

Dear Readers

This issue of *Forum News* is being rolled out amid APWLD's annual Consultation with the UN Special Rapporteur on Violence against Women. This year's theme is "The Multiple Dimensions of Women's Equality". As such, conversations about intersectional approaches and identity are buzzing around the Secretariat office in Chiang Mai. The concept of intersectionality challenges the assumption that we have one primary, permanent identity. Instead discrimination and marginalisation are endured by women in vastly different ways depending on their nationality, ethnicity, class, caste, age, (dis)ability, sexual orientation, marital and parental status, political identity and activity and so forth. APWLD has always taken an intersectional and contextual approach. Our determination to unpack the political, economic, social histories of power that fuel patriarchies have naturally lead to an intersectional approach.

Too often an intersectional approach is criticised because it reveals the difference of experience. It is assumed then that it breaks down the solidarity of a singular identity. But an intersectional approach enables us to forge links with other social movements aiming to eliminate discrimination; movements combating discrimination on the grounds of race, religion, class, caste, sexuality and so forth. It allows us to stand collectively to challenge inequalities and injustices.

Solidarity identified through an approach that does not compartmentalise our identities can be the key to building social movements that are effective at improving the lives of women. The voices of women in this issue of *Forum News* reinforce this sentiment. In Kyrgyzstan where ethnic tension is threatening the region's stability, "it is an organised and thriving women's movement that could bring Kyrgyzstan back from the brink". In Fiji, the women's movement is the force that is challenging corrupt military rule. Here, an international community of human rights observers joined a united women's movement in Fiji and were successful at disrupting a campaign of intimidation against Imrana Jalal. Similarly in the case of the Morong 43, international solidarity for the health care workers has forced a review of the charges. More than anything these cases show the importance of national, regional and international solidarity. APWLD members have expressed interest in further developing our capacity to develop a coordinated response to such attacks. These threats should act as an invitation for us to strengthen our movement and increase our vigilance.

This *Forum News* also highlights ways that our network is doing just such work. In the following pages you will read about the "Women Resisting Conflict and War" conference in Baguio City, Philippines and the new "International Alliance of Women" formed at a historic gathering of activists in Montreal. The law is also a venue where women are proving their solidarity as evidenced in reports from India's campaign for the Women's Reservation Bill and the Philippine's Divorce Bill. The recent release of democracy icon Aung San Suu Kyi is a fitting reminder of how important vigilance is to our movements. Upon her release she reminded the world that "we need to broaden our movements in support of our dream."

Across the region, solidarity across difference is building a stronger women's movement. APWLD's November 2010 Consultation hopes to build upon this as we discuss ways that the different Special Procedure Mechanisms can work together. As former UN Special Rapporteur on HRDs, Hina Jilani said "there is no better protection for women human rights defenders than the strength and support of their own movements."

KATE LAPPIN

Regional Coordinator
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The Multiple Dimensions of Women's Equality

Secretariat report by Misun Woo



APWLD's 2010 Asia Pacific Regional Consultation with the UN Special Rapporteur on Violence against Women, its Causes and Consequences, Rashida Manjoo

on

'MULTIPLE DIMENSIONS OF WOMEN'S EQUALITY: WOMEN'S DIALOGUES'

29-30 November 2010
Kuala Lumpur, Malaysia

Background to the Asia-Pacific Regional Consultation with the UN Special Rapporteurs

The Asia Pacific Forum on Women, Law and Development (APWLD) has been facilitating consultations with the UN Special Rapporteur on violence against women, its causes and consequences (SRVAW) since 1995, a year after the creation of the mandate. More recently, APWLD has engaged with other Special Rapporteurs whose mandates intersect with the annual theme of our consultations. This collaboration has resulted in the expansion of gender and women's human rights concerns into other mandates, addressing multiple forms of discrimination and violence against women.

The 2010 Consultation

In recognition that women experience multiple, simultaneous and aggravated discrimination as a result of their multiple identities, the theme of the 2010 Asia Pacific Regional Consultation will address intersectional and multiple discrimination experienced by women and its consequences on fulfillment of women's equality in this region. The Consultation will be attended by the United Nations Special Rapporteur on violence against women, its causes and consequences, Rashida Manjoo and UN Treaty Body experts. The discussion and findings of the Consultation will serve to inform national and regional mechanisms and international level mechanisms including the annual report of the SRVAW.

Objectives of the Consultation

The objectives of the 2010 Consultation are:

- To create a safe space for women to expose and challenge the multiple forms of violence, discrimination, inequality and injustices they face within laws and practices in the region;
- To examine the nexus between women's multiple identities and the multiple forms of discrimination they experience, including the root causes of discrimination within the context of patriarchal systems as manifested in fundamentalism, militarisation and neo-liberal globalisation;
- To identify existing mechanisms of justice and effective remedies within national, regional and international levels through learning from the strategies and activism of women.

Beyond these objectives, the Consultation will also identify the challenges posed by the patriarchal systems and institutions that reinforce the compounding subordination of women, as well as the gaps that exist between women's lived reality and universal human rights. It will also contribute to strengthening women's rights activism for change on the ground to eliminate all forms of discrimination and violence against women and solidarity at regional level.

Participants

The Consultation will bring together approximately 50 women/human rights defenders across 20 countries in the Asia Pacific region, including partners, regional and international NGOs and UN agencies. The Dialogue will bring together diverse women from sexual, cultural, ethnic, indigenous, religious, disabled, HIV+, migrant, refugee and Dalit communities among others.

Organisers

This consultation is co-organised by Asia Pacific Forum on Women, Law and Development (APWLD) and local partner, Women's Aid Organisation (WAO). WAO is an independent, non-religious, non-governmental organisation based in Malaysia, committed to confronting violence against women.



APWLD will be publishing a consultation outcome document in early 2011, please contact us to be included in the mailing list for this publication.

It's Time We Understood Intersectionality

By Gaayathri Nair

More than 20 years ago the women's movement, led by women from the Global South, began to interrogate their assumption of shared oppression. While sexism impacted on women globally, the experience and impact of sexism and patriarchy was experienced very differently across the world, across nations, within communities. Women don't just experience sexism. They experience oppressive practices based on race, nationality, religion, class, (dis)ability, caste, sexual orientation, parental status, marital status, political beliefs and practices, appearance, geographic location.

Human rights frameworks were constructed as if discriminatory practices happen because of a single category of identity. If we experience sexism, we initiate a complaint of sex discrimination, racism – race discrimination etc. But a better analysis was required to build anti-oppressive movements. It wasn't enough to say that people experience multiple forms of discrimination – as if one practice might be sexist and another racist. Instead all these practices intersect and result in experiences of sexism, for example, that can never be disassociated from race or class. This form of analysis led to the intersectional approach to discrimination and human rights violations being developed.

The intersectional approach to activism and rights recognises that each individual has multiple facets of identity that intersect with each other and as a result an individual cannot simply be defined by one particular component of their identity. Thus when we are talking about oppressions and marginalisation, intersectionality allows us to see how a woman from a minority group experiences gender discrimination differently from a woman from a majority group and so on.



Feminist Theory

A clear example of this is the experience of Rohingya women from the northern Arakan state of Burma. These women are at the intersection of gender, ethnic and religious discrimination. The Rohingya people have been denied citizenship by the Burmese junta. Rohingya women are particularly at risk due to the prevalence of trafficking within the region to which their illegal status makes them especially vulnerable. This is compounded by the fact that Rohingya refugees due to their Muslim religion are further marginalised once they leave Burma to places like Thailand. In Malaysia, which is a Muslim majority nation, Rohingya women are still persecuted due to a policy which does not recognise the right to seek asylum. Thus the experience of Rohingya women is different from that of other women, other Burmese women and from men.

It is sometimes argued that an intersectional approach results in the fragmentation of social justice groups along smaller and smaller nodes of identity. However while providing understanding for how individuals experience oppression an intersectional approach allows us to see how all oppressions are connected. Considering multiple oppressions rather than viewing oppressions as discrete allows analysis of the patterns and similarities as well as difference – it allows us to see the similar ways in which ‘othering’ is deployed across oppressions as well as the different ways in which people experience this othering. It also allows us to see more specific links between oppressions. For example the nature of marginalisation due to poverty which can result in disability and vice versa.

Despite its utility there are some barriers to utilising an intersectional approach at the international level. If we look at the structure of international law for example: the nine core human rights treaties that each deal with a different type of discrimination are illustrative of an approach that views different types of oppression as distinct rather than interrelated. Furthermore the UN human rights bodies within the UN are also strictly delineated. Thus in essence the UN human rights framework by the very nature of its structure excludes intersectional analysis. However intersectional analysis is slowly working its way into UN discourse; the next report by the UN Special rapporteur on violence against women is to be on multiple forms of discrimination.

Security Council resolution 1325 is also a good example of how intersectionality is being incorporated into the UN framework. As women are more likely to suffer from multiple forms of discrimination due to patriarchal structures and institutions which privilege men, it is important to ensure that the human rights framework incorporates intersectional analysis so that it is sufficiently nuanced and holistic. Despite the structural difficulties with incorporating intersectional analysis at an international level it has been possible to utilise international instruments for intersectional outcomes. This is particularly true in states where human rights treaties are used as interpretive tools by the judiciary in legal proceedings.

