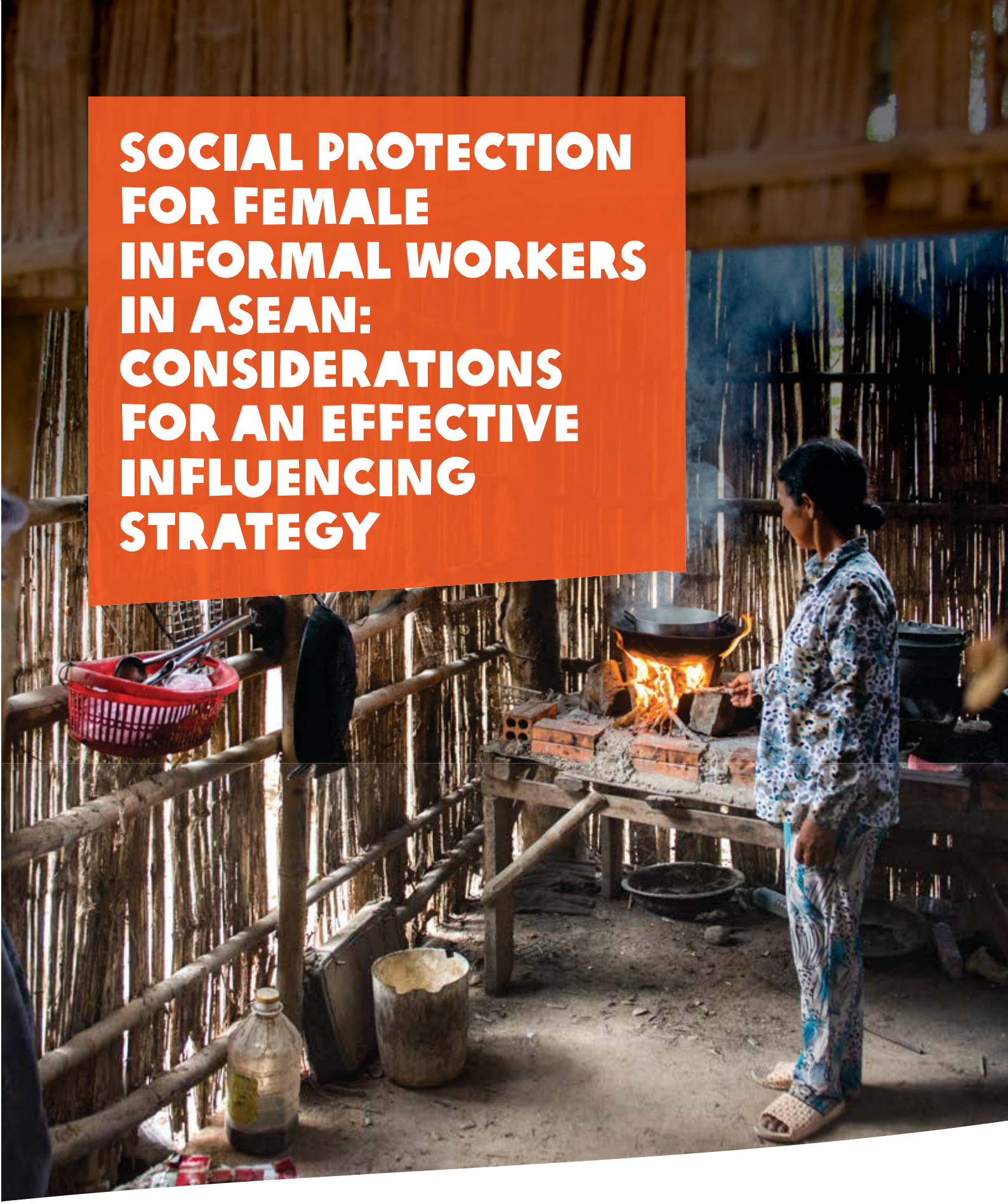
SOCIAL PROTECTION FOR FEMALE INFORMAL WORKERS IN ASEAN: CONSIDERATIONS FOR AN EFFECTIVE INFLUENCING STRATEGY



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EXECUTIVE SUMMARY

This document aims to serve as a guide for civil society organisations on how to engage the ASEAN organisation and contribute to the development of social protection systems that are supportive of female informal workers.

This group of informal workers has increased vulnerability to socioeconomic shocks due to the nature of the work they perform, the lack of regulations and protection they suffer, and the seasonality of the income they receive, among other reasons. Among informal workers, women are most present in low-pay, vulnerable employment, and have lower access to social protection services and benefits. Furthermore, women suffer from additional vulnerabilities and burdens due to the existence of traditional social norms and unbalanced power relations binding them, and to their reproductive role in society.

All of these contribute to a call for the need to develop social protection systems that provide services and benefits that are sensitive to the needs of female informal workers. The suggested mix of interventions includes non-contributory interventions, like tax-based schemes that protect the mother and the child, and the development of voluntary contributory
schemes. The effective development of social protection interventions to increase the level of protection of this group must be supported by awareness and advocacy campaigns to inform beneficiaries, as well as measures leading to facilitate the formalisation of their employment arrangements, when possible.

SOCIAL PROTECTION IN ASEAN

The development of social protection systems has been unequal among the ASEAN Member States, with big differences in budgetary and political efforts. However, in the last decade, as countries started recognising the centrality of social protection systems in fostering socio-economic development and in reducing inequalities, social protection also started to get reflected on the ASEAN agenda.

On 9 October 2013, in Brunei Darussalam, the ASEAN Member States adopted the ASEAN Declaration on Strengthening Social Protection, during the 23rd ASEAN Summit. The Declaration recognises the need to protect the people of the ASEAN Member States from economic shocks during their life cycles and social protection as a valid strategy to foster socio-economic development and integration in the region. It also calls for the extension of coverage, the provision of services under the conditions of equitability, non-discrimination, and gender equality. Relevantly, it highlights the importance of adaptive social protection that can expand its reach to the informal sector and other vulnerable groups.

Although various initiatives contain references to the importance of social protection systems and to ensuring the wellbeing of vulnerable women actual development and implementation of social protection policies at the national levels have not everywhere seen a considerable impulse and there is still a long way to go, particularly in what regards to the extension of coverage to female informal workers.

FEMALE INFORMAL WORKERS AND THE NEED FOR SOCIAL PROTECTION

Informal employment in the Asia-Pacific region averages 68.2% of the total workforce. Among informal workers there are those with increased vulnerabilities due to the intersection of personal characteristics like having a disability, belonging to an ethnic minority or being pregnant, for example. More than 80% of the ASEAN labour active women are in vulnerable employment, which includes domestic work and agriculture. These women have little or no access to social protection services and benefits. At the same time, men and women face different life-cycles and socio-demographic risks, and as dependents, women also take weaker positions in intra-family decision-making.

It is in these contexts of high vulnerability where social protection systems are vital to providing support to women in informal work arrangements. But for this, social protection systems must be able to tackle lifecycle challenges faced particularly by working-age women, like maternity and childcare.

An analysis of the available evidence shows that the most effective social protection interventions in addressing the needs of female informal workers include health care services, maternity protection, child care and benefits, and social pensions which are analysed in details in this study.

STAKEHOLDERS IN SOCIAL PROTECTION IN THE ASEAN REGION

It is difficult to engage the ASEAN organization in the pursuit of advocating for the development of social protection interventions for female informal workers. ASEAN has its own formal channels for dialogue and civil society organisations need to be invited to dialogue first. However, the evidence shows that the ASEAN organisation is a necessary enabling environment, but not a deciding factor. Because of this, organisations should be very selective regarding what ASEAN bodies and individuals to engage, and which events to participate in, to make the most effective use of limited resources.

Few ASEAN bodies present the best opportunities to engage in matters related to social protection for female informal workers. Firstly, are those with direct responsibility for the implementation of the ASEAN Declaration on Strengthening Social Protection. These bodies are the ASEAN Ministerial Meeting on Social Welfare and Development (AMMSWD) and the Senior Officials Meeting on Social Welfare and Development (SOMSWD). Second, are the ASEAN Committee on Women (ACW) and the ASEAN Labour Ministers Meeting (ALMM), with direct responsibilities on sectoral matters closely related to the interests of female informal workers and their access to social protection. Not to be forgotten is the ASEAN Secretariat, as it provides support to the higher levels of the organisation and acts as a filter to the messages and initiatives that will reach the sectoral bodies.

The ASEAN Member States can become either allies or opponents to specific developments of social protection for female informal workers, depending on the political moment.

The ASEAN organisation also holds regular interactions with multilateral organisations, like the United Nations and its agencies, who are natural allies in supporting the expansion and extension of social protection systems. Partnering with them usually provides good returns to the time and effort invested. The most active UN actors in the region in terms of social protection are the ILO, UNICEF, and UNESCAP.

RECOMMENDATIONS FOR A SUCCESSFUL INFLUENCING STRATEGY

A successful strategy to engage with ASEAN should take an 80/20 approach, where 80% would be the time and effort devoted to interacting with national governments, partners and projects and 20% at the regional level to interact with the ASEAN organisation by direct or indirect means.

- The ASEAN organisation can be influenced directly by a variety of direct methods which include direct dialogue (when invited by the organisation), soft influencing strategies such as the production of knowledge and analytical materials (studies, white papers, etc.), through joint program implementation or by helping to monitor ASEAN's strategic plans. In any case, it is advised that civil society organisations should keep a middle ground during dialogue processes with ASEAN bodies, and not become too assertive.

- Social protection partners can also influence the ASEAN organisation by indirect means. A method that has proved successful in the past is to provide support to leading national authorities (individuals) and organisations, and support venues of dialogue and engagement between organisations of different ASEAN countries.

- At the country level, partners need to be identified to add efforts and strength to influence national governments on topics relevant to the advancement of social protection for female informal workers. As mentioned, if the national experience becomes successful, the next step will be to bring the example to become known at the ASEAN level.

- Social protection advocates can use their leverage at the national level to produce research, training, advocacy, giving voice to marginalised groups, etc., and utilise the successful developments at the national level to advocate for the same changes among the other ASEAN Member States utilising the opportunities provided by the ASEAN organisation. The rationale of this strategy is to let the countries become champions and bring to ASEAN their own domestic developments on social protection policy, rather than wait for ASEAN to start the process.

- Lastly, one of the CSO's comparative advantages is their grassroots level experience. This can be translated into action by helping grassroots organisations to develop communication and advocacy materials to inform beneficiaries of their eligibility to services and benefits, or in the production of advocacy materials to help associations to advocate for the extension of social protection before the government. Another entry point for CSOs is their capacity to provide scientific evidence and data to national authorities that can be used to develop evidence-based policymaking.

