefits, non-discrimination in remuneration packages, access to representation in decision-making bodies, elimination of gender stereotyping in jobs, career options and paths and acknowledgement of women's multiple roles by employers. *Rights through* employment would include women's access to membership and decision-making bodies in business and trade networks, their recognition and representation in positions of power and decision making and their increased capacity to influence decision-making in the household and change skewed gender relations.

While the above enumeration of rights is mainly applicable to the formal sector, these rights can and should be valid for the informal sector as well given that transnational corporation and local conglomerates use global value chains in production processes which can be located in informal sectors. Many government reports on Beijing + ten review revealed the increasing participation of women in the informal sector and the implications of that for their wages, social security and personal safety given that the sector remains unregulated.

Given the prevalent risk factors of the informal sector, the presence of higher numbers of women than men in this sector, and considering the *rights to* and *within* interventions, we could arrive at some policy focused recommendations by asking questions that will help us arrive at some condition-focused qualitative indicators.

- Where are women located in informal sectors in terms of their presence and positions in industries, wages, hours of work and conditions of work as compared to men?
- What types of work reach home-based workers and how does that impinge on their social reproduction roles? Do they rely on their daughters to subsidize their social reproductive chores?
- How is girls' education affected as a result of their engagement in home-based production and involvement with household chores?
- Are there alternative social security schemes that are in place to meet the needs of women in the informal sector?
- Are there health insurance schemes for women in this sector?
- Do women in the informal sector have access to information on work opportunities and re-skilling and training programs? What types of training programs are currently in place?
- Which transnational corporations and local conglomerates have their global value chain production centers located in the informal sector? Do they have codes of conduct including ethical sourcing guidelines in place? Are these codes gender-sensitive?
- Are credit programs available to women in the informal sector? What types of social networks can these women rely on to further their business opportunities?

Information culled from these questions can be analyzed and an indication of employment trends including specific risks for women can be identified and channeled to the policy sphere for action.

Moving to capabilities-focused qualitative indicators and taking into account *rights through* the sector, the following question could be asked:

- Are women in the informal sector able to organize themselves to form collectives and present a united front for negotiations with employers?
- Does their social capital help them to surmount problems with care-giving and social reproduction when they are engaged in waged work?
- Do the training programs and information available to them meet their empowerment requirements for negotiations at the household level to challenge unequal gender relations?
- Are they able to protect themselves from vulnerabilities related to their work conditions?

More such questions that are context specific to the particular industry/type of work engaged in could be framed and areas with the potential for change could be identified for intervention and monitoring. The paper now moves to a difficult and complex area – violence against women, which is mainly about women's rights in the private sphere but also has implications for their rights in the public sphere.

Violence against women

Women's *rights to* life, personal safety and security would entail the right to legal protection, gaining access to information on services including shelters, crisis hotlines,

and getting legal counseling and representation. *Rights within* programs/interventions for women whose personal rights have been violated would mean that gender biases of laws, and gender stereotyping in legal and other social assistance services are addressed in addition to ensuring that the judiciary is impartial so that battered and abused women are able to exercise and claim their rights with State agents and policies. *Rights through* interventions addressing violence against women would result in women being able to successfully take actions against perpetrators, overcome societal biases and discriminations and lead healthy and balanced lives

Given that there is a wide range of violations that take place against women and that their rights are specific to those particular contexts under which they are abused or had their rights denied or have been violated, this paper confines itself to the issue of domestic violence or more correctly, the issue of the battered wife/partner. While most countries have in place specific laws on domestic violence and are instituting concurrent support programs for medical help, referral to police stations and legal assistance, the single biggest obstacle is the culture of silence that surrounds the issue and the consequent inability of women to access their rights to life, protection and safety. Other impediments are also presented by stereotyped perceptions of State agents such as the police and judiciary who allow their personal biases to color their treatment of battered women and subject them to another set of humiliations in police stations and courts.

Let us now examine how the concept of battered women's *rights to* and *within* interventions can help us to identify condition-focused qualitative indicators that could inform policy.

Some of the questions we could ask are:

- What types of services are available for battered women at their first point of call for help which is often a medical clinic?
- Are there referral systems in place that connect medical clinics, government hospitals, police posts, counseling centers, legal helplines and social services?
- Is there some mechanism for integrating these services so that battered women can avail of help discreetly without fear of social stigma or further jeopardizing their situation within families and society?
- How are battered women's children included in the types of services that are offered; for example, do shelters necessarily accommodate children, if yes, up to what age?
- Are there gender sensitization training programs in place for the police, medical personnel, judiciary, social workers and social welfare officers?
- What are the legal procedures in place for battered women to claim their rights to life, personal safety and security? How long do emergency procedures such as protection orders take to get issued? What supplementary mechanisms are there in the community and workplace to protect battered women and prevent them from being attacked by abusive husbands/partners who have restraining orders set out against them? What do the conviction rates for husbands/partners accused of battering women point to and is there a system to analyze cases and share the information among those engaged in helping the women?
- Are religious and other forms of social support brought into the policy initiative?

This brief checklist of questions could be expanded to bring in the specificities of countries.

With regard to battered women's *rights through* interventions and the questions on capabilities-focused qualitative indicators, the following can be identified:

- Are there self-help groups for battered women?
- Where possible, are there instances where such self-help groups could share information and coping mechanisms over the Internet to assure anonymity and respect privacy?
- Are women who have emerged from being battered, and moved on to becoming empowered, involved in training programs or support services? Are there opportunities for such women to be part of the policy realm and work with different stakeholders to come up with solutions?

These questions can be seen as starters to begin a process of dialogue with battered women survivors who can inform policy initiatives in meaningful ways and help to devise some solutions that qualitative indicators can only point to.

Conclusion

This concept note set itself the task of applying the three-fold rights approach to the three specific areas of women migrant domestic workers' rights, the rights of women workers in the informal sector and the rights of battered women in order to explore the construction of gender sensitive qualitative indicators. It identified two specific types of qualitative indicators: condition-focused and capabilities-focused to capture and integrate the *rights to*, *rights within* and *rights through* framework. It is hoped that the sets of questions generated for each issue and under the two types of indicators would be helpful for those monitoring these particular issues to advocate for change.

It was emphasized that the implementation and monitoring of the Beijing Platform for Action is mainly the responsibility of the State as it has committed to securing the rights of women in the particular areas flagged by the paper. The demands made by women's movements in the region for the State to shoulder this responsibility are mainly addressed to the exertion of political will and allocation of resources. In underscoring these demands, this paper stresses the roles of non-State actors particularly the women's movements which have been instrumental in advocating for many of the legislative and other policy measures, for the important stake they have in monitoring State actions.