For example in India the CRC and CEDAW were utilised in a court case that resulted in the passage of an anti- child marriage law. An intersectional approach is necessary for states to ensure all the communities rights are realised. Economic and social rights, for example, cannot be delivered by a ‘one size fits all’ approach. States need to consider how intersecting forms of oppression might stop its citizenry from accessing education, healthcare, decent work, livelihoods for example. The right to education may not be realised by poor children where education is privatised (class). It may be less likely that poor girls are educated where privatisation occurs (intersection of sex and class). It may be even less likely where private education does not separate girls and boys (sex, class and religion). It may be less likely where subsidies are only provided to holders of national citizenship cards (gender, class, nationality, ethnicity).

It remains clear however that intersectional successes claimed utilising human rights treaties tend to be more incidental than deliberate. The reality is that the nine core human rights treaties and the special mechanisms need to be implemented in a mutually reinforcing manner. This requires there to be communication and collaboration between the treaty bodies and special rapporteurs to adequately address human rights for everyone but particularly so that those who suffer from multiple forms of discrimination do not fall through the cracks.

Intersectionality Intersectionality Intersectionality Intersectionality Intersectionality

- ...is about the convergence of different identities in one person.
- ...is about these different identities playing themselves out in any one situation.
- ...is about a third outcome resulting from the intersections.
- ...it could be an intersection of a privileged identity with a source of oppression.
- ...it could be an intersection between two sources of disadvantage.
- ...an identity may be privileging in one situation and not in another.

Gaayathri Nair joined the APWLD team in September and will be assisting with the UN SRVAW Consultation and Publication. As a Malaysian Indian Immigrant to New Zealand, Gaayathri's personal appreciation of the multiple intersections of women's equality led her to focus her studies on feminist political theory. Her awareness surrounding women's equality continued in her work with community based NGOs in New Zealand before joining APWLD where her insight and experience will support the secretariat in Chiang Mai for the next year.

Kyrgyzstan – First We Cry Together

By Nurgul Djanaeva

Women Step Up to Bring Security to Teetering Kyrgyzstan

In the aftermath of violence in Kyrgyzstan, women are jump starting peace talks across ethnic lines — and taking the security of their country in their own hands.

“The first time we speak out to take away the anger. The second time we look to the causes of violence. And maybe the third time we have a conversation.”

Often called the Switzerland of Central Asia, mountainous and ethnically diverse Kyrgyzstan was once touted as a success case for peaceful coexistence. Now, following violent clashes in June between Kyrgyz and Uzbeks, ethnic tension is threatening to topple the stability of the entire region. But, a well-organised and thriving women’s movement could pull Kyrgyzstan back from the brink.

It was July, just weeks after violence had erupted in our country, killing hundreds of people and displacing hundreds of thousands. We were gathered in a room, looking out at buildings that had been burned to the ground: Kyrgyz and Uzbek women, meeting face to face for the first time since the conflict erupted and pitted us against each other.

Some of us had lost our houses; others had lost family members. We had witnessed violence; we had been the victims of violence. We were angry. Before June, we had been neighbours. Now, many of us were shouting at each other.

When the violence happened, I felt how deeply women had been affected. As the president of the Forum of Women’s NGOs of Kyrgyzstan, I also knew that women could take on a critical peacebuilding role after conflict. As women leaders from different ethnic groups, I knew we needed to meet each other to begin peace talks. But I was nervous. Our country had never before been through a conflict on this scale, and I had no experience in organising peace and mediation talks.

Growing up, I lived amongst Kyrgyz, Germans, Russians, Roma, Uyghur, Uzbeks, Ukrainians, and many other ethnic groups. In Kyrgyzstan, there are over 100 ethnic groups who have lived together, mostly peacefully, for centuries. But we’re not strangers to ethnic violence — we had ethnic clashes in Kyrgyzstan ten years ago. Still, I never imagined that violence on the scale of what we saw in June would take place in my country.

The violence of June 10th presented itself as ethnic violence, but tension between Kyrgyz and Uzbek ethnic groups was not the only cause. Political turmoil, unemployment, growing migration, criminal activity, and the rising influence of fundamentalist Islamic groups like Hizb ut-Tahrir are other likely factors. Under these conditions, simmering ethnic tensions were easily ignited and the conflict was fuelled by disinformation and rumours.

I first visited Osh less than two weeks after the violence began and the city was shut down. Police were enforcing a curfew. Markets and businesses were closed, and public transportation wasn’t running. There was still sporadic fighting in parts of the country. My Kyrgyz taxi driver was afraid to take me into Uzbek neighbourhoods because he had heard about ethnic Kyrgyz who had been shot there. Before I left, I called my family to speak with them — just in case anything happened to me.

Women and War



Two displaced women with their children in a camp outside of Osh. Fighting suddenly erupted earlier this year in Kyrgyzstan, causing over 400,000 people to flee their homes. The situation remains precarious.

Now, over a month later, curfews were still in place, rumours were still swirling, and Uzbeks and Kyrgyz were still blaming each other for what happened. There were some NGOs talking to each other, but on the community level there was a kind of silence. By starting a process of face to face meetings in the affected regions, we hoped to break the silence.

Our first meeting began in anger, but as the women took turns speaking out and expressing their pain, we found ourselves crying together. Slowly we began to talk, and by the end of the meeting we had made the decision to go forward and continue peace talks.

We discovered that we needed to let our anger out while we were in one room, looking at each others' faces. Only then were we able to cry together about what we have lost. Meeting with these women was an emotional experience that reminded us that pain has no ethnicity.

This conflict has been a complete nightmare — especially for women. I have heard so many stories of women and girls from both ethnic groups who have been raped, beaten, disappeared, taken hostage, forced to flee their homes, wounded, and killed. During my first visit to Osh, I saw crowds of family members holding pictures of relatives who had disappeared. By now many of the people in these pictures have been found dead.

Part of the healing process is to document the violations that have happened during the conflict. When I first visited Osh, I found that there was no data on or attention to women's rights violations. There was no state unit responsible for women's security. We decided to form such a group ourselves. We are now collecting data: the number of criminal investigation cases of violence against women filed by police, the number of women who have disappeared, the number of women in hospitals. We are attempting to count the women who have been raped and killed.

There are areas of the country where it is still very difficult to enter and investigate because of continuing tensions. We are doing our best to track the cases, knowing that for every girl or woman who comes forward to report rape and brutality against her, there are others who are afraid to report it. Documenting the violence is an enormous task, but if these cases aren't addressed, the escalation of violence will continue. The violators must be brought to answer for these crimes.

It will take time to rebuild trust and peace. Our talks must continue in order to be effective. In each region, we've found we need to have at least three meetings. The first time we speak out to take away the anger and we cry together. The second time we look to the causes of violence. And maybe the third time we have a conversation and begin to plan and network together. I hope we can eventually work together to create joint security measures. I would like to see us set up solidarity networks and a system to inform each other when something is going wrong so that together we can address any issues.

The state and other actors have not been able to maintain peace in our country; as women, it is time for us to step in. In Kyrgyzstan, women's groups are very active. Due to our campaigning, we have seen political leadership rise. Women's representation in parliament has grown from 0% to 25%.

I know from what I have experienced during these first meetings between Kyrgyz and Uzbek women community leaders that the women of Kyrgyzstan are ready. We are ready to talk even when the country as a whole may not be ready. Most of us are mothers, sisters, and wives. We are deeply affected by the violence and we feel responsible for the security of our families. I myself am a mother of two children and I simply am not willing to see my children go to war.

It is time that we, as women, step forward and take charge to maintain peace and security in Kyrgyzstan. If we don't take responsibility, there is no one who will do it for us.

Baguio City: Women Resisting Crisis and War

By Judy M. Taguiwalo

From July 19th–21st, 2010 APWLD co-organised a conference on the impacts and women's responses to the economic and climate crisis and war. APWLD was represented by Judy Taguiwalo, Tati Krisnawaty, Geetha Lakmini Fernand and Puspa Dewy with many other APRN/APWLD members present. APWLD co-organised two workshops, "Community Resistance to War's Displacement" and "Skill Sharing; Strategies for Effective Campaign and Advocacy Work".

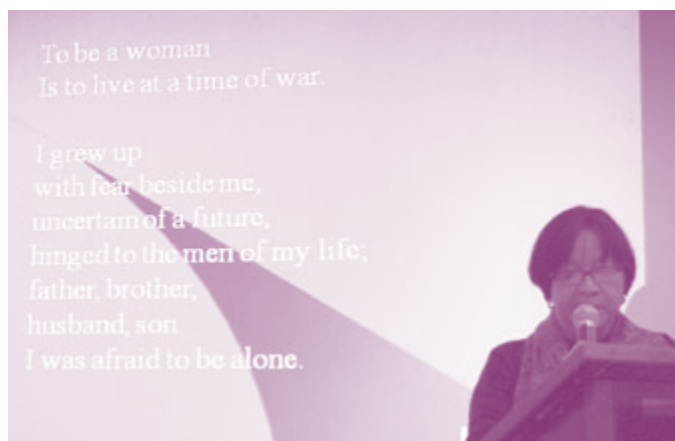


Asia Pacific Research Network (APRN), Asia Pacific Forum on Women, Law and Development (APWLD), Asian Rural Women's Coalition (ARWC), and GABRIELA co-convened the conference with support from Innabuyog, PLAN International and Karibu Foundation

WOMEN RESISTING WAR: Rejecting Victimisation, Organising and Mobilising against Neo-liberal Globalisation for Freedom and Democracy

Judy M. Taguiwalo

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TO BE A WOMAN IS TO LIVE AT A TIME OF WAR¹

To be a woman
Is to live at a time of war.