INTRODUCTION

The present document aims to be a guide for civil society organisations interested in the development of social protection for female informal workers in the ASEAN community. The region is home to ten countries with different levels of development in their social protection systems, different needs, and priorities. In this complex environment, the overarching institutional framework offered by the ASEAN organisation presents both possibilities and challenges to smaller organisations with limited capacity to engage at the regional level. What is suggested in the pages to follow is a strategic approach of building alliances, elevating national good practices to the regional level and other tactics with the purpose of enabling the contribution of civil society organisations for the development of social protection in the ASEAN member states, with a particular focus on the needs of female informal workers.

ASEAN is a diverse and culturally rich community. However, in all its diversity, some social and economic features are common to most - if not all - of its member states. One of those common traits is the importance of the informal economy sector in their national economies and, thus, the predominance of informal work arrangements.

Informal workers are among those more vulnerable to socioeconomic shocks as they lack the protection and sets of rights provided to workers in formal work arrangements. Informal work is often seasonal, something particularly true in rural areas and the agriculture sector, limiting the income of households to just a fraction of the whole year. On top of that, some seasons might not be as good due to circumstances such as droughts or pests and this is when household income risks are to be minimised or even disappear.

Agricultural work - and many industrial activities too - is in itself a hazardous occupation due to the use of poisonous chemical products and dangerous machinery, and thus temporary or even permanent loss of income due to work injury or sickness is an ever-present possibility. The situation is not much better for informal workers living in urban areas recourse to social assistance usually only when needed. But it becomes even worse for informal migrant workers who, in most of the countries in the region, lack any formal protection from the public sector, while at the same time are far from their kin from which to ask for help and in a country where they are seen as alien.

There are many situations that can hinder informal workers' capacity to earn income, a meagre one when there is. Threats to their vulnerable position are hidden in everyday activities and life, and the only truth is that for most of these informal workers there will be no safety net or response from the public sector that will prevent them and their families from falling into poverty and social exclusion. The common denominator to all informal workers is that they have lower levels of access to social protection systems due to the irregularity of their work arrangements.

Among informal workers, women represent more than half of the workforce, are most present in low-pay, vulnerable employment, and often have lower access to social protection due to the nature of the jobs in which they engage and as a result of prevailing social norms related to their role in society. Such is the case of domestic workers, who are difficult to reach with information and social protection interventions and for whom it is very difficult to realise any rights. Women suffer additional vulnerabilities and burdens due to sociocultural conditionings - due to traditional social norms and unbalanced power relations - and biological reasons - mostly related to their reproductive role. The latter reinforces women's weak position in the labour market and impacts their access to social insurance schemes. Because of these and other factors, it is of the utmost importance to develop specific social protection strategies to reach women in the informal economy and particularly those with specific needs related to the reproductive role.

Research and international evidence show that a response to the needs of both informal workers and working-age women shall include a mix of non-contributory interventions, the development of tax-based schemes that protect the mother and the child, and the possibility of participating in voluntary contributory schemes. For a higher impact, this policy mix has to be complemented with awareness and communication campaigns to inform and reach the potential beneficiaries topped up with advocacy efforts aiming to transform informal work into formal employment.

In regard to the ASEAN community, its member states adopted the ASEAN Declaration on Strengthening Social Protection during the 23rd ASEAN Summit in Brunei Darussalam on 9 October 2013. Although this was a big step in the region towards recognising the importance of social protection to achieving higher levels of social, economic and human development, progress since then has been unequal among countries.

From the point of view of female informal workers, the Declaration provides a very general framework, respecting and mentioning the principles of equitability, non-discrimination, and gender equality, while it also quotes the importance of the family unit and mandates for social protection to adapt to the different life risks. All these are good elements that can be useful - with others also present in the Declaration - to call for the development of social protection schemes that are relevant to female informal workers. However, the challenge is to move from this initial declaration of intention to a more precise action plan that is implemented in all the member states for the advancement of social protection at the national level.

In the following chapters, first, the state of development of social protection at the ASEAN level is presented, identifying possible gaps, challenges and avenues for social protection development in the region. After setting the scenario, there is an analysis of social protection interventions with the potential for a higher positive impact on female informal workers. Later on, there is a comprehensive - to the extent to which it is possible - listing of social protection stakeholders present in the region and an analysis of which role they play, trying to provide a map useful to find potential allies. Finally, the document ends with some suggestions based on a desk review analysis and interviews and conversations with development partners about the most efficient ways to foster social protection development for female informal workers in ASEAN.

METHODOLOGY

The development of this document has been supported overall by the extensive review of a wide variety of published and unpublished materials and data. Additional information has been gathered through interviews and personal conversations with personnel from relevant stakeholder institutions and development partners.

The documentation analysed included documents from ASEAN, chiefly specific ones related to the ASEAN Declaration on Strengthening Social Protection and others, more general, useful to understand the nature, structure, and dynamics of the organisation itself. The relevant information pertaining to the lessons learned in dealing with ASEAN has been obtained from unpublished materials. Additional very important sources of information include publications by the United Nations Secretariat and agencies, the majority belonging to the ILO, which plays a central role in promoting the development of social protection systems worldwide.

The interviews and conversations aimed to complete gaps of information not present in written documents and to get the most up-to-date information on the state of social protection in the ASEAN Member States and the role of the ASEAN organisation. These conversations included personnel from civil society organisations and other partners working for the development of social protection systems in the geographical context of the ASEAN region.

The information gathered through these channels was presented to civil society organisations from different countries during a regional workshop in Luang Prabang (Lao DPR) from 12-14 December 2019. The comments and feedback received during and after the workshop have been integrated into the document to the extent to which it was possible to enrich it, hopefully making it a more useful tool to contribute to the development of social protection systems in ASEAN.



Elderly people especially women living at rural areas of Cambodia are the ones taking care of small children at home while their parents migrate to work at city or abroad.
Photo: HelpAge Cambodia



SOCIAL PROTECTION IN ASEAN

Despite the importance of social protection in fostering the wellbeing of people and the socio-economic progress of countries, the development of social protection systems has been unequal among the ASEAN Member States. The attention paid by governments to these policies has the best reflection in the budget assigned to them and, thus, we can observe that social protection expenditure in the ASEAN Member States ranges from the lowest, 1% of GDP in Myanmar, to a relatively high 6.3% in Vietnam [1]. This wide variation among countries results in an equally significant disparity in the level of social protection given to their citizens.

However, in the last decade, ASEAN Member States have become more aware of the importance of social protection for the development of their countries and the region overall. As ASEAN countries recognised the importance of developing national social protection systems, it began to get reflected in the organisation's agenda in recent years.

1.1 THE ASEAN DECLARATION ON STRENGTHENING SOCIAL PROTECTION

The ASEAN Member States adopted the **ASEAN Declaration on Strengthening Social Protection** on 9 October 2013 in Brunei Darussalam during the 23rd ASEAN Summit. The Declaration recognises the importance of a lifecycle approach to social protection as a means to protect citizens of ASEAN Member States from economic shocks and as a policy to foster socio-economic development and integration in the region.

This landmark document countersigns the commitment of the ASEAN Member States to international agreements like the *Universal Declaration of Human Rights and the Convention on the Elimination of All Forms of Discrimination Against Women*. These two are milestones in the development of human rights, which include the rights to social protection and to non-discrimination.

[1] ILO, World Social Protection Report 2017-2019, 401.



ESSENTIAL ELEMENTS FROM THE PRINCIPLES OF THE DECLARATION PARTICULARLY RELEVANT TO FEMALE INFORMAL WORKERS [2,3]:

- "Everyone, especially those who are poor, at risk...and other vulnerable groups, are entitled to have equitable access to social protection that is a basic human right and based on a rights-based/needs-based, **lifecycle approach** and covering essential services as needed;
- Extending **coverage**, availability, quality, **equitability**, and sustainability of social protection...
- Implementation of social protection should be based on respect for fundamental freedoms, promotion and protection of human rights, promotion of social justice, social solidarity, **non-discrimination**, accessibility, reasonable accommodation, **gender equality**, social inclusiveness, coherence, and accountability;
- **The family unit and the community** are important elements in supporting and delivering social protection services and therefore should be strengthened and preserved;
- **Inclusive and participatory** approach.
- Social protection shall be **adaptive** to different risks such as lifestyle and individual risks, social risks...".

Notably, there is also mention to access to social protection of informal and vulnerable groups among the strategies and mechanisms cited: "advocate strategies that promote... expansion of social insurance to the **informal sector**; strengthening social assistance programmes for persons with disabilities, elderly, children, and other **vulnerable groups**..."[4].

The ASEAN body responsible to contribute to the realisation of the Declaration is the A**SEAN Ministerial Meeting on Social Welfare and Development (AMMSWD)** with the support of the **Senior Officials Meeting on Social Welfare and Development (SOMSWD)** which serves as the focal point on social protection at the regional level. The Declaration also identifies contributing bodies of particular relevance for the working-age female population such as the **ASEAN Committee on Women (ACW).**

> *The AMMSWD is composed "of ministers in charge of social welfare and development in all ASEAN Member States, the AMMSWD sets the strategic policy direction on ASEAN's regional cooperation on social welfare and development. The AMMSWD is under the ASEAN Socio-Cultural Community (ASCC) Pillar.* [5]*"*

> *The SOMSWD "is a subsidiary body of the AMMSWD comprised of senior officials in the respective ministries in charge of social welfare and development. The SOMSWD supports AMMSWD by recommending regional policies, developing and implementing the five-year regional work plan, and managing partnerships.* [6]*"*

> *The ACW "is a sectoral body established in 1976 to implement, coordinate and monitor the implementation of ASEAN's regional priorities related to women's issues at various levels of political, economic and social life. It is comprised of senior officials who are responsible for the coordination and monitoring of the implementation of ASEAN's key regional priorities and cooperation in women's issues and concerns.* [7]*"*

[2] ASEAN, ASEAN Declaration on Strengthening Social Protection, 2-3.

[3] Author's note: Boldface font is used along the document to facilitate the identification of the excerpts most relevant to social protection and female informal workers.

[4] ASEAN, ASEAN Declaration on Strengthening Social Protection, 4.

[5] ASEAN, "ASEAN Ministerial Meeting on Social Welfare and Development (AMMSWD)".

[6] Ibid.

[7] Centre for Women, Peace and Security, "ASEAN Committee on Women".



A poor community along railway in Phnom Penh city, Photo: Oxfam

A **Regional Framework and Action Plan to Implement the ASEAN Declaration on Strengthening Social Protection** was presented two years after the Declaration was signed. This regional framework and action plan supports the realisation of the ASEAN Declaration on Strengthening Social Protection. Also, in this case, the AMMSWD is in charge of the implementation of the regional framework supported by the SOMSWD, which in turn coordinates with the sectoral bodies' in charge of disaster management, labour, health, rural development and poverty eradication, food, agriculture and forestry, education, and statistics[8].