I grew up
with fear beside me,
uncertain of a future,
hinged to the men of my life;
father, brother,
husband, son.
I was afraid to be alone.

To be a mother
Is to look at poverty at its face.
For the cruelty of war
Lies not on heads that roll,
But tables always empty.
How does one look for food for the eldest
As a baby sucks at one's breast?

No moment is without danger.
In one's own home,
To speak, to defy
Is to challenge violence itself.
In the streets,
Walking at nightfall
Is to invite a stranger's attack.
In my country
To fight against oppression
Is to lay down one's life for the struggle.

I seek to know this war.
To be a woman is a never ceasing battle
To live and be free.

*By Joi Barrios, patriotic writer and poet and
part of the people's movement for national
sovereignty and democracy in the Philippines.*

Women and War

Women live at a time of war. Joi Barrios' poem illustrates the various forms of violence women live with on a daily basis: the violence within the home for those who suffer from wife battering; the vulnerability to rape, the daily war against poverty for working class women, especially mothers; the actual violence perpetrated by reactionary states against those who "fight oppression".



Women's vulnerability to violence is not a new phenomenon but under the regime of neo-liberal globalisation, the United States-led "war on terror" and the general climate of impunity under authoritarian governments, the violence perpetrated against women, especially poor, working class women, has intensified and has taken on new forms. Neo-liberal policies which open up the economies of our countries, convert productive agricultural lands to industrial estates or to golf courses; replace indigenous farm production with chemical-based agriculture and have reduced or removed government support for social services and for agricultural services have wrought havoc on the lives of our families, our communities and have poisoned and destroyed our natural resources.



Let me cite some examples:

In Singur, West Bengal, India, peasant women suffered arrests and torture when they organised themselves into the "Save Agricultural Land Committee" and held collective actions against the expropriation of their land by the Indian government on behalf of Tata, an Indian-based multi-national corporation with the Italian giant manufacturer Fiat as partner. A young woman activist, Tapashi Mallick, was raped and killed by hired goons inside the Tata car factory site.²

Indonesia's rich natural resources have been exploited by foreign investors to the detriment of the people's livelihood. In Middle Sulawesi, women's vegetable farming, fruit trees cultivation and limited stone crushing have been destroyed by the entry of foreign stone companies which have grabbed communal and individual lands.³

Karapatan, the Philippine human rights organisation, reported 1888 victims of extra judicial killings from January 21, 2001 to December 31, 2009. Of this number, 153 or 13% were women and 75 were children. Women comprise 31 or 15% of the 205 reported victims of forced disappearances for the same period.⁴

Filipino women were part of the 57 victims of the 2009 Maguindanao massacre in the southern part of the Philippines. Thirty four (34) journalists were killed in the massacre, which the Committee to Protect Journalists has called the single deadliest event for journalists in history. The women victims, which included journalists, human rights lawyers, the wives of opposition politicians, were reportedly raped and shot in the genitals and breasts.

Forty three (43) health workers in the Philippines, including 23 women, were illegally arrested while holding a training for community health workers. In the first 36 hours of their illegal detention, the health workers were blindfolded and handcuffed and were not allowed to consult with lawyers. Military personnel would remove their underwear whenever the detainees had to go to the bathroom and in some cases, it would be the female military escort who would clean the vagina of the women.

The US-led "war on terror" is, as Azra Sayeed clarified in the 2008 ARWC in India, "is a continuation of the economic imperialist global agenda. The basic issue is taking control of the resources that are present in the third world. Whether they be oil resources, gas resources, millions of other minerals which the third world have, including the water resources and millions of other resources which are present in our part of the world."⁵

In countries where there is no open declaration of war from the United States, authoritarian governments and even so-called democratic governments rely more and more on coercion and the use of armed force against the people and rural and urban poor communities to assure continuing control over our resources and our labour.

Resistance

Resistance means to struggle, to fight, to oppose unjust and oppressive policies, programs and actions; to fight for social justice and for genuine equality and peace.

But, there is an alarming development in the literature of resistance that highlights the so called everyday acts of oppressed individuals against their masters as “resistance”, what Delia Aguilar, a Filipino feminist critiques as “elevating simple survival strategies to the category of agency ostensibly to demonstrate this empowerment and to dispel the slightest suggestion that the oppressed may be passive victims”.⁶

For example, Filipino nannies teaching the children of the elite of the first world Filipino games and culture or a waitress’ spitting into the soup of an arrogant customer before serving it are considered forms of resistance by those who hold the view that individual coping mechanisms of the oppressed are manifestations of their empowerment.

But those of us who are leaders and members of various women’s organisations or people’s organisations in our countries know by experience that resistance cannot but be a collective undertaking because the roots of our oppression, the roots of war and the roots of violence that we experience are systemic and structural. Hence these have to be confronted in a systematic and organised manner.

While individual acts of opposition are indicative of the possibility of ending victimisation and of taking action to change an oppressive situation, these cannot lead to genuine empowerment as the unequal relationship and the oppressive situation remain basically unchanged.

Resistance for us means a collective undertaking to oppose inequality and oppression and to bring about changes in the power relations between the oppressed and the oppressor. Our own experiences teach us that successful women’s and people’s resistance involves:

- examining the manifestation and history of our problems as poor women and as citizens of countries with the common history and situation of foreign domination.
- connecting our individual, village and community issues with national and global policies and programs and analysing the role of our governments in adopting, expanding and enforcing these policies.
- organising, arousing and mobilising ourselves to confront these issues and the foreign masters, the local elite and the state that implement and benefit from these programs and policies.
- utilising various arenas and various strategies from petition, delegation, to militant marches, cultural forms and performances, general strikes to lobbying and even fielding our own candidates in the legislative arena.
- forming alliances and networks locally, nationally, regionally and globally to amplify our strength and to contribute to building our national movements and developing a strong international front against neo-liberal globalisation and the US-led “war on terror”.



While individual acts of opposition are indicative of the possibility of ending victimisation and of taking action to change an oppressive situation, these cannot lead to genuine empowerment as the unequal relationship and the oppressive situation remain basically unchanged.

Women and War



Let me end these thoughts in the same manner I began them, with a poem. This time from a Filipino patriotic male poet, whose poem captures the spirit and militancy of the people's resistance:

With Our Arms Joined Together⁷

by Gelacio Guillermo

With our arms joined together, do you not fear?
There are thousands and thousands of us answering
To the calls of our sisters and brothers sworn to our great creed.
Listen and shudder at the anger in our voice!

We come from all place where women and men still lead
Downtrodden lives and die like famished dogs.
We come from the streets and slums of towns
And cities, from the factories that doom our days

To dull, mechanical labor, the whole of us silently
Bearing our souls' anguish; our hearts seethe
With revolt against all forces that drag our creative life
Down the snare of death. We come from the den of rats.

You shall cringe as you watch us unfurl the banner
Of our solidarity, mark the resolute ring in the army
Of voices joined together in one song, the song
Of the poor workers, the jobless, the starving,

The song also of women and men without homes and without land
In the country of their birth. With us have come
Our loved ones and our innocent children and the ghosts
Of our fathers and mothers and the horde of the dead we have never known!

With our arms joined together, do you not fear?

Maraming salamat. Thank you.

¹ <http://joibarrrios.blogspot.com/2007/01/ang-pagiging-babae-ay-pamumuhay-sa.html>

² From PAN AP Booklet 2,

³ Proceedings, 2008 Asian Women Rural Conference. http://www.asianruralwomen.net/download/arwc_2008_proceedings.pdf, accessed June 25, 2010

⁴ As cited by Anne Marx D. Umil, "A Century Later, Filipino Women Remain in Grip of Poverty and Injustice, bulatlat.com, March 7, 2010. <http://www.bulatlat.com/main/2010/03/07/a-century-later-filipino-women-remain-in-grip-of-poverty-injustice/>, accessed July 10, 2010

⁵ Azra Sayeed, 2008 ARWC Proceedings, p.94, http://www.asianruralwomen.net/download/arwc_2008_proceedings.pdf, accessed June 25, 2010

⁶ Delia Aguilar, Current Challenges to Feminism: Theory and Practice. From Bulatlat, the Philippines's alternative weekly newsmagazine (www.bulatlat.com). Vol. VI, No. 37, Oct. 22-28, 2006.

⁷ I have made some revisions to correct the sexist language in the original.

India – Battle for the Women's Bill: Bring in the Umbrellas

By Pamela Philipose



**Alliance
for 33%**

NEW DELHI – It was raining signatures in the monsoon season, as support for the Women's Reservation Bill poured in from every corner of India. A campaign that had slowly built up over weeks of hectic organising, reached a crescendo on July 29 when over 500 women and men, representing 350 women's groups and civil society organisations, marched to the Indian Parliament, which had just convened for its Monsoon Session.