The stated vision of the framework and action plan is to "uplift the quality of life of ASEAN peoples by 2025". The overall goal states the need to "enhance the wellbeing, welfare, and livelihood of the peoples throughout their **lifecycle**." Some other mentions relevant to female informal workers can be found on the list of objectives: "a) Reduce poverty, **inequalities**, vulnerability, and other risks; b) Enhance the capacity of poor and **vulnerable groups**; c) Achieve **inclusion and enhance equitable** access of the poor, at-risk, and vulnerable groups including, but not limited to, persons with disabilities, older people, **youth, women, children**, undernourished, victims of disasters, migrant workers, to opportunities and social protection; d) Move towards the **equitable** and sustainable development of the **target groups**[9] ."

The document defines social protection as "interventions that consist of policies and programmes designed to reduce poverty, inequalities, and vulnerability" but seems to limit its target population mostly or preferentially to the "poor, at-risk, vulnerable groups such as, but not limited to, persons with disabilities, older people, **youth, women, children**, undernourished, victims of disasters, (and) **migrant workers**" although recognising "equal access to essential services and opportunities on a rights-based/needs-based approach[10] ".

[8] ASEAN, ASEAN Declaration on Strengthening Social Protection and Regional Framework and Action Plan to Implement the ASEAN Declaration on Strengthening Social Protection, 9-26.

[9] Ibid.

[10] Ibid.

1.2 SOCIAL PROTECTION IN OTHER RELEVANT ASEAN DOCUMENTS

The importance assigned to social protection in the planning processes of the ASEAN Member States has been growing over the years. Already, an early statement in the **ASEAN Charter** committed to "enhance the wellbeing and livelihood of the peoples of ASEAN by providing them with equitable access to opportunities for human development, social welfare, and justice[11] ."

Likewise, in the **ASEAN Socio-Cultural Community (ASCC) Blueprint 2025** - the strategy and planning mechanism of the ASCC - has among its strategic measures the mention of the need of enhancing the effectiveness of the implementation of programmes related to social protection, universal health coverage, poverty eradication, employment, and decent work. The more relevant are: "(B.2.iii) Enhance effectiveness of the implementation of strategies (...) particularly in the areas of **social protection, universal health coverage**, food safety, **poverty eradication, employment, and decent work**, and trafficking in persons; (B.3.ii) promote **sustainable financing mechanism for social protection**, particularly universal health coverage, early childhood care and development (...) and social pension; (B.3.iv) **extend coverage, accessibility, availability, comprehensiveness, quality, equality, affordability, and sustainability** of social services and social protection; (B.3.ix) and to enhance regional initiatives (...) to improve the protection and promotion of **the rights of workers and migrant workers** [12] ".

Three of the **ASCC Blueprint Results Framework's objectives** are relevant to social protection: "(1) Enhance commitment, participation and social responsibility of ASEAN peoples through an accountable and inclusive mechanism for the benefit of all; (2) Promote equitable access to opportunity for ASEAN peoples, as well as promote and protect human rights; (4) Enhance the capacity and capability to adapt and respond to social and economic vulnerabilities, disasters, climate change as well as emerging threats and challenges[13] ".

At the same time, the A**SEAN Labour Ministers (ALM) Work Programme 2016-2020** sets its objective to provide "a better quality of life for ASEAN people through a workforce with enhanced competitiveness and engaged in safe and decent work derived from productive employment, harmonious and progressive workplace, and adequate social protection"[14] .



ASPECTS OF ASEAN LABOUR MINISTERS WORK PROGRAMME RELEVANT TO FEMALE INFORMAL WORKERS [15]:

- Gender equality: **(1) Gender mainstreaming of labour sector** (Responsible Body: Senior Labour Officials Meeting (SLOM)). Country coordinating: Vietnam.
- Labour dimension of Sustainable Development: (3) Support the implementation of the **ASEAN Declaration on Strengthening Social Protection** (Responsible Body: SLOM). Countries coordinating: Lao PDR and Vietnam.
- Emerging labour trends: (20) **Expansion of coverage** of social protection to all workers (Responsible Body: SLOM-WG); (21) **Social protection of migrant workers** in ASEAN (Responsible Body: ACMW); (22) Protection and promotion of the **rights of migrant workers** (Responsible Body: ACMW).

[11] ASEAN, The ASEAN Charter, 4.

[12] ASEAN, ASEAN Socio-Cultural Community Blueprint 2025, 7-9.

[13] ASEAN, ASEAN Socio-Cultural Community Blueprint 2025, 26.

[14] ASEAN, ASEAN Labour Ministers (ALM) Work Programme 2016-2020, 1.

[15] ASEAN, ASEAN Labour Ministers (ALM) Work Programme 2016-2020, 3-5.

Other ASEAN declarations contain valuable references to the importance of developing social protection systems, and to the wellbeing of vulnerable groups like women, children, elderly persons, and informal and migrant workers. These declarations also provide good leverage points in advocating for social protection interventions for female informal workers.

The **Hà Nôi Declaration on the Enhancement of Welfare and Development of ASEAN Women and Children** enacted in 2010 states[16] the need to "(1) promote regional cooperation for the enhancement of welfare and development of **women and children** in (the) ASEAN; (2) encourage closer regional cooperation in promoting and protecting the **rights of women**; (10) strengthen the capacity of government officials in planning, implementing, monitoring and evaluating the delivery, quality, and accessibility of essential social services relating to **children and women**; (12) foster collaboration with the international community, including the relevant UN agencies and **Dialogue Partners** in the work for the **welfare and development of women and children in ASEAN**; (14) undertake concrete measures to promote **gender equality and women's participation in the labour market**, address gender-based occupational segregation as well as strengthen their economic skills; and (15) **improve maternity protection in workplace**".

Also, the **ASEAN Human Rights Declaration** adopted in 2012, in the Economic, Social and Cultural Rights section refers[17] to rights whereby: "(27) every person has the right to work, to the free choice of employment, to enjoy just, decent and favourable conditions of work and to have **access to assistance schemes for the unemployed**; (28) every person has the right to an **adequate standard of living** for himself or herself and his or her family including (among others) the right to **medical care and necessary social services**; (29) every person has the right to the enjoyment of the highest attainable standard of physical, mental and reproductive health, to essential and **affordable health-care** services, and to have **access to medical facilities**; (30) (1) Every person shall have the **right to social security, including social insurance** where available, which assists him or her to secure the means for a dignified and decent existence. (2) **Special protection should be accorded to mothers** during a reasonable period as determined by national laws and regulations before and after childbirth. During such a period, working mothers should be granted **paid leave or leave with adequate social security benefits**. (3) Motherhood and childhood are entitled to **special care and assistance**. Every child, whether born in or out of wedlock, shall enjoy the same **social protection**".

In the ASEAN Human Rights Declaration, there is specific mention to paid leave or adequate social security benefits to mothers, but it also makes clear that it is up to each country to decide what is the reasonable period of time that the services shall be provided.

The **Vientiane Declaration on the Transition from Informal Employment to Formal Employment towards Decent Work Promotion in ASEAN** of 2016 refers to the importance of linking social protection to the working-age population through the **formalisation of informal employment**. It commits to: "(4) develop capacity and share best practices in (...) social protection; and (5) take appropriate measures at the national level to promote broad access to (...) decent work conditions, and **income security**[18]".

[16] ASEAN, Hà Nôi Declaration on the Enhancement of Welfare and Development of ASEAN Women and Children.

[17] ASEAN, ASEAN Human Rights Declaration.

[18] ASEAN, Vientiane Declaration on Transition from Informal Employment to Formal Employment towards Decent Work Promotion in ASEAN.

OTHER ASEAN DECLARATIONS CONTAINING REFERENCES TO SOCIAL PROTECTION AND THE PROTECTION OF VULNERABLE GROUPS

- Brunei Darussalam Declaration on Strengthening Family Institutions: Caring for the Elderly (2010)
- Bali Declaration on the Enhancement of the Role and Participation of Persons with Disabilities (2011)
- Kuala Lumpur Declaration on Ageing: Empowering older persons in ASEAN (2015).

1.3 CHALLENGES TO THE IMPLEMENTATION OF THE ASEAN DECLARATION ON STRENGTHENING SOCIAL PROTECTION

Despite the positive evolving trend of the last decade, actual development and implementation of social protection policies at the national levels have not seen any considerable impulse and social protection seems not to be a major priority for the ASEAN Member States.

Little substantial progress has been achieved since the *ASEAN Declaration on Strengthening Social Protection* was adopted almost seven years ago and an actual common approach to practice into social protection is yet to be realised. In this regard, the importance of ASEAN declarations and regional commitments must not be overemphasised. It has been pointed out before that member states might prioritise strategic bilateral ties over multilateral engagements, which could even include their commitments as ASEAN members[19] .

Added to this, there is a non-written ASEAN principle of non-interference that casts a shadow over any process promulgated in the organisation. According to this, the organisation shall not make any move that could be seen inconvenient for any of its members. A clear example in the past has been the official narrative accepted by ASEAN regarding the Rohingya crisis and the power exercised by Myanmar in driving the discussions.

An example regarding this particular concern for not interfering with member states' internal affairs can be found on a note made to the definition of migrant workers. According to this, the definition of "migrant workers and (the) applicability of social protection schemes shall be in accordance with the prevailing national laws, policies, and regulations of ASEAN Member States[20] ."

The information found through formal and informal conversations and secondary data suggests that this reluctance by ASEAN to meddle in its members' internal affairs might be translating into caution by not pressuring any national government into having to develop social policies. Developing implementation plans and monitoring frameworks may result in pushing governments to build social policies they do not want, cannot or are not ready to develop, or in comparing member states different stages of social and policy development, bringing the spotlight (and 'loss of face') on some of them.

[19] Bhaskaran, "My Say: This May Not be a Banner Year for ASEAN".

[20] ASEAN, ASEAN Declaration on Strengthening Social Protection and Regional Framework and Action Plan to Implement the ASEAN Declaration on Strengthening Social Protection.

It is, nevertheless, challenging to build a regional consensus when the national systems - and contexts - are so diverse. This can be seen in very different approaches to social protection systems; while some countries rely chiefly on employers' liability, others try to develop stronger social assistance and tax-based systems.

The slow progress observed in the development of social protection systems and interventions in the ASEAN Member States is reflected - and partly at least a consequence of it - in the laxity in the definition of activities in the *Regional Framework and Action Plan to Implement the ASEAN Declaration on Strengthening Social Protection*.