The demonstrators had only one demand: Pass the 33 per cent Women's Reservation Bill Now! The slogan was painted on colourful banners, stage backdrops, flags and, appropriately enough given the season, on umbrellas of every hue. It also rent the air, as the marchers shouted in one voice, "Pass karo, pass karo, Women's Bill pass karo (pass the Women's Bill)."



The march indicated that support for the Bill had gained a greater vibrancy and a broader support base than it has ever had in the course of its turbulent history. The voices had got louder, more insistent and more representative. There is a new realisation: That women's reservation in the Parliament and state assemblies is not a favour but an entitlement. That it is not just about bringing a few women to power it is about helping to change political discourse and practice. It is about replacing old entrenched and corrupt interests, ushering in fresh ideas for social transformation and creating a more gender just polity and society. The message for the country's parliamentarians was unequivocal: Stop the antics over the Bill, your political careers could be at stake if you continue to stymie it.

This titanic battle has gone through various phases and given rise to innumerable and tireless campaigners, right from the sepia-tinted days when doughty parliamentarians such as Geeta Mukherjee and Premila Dandavate first marched for the Bill. As Jyotsna Chatterji of the Joint Women's Programme (JWP), who has also long been associated with the Young Women's Christian Association (YWCA) movement in India, recalled to the media, "We have been struggling from 1995 for this Bill. Today, we are determined to see it translated into law."

Women and Law

But nobody underestimates the challenge in achieving such an outcome. While the Bill has been passed in the Rajya Sabha, or Upper House, its fate in the adjoining chamber – the all-important Lok Sabha, or House of the People – is rather less certain. Brinda Karat, Member of Parliament (MP) and General Secretary, All India Democratic Women's Association (AIDWA), remarked wryly on the occasion, "It is just ten steps from Rajya Sabha to Lok Sabha. But although the Women's Bill was passed in the Rajya Sabha, it has still not made it to the Lok Sabha. This gap indicates a real political failure."

An array of parliamentarians and public personalities joined the march to Parliament because, as senior politician and parliamentarian, D. Raja, explained, "This struggle for the Bill is not just for women alone, it is for society as a whole". Among other speakers were film personalities such as Shabana Azmi and Javed Akhtar – now an MP in the Rajya Sabha – as well as Congress spokesperson Jayanthi Natarajan. Sharmila Tagore, a well-known film actress, expressed her outrage over the fact that there are in the present Lok Sabha only 59 women out of 543 members. "We won the struggle for India's freedom against the British, but the women's struggle for their freedom is still going on," she remarked.

In 1996, when the Bill was presented in the Lok Sabha by then prime minister, H.D. Deve Gowda, women's representation in Parliament and state assemblies was regarded as an esoteric demand that would benefit only elite women. But such attitudes now clearly belong to the scrap yard of history, going by the views expressed by the ordinary women who were part of the July 29 demonstration. If you ask 20-year-old Amrita Swechha what the Bill is about, she will unerringly argue that it is about women's equal right to participate in the public space. This is why she took the trouble to mobilise 45 young girls from the migrant labour camp where she works as a social activist, to join in the march to Parliament. Said Swechha, "We went door-to-door explaining the Bill to conservative families from both Hindu and Muslim backgrounds in the camp. The young girls in these families understood its significance immediately. They saw it in terms of their own desire to be in greater control of their lives and be able to make choices for themselves."

Suneeta Dhar, Director of Jagori, recounts a similar experience. "When Jagori mobilised on the Women's Bill in the slum pockets of Bawana, Dakshin Puri and Madanpur Khadar, where we work, we held discussions on citizenship rights. It was interesting to see how the women instinctively saw their own emergence and development in terms of the political empowerment of all women."

Then there were those like Leena and Kajal, both independent lawyers working on public interest issues, who were among the demonstrators. Explained Leena, "It's really quite simple. If women don't constitute a critical mass in politics and as policy makers, they will not be the focus of policies and programmes." Kajal added, "The time has come to talk with women – not down to them."

Change is in the air. But will those who have steadfastly opposed the Bill all these years be prepared to discard old positions? Will those parties that had sworn to translate the Women's Bill into law be resolute in their promise? Shabnam Hashmi of Anhad – which had organised a unique caravan in support of the Bill called the 'Reservation Express' that travelled around the country – cannot of course provide answers to these questions, but she promises to fight the good fight if the present situation does not change. "If this Bill is not passed, women will come out on to the streets. We hope to see at least 180 women in the Lok Sabha after the next general election."

Going by the general mood, this need not be the fantasy that it has been all these years. And one slogan on the day of the march to the Parliament captured the new confidence: "Panchayat mein aayi hain/Parliament mein ayegi (We have come into Panchayats/We shall come into Parliament)."

Article compliments of Women's Feature Service.



"This struggle for the Bill is not just for women alone, it is for society as a whole."

Malaysia Moving Forward in Matters of Islam and Women

By Marina Mahathir

In early July this year, the Prime Minister of Malaysia Najib Razak announced that two women had been appointed judges in the country's Syariah Courts. One of two court systems in Malaysia, these courts rule on cases that are subject to sharia law, which is based on Islamic principles.

Women's groups, including Sisters in Islam (SIS), the group I belong to, hailed this as a long awaited move given the many problems that women face in the Syariah Courts, especially in matters related to the family. Long an advocate for justice and equality for Muslim women, SIS has been calling for female appointments since at least 1999.

Malaysia's civil laws are under the province of the federal government. But the federal constitution gives its 13 states jurisdiction over two areas: land and laws governing "persons professing the Islamic faith", which involve family matters such as marriages, divorce, custody and inheritance. Syariah Courts have no jurisdiction over non-Muslims and matters related to Islamic practices are not heard in the civil courts.

The government has talked about reforming the court system for some time, and though the appointment of women to the Syariah Courts was made in July, the actual decision to appoint female judges was made in 2006. Though these two judges practice in the federal-level Syariah Courts, this is an important move as their appointments set an example for Syariah Courts to follow at the state-level.

Unfortunately, the initial euphoria women's groups felt about these female appointments was much dampened about two weeks after the July announcement: a committee of 20 Syariah Court judges – all men – held a meeting to discuss which cases female judges could preside over.

An Islamic Appeals Court Judge Datuk Md Yusup Che Teh stated that this needed to be straightened out because there were certain cases that women could not preside over, such as divorce and wali hakim cases, that concern the role of male guardians.

The problem is that it is primarily in divorce cases that many Malaysian women face injustice, whether in issues of custody or division of assets. Furthermore, cases involving male guardians naturally affect only women who, for example, are not allowed to get married without their consent. In most cases, guardians are their own fathers, but in cases where fathers are absent and no other male relatives are available, courts need to appoint guardians for the bride, which can cause delays.

Women's rights groups were excited about the prospect of having female judges precisely because they could oversee such cases in which women feel they are treated unfairly. The hope is that female judges would rule more fairly when dividing assets in cases of divorce or custody, and would confirm the appointment of guardians more quickly in cases where the biological fathers of brides are missing.



Rafidah Abdul Razak and Suraya Ramli, two newly appointed Syariah Court Judges.

"The appointments were made to enhance justice in cases involving family and women's rights, and to meet current needs," said Razak. And while this move seems to have alarmed some of the more conservative judges in the Syariah Courts, the concerns of women's groups have turned out to be unfounded: at the end of July, a special panel decided that female judges do indeed have jurisdiction over the same cases as male judges.

It should be noted that the Qur'an enjoins judges to use their wisdom to ensure justice, stating that "...if ye judge between mankind, that ye judge justly" (4:58). The verse emphasises justice without stating whether judges should be male or female. There is therefore no barrier for women to be judges in the Syariah Court system, as they have long been in the civil courts. The task now is to ensure that male or female, judges uphold justice.

"We do need to look at justice with a gender perspective. It is always women who suffer, both from injustice and society's blindness towards it."

Marina Mahathir

ASIA PACIFIC FORUM ON WOMEN, LAW AND DEVELOPMENT

IT'S TIME WE UNDERSTOOD



THE MULTIPLE FORMS
of
Women's Equality

A New Advocacy Tool for Domestic Worker Rights

This new Handbook was launched November 6th, 2010 in Mexico amid the civil society events of the Global Forum on Migration and Development and the 3rd International Assembly of Migrants and Refugees.

The Right to Unite: A Handbook on Domestic Worker Rights across Asia

This new resource tool is both an introduction to women and domestic work in Asia and an in depth look at the hidden violations of domestic worker rights in ten countries in the region.

Designed for advocacy, this handbook breaks down information country by country. It contains the latest International Labour Organisation (ILO) instruments on domestic work and analyses them in relation to women domestic worker rights. It identifies gaps, highlights concerns and gives concrete recommendations for change.