Similarly, a meeting took place in 2017 at the Asian Development Bank (ADB) headquarters in Manila to draft a monitoring framework for the Declaration. A set of indicators were proposed during the meeting, which was attended by personnel from the ADB, ILO, and other relevant institutions. That list included indicators relevant to informal workers and working-age women; the proportion of women with new-borns covered by maternity leave benefits[21] ; the proportion of workers covered in cases of work injury; the percentage of unemployed receiving unemployment benefits; the proportion of children covered by social protection benefits; the proportion of vulnerable persons receiving social protection benefits; and the proportion of births attended by skilled health personnel.

However, no updates about what happened right after that meeting can be found and developments are unknown even to people who have attended that meeting. It has been suggested in our conversations with development partners that this process might have stagnated there.

[21] This indicator is regularly reported in the ILO's World Social Protection Report.



Rented rooms of factory workers at the outskirts of Phnom Penh were flooded by rain. Photo: Naratevy Kek/Oxfam



Women at rural areas in Cambodia play important roles to support their families beside housework.
Photo: Savann Oeurm/Oxfam

FEMALE INFORMAL WORKERS AND THE NEED FOR SOCIAL PROTECTION

It could be argued that there exists a dual labour market in ASEAN. On the one hand, medium to high socioeconomic classes, mostly urban, have access to better education, broader and more influential social networks, making it possible for their children to land in formal employment opportunities. On the other hand, medium-low and low socioeconomic classes, mostly rural, lack the opportunities enjoyed by those who are better off. This last group are often employed under informal arrangements. Most of the informal workforce is composed of migrants, women, and youth, lacking contractual arrangements, benefits, and adequate representation.

1.4 INFORMAL EMPLOYMENT, FEMALE INFORMAL WORKERS, AND THEIR NEEDS IN THE ASEAN CONTEXT

The share of informal employment in the Asia-Pacific workforce averages 68.2% of the total workforce[22]. Informal workers are vulnerable workers that occupy low-pay jobs, working in poor conditions, and usually find themselves in hazardous occupations. Among them, particularly vulnerable are those suffering from the intersection of various vulnerabilities, like having a disability, belonging to an ethnic minority, being a pregnant woman, etc.

Men and women have different participation rates in the labour market and different contributions to the various economic sectors. Female participation in the labour market shows significant differences among ASEAN countries. While in Indonesia, male participation is 33 percentage points higher, in Lao PDR the difference is only 3 percentage points[23]. Women have higher rates of unemployment and lower employment rates[24]. More than 80% of ASEAN working women are in vulnerable employment, including domestic work and agriculture, and therefore with little or no entitlement to social protection[25]. Overall, in Asia women are more likely to be in informal employment than men[26]. Examples of female informal workers include street vendors, garbage collectors, domestic workers, home-based workers, and agricultural workers (both own-account workers and wage workers). Also, for self-employed women, discrimination is manifested through limited access to property, assets, or credit[27] .

Ultimately, non-participation in the formal labour market effectively limits women's rights to social security benefits to the roles of dependents or survivors in the event of the death of the breadwinner. Although some countries recognise via legislation the possibility to contribute voluntarily to social security, this option is often not suitable for women as their income in the informal economy is not enough to cover those contributions.

[22] ILO, Women and men in the informal economy: A statistical picture, 13.

[23] ILO, The State of Social Protection in ASEAN at the dawn of integration, 53.

[24] ESCAP, Time for Equality: The Role of Social Protection in Reducing Inequalities in Asia and the Pacific, 75.

[25] ESCAP, "Report on the Asia-Pacific Regional Preparatory Meeting for the Sixty-third Session of the Commission on the Status of Women", 10.

[26] ADB, Social Protection for Informal Workers in Asia, 396.

[27] ESCAP, Time for Equality: The Role of Social Protection in Reducing Inequalities in Asia and the Pacific, 75.



A street cleaner travels back home with her bicycle after work in Phnom Penh city. Photo: Oxfam

Additionally, men and women face different life-cycle socio-demographic risks, and for women that means the possibility of maternity, the eventual necessity of childcare, and longer life expectancy. Thus, it is important to take into consideration gender-specific vulnerabilities such as health risks (e.g., infant mortality and diseases), lifecycle risks (e.g. childbearing, divorce, widowhood) or household-economic risks (e.g. lack of access to finance and insurance services, increased expenditure for social obligations such as marriage and funerals).

But as dependents, women also take weaker positions in intra-family decision-making, and the differences in reproductive roles - those associated with the care of family members, including children and unpaid domestic work - have a negative impact on average wages and total social contribution. Women still carry the burden of unpaid domestic work and childbearing, even when they have additional labour obligations outside the household.

Pregnancy and in the months right after delivery are of high vulnerability for women - and the child. An additional risk is added if there are no public measures in place to replace the loss of income during pregnancy and later while taking care of the new-born. The lack of maternal protection is even more acute in the informal sector. In this case, women lose their source of income and there is no institutionalised source to replace it, while at the same time the cost of living increases due to the needs of the new-born. Child caring will require multiplying the available resources in a moment of higher vulnerability to the mother, increasing the household expenditure in food, health, etc.

Also, the lack of an adequate legal framework that protects women from unfair dismissal, discriminatory recruitment practices and harassment at work can keep them unemployed or prevent them from making the decision of having children.

In addition, gender discrimination and stereotypes sometimes intersect with other types of discrimination based on ethnicity, income, age, disability, etc. When this is the case, affected individuals see their vulnerability increased, so the need for social protection interventions becomes more acute. Women's vulnerability is also influenced by civil status affecting unmarried, married, or widowed women differently.

A significant example of the intersection of several levels of vulnerability can be found in migrant workers. Migrant workers from the other ASEAN Member States are usually employed in low-paid - and often hazardous - jobs with a high level of informality, such as domestic work, construction, agriculture or fishing. The importance of their contribution to the host country's economy is not reflected in the provision of social protection services, neither by the countries of origin, nor by the receiving ones[28].

Migrant workers lack the levels of social protection of their national counterparts in their home country and also of their peers in their host countries. Most migrant workers do not have the option of enrolling in their own national social security system or that of their host country, but they also can´t transfer contributions or entitlements between social security systems and are usually excluded from tax-financed schemes such as social assistance programmes or social pension schemes. The portability of social protection benefits would provide migrants with coverage by entitling them to access social protection benefits from their home country while abroad, or by granting them social protection access in their country of residence.

Among migrant workers, the most critical contingent of female informal workers includes those providing care services and domestic work. As domestic workers are, in many cases, migrants and informal workers at the same time, they remain excluded from social protection interventions and legal rights[29].

Social norms affect women and men differently, establishing what is considered culturally accepted gender roles for both genders. Care and domestic work have been seen traditionally as a part of women's role in society, and millions of women migrate to fulfil these roles as caregivers and domestic workers in other countries. Up to 28% of ASEAN women are counted as "contributing family workers," mostly in the informal economy against only 11% of employed men[30]. Women spend on unpaid care and domestic work four times more than men[31] . This difference has adverse effects on their capacity to access better-paid jobs, career opportunities, and their ability to contribute to social insurance schemes. This unequal burden of time also makes it more difficult for women to take advantage of social protection schemes like cash transfers that require performing some work or attend training that would allow them to increase their productivity and help them escape from poverty[32] .

It becomes urgent to secure protection to this group as it is expected that the demand for caregivers will continue to grow due to the continuous population growth and population aging. The ILO estimates that there were 2.1 billion people needing care services in 2015 between children under 15 and older persons[33].

Despite the importance of domestic work and care in the region and its intersection with migratory trends, the Philippines remains the only ASEAN country that has ratified the Domestic Workers Convention, 2011 (No. 189) which eases access to social protection for this group (Box 1). Another positive example is Vietnam through the 2012 Labour Code which recognised domestic work as a form of employment[34].

BOX 1. DOMESTIC WORKERS IN THE PHILIPPINES[35] .

The Philippines' Domestic Workers Act (Batas Kasambahay) 2013 helped to formalise the employment arrangements of domestic workers and mandated their coverage under the National Social Security System and the social health insurance scheme (PhilHealth).

Through this policy, the contributions are shared equally between employers and workers except in the case of domestic workers earning below PHP5, 000 a month, in which case the employer takes full responsibility.

[28] Asher, Zen, "Social Protection in ASEAN: Challenges and Initiatives for Post-2015 Vision", 15.

[29] ILO, The State of Social Protection in ASEAN at the dawn of integration, 54.

[30] Ibid.

[31] ESCAP, "Report on the Asia-Pacific Regional Preparatory Meeting for the Sixty-third Session of the Commission on the Status of Women", 10.

[32] SIDA, "Brief: Gender and Social Protection", 3.

[33] ILO, Care Work and Care Jobs. For the Future of Decent Work, xxxviii-xxix.

[34] ILO, The State of Social Protection in ASEAN at the dawn of integration, 54.

[35] ILO, The State of Social Protection in ASEAN at the dawn of integration, 62.

1.5 THE ROLE OF SOCIAL PROTECTION SYSTEMS

Social protection systems and schemes can provide the support women need in informal work arrangements and vulnerable situations, including maternity. These interventions are thought to precisely address the risks due to economic shocks at the social and individual level, like when individuals lose their job during an economic crisis, sickness or layoffs. Social protection is thought to ensure that everyone has the necessary income for a decent living. For these reasons, social protection is the best way to ensure female informal workers are protected from the vulnerability experienced due to the informality of their work arrangements, the seasonality or unpredictability of their income, the loss of income during maternity, among a host of other situations of need.

Social protection is anchored in the universal rights of everyone to social security and to a standard of living adequate for the health and wellbeing of themselves and their families. Social protection addresses the underlying structural causes of inequality and plays a transformative role in contributing to inclusive and sustainable development[36]. The right to social protection has been recognised in the *International Declaration of Human Rights*, the *International Covenant on Economic, Social and Cultural Rights*, and its linkage to women empowerment has been acknowledged in the *Elimination of All Forms of Discrimination against Women*. Likewise, the ILO has identified the extension of social protection to the informal sector as a priority, and more in particular to those more vulnerable, such as low-paid female workers[37]. Thus, social protection systems and gender-responsive social protection interventions are central in promoting gender equality and women's empowerment.

The ILO has classified social protection interventions into nine groups (Social Security (Minimum Standards) Convention, 1952 (No.102)): medical care, sickness, maternity, old-age, work injury, disability, survivors, family allowances, and unemployment. Additional interventions, although not directly social protection interventions 'per se' are the labour market policies that aim to facilitate access to income through the provision of seasonal public work programmes, skills development and training programmes with the objective of integrating vulnerable people into the labour market.

SOCIAL PROTECTION INTERVENTIONS CAN BE CLUSTERED INTO:



TARGETED OR UNIVERSAL: Targeted interventions narrow the eligibility of beneficiaries to a particular population group defined by a socioeconomic vulnerability. Although universal social protection schemes can be thought to be too expensive, the reality is that they are more affordable to administer while, at the same time, present the advantage of removing the social stigma from the beneficiaries. Furthermore, the preferred universality of social protection services is enshrined in the Sustainable Development Goals.



UNCONDITIONAL OR CONDITIONAL Conditional benefits include a request to the beneficiary to perform activities that are often health check-ups, school attendance, or participating in life skills training sessions. A disadvantage of conditional ties from the gender point of view is that they can increase mothers' unpaid work; therefore, undermining gender equality.

[36] UNESCAP, "Confronting Inequalities in Asia and the Pacific: The Role of Social Protection", 11.

[37] Gender & Development Network, "How social protection, public services and infrastructure impact women's rights", 4.

SOCIAL PROTECTION IS PROVIDED THROUGH TWO TYPES OF SOCIAL PROTECTION INTERVENTIONS:



CONTRIBUTORY: Funded through contributions by employees and employers and usually includes workers in the formal economy to replace income lost temporarily or permanently as a result of unemployment, injury, disability, sickness, or maternity.



NON-CONTRIBUTORY: Financed through general taxation, providing essential benefits to the poor, those who do not qualify for contributory benefits or have exhausted them. The main goal of non-contributory social protection is to avoid poverty and social exclusion.

On the financing of social protection schemes, the lack of economic resources is a recurring alibi of governments to not invest in social protection systems. The truth oftentimes is that money is spent on other needs, which sometimes do not reflect the actual priorities of the countries. Also, countries can start developing their social protection systems regardless of having only a small budget available at the moment, and grow it gradually as more resources become available. The most important asset in developing social protection systems is, in fact, political will.

In any case, there are available methods to create additional fiscal space for funding social protection systems. Some suggested include[38] : (i) reallocation of public expenditures; (ii) increase in tax revenues; (iii) revenue generation through contribution-based schemes; (iv) development aid and transfers; (v) reduction in illicit financial flows; (vi) use of fiscal and foreign exchange reserves; (vii) borrowing or debt restructuring; and (viii) expansionary monetary and fiscal policies.

Examples in the ASEAN region of using extra-budgetary sources to fund social protection interventions have been provided by the Philippines and Indonesia. The first one is financing universal health coverage with a tax applied to tobacco products, while the second is reallocating public expenditures from fossil fuel subsidies to financing universal health coverage and other programmes such as a cash transfer to the poor[39] .

1.6 SOCIAL PROTECTION FOR INFORMAL WORKERS WITH A PARTICULAR FOCUS ON WOMEN

Social and economic inequalities are aggravated upon entering the working-age as contributory social protection benefits are enjoyed mostly by households participating in the formal economy, or those that can afford to make voluntary social insurance contributions. Meanwhile, for informal economy participants there only remains the option to access to social assistance. This contributes to making matters worse as social assistance is often the underdeveloped arm of social protection systems in most of the ASEAN countries, offering insufficient protection to informal economy workers. As an example of this, less than half of the population above working age is covered by old age pensions in the region[40]. Likewise, social assistance and other 'ad hoc' schemes targeting the poor have much lower coverage and level of benefit.

[38] Ortiz, "Fiscal Space for Social Protection and the SDGs: Options to Expand Social Investments in 187 Countries".

[39] ILO, The State of Social Protection in ASEAN at the dawn of integration, 67.

[40] ADB, *Social Protection for Informal Workers in Asia*, 396.

In this context, increasing social protection access, coverage, and the level of benefits to informal sector workers is the best tool to directly have a positive impact on their lives and to protect them from poverty and social exclusion. However, there are significant challenges to the expansion of those social assistance programs capable of reaching informal workers, including the lack of institutional and technical capacity, their financial feasibility and sustainability, the enforcement of existing provisions, the inherent heterogeneity of the informal sector itself and the lack of information and awareness by beneficiaries of the services.

A direct avenue to extend social protection coverage to informal workers is by formalising informal employment. The ILO's Recommendation No. 204 concerning the Transition from the Informal to the Formal Economy advises to "progressively extend, in law and in practice, to all workers in the informal economy, social security (and) maternity protection" and "the provision of and access to childcare and other care services to promote gender equality and enable the transition to the formal economy [41]". However, this is a complicated path and must be explored in combination with the provision of voluntary social protection and non-contributory options. The more adequate option to provide social protection for informal workers in general, and female informal workers in particular, would be a combination of both voluntary schemes and tax-based/non-contributory interventions.

On the one hand, voluntary schemes, in which participants voluntarily decide to contribute to the social security system, offers many advantages for the better off among the informal workers. Those workers can access through voluntary contributions all or most of the benefits available to workers in the formal economy. However, many informal workers cannot, although they would like to, enrol in the formal social protection systems voluntarily due to insufficient income, or that they need the little they have for more urgent expenses.

This is the case for most of the women in informal employment, who may not be able to participate because they earn irregular incomes and have casual jobs that pay lower wages. Likewise, oftentimes, the reproductive health services needed by women are not included in the social insurance benefits. In order to make these voluntary participation schemes useful, it will need to be supported by government-subsidised contributions and consider the specific needs of working-age women.

On the other hand, non-contributory schemes will grant access to social protection to the poorer among the informal workers and those that cannot contribute voluntarily to the system when the option exists. Non-contributory interventions provide lower benefits than the contributory ones but fulfil the function of preventing beneficiaries from falling into extreme poverty and social exclusion.

In any case, social protection systems must be able to tackle lifecycle challenges faced particularly by working-age women, like maternity and childcare. Tax-funded schemes are usually the most suitable to implement in these situations. As women might pause their employment due to maternity and childcare, their contributions to the system will be affected negatively. In addition, female labour is characterised by lower wages and above-average informality, making tax-funded interventions the most reasonable. Due to these factors, instruments such as family leave policies are always better provided through collectively financed mechanisms like social insurance, universal benefits, or social assistance schemes.

Non-contributory schemes result in also being more gender-inclusive as they reach those left furthest behind and traditionally more marginalized among the vulnerable and usually forgotten by public policies, like women in informal employment, who are invisible to the official statistics[42]. On the negative side, it can be said that these schemes are not as frequent since they are not a policy priority for many countries, and usually offer low benefits with low coverage.

[41] Recommendation No. 204 concerning the Transition from the Informal to the Formal Economy.

[42] ILO, *The State of Social Protection in ASEAN at the dawn of integration, xx.*



Villagers living in a poor community along railway chitchat during break. Photo: Oxfam

Social protection systems should also take into consideration how gender differences are manifested. Many times, any interventions at the household level grant the benefit to the male breadwinner only, excluding women in the same household unit. This results in and perpetuates gendered inequality[43] .

Advancement, in this sense, would be the development of policies that recognise the individual rights or married women and men as targets of social protection interventions[44]. It is, therefore, important to analyse if social protection interventions transform gendered power relations. Addressing unpaid care roles lies at the heart of gender-responsive social protection. For the many women in the informal sector who have no time off for childbirth, grants are particularly significant.

Ideally, a comprehensive package to address the social protection needs of informal workers should include occupational injury, health, and safety, disability insurance, paid sick leave, parental leave, care leave, health, pension, unemployment provisioning, and maternity benefits[45]. Looking specifically at the needs of female informal workers, the need for reform has been stressed in relation to workers' health, child care, and security of income for older women[46].

And let us not forget that along with the need to extend coverage and level of services in the informal sector, the amount of unpaid care work performed by women should be reduced. An avenue to achieve it is through access to care services and the promotion of men's participation in care chores[47]. A positive impact of this would be higher female participation in employment which would have an effect on their access to contributory social protection programmes and, therefore, contribute to reducing their vulnerabilities along the whole lifecycle.

A final note that needs to be mentioned is that in the given context of the ASEAN community, it is central to facilitate the portability of social protection, social security, and labour rights across member states.

[43] Gender & Development Network, "How social protection, public services and infrastructure impact women's rights", 6.

[44] SIDA, "Brief: Gender and Social Protection", 4.

[45] UNESCAP. "Report on the Asia-Pacific Regional Preparatory Meeting for the Sixty-third Session of the Commission on the Status of Women", 13.

[46] Lund, "Learning from experience: A gendered approach to social protection for workers in the informal economy".

[47] ITUC, "Investing in the Care Economy. Background Note for the G20 Employment Working Group 25-27 February, Tokyo", 1.

BOX 2. THAILAND'S UNIVERSAL HEALTH COVERAGE [50]

Thailand introduced the Universal Health Coverage Scheme in 2001 targeting Thai residents not covered either by the contributory Social Security Scheme, or the formal private sector and the Civil Service Medical Benefits Scheme, for the public sector. The universal scheme is the result of two decades of progress to provide the informal sector with access to healthcare services.

To access the offered medical assistance, citizens have to register to receive an identification card providing them free access to these services in their place of residence and emergency services nationwide. The combined coverage of all existing schemes reaches almost 100% of the population.

Thailand also allows migrants with access to public health services through their voluntary contributions to the SSS or private insurance mechanisms.

1.7 SOCIAL PROTECTION INTERVENTIONS TO ADDRESS THE NEEDS OF FEMALE INFORMAL WORKERS

Based on an analysis of the available literature, the social protection interventions with a higher capacity to transform the lives of female informal workers are those that refer to health services, maternity protection, child care, and the social pension.



1.7.1 HEALTHCARE

Access to health care is probably the most basic social protection intervention and perhaps the one with a more immediate positive impact. The ASEAN Member States have committed to achieving universal health coverage through the establishment of tax-funded health care systems and the extension of social health insurance (Box 2, for the example of Thailand). However, the process is slow due to material and human resource limitations, and the need to improve the quality of service and infrastructure. Meanwhile, receiving health care is still a costly challenge for many people in most member states[48].

An indicator to measure the affordability of health-care services is out-of-pocket expenditure as a percentage of total health expenditure. Out-of-pocket payments are those made directly by the patients because their insurance does not cover the full cost of the service or treatment. When out-of-pocket spending exceeds a certain threshold, it limits people's access to health care. Out-of-pocket health expenditures are high in ASEAN[49] and among the highest in the world, meaning that individuals in need of health care have to pay it from their own income, thus this being a big problem for poor households. But there are not only economic limitations in access to health services. The availability of health workers, health facilities, and medicines, as well as the existence of adequate transportation and referral services, is also a fundamental factor to have in mind.