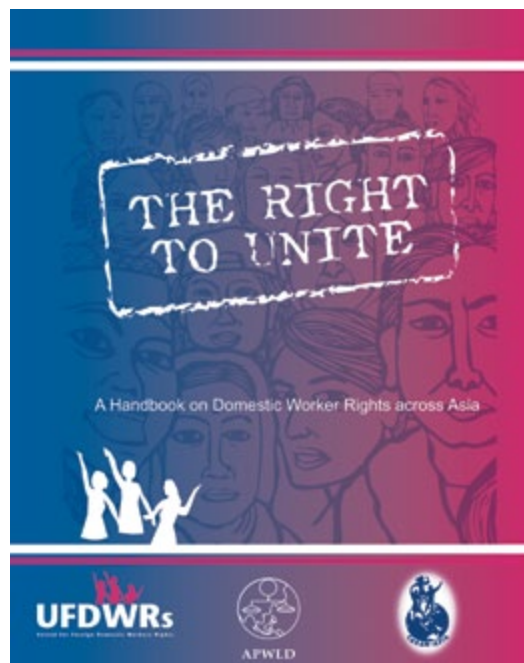
THE HANDBOOK INCLUDES SECTIONS ON:

- United for Foreign Domestic Worker Rights (UFDWR) joint statement and recommendations with list of endorsing organisations
- An introduction to women and domestic work in Asia
- The hidden violations of domestic worker rights
- Gendered work
- Protection through collective representation
- National laws and trade union barriers to collective representation
- In depth country by country analysis of 10 Asian countries
- The proposed Convention and Recommendation on Domestic Work
- Analysis of the proposed ILO Convention and Recommendation

Visit www.apwld.org for:

- A digital copy of "The Right to Unite"
- Full UFDWR Analysis and Recommendations submitted to the ILO for amendment to the Convention on Domestic Work

Congratulations to Philippa Smales, Eni Lestari, Ramon Bultron, Vivian Chong, Lilibeth Masamloc, Hsia Hsiao-Chuan, Cynthia Abdon-Tellez, Kate Lappin, and Tina Lee for their hard work on this publication.



**“ We are workers,
we are not slaves.”**

Seven simple words, yet they encompass a powerful movement that is building in the Asia Pacific region. This mantra, adopted by domestic workers from Hong Kong to Sri Lanka encapsulates the struggle for the recognition of domestic worker's rights, including the right to organise.

This handbook captures the contexts of 10 countries in the region in relation to domestic worker rights. It has been made possible by our collaborative efforts and the coordinating body of United for Foreign Domestic Worker's Rights (UFDWR). Time and time again, we have proven that when amplified by our collectivity, our voices can foster change. It is our hope for this publication and it is the driving force behind our struggle for domestic worker rights to organise. The right to organise is the one right can unlock all the others; given the right to band together, we can create change, we can demand rights for all workers regardless of sector, gender or nationality.

– Eni Lestari

Excerpt from the Foreword of "The Right to Unite"

The Invisible Labour Force: Home-based Women Workers

By Azra Talat Sayeed, Roots for Equity

The various neo-liberal policies which were initiated in the late 1970s resulted in critical changes for the labour sector in the third world countries. Based on anti-people/anti-labour policies of the World Bank and the International Monetary Fund (IMF) a combination of privatisation and deregulation measures taken by the third world countries resulted in massive reduction in permanent work for the working class. Neo-liberal policies (generally given the name of Globalisation) provided space to the corporate sector to come out with policies which allowed major job cuts for the working class and were guised under terms such as 'lean sizing', down-sizing, and 'right-sizing'.



The 'softer' human-rights, labour rights based approaches of the cold war era gave way to a much more vicious face of global capital. Instead of permanent work with many secured labour rights, the overwhelming trend turned towards informalisation of the labour economy. In the informal sector, temporary work, contract and

piece-rate work became the norm. A major labour sector which emerged as a result of 'right-sizing' was home-based work, which meant that piece-rate work was sent to workers at their residences. A majority of the work force in sector comprises of women.

The presence of home-based work is basically a collusion of patriarchal, feudal norms of which capitalism has taken immense advantage. Under feudalism, a majority of labour performed by women is unrecognised and unpaid. Patriarchy plays its part by suppressing women's visibility, severely limiting their mobility and giving women little or no access to education and attainment of more value added skills thus successfully forcing them to remain in the lowest most marginalised labour sector categories. In addition, oppressive norms under patriarchy play another critical role: women devalue their own worth, unable to gauge their own productive capabilities and capacities and their labour worth.

It was in this oppressive and exploitative framework that women had to deal with the whiplash of neo-liberal policies, where they were unable to meet household expenses due to increased cost of living as well as decrease in household budgets (based on job cuts). These conditions provided ample space for profit-hungry capitalist forces to use the patriarchal feudal norms to their advantage. A huge chain of home-base work has been created in the past 15-20 years in many countries of the third world, where women, struggling to feed their children and maintain a shelter for their families, are forced to enter into piece-rate work which basically pays them starvation wages.

There is no doubt that home-based women workers (HBWWs) can be categorised as the most marginalised sector of informal labour. Here the woman is facing the combined unleashed power of the most oppressive systems in history that is capitalism, feudalism and patriarchy.

Given, that Pakistan on one hand has one of the world's most patriarchal feudal cultures, and on other has been welcoming globalisation, it has a huge number of HBWWs where minimum numbers could be as high as 4-5 million workers. Not that home-based work was unknown to Pakistan previous to globalisation, but with the massive closure of the industry in the formal sector, the number of home-based workers has increased immensely.

Some examples of the kind of formal sector work which is now carried out by women at home include yarn making for the handloom and carpet industry as well as carpet weaving, handloom clothing, cropping (snipping off threads) of fabric, artificial jewellery making, cutting and stitching of ready made garments, football stitching, bangle-making, preparing tobacco for cigarette manufacturing, dry fruit processing, shelling of nuts such as pine nuts, pistachios, among others.

Women and Work

In addition, of course traditional work which women have carried out for many centuries under feudalism continue, though now the products are being made for consumer societies versus subsistence living. An extensive market that these women cater to are extremely fine quality needle work; women produce a whole range of traditional embroidered clothes, such as shawls, chadars, dresses, as well as western garb such as shirts and skirts. In the end what women are able to earn is no more than 50 cents to a dollar for a whole days work.

Women's traditional skills which had been used to maintain a pitiful subsistence existence, are now being used to develop highly expensive consumer goods which are valued by the elite due to their hand made unique appeal. These are goods which the masses cannot acquire as handmade goods are marketed at a very high price, especially in the first world countries. The 'ethnic culture' look of the traditional items provide opportunity for the elite to show their 'oneness' with the poor downtrodden masses. However, the hours of back breaking, sight-destroying work carried out by home-based workers does not provide them the ambiguous pleasure of 'oneness' with the elite nor does their labour provide them a anywhere near a quality of life which the elite claim absolute rights to; instead their toils earn them nothing but at most a meal a day.

In essence, the segment of home-based workers who produce ethnic traditional crafts and other products are actually a new group of labour catering to the 'neo-colonial' environment under globalisation. It is this group of workers which many non-government organisations are 'targeting' for providing loans based on the microfinance 'development' initiatives. Such type of privatisation-based development is in fact going to on one hand further push women in a mire of debt cycles and on the other hand increase the profit-escalating ventures of the corporate sector. Not only are there big profits in the microfinance sector for banks such as the City Bank and others, there is also a huge potential for generating profits through the value added chain of hand made goods made by HBWWs.

The chain of work flow from one level of intermediate production to the next is amazing and shows the management capacity of the industrial class that they are able to organise work flow and labour when they are not under one roof. For example, lamb wool is given out to women in communities where they make it into yarn and the yarn is then given to another group of women who are skilled in making handloom carpets.

Women with their handicaps of limited mobility, minimal access to education, and negligible understanding of market pricing mechanism are unable to negotiate for decent wages. In addition, capitalism has understood patriarchy well, especially in countries like Pakistan, where even the presence of women in the streets is considered a direct attack on the 'honour of the family'. So it is well understood, that women will not even try to organise themselves at the neighbour hood level, given that a majority of them would not be allowed to unite to raise their voices in protest against exploitative working conditions prevailing in home-based work.

There are many issues which add to the continuing misery of the HBWs plight. For instance, this category of labour does not have legal rights to claim labour status, as labour laws are generally geared to workers in the formal economy. In many part of the third world, including Pakistan there are continuous efforts to pressure governments to provide worker status to home-base workers. At least in Pakistan, a draft national policy for home-based workers is still pending acceptance. In addition, the ILO Home Base Work Convention 1996 (C 177) still awaits ratification from a majority of the countries in the world.

Trade unionism has already suffered serious set backs under the neo-liberal regime, as lack of employment opportunities has pushed the working class against the wall to an extent that they are afraid to come under a union in fear of losing whatever form of employment they have at the moment. Under such circumstances, organising women becomes even more of a difficult task as they have to be approached house to house, neighbourhood to neighbourhood.

However, these are the new struggles which are emanating for the labour class. There is no doubt that it is now difficult to go back to organising labour only under a single factory unit: instead the struggle for the working class is to analyse their situation in every sector and engage in methods of organisation which would allow them to unite and oppose exploitation and oppression in no matter what shape or form is being imposed on them.



Home-based worker Suraj Jamal, 55, earns a paltry 11 U.S. cents for every 1,000 incense sticks she makes.

Amna Shakoor supplements her husband's income by rolling biris in her two-room house in Orangi, Karachi.

– Zofeen T. Ebrahim



Given the lack of political will on this issue as well the very difficult circumstances facing labour right, women right workers/activists in the home-based sector, it is critical that the women's movement should come out with a serious critique and activism against the exploitation of home-based women workers!

The Right to Survive Pregnancy and Childbirth is a Basic Human Right

By Huong Tran

“The scale of maternal mortality is an affront to humanity ... The time has come to treat this as a human rights violation, no less than torture, disappearances, arbitrary detention, and prisoners of conscience.”¹

India has the highest number of maternal deaths² in the world.³ Every year, around 117,000⁴ women in India die in childbirth or pregnancy related causes. This is roughly one maternal death occurring every five minutes.⁵ The tragedy is that almost all of these deaths and injuries are preventable when there is access to adequate reproductive health services, equipment, supplies and skilled healthcare workers.⁶ Further, for every woman who dies as a result of pregnancy, approximately 30-50 develop pregnancy-related complications and disabilities.⁷ The leading causes of maternal deaths occur due to a combination of medical, socio-economic and health system-related factors.⁸ The fact that most deaths occur among poor or low-income women with little or no education, women belonging to scheduled castes and tribes, adolescent girls locked in child marriage and women living with HIV/AIDs reveal that deeply entrenched gender discrimination and social injustice underlie these deaths. Of the eight Millennium Development Goals, the commitment to reduce maternal mortality has been described as “the most off-track”⁹ and unlikely to be met by 2015¹⁰.

In June 2010, the High Court of Delhi issued a ground breaking order in the cases of *Laxmi Mandal v Deen Dayal Harinagar Hospital & Ors* and *Jaitun v Maternity Home MCD, Jangpura & Ors*.

CASE FACTS

Shanti Devi

Shanti Devi was a migrant from the Scheduled Caste community living below the poverty line (BPL). She lived in Faridabad, Haryana on the outskirts of Delhi with her husband, Kishan Mandal, who worked in a local factory for 3,500 Rupees per month. They had two children (of four pregnancies). She was generally of poor health and suffered from anaemia and tuberculosis.

During the seventh month of her fifth pregnancy, Shanti suffered from severe oedema, anaemia and fever. She also suffered from a fractured humerus and multiple fractured ribs from a fall on the stairs of the building where she was residing. She was referred to Faridabad Hospital by a midwife, but could not attend the hospital for two weeks because she did not have sufficient finances.

On arriving at the Faridabad Hospital, Shanti was informed that she had miscarried the baby and was referred to Sanjay Gandhi Hospital. She was not given any medicines for alleviation of pain or suffering. Shanti Devi was then taken to Sanjay Gandhi Hospital which referred then her to Saroj Hospital due to insufficient facilities for the removal of the foetus. On arrival at Saroj Hospital, the documents which proved that Shanti Devi was a BPL patient in urgent need of medical attention at no cost were provided. However, she was refused treatment on the ground that she was not below the poverty line. She was then taken to Sanjay Gandhi Hospital where she was then referred to and finally treated at Deen Dayal Hospital. She was diagnosed with lack of platelets derangement due to a lack of protein during pregnancy and the foetus was removed.

With no access to family planning, Shanti Devi became pregnant for the sixth time. She died on the 28th of January 2010, after giving birth to a pre-mature baby at home without the presence of a skilled birth attendant. A maternal audit report of Shanti's death found that whilst the primary cause of her death was postpartum haemorrhage due to retained placenta, there were many indirect and contributing factors to her death, including her socio-economic status which denied her access to needed resources and services and her poor health condition which was a culmination of anaemia, tuberculosis and repeated, unsafe pregnancies.

Fatema

Fatema is a poor and uneducated woman who suffers from epilepsy fits. She is homeless and at the time of the events was living under a tree in Jangpura in New Delhi. Despite visiting the Maternity Home twice during her pregnancy for vaccinations and to inquire about the cash benefits she could receive upon delivery, she received no response or assistance from the authorities.

In May 2009, Fatema delivered her baby under a tree in full public view and without access to skilled health care and medical guidance. Although the Maternity Home was informed of the delivery on the same day, no visit was made by the Hospital staff.

Five days after the birth, Fatema brought her baby to the Maternity Home for the baby's vaccination. However, the baby did not undergo any medical check-up nor given any medicines. Fatema was advised that she was anaemic, without any blood test being conducted. She was then administered medicines and issued a discharge slip so that she could obtain a birth certificate for her baby and receive cash assistance.

Fatema was repeatedly refused payment by the Maternity Home and only received 550 Rupees following the intervention of a social activist. Fatema's health condition deteriorated significantly, but neither she nor her baby received any benefits under the relevant schemes.

DECISION

The constitutional right to health and reproductive rights

In setting out the constitutional right to health and reproductive rights¹¹, the High Court drew on international human rights law¹² that had been ratified by the Government of India and incorporated into Indian domestic laws¹³.

"The petitions highlight the gaps in implementation that affect a large number of similarly placed women and children elsewhere in the country ... The petitions are essentially about the protection and enforcement of the basic, fundamental and human right to life under Article 21 of the Constitution. These petitions focus on two inalienable survival rights that form part of the right to life: the right to health (which would include the right to access and receive a minimum standard of treatment and care in public health facilities) and in particular the reproductive rights of the mother. The other right which calls for immediate protection and enforcement in the context of the poor is the right to food."¹⁴

Legal obligation of Centre and State Governments

"[W]hen it comes to the question of public health, no woman, more so a pregnant woman should be denied the facility of treatment at any stage irrespective of her social and economic background. This is the primary function in the public health services. This is where the inalienable right to health which is so inherent to the right to life gets enforced. There cannot be a situation where a pregnant woman who is in need of care and assistance is turned away from a Government health facility only on the ground that she has not been able to demonstrate her BPL status or her 'eligibility'. The approach of the Government, both at the Centre and the States, in operationalising the schemes should be to ensure that as many people as possible get 'covered' by the scheme and are not 'denied' the benefits of the scheme. Instead of making it easier for poor persons to avail of the benefits, the efforts at present seem to be to insist upon documentation to prove their status as 'poor' and 'disadvantaged'. This onerous burden on them to prove that they are the persons in need of urgent medical assistance constitutes a major barrier to their availing of the services."¹⁵

Lack of implementation of Government Schemes

The High Court of Delhi identified various deficiencies in the implementation of the Government Schemes which were designed to reduce maternal mortality. "Both the cases point to the complete failure of the implementation of the schemes. With the women not receiving attention and care in the critical weeks preceding the expected dates of delivery, they were deprived of accessing minimum health care at either homes or at the public health institutions. As far as Shanti Devi is concerned, the narration of facts concerning her fifth and sixth pregnancy show that she was unable to effectively access the public health system. It was either too little or too late. The quality of services rendered in the private hospital to which Shanti Devi was referred during the fifth pregnancy is a matter for concern. It points to the failure of the referral system where a poor person who is sent to a private hospital cannot be assured of quality and timely health services."¹⁶

Reparations and reliefs

In a historic decision, the High Court of Delhi ordered compensation for the violation of Shanti Devi and Fatema's constitutional and reproductive rights. In doing so, the Court stated that "[it] may be difficult to quantify the actual loss suffered by either family as a result of the failure by the State Government to deliver the benefits under the schemes to each of these women during their pregnancies. What is clear in Shanti Devi's cases is that the maternal mortality was clearly avoidable.

... In the case of Fatema soon after the baby was delivered, she required nutrition and supplements which were denied till the Court's intervention. ... It is well possible that but for the Court's intervention, the baby and the mother may have been deprived of the benefits which would have caused irreparable injury and possibly loss of life."¹⁷

PRECEDENT

The decision recognises a constitutional right to survive pregnancy and childbirth and government accountability for preventable maternal deaths based on key provisions of the Indian Constitution, jurisprudence and international law. A human right to survive pregnancy necessitates access to reproductive health services including, but not limited to, antenatal and postnatal care, safe abortion services and emergency obstetric care for all pregnant women. Moreover, it also calls for legal protection against discrimination which jeopardises their health. The Government of India has a legal obligation to reduce maternal mortality by fully implementing their policies on reproductive health and holding those responsible for the failure of those policies accountable.

¹ Mary Robinson, former UN High Commissioner for Human Rights

² The International Classification of Diseases (ICD) defines a maternal death as the death of a woman while pregnant or within 42 days of the end of the pregnancy, irrespective of the site of pregnancy, from any cause related to or aggravated by the pregnancy or its management but not from accidental or incidental causes.

³ Center for Reproductive Rights, *Maternal Mortality in India: Using International and Constitutional Law to Promote Accountability and Change* p 9

⁴ See Joint Press Release, United Nations Population Fund (UNFPA), *Maternal Mortality Declining in Middle-income Countries; Women Still Die in Pregnancy and Childbirth in Low-income Countries* (Oct. 12, 2007)

⁵ Roopa Bakshi, UNICEF unveils a new tool to combat maternal mortality in India, UNICEF, Apr. 6, 2006

⁶ Center for Reproductive Rights, *Maternal Mortality in India: Using International and Constitutional Law to Promote Accountability and Change* p 13

⁷ <http://reproductiverights.org/en/press-room/india-take-action-on-safe-motherhood-day>

⁸ Center for Reproductive Rights, *Maternal Mortality in India: Using International and Constitutional Law to Promote Accountability and Change* p 13

⁹ United Nations Development Fund for Women (part of UN Women), *Gender Justice: Key to Achieving the Millennium Development Goals* p 6

¹⁰ <http://www.un.org/apps/news/story.asp?NewsID=26612&Cr=&Cr1=>

¹¹ The internally accepted definition for "reproductive rights" was set out in the Programme of Action of the International Conference on Population and Development, Cairo, 1994. Chapter "Reproductive Rights, (Sexual and Reproductive Health) and Family Planning" provides that reproductive rights "... rests on the recognition of the basic right of all couples and individuals to decide freely and responsibly the number, spacing and timing of their children and to have the information and means to do so, and the right to attain the highest standard of sexual and reproductive health. It should also include the right of all to make decisions concerning reproduction free of discrimination, coercion and violence."