It is central to grant access to quality health care to women before, during, and after pregnancy and childbirth. A gender-sensitive relevant intervention is to ensure universal access to sexual and reproductive health and the fulfilment of reproductive rights, including access to family planning methods, information and education, and the integration of reproductive health into national health strategies. Also, young women face obstacles to health care, especially to sexual and reproductive health services, including family planning, which is essential given that early childbearing is a significant obstacle to women's personal and professional development.



1.7.2 CHILDCARE AND CHILD BENEFIT

Childcare includes those mechanisms that protect and support the development of children from birth until reaching the age of eight[51]. Childcare is still perceived to be a responsibility of the child's family, and therefore, interventions aimed at providing childcare are among the less developed social protection options in the region. So, it is also seen as the responsibility for care of ill or disabled children.

Unpaid care work is provided most frequently by the female members of the household, increasing their time burden so they will only be able to work in low-pay part-time jobs[52], thus resulting in a negative impact on earnings, career opportunities, and, therefore social protection coverage.

[48] UNESCAP, *Time for Equality: The Role of Social Protection in Reducing Inequalities in Asia and the Pacific*, 102.

[49] ibid.

[50] UNESCAP, *Time for Equality: The Role of Social Protection in Reducing Inequalities in Asia and the Pacific*, 109.

[51] ILO, *The State of Social Protection in ASEAN at the dawn of integration*, 25.

[52] ILO, *A quantum leap for gender equality: for a better future of work for all*, 14-15.

Some of the most advanced social protection systems worldwide apply to both men and women with the reduction in working hours keeping full pay[53]. At the community level, the development of universal and affordable services and facilities for the care of children will help individuals, and particularly women, by providing beneficiary families more time to allocate to income-earning activities, personal and professional development, and as a result, providing women with greater leverage on in-household decision-making. Despite its importance, in the ASEAN region only Singapore has in place policies aimed at supporting childcare.

Child benefit is cash allowances provided to families with children with the twofold purpose of reducing poverty and improving children's access to nutrition, health, or education services. Most of the ASEAN Member States have in place some sort of cash benefit scheme in the form of means-tested social assistance for families with children or tied to obligations such as ensuring school attendance and/or health check-ups, as is the case of the Philippines 4Ps programme (Box 3).

Additionally, it is important to note that the availability, quality, and accessibility of education and health care services is the most critical issue to increase health and education outcomes. Without those, cash transfers have less or no impact.

1.7.3 MATERNITY PROTECTION

Maternity protection is central to advancing the rights, health, and economic security of women and their families. This concept comprises interventions targeting the protection of "the health of pregnant and breast-feeding women employees at work, entitlement to prenatal and postnatal leave and leave in case of illness or complications, entitlement to cash benefits during leave, protection against termination of employment and discrimination and the right to daily breaks for breastfeeding[55]". A type of maternity protection, maternity cash benefits comprise paid maternity and paternity leave. They are an important tool for ensuring income continuity during pregnancy and the first stages of child rearing and should ensure non-discrimination against parents when availing those benefits and incentivising men's awareness and their use of parental leave.

It is recommended in the Maternity Protection Convention, 2000 (No. 183) that the schemes aiming to facilitate protection during maternity shall be provided through compulsory social insurance or through government-funded programs. However, it is usual that the compensation for income loss due to maternity is defined as an employer's liability. This is not the best practice as it can result in workplace discrimination against women of childbearing age. The absence of social insurance coverage for maternity benefit may lead employers to avoid hiring women in order to avoid the direct costs of providing maternity benefits and other indirect costs. Relying on an employer's liability can also be counterproductive, as it increases the risk of non-payments if enforcement provisions are not in place.

In any case, maternity benefit or compensation for income losses during maternity is usually only recognised in the formal economy and the majority of the uncovered are in the informal economy[56]. None of the ten ASEAN Member States have ratified the ILO Conventions related to maternity protection: No's 102 and 183.

The provision of maternity benefits among ASEAN member states is diverse, and the majority of women do not receive them. Table 1 shows what system is provided in each ASEAN country to provide the maternity cash benefit.

BOX 3. THE 4PS PROGRAMME IN THE PHILIPPINES[54]

Philippines launched the "Pantawid Pamilya Pilipino Programme" (also called 4Ps) in 2008 to effectively address the basic needs of the poor while also investing in human capital by targeting children. This conditional cash transfer programme aims to have a positive impact on the health, nutrition, and education of vulnerable children.

The 4Ps covers eligible families up to the third child with allowances to meet health, nutrition, and educa-tional needs. These cash transfers are made available to eligible families living below provincial poverty thresholds in the poorest municipalities with children up to 14 years of age. The transfer is therefore conditional to children's attendance at day-care or preschool (3-5 years old), primary school enrolment (6-14 years old), pregnant women receiving pre- and post-natal check-ups and delivering assisted by certified medical workers, parents attending family planning seminars, children receiving regular health check-ups and vaccines (0-5 years old) and receiving deworming pills twice a year (6-14 years old).

The government's choice for a targeted approach seeking to provide urgent solutions to the most vulner-able is a first step towards the universalisation of all or some of these interventions when the financial situa-tion allows.

[53] ILO, *A quantum leap for gender equality: for a better future of work for all*, 76.

[54] UNESCAP, Time for Equality: the Role of Social Protection in Reducing Inequalities in Asia and the Pacific, 67.

[55] ILO, "Maternity protection".

[56] ILO, The State of Social Protection in ASEAN at the dawn of integration, 31-32.

BOX 4. MATERNITY PROTECTION IN VIETNAM [60/61]

Vietnam is the only country in the ASEAN providing a social insurance-funded maternity cash benefit equivalent to previous earnings and for at least 18 weeks - as prescribed by ILO Recommendation No. 191 - reaching up to the sixth month of maternity leave.

However, legal coverage of Vietnam's provisions is less than 30% of its employed female population due to the non-inclusion of most of the self-employed, those with less than 3 months contract and informal workers.

TABLE 1. MATERNITY BENEFIT IN THE ASEAN MEMBER STATES[57]

SOCIAL SECURITY	EMPLOYER'S LIABILITY	MIX EMPLOYER'S LIABILITY + GOVERNMENT'S PROVISION
Lao PDR	Cambodia	Brunei Darussalam
Myanmar	Indonesia	Singapore
Philippines	Malaysia	
Thailand		
Vietnam		

In Brunei Darussalam and Singapore, the government-financed maternity benefits exclude single mothers in what can be seen as a bad example of social discrimination that leaves a vulnerable group without support.

The majority of self-employed women do not have access to any kind of social protection benefits during maternity leave. Contrary positive examples are seen in Singapore, where they are covered on a mandatory basis, the Philippines, where they are covered if they surpass a given income threshold, and in Thailand, where it is only available on a voluntary basis, but nevertheless, that option exists. It is in Thailand where, while informal economy workers are covered in the events of sickness, disability, death, survivor, and old-age benefits (voluntary), they are yet not covered for the need for maternal leave[58]. This is probably telling about both the little attention that maternity protection receives and the difficulty of reaching informal economy workers with these services.

Parental or family leave where maternity benefits can be transferred between members of the couple is a policy with considerable potential to be gender-transformative. On the one hand, the child is taken care of, and the income flow to the household is maintained without undesirable shocks. On the other hand, the possibility of transferring the rights to the fathers provides more flexibility on decision-making to the parents and allows an option that will not jeopardise women's jobs and career opportunities.

In the Philippines, the Republic Act No. 11210 grants maternal leave of 105 days, with the option to extend 30 additional days without pay, and 15 more in the case of single mothers. After some weeks, the mother can go back to work and keep receiving the benefit or transfer the benefit to another person. This is a good example of an empowering policy for women that helps to conciliate their professional careers with motherhood.

Although providing maternity benefits to informal economy workers can be very challenging, there have been efforts in that direction, with encouraging examples found outside the ASEAN community, but still in Asia. Mongolia offers universal maternity protection coverage through a combination of different mechanisms: mandatory and voluntary social insurance, and social welfare[59]. Through a combination of these systems and innovative solutions, they are able to extend maternity protection, even in difficult to reach rural populations.

[57] ibid.

[58] ILO, The State of Social Protection in ASEAN at the dawn of integration, 32.

[59] Social-Protection.org. "Universal Social Protection. The Universal Child Money Programme in Mongolia".

[60] Vietnam Briefing. "Vietnam's Maternity Leave – Benefits and Application".

[61] ILO, The State of Social Protection in ASEAN at the dawn of integration, 32.



Street vendors selling food for factory workers in Phnom Penh. Photo: Oxfam

1.7.4 SOCIAL PENSION

As people become older, their capacity to earn an income is reduced. Pensions are social protection schemes thought to compensate older persons for the loss of income experienced after leaving active life. Public pension systems are funded by workers' contributions made during their active life until retirement age. The impact of pensions on the household level is very positive as older persons often utilise this money for household expenses or to cover the needs of those family members living under the same roof.

Most of the ASEAN Member Countries have contributory pension systems covering participants in the formal labour market but with big differences in the coverage and the level of benefits offered[62]. However, the significant share of the population engaged in the informal economy and the extending lifespan of the ASEAN member states population, represent a challenge in the near future. Informal economy workers can be covered by non-contributory pensions, also called social pensions, which are aimed at preventing poverty in old age. Social pensions are tax-based/non-contributory transfers that guarantee a minimum income and are particularly crucial for informal sector workers who usually need to continue working in old age due to the lack of access to public contributory pensions.

From a gender perspective, pension systems have a higher positive impact when they are public-funded as they contribute to reducing lifecycle gender inequalities. The reason is that women have lower participation in the labour market and lower incomes but also live longer than men and therefore need to finance retirement spending for a more extended period.

BOX 5. THAILAND AND VIETNAM SOCIAL PENSIONS [63]

THAILAND OLD AGE ALLOWANCE

This scheme offers a universal, non-contribu-tory social pension to individuals aged 60 years or over who are not covered by a contributory pension.

VIETNAM SOCIAL PENSION SCHEME

Vietnam showcases a social pension and two contributory pension schemes. The social pension scheme offers several levels of coverage according to the need of the beneficiary. The program is targeted with respect to age, health status, and income. The government is already planning to lower the age of eligibility, currently established at 80 years old.

[62] Asher, "Social Protection in ASEAN: Challenges and Initiatives for Post-2015 Vision", 18-21.

[63] ADB, *Social Protection for Informal Workers in Asia*, 27.



Garment factory workers performing her duty at a factory in Phnom Penh. Photo: Naratevy Kek/Oxfam



STAKEHOLDERS IN SOCIAL PROTECTION IN THE ASEAN REGION

1.8 THE ASEAN ORGANISATION

ASEAN is a difficult to engage, sometimes even opaque, organisation. It has its own channels through which it invites others to engage with it, and does not accept communication or interference outside of those. This results in the need to spend a large amount of time and effort to maybe only receive meagre outcomes due to the reluctance of the organisation to move forward on agendas that are not implicitly agreed upon by all its members beforehand. For this, we say that the ASEAN organisation is a somehow necessary enabling environment, but not a deciding factor. The deciding forces to pursue the development of social protection systems, and to interventions relevant to female informal workers, are to be found at the country level.

Because of this, partners shall be very selective in regard to what ASEAN bodies to engage, and to choose the right individuals and events. The premise is not to waste time and resources better invested at the national level. Nevertheless, ASEAN should not be neglected and maintaining a good working relationship with the organisation, taking advantage of the invitations to work with them, and even good personal relations with ASEAN individuals can produce good results in the mid and long runs.

1.9 ASEAN BODIES

ASEAN bodies are potential allies to engage directly organisation to organisation, or indirectly, through any of their individual members.

THERE ARE TWO ASEAN BODIES WITH DIRECT RESPONSIBILITY FOR THE IMPLEMENTATION OF THE ASEAN DECLARATION ON STRENGTHENING SOCIAL PROTECTION AND THUS ARE NATURAL ALLIES:

- ASEAN Ministerial Meeting on Social Welfare and Development (AMMSWD) - directly in charge of the implementation of the Declaration
- Senior Officials Meeting on Social Welfare and Development (SOMSWD) - provides support to the AMMSWD in implementing the Declaration

ALSO, ALLIES, WITH A MORE INDIRECT IMPACT ON THE IMPLEMENTATION OF THE DECLARATION, BUT WITH A HIGH IMPACT ON DECENT WORK, SOCIAL PROTECTION, AND WOMEN ISSUES, ARE:

- ASEAN Committee on Women (ACW)
- ASEAN Labour Ministers Meeting (ALMM)

A relevant ASEAN body, which provides support to the higher levels, but that acts as a filter for messages and initiatives to reach sectoral bodies, is the ASEAN Secretariat. The Secretariat undertakes its own research projects, takes responsibility for program management, knowledge sharing, partnership, and communications, among other duties. It is very relevant to keep good working relationships with the Secretariat since it can be either an ally or a blocker. In fact, the ASEAN Secretariat is the main gatekeeper to the higher levels of the ASEAN organisation.

There are other ASEAN bodies with responsibilities for issues closely related to social protection and its beneficiaries. The actions of these bodies could effectively, either directly or indirectly, contribute to the development of social protection in the region and therefore can become potential allies in any given moment:

- ASEAN Ministerial Meeting on Youth (AMMY)
- ASEAN Intergovernmental Commission on Human Rights (AICHR)
- ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC)
- ASEAN Ministerial Meeting on Women (AMMW)
- Senior Officials Meeting on Rural Development and Poverty Eradication (SOMRDPE)

1.10 THE ASEAN MEMBER STATES

ASEAN Member States can become either allies or opponents due to their high degree of independence in the ASEAN community. Among the ASEAN member states, some countries have more power in driving the direction of the organisation than others in some topics. Some countries will be natural allies and others, opponents to the development of social protection in the region. Their role will depend on the specific national dynamics reigning at a given time.

Given that, the list of allies also varies depending on the focus topic. For example, Thailand can provide some good examples in regard to voluntary contributions, universal health coverage, and coverage for informal workers. It can be useful to tap into this resource to bring about good practices at the regional level. Also, the Philippines showcases very gender-sensitive legislation and concern for migrant and domestic workers, partly because these last groups represent a big share of their labour force. Therefore, they are a potentially great ally and most likely are interested in contributing to the extension of social protection services for them in the ASEAN context. Lastly, as Vietnam is undertaking pension reform and at the same time has the chairmanship of ASEAN in 2020, the country provides a great opportunity to look into regional synergies during the ASEAN events of this year in which the host country could share the best practices they have learned and how they plan to achieve the extension of their pension system.

It is also worth keeping an eye on the Committee of Permanent Representatives to ASEAN. This comprises permanent representatives from the ASEAN member states and has a high capacity to decide and influence the work of ASEAN, effectively deciding to veto programmatic options if needed. Among them, it is possible to identify potential supporters and opponents to progress the social protection agenda.

1.11 ASEAN PARTNERS

The ASEAN Foreign Ministers invite other countries to participate in dialogue and cooperation with the organisation. The level or engagement varies, being a Dialogue Partner at the highest level[64].

There are ten Dialogue Partners (Australia, Canada, China, European Union, India, Japan, the Republic of Korea, New Zealand, Russia, and the United States). The relationships with these ten countries are at the highest level, including ministerial meetings and invitations to participate in the ASEAN summit. The dialogue encompasses a wide variety of topics, from economic and technical cooperation to trade, security, etc.

On a second level are the Sectoral Dialogue Partners (Pakistan[65], Norway[66], Switzerland[67], and Turkey[68]). The dialogue with these partners is limited to specific topics.

Relevant to social protection for vulnerable groups, the agreement with Switzerland includes the commitment to explore practical cooperation in "women empowerment, gender equality and the rights of the welfare of children, the elderly and migrant workers".

Currently (as of January 2020), there is only one Development Partner (Germany) whose role is to provide specific inputs in capacity-building and development cooperation.

Other countries can be invited through the chair to ministerial meetings and the ASEAN summit.

The best allies among those countries can be found in the Dialogue Partners - for the wide variety of topics in which they are invited to collaborate - and Switzerland - for the specific contribution mentioned above.

1.12 OTHER COUNTRIES AND MULTILATERAL ORGANISATIONS

A country with exceptional capacity to negotiate with ASEAN is China, although at this time, that power comes from its bilateral relations with individual ASEAN countries. The organisation does not position itself on the deals that each different member state agrees with China. However, it is unlikely that China will take either the role of either supporter or blocker in our topic of concern due to their interests being more focused on trade, infrastructure, security, etc.

ASEAN also holds regular interactions with the United Nations and its agencies, governed by bilateral declarations of partnerships. These multilateral organisations are natural allies in supporting the expansion and extension of social protection systems and the best choice - on par with the ASEAN Member States and national governments in terms of returns on time and effort invested. The United Nations provides continuous technical and financial

[64] Republic of the Philippines. Foreign Service Institute, ""'Partners' for Change: Understanding the External Relations of ASEAN".

[65] ASEAN, "Overview of ASEAN-Pakistan Sectoral Dialogue Cooperation".

[66] ASEAN, "Overview. ASEAN-Norway Sectoral Dialogue Relations".

[67] ASEAN. "Overview. ASEAN-Switzerland Sectoral Dialogue Relations".

[68] ASEAN. "Overview. ASEAN-Turkey Sectoral Dialogue Relations".

support to the ASEAN Member States to develop social protection systems and schemes. UN bodies and agencies working in social protection with the ASEAN Member States include the ILO, UNICEF, and UNESCAP.

Other multilateral organisations with regular engagement with ASEAN and with active programs in social protection are the Asian Development Bank (ADB), the World Bank (WB) and the International Monetary Fund (IMF). For example, the ADB has in the past released recommendations to the AEC Blueprint regarding the need to provide migrant workers with social protection[69]. The WB has committed USD3 billion to "nutrition, learning, social protection, and health" in the ASEAN Member States and encouraging countries to invest in people for human capital development[70]. The IMF has encouraged ASEAN to invest in health and education in order to redistribute the products of economic development and reduce socioeconomic inequalities[71].

A disadvantage of building alliances with this second group of organisations is that their view of social protection is often narrower than that of UN agencies, relying more on employers' liability and targeted interventions, rather than public-funded and universal ones.

[69] ADB, *ASEAN–ADB Cooperation Toward the ASEAN Community. Advancing Integration and Sustainable Development in Southeast Asia*, 24.

[70] World Bank, "Investing in people: ASEAN's key to better development".

[71] International Monetary Fund, "ASEAN Progress Towards Sustainable Development Goals and the Role of the IMF", 34.



A street vendor selling water melons at the factories area in Phnom Penh. Photo: Oxfam

1.13 CIVIL SOCIETY ORGANISATIONS

Traditionally, ASEAN has not been too welcoming to the contributions of civil society organisations. In order to be allowed to dialogue with ASEAN, CSOs must go through a cumbersome process in which they shall be first cleared/accredited to engage with the organisation.

Some of these organisations mentioned that the impact of direct dialogue with ASEAN is very limited, that they have found it more rewarding working at the national level with governments, and that it is better to see the ASEAN organisation as an enabling environment. It is worthy to establish a channel of communication and cooperation with organisations that have been already cleared to dialogue with ASEAN. Some of these CSOs can be important allies to work with at the regional level.

Below are some relevant development partners that are already contributing to social protection development relevant for female informal workers in the ASEAN context.

THE ASEAN WOMEN ENTREPRENEURS NETWORK (AWEN) has very close relationships with the ASEAN Committee on Women (ACW). The AWEN is "a network of businesswomen in the region, operating to exchange knowledge, experience; develop and propose initiatives to promote economic and trade activities in order to enhance gender equality, empower and strengthen entrepreneurship skills for women in the ASEAN Community; create favourable environments for female-led enterprises; and support women entrepreneurship in the region[72]".

THE ASEAN SOCIAL SECURITY ASSOCIATION[73] (ASSA) is comprised of the Social Security institutions of the ASEAN Member States. Its goal is "to promote the development of social security in the region in consonance with the aspirations, laws, and regulations of the member countries". Due to its institutional composition, ASSA has a close relationship with ASEAN and could, therefore, be a strong ally.

HOMENET is an organisation that focuses its work on the provision of social protection services to informal sector workers. The organisation has experienced difficulty in getting its message heard at the higher levels of ASEAN[74] and has since started to focus more on making change possible at the country level.

SOCIAL ASEAN works on fostering "transformative social protection" in the region. Under the motto of "A life of dignity for all," this regional network has been engaging with ASEAN since 2009. They work on strengthening social movements so that they can generate enough momentum to be able to push for national-level changes and regional-level awareness. Informal workers' concerns are covered under their "living wage" agenda item. This "living wage" needs to be operationalized at the country and local levels, and they have not developed a formula for it yet, which could be an opportunity for other organisations to contribute. They have been invited by ASEAN as an "observer" organisation. Members of Social ASEAN include the Network for Transformative Social Protection, ASEAN Parliamentarians for Human Rights, Migrant Forum Asia, and others, with the same common goal of transformative social protection.

[72] AWEN, "What is AWEN".

[73] ASSA, "About Us".

[74] Bangkok Post, "'Small civic voice' at big ASEAN Summit".