¹² The Universal Declaration of Human Rights, Articles 10 and 12 of the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of all forms of Discrimination Against Women and the Child Rights Conventions were considered by the High Court of Delhi.

¹³ The Protection of Human Rights Act 1993

¹⁴ *Laxmi Mandal v Deen Dayal Harinagar Hospital & Ors and Jaitun v Maternity Home MCD, Jangpura & Ors* pp 2-3

¹⁵ *Laxmi Mandal v Deen Dayal Harinagar Hospital & Ors and Jaitun v Maternity Home MCD, Jangpura & Ors* pp 39-40

¹⁶ *Laxmi Mandal v Deen Dayal Harinagar Hospital & Ors and Jaitun v Maternity Home MCD, Jangpura & Ors* p 36

¹⁷ *Laxmi Mandal v Deen Dayal Harinagar Hospital & Ors and Jaitun v Maternity Home MCD, Jangpura & Ors* pp 42-53

The International Women's Alliance is Born

By Vernie Yocogan-Diano



“BUILDING A GLOBAL MILITANT WOMEN'S MOVEMENT IN THE 21ST CENTURY”

The Montreal International Women's Conference

Cynthia Ca Abdon-Tellez, Eni Lestari, Azra Talat Sayeed, Hsia Hsiao-Chuan, Olga Djanaeva and Vernie Yocogan-Diano were among 250 participants from 25 countries that attended the August 13th-16th conference with the theme, “Building a Global Militant Women's Movement in the 21st Century”. As a result of the conference, at which APWLD hosted a workshop on Labour and Migration, an International Women's Alliance was set up. A coordinating committee was formed and a basis for unity statement was circulated. The conference was co-convened by GABRIELA Philippines, the Asian Rural Women's Network and Action Network for Marriage Migrants Rights and Empowerment (AMORRE).

Women from different parts of the world have gathered in a historic gathering in Montreal, Canada on 13-16 August 2010, and formed an international alliance of women, 100 years after the declaration of March 8 as international day of toiling women. The alliance is simply called the International Women's Alliance (IWA) which will serve to consolidate the solidarity and resistance of women against monopoly capitalism in the 21st century. IWA will resist all forms of imperialist and reactionary attacks on women's lives, fight wars of aggression and plunder of the world's remaining resources and advance the movement for social justice, self-determination, democracy and peace.

The establishment of IWA was participated by more than 200 women from 25 countries in Asia, Africa, Latin America, Europe and North America who came from women's organisations of workers or trade unions, peasants, professionals, indigenous, youth and students, migrants, lesbians, academics and other profession, programs and non-government organisations.





Concrete conditions by which lives of women are devastated were shared and discussed, as the whole world is facing intensified economic and financial crises resulting from a crisis of overproduction, concentration and centralisation of capital in the US and in other capitalist countries. Thus, bringing about contraction of incomes, constriction of the market, and the systematic plunder of the world's resources to amass more profits for the imperialist powers and their corporations. Keynote speaker Liza Maza of GABRIELA Philippines and former member of the House of Representatives in the Philippines pointed out that the global crisis is eroding the gains of the women's movements in the last 100 years.

Despite the global economic and financial crisis accompanied by wars of aggression, women are taking part in social movements fighting for their sovereignty and self-determination. Women are persisting their struggle for survival, decent incomes and jobs, and education and well-being of their children.

Indigenous women's experiences were brought to the conference through the discussions of development aggression and struggles of indigenous women. In the theme of development aggression, Innabuyog highlighted on the stepped up interest of large corporate mining in the Cordillera region, the involvement of Canadian companies, and the militarisation that occurs in areas targeted for mining projects. Innabuyog also presented on the struggles of indigenous women along with women of the First Nations in Canada, Mexico and Ecuador where movement-building and common struggles for self-determination on governance and control of land and natural resources, were shared.

Out of the conference presentations and discussions, organisations and movements of toiling women of the world will continue to draw inspiration and strength from their particular struggles. The women of Palestine who have prevailed over 60 years of genocide, occupation and aggression, perpetrated by the Israeli apartheid state and supported by the US and other major powers. The women of Afghanistan continue to expose the hypocrisy of a war ravaging their country under the guise of liberating them. The women of Iran who are braving the regime of the mullahs and defying its attempts to pull them back to the stone age.

The women of the Philippines who are on the front lines of the struggle for national and social liberation opposing the US-imposed policy of neo-liberal globalisation and the US-backed war on terror perpetrated by their government which has taken hundreds of lives of community and human rights activists. The women of Mexico who fight for justice for the hundreds of women killed with impunity around the export-processing zones of Ciudad Juarez. The Tamil women of Sri Lanka who fight a genocidal regime while the major powers, including Canada, watch in complicity. The women of Africa who struggle to survive on land pillaged by transnational mining companies while coping with the ravage of AIDS, as pharmaceutical companies watch. The women of Haiti which continue to revolt against foreign intervention.

Indigenous women who continue to resist ethnocidal attacks through imperialist plunder of their ancestral lands and resources that viciously stamp out self-determination, identity, and sustainable and viable ways of life. Women migrant workers who are forced to leave their families and face cruel situations in other countries while their remittances sustain bankrupt economies of their countries like the Philippines.



Defending Women,
Defending Rights

Lawfare Against Women Human Rights Defenders

By Kate Lappin

Human rights defenders (HRDs) are sadly accustomed to being subjected to politically motivated charges. Sedition laws, treason, subversion, anti-terror or national security laws, defamation have all been used routinely to silence human rights defenders. Those kind of charges can, to some extent, bring attention to the work of HRDs. Governments have also concocted false criminal charges against HRDs of theft¹, murder or other criminal activity. Increasingly, however, governments are using law more surreptitiously to silence human rights defenders. Women HRDs (WHRDs) facing charges unrelated to their work – administrative charges, tax related, planning laws for example – are similarly hindered in their work. Both forms of ‘lawfare’² are designed to silence HRDs and warn others to curb their work.

Some governments, perhaps, have learnt from corporations that legal proceedings against outspoken groups can serve a purpose even when there is little hope of success. Corporations have been using ‘lawfare’ to silence opponents for some time. The technique has become known as ‘SLAPP’ – Strategic Lawsuit Against Public Participation and some jurisdictions have even started to introduce anti-SLAPP laws to prevent the rampant use of civil proceedings by wealthy corporate. (Interestingly for women’s rights activists, anti-SLAPP legislation in the US was prompted by the case of Karen Winner, author of “Divorced from Justice: The Abuse of Women and Children by Divorce Lawyers and Judges”. She endured years of litigation for criticising some legal processes that should have been protecting children in family court cases).

Governments, like corporations, can attempt to silence their critics by exhausting them – financially and personally. Governments have almost unlimited resources to prolong prosecutions and appeal prosecutions. Something that is rarely available to WHRDs.



Recently APWLD members have faced both forms of lawfare from governments. In the Philippines some APWLD members are involved with the campaign to free 43 Morong Health Workers, illegally detained for six months and then charged with falsified firearm offences.



At the time of their arrest, the health care workers were taking part in a First Responders Training programme. The group formed after witnessing the slow and insufficient response of the previous government’s response to disaster in their communities. APWLD believes the illegal arrest and persecution of the Morong 43 is a direct attack on the group as active human rights defenders and critics of the Arroyo regime. Local human rights groups report that this is a common way to harass and silence anyone who is critical of the government. In June of this year, before the Human Rights Council of the United Nations, the Secretary General of the World Organisation Against Torture (OMCT), Eric Sottas declared that, “the Morong 43 is an example of the criminalisation of social protest in the Philippines”.

Defending Women, Defending Rights

The Philippines case resembles the tactic commonly used in Colombia where HRDs face spurious criminal charges and disappearances.³ The attacks there are multiple and work not only to silence potential critics and human rights defenders but to isolate them as any association with HRDs could result in similar fabrications and threats.



The Morong 43 faced another common tactic – an attempt to stigmatise them as ‘terrorists’ or members of a banned group. This tactic is designed to alienate HRDs from the public and also places them at threat of reprisal from paramilitary groups. The UN Special Representative on Human Rights Defenders has stated that such “proceedings are part of a strategy to silence human rights defenders.”

FICAC sought several bail restrictions including the surrender of Imrana’s passport to the court and a requirement that she apply to the court each time she was required to travel (which would be frequent for an WHRD working at the regional and international levels). These requirements, more severe than bail conditions applied for a number of criminal defendants at the same time, would be expected to amount to further costs and a reduction in human rights work.

In Fiji members face a more subtle, albeit insidious, form of lawfare. In January this year long time APWLD member and WHRD, Imrana Jalal, was charged with 7 offences relating to the operation of a café that her family had purchased when her husband was dismissed by the military regime and prevented from other work.