THE TASK FORCE ON ASEAN MIGRANT WORKERS (TF-AMW) comprises trade unions, human rights, and migrant rights non-governmental organisations, and migrant worker associations supporting the protection and promotion of the rights of migrant workers. Among the rights they advocate for are "social protection - social security based on non-discrimination and gender equality principles[75]". They have experience in engaging the ASEAN Senior Labour Officials Meeting in Vientiane, Laos, in May 2009, to whom they presented a proposal for the protection and promotion of migrant workers' rights.

THE ASEAN SERVICES EMPLOYEES TRADE UNION COUNCIL (ASETUC) is a network of trade unions in the ASEAN Member States. They collaborate to "formulate and implement a consolidated trade union response to the fast-moving economic and social development in ASEAN[76]".

THE ASEAN ROUNDTABLE ON SOCIAL PROTECTION (AROSP) hosts CSOs dialogue on social protection in the region[77]. The year 2020 will see its seventh biennial meeting.

THE ASIA MONITOR RESOURCE CENTRE[78] (ARMC) "is an independent non-governmental organisation (NGO) that focuses on Asian labour concerns. It works to support a democratic and independent labour movement in Asia, promoting the respect of labour rights, gender equality, and active workers' participation in work-related issues". "AMRC provides information, consultation, publications, documentation, and internships, and conducts research, training, advocacy, campaigns, labour networking, and related services to trade unions, pro-labour groups, related NGOs, academics, researchers, and professionals on labour issues". Among its four component programmes[79] two are focused on "Organising the marginalised for social protection" and "Labour rights and gender". The ARMC also collaborates in producing AROSP's Network Newsletter[80].

THE ASEAN CIVIL SOCIETY CONFERENCE/ASEAN PEOPLES' FORUM (ACSC/APF) "is an annual forum of civil society organisations from the ASEAN Member States held in parallel with the ASEAN Summit[81]" and organised in the country that holds the ASEAN Chairmanship.

Related to the private sector we find the **ASEAN BUSINESS ADVISORY COUNCIL**, which has the "mandate to provide private sector feedback and guidance to boost ASEAN's efforts towards economic integration[82]". Aside from providing private sector feedback on the implementation of ASEAN economic cooperation, the Council also identifies priority areas for consideration of the ASEAN Leaders.

It is worthy to note that the private sector can become either an ally or an opponent, although most commonly we might find private sector institutions as opposing any measure that goes against their corporate interests, chiefly if those measures result in higher taxation.

Additionally, a myriad of other civil society organisations can be found at the national level in each of the ASEAN Member States. Their importance becomes more prominent when the ASEAN Chairmanship is in their country of origin, providing a worthy opportunity to tackle the national government counterparts through them. Examples include the National Platform on Social Protection (Thailand), the Life with Dignity Coalition (Philippines), the Working Group on Transformative Social Protection (Indonesia), etc.

[75] ILO, "Task Force on ASEAN Migrant Workers".

[76] Human Rights in ASEAN, "ASEAN Services Employees Trade Union Council (ASETUC)".

[77] Center for Development and Integration Vietnam, "Asian Roundtable on Social Protection 6th Biennial Meeting (AROSP)".

[78] Asia Monitor Resource Centre, "What we do".

[79] AMRC, "Topics & Concerns".

[80] AMRC, "Organising for Social Protection".

[81] Asian Forum for Human Rights and Development, "ASEAN Civil Society Conference/ASEAN Peoples' Forum (ACSC/APF) 2019".

[82] ASEAN. "About ASEAN-BAC".



A street vendor selling cakes in a city of Vietnam.
Photo: Tineke D'haese/Oxfam



A girl drying her clothes at a poor community in Phnom Penh.
Photo: Oxfam



RECOMMENDATIONS FOR A SUCCESSFUL INFLUENCING STRATEGY

Some basic traits of ASEAN were mentioned in the previous pages. This section presents a recommended strategy to engage the organisation and its members in the most effective way of achieving the extension of social protection services to female informal workers.

As remarked earlier, engaging directly with ASEAN is an extremely complex process; time-consuming, and with little reward, if any, at the end. The regional level shall best be considered mostly a facilitating environment. For all that being said, a successful strategy in engaging with ASEAN shall be an 80/20 approach, where 80% will be the time and effort devoted to interact with national governments, partners and projects and 20% for the regional level, directly and indirectly, to influence the ASEAN organisation.

The role of social protection advocates will be most successful if it first helps the change to happen at the national level by means of research, training, advocacy, and giving voice to marginalised groups, etc., and then facilitate successful developments at the national level to propagate and be known among the other member states utilising the loudspeaker of ASEAN both directly (direct engagement when invited by the ASEAN) and indirectly (promoting publications with regional distribution, side events during ASEAN summits, etc.). The best moment to help target good practices on social protection propagation utilising the ASEAN vehicle would be during each country's chairmanship.

1.14 WORKING WITH ASEAN

Social protection advocates can work to directly influence ASEAN utilising a variety of strategies which include direct dialogue (if invited by the organisation), soft influencing strategies such as the production of analytical resources (studies, white papers, etc.), or even joint program implementation and monitoring of ASEAN's strategic plans. In fact, the ASEAN Declaration on Strengthening Social Protection calls in its paragraphs to "build and strengthen the networking and partnerships within and among the ASEAN Member States as well as with dialogue partners, UN Agencies, civil society, private sectors, development partners, and other stakeholders in supporting adequate resources and effective implementation of the commitments reflected in this Declaration."

Engaging ASEAN directly when the opportunity is presented is, nevertheless, a risky endeavour for it might backfire if the dialogue does not follow some rules. So far, the most important lessons learned from past experience in engaging ASEAN include the need to develop both formal and informal working relationships, from the individual to the institutional levels (national and regional) and the need to keep a non-confrontational stance in the engagements.

ASEAN members have in the past expressed the sentiment that they can be confused by hearing a multiplicity of voices requesting several, sometimes seemingly contradictory different things, at the same time. It is thus very important to avoid duplication and to coordinate with other organisations for presenting a consolidated message to ASEAN. Otherwise, the risk is to be seen as an "annoying" and "inconvenient" CSO in the eyes of ASEAN bodies, therefore risking not been invited to dialogue processes even as an observer.

Another important point regarding an appropriate stance is to keep the middle ground during dialogue processes with ASEAN bodies, not becoming too assertive. As mentioned earlier, the ASEAN Member States do not welcome pressure from the ASEAN organisation, and likewise, ASEAN itself does not welcome pressure from outsiders. An effective approach to participate in direct dialogue when invited by ASEAN should be informative rather than inquisitorial.

It is worth remembering that influencing and working with the second line of decision-making; the sectoral bodies and the Secretariat which supports them, will yield better results than directly trying to engage the organisation during the discussions and negotiations at the high level, during significant events, when the organisation is in the spotlight. On this basis, key moments to influence ASEAN planning and decision-making processes are found during the meeting of the SOWD, as they develop the agenda for the summits usually during April and September. Another critical body to lobby is the ASEAN Socio-Cultural Community Ministerial Meeting, as they are entitled to make decisions regarding what CSOs will be invited to ASEAN events.

Another path to influence the ASEAN organisation is by indirect means. A winning indirect influencing strategy is to provide support to leading national authorities (individuals) and organisations, and support venues of dialogue and engagement between organisations of different ASEAN countries. One example of these types of interventions is, for example, developing side events during ASEAN summits and inviting individuals and representatives from countries that can showcase good practices, national counterparts, other CSOs, universities, research centres, and the media.

Working closely with the ASEAN Secretariat and its divisions will also contribute to increasing the understanding of the current political and informal dynamics within the organisation. This information can be useful to identify potential partners, allies, or challenges, at any given moment within ASEAN.

Social protection advocates can also learn from other civil society organisations, which have successfully utilised personal invitations to invite ASEAN personnel to events as a way to bring their message inside the organisation. This can be a cost-effective indirect influencing method if the right individuals are targeted. In this regard, this is an opportunity to identify accessible members of the key ASEAN bodies mentioned before and build good working, individual relationships with them that could lead to productive outcomes in the mid- and long-run. These individuals could be invited to events linked with social protection, gender, informal workers, etc.

Finally, social protection advocates shall also keep an eye on ASEAN Dialogue Partners, sectoral partners, and development partners and look for any chance to work with them for advocating for the advancement of social protection or other policy developments that could have a positive impact on the development of social protection for female informal workers.

1.15 WORKING AT THE NATIONAL LEVEL TO INFLUENCE ASEAN

Since decisions are made at the country level, and countries have a 'de facto' veto capacity over what is decided, or even discussed, at ASEAN, it seems reasonable to focus efforts at the country level and let the countries become champions bringing to ASEAN their own domestic developments on social protection policy.

One of civil society organisations' comparative advantages is their grassroots level experience. This can be translated into action by helping grassroots organisations, trade unions, etc. developing communication interventions and advocacy materials to inform potential beneficiaries (like female informal workers) of their eligibility to benefits, etc., and in the production of documents for associations, trade unions, etc. to advocate for the extension of social protection to female informal workers before the government.

Another entry point for CSOs is their capacity to provide scientific evidence and data at the country levels in order to produce evidence-based policymaking. Personnel from various development partners have noted during interviews that often the link between governments and the final beneficiaries - like female informal workers - is missing. CSOs have an advantageous position to tackle female informal workers and other vulnerable groups to gather the necessary information to help policymakers develop successful strategies to reach these groups with tailored social protection schemes. This includes the production of case studies on individual persons, locations, and gathering good practices from other countries, etc.

Another winning strategy is finding and promoting - through media, events, etc. - ASEAN champions (associations, individuals, or countries) on specific social protection topics (for example, the Philippines, and their Technical Education and Skills Development Authority programme to train and provide services to domestic workers). Once these champions and their good practices are identified, the next steps of the process are to develop advocacy actions and materials like case studies and individual stories and sharing them extensively to reach media, society and governmental levels in the country where advocacy in that direction is needed.

Regarding building partnerships with other CSOs at the national level, the focus should be on finding in-country partners with a similar interest in advocating for the extension of social protection. Once partners at the national level have been identified, the next step is working together with a stronger voice to influence the government on topics relevant to the advancement of social protection for female informal workers. If the national experience has been successful, the next step would be to bring a good example of what has been done in the country level to the ASEAN level.

Some final words should be said about the role of media as a channel to spread the messages of social protection advocates and thus help to raise much-needed awareness among people. A good media strategy should take into account the need for training media on social protection and the particular needs of female informal workers, like maternity protection. Media should be invited to advocacy and informative events that promote and inform on social protection. Keeping good personal relationships with media individuals is as important as it is with ASEAN personnel.

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