The focus on administrative, planning laws unrelated to her human rights work could have served as a way to harass, punish and distract Imrana from her work without the scrutiny of the international human rights community. Responses from the international community appear to have been mixed with some commentators suggesting she should have simply accepted the charges and pay a fine (not that FICAC appeared to be willing to accept that outcome). A number of international organisations, however, did regard the process with suspicion and an international observer mission, of which APWLD was a member, attended hearings in July this year. The conclusion

The charges mostly related to simple local planning and administrative matters and unusually they were served on individuals rather than the company itself. Most unusually they were served by the Fiji Independent Commission on Corruption (FICAC), rather than the local council who has jurisdiction over the planning and operations of eateries. The charges were originally brought in the Magistrates Court. When similar charges were heard against Imrana’s husband the Magistrate questioned the mandate of FICAC to bring such charges. She was dismissed from office days later. FICAC then moved to have the charges brought in the High Court – effectively escalating what was, at best, a planning misdemeanour into serious criminal offences with potential imprisonment.

of those who attended was that the case amounted to a ‘malicious prosecution’ designed to silence Imrana and other human rights defenders. The international mission may have played a role in ensuring that the case was heard on its merits. All charges against Imrana Jalal were eventually dismissed.⁴ The regime, however, has expressed its intention to appeal the decision.

This form of lawfare is designed to tarnish a WHRDs reputation. In such cases where the defender is herself a lawyer it can also do considerable professional damage. An indictable conviction could lead to a lawyer losing their practicing certificate, particularly where oversight of the profession has also been interfered with by regimes.

Defending Women, Defending Rights

The Fiji case also raises questions over the gendered nature of lawfare. The targeting of Imrana's husband could be read as a punishment that he did not properly 'control' his wife. In fact the prosecution attempted to invoke the archaic notion of coverture. Coverture, or the doctrine of merged identities, rendered women legally obsolete when married. Their legal persona was subsumed by their husbands and they were unable to enter into contracts without the approval of the husband. In some cases husbands were also legally responsible for any criminal activity of their wives. In the Jalal case the prosecution suggested that the basis for charging Imrana, when she was not involved with the operations of the business, was that they were of one legal identity – invoking coverture. The doctrine was abolished in most common law jurisdictions in the 19th century but from time to time makes an appearance in cases where patriarchy needs to make an explicit appearance.

By marriage, the husband and wife are one person in law: that is, the very being or legal existence of the woman is suspended during the marriage, or at least is incorporated and consolidated into that of the husband: under whose wing, protection, and cover, she performs every thing; and is therefore called in our law-French a feme-covert; is said to be covert-baron, or under the protection and influence of her husband, her baron, or lord; and her condition during her marriage is called her coverture. Upon this principle, of a union of person in husband and wife, depend almost all the legal rights, duties, and disabilities, that either of them acquire by the marriage.

Sir William Blackstone
Commentaries on the Laws of England (1765-1769)

Both the above mentioned tactics force WHRDs to spend huge amounts of time and resources defending themselves. This in turn diminishes their human rights work, exhausts their financial and other resources and can destroy personal lives and relationships.

So what do these tactics mean for the women's rights movement? If the attacks are multiple and complex then so must be the movement to defend rights. In the Jalal case an international observer mission was organised as one measure to make the authorities accountable. The mission showed that the international community are aware of these insidious tactics and will respond to them. The mission was both an immediate success, in that the charges were dropped and sent a long term message about the validity of these types of charges to the Fijian military regime.

Similarly in the case of the Morong 43 international attention has forced a review of the charges. The Justice Secretary charged with reviewing the legitimacy of the case expressly acknowledged the international attention the case was drawing "I have been receiving emails from international organisations saying that they are interested to this case. The UN Human Rights Council is concerned about the Morong 43. There are many international human rights groups which expressed concern to this case whether the arrest and detention have legal basis or not" Justice Secretary Leila de Lima.

More than anything these cases show the importance of national, regional and international solidarity. APWLD members have expressed interest in further developing our capacity to conduct trial observations and other observer missions. The WHRD International Coalition is also further developing its systematic approach to attacks on WHRDs. These threats should act as an invitation for us to strengthen our movement, to increase our vigilance, to prepare ourselves against increasingly repressive, patriarchal tactics for, as former UN Special Rapporteur on HRDs, Hina Jilani said "there is no better protection for women human rights defenders than the strength and support of their own movements".⁵

¹ Recently for example 2 WHRDs were arrested in Gambia and charged with theft. They had previously been threatened for continuing work to eliminate female genital mutilation. See statement of the WHRD Coalition – www.defendingwomen-defendingrights.org.

² The term 'lawfare' has been predominantly used by neo-conservatives who claim that the application of human rights laws to governments, particularly when laid outside of their own country is illegitimate. In this article I'm reclaiming the term, to show that law is routinely used by the state to silence its critics.

³ See Human Rights First, Baseless Prosecutions of Human Rights Defenders, www.humanrightsfirst.org/pdf/090211-HRD-colom-1-pager-eng.pdf

⁴ For further information on the case see APWLD statement <http://www.apwld.org/pdf/Press%20Release-Fiji.pdf>... and also the joint ICJ and ACF statement here: <http://www.apwld.org/pdf/ICJ%20-%20Imrana%20Statement%20and%20PR.pdf>

⁵ Quote from Hina Jilani, Former UN Special Representative on the situation of human rights defenders in APWLD, Claiming Rights, Claiming Justice: A guidebook on Women Human Rights Defenders, 2007.

To read APWLD's full statements on the Jalal and Morong 43 cases, please visit www.apwld.org.

To contribute to a letter writing campaign, sign a petition or donate to the case for the Morong 43 please visit <http://freethehealthworkers.blogspot.com>.

Regional News, Feminist Views

Issue: Philippine Divorce Bill

REGIONAL NEWS

Bulatlat – Women's Groups Push for Divorce Bill

"As soon as the divorce bill was filed, it immediately generated a lot of emotional reactions from different sectors, especially the Catholic church. Unable to shy away from the debate on the divorce bill, President Benigno Simeon Aquino III recently declared that he is against divorce but is for legal separation with the option to remarry, which some sectors say is tantamount to divorce.

In the Philippines, which has a predominantly conservative Roman Catholic population, divorce is frowned at in public, although a lot of married couples have been living separately. Couples from wealthy families travel abroad to get divorced and to remarry. The Philippines is only one of two countries that do not have a divorce law yet.

Women's group GABRIELA and Gabriela Women's Party (GWP) are pushing for the passage of House Bill 1799, "An Act Introducing Divorce in the Philippines." Filed recently by GWP Representatives Luzviminda Ilagan and Emmie de Jesus in Congress, they said this would give couples particularly women the option to terminate a marriage that is no longer working, is already beyond saving and already detrimental to their well-being."

FEMINIST VIEW

Alnie Foja

APWLD Feminist Legal Practice
Organising Committee Member

"Couples from wealthy families travel abroad to get divorced and to remarry despite the fact that if they remain Filipino citizens, whatever divorce and subsequent marriage that they contract will not be recognised under Philippine law. Philippine Family Courts are also swamped with petitions to declare marriage null and void on the ground of psychological incapacity under Article 36 of the Family Code. Article 36 is, however, ultra-restrictive and does not recognise grounds that occur during the marriage as the petitioner is required to prove that psychological incapacity existed prior to or at the time of the celebration of marriage. Yet, Filipinos living in failed marriages petition the courts to gamble on their very limited and only chance under the law by employing psychologists as expert witnesses who certify that one or both spouses suffer from psychological incapacity that existed at the time of or prior to the celebration of marriage."

Issue: India's Women's Reservation Bill

REGIONAL NEWS

Sify News – Women's Reservation Bill to be Tabled "Soon"

Asking MPs to shed their 'male chauvinist approach', Law Minister M. Veerappa Moily Saturday said the controversial women's reservation bill would be tabled in the Lok Sabha 'soon', with some changes. 'The women's reservation bill will be a reality soon under the chairmanship of Madam Speaker Meira Kumar. Any amendment will also be taken up at a subsequent period,' Moily said, replying to a debate on the legislation seeking to amend personal laws. 'The house,' he said, 'should not reflect a male chauvinist approach' while discussing and voting on the bill.

The women's bill was cleared by the Rajya Sabha in the budget session in March but couldn't make it to the lower house due to vehement opposition from the Rashtriya Janata Dal (RJD), Samajwadi Party, Janata Dal-United (JDU) and other parties from the Hindi belt. The amendments, which the law minister hinted at, are required to meet the demands of the parties seeking a quota for women from the Scheduled Castes, Scheduled Tribes and minorities within the proposed women's reservation bill.

FEMINIST VIEW

Rohini Ghadiok

APWLD Feminist Legal Practice and
Women in Power Programme Officer

"Arguments against the Bill are desperate attempts to disallow women from stepping into decision making. When RJD, JDU, Samajwadi parties and their supporters argue for sub-reservation, they do so from the perspective of their own, narrow, self-serving political interest rather than from the perspective of the 'marginalised' sections they, ostensibly, represent.

Their constant demand for reservation of other marginalised communities continues to exclude women as members of those communities. This is a clear indication of the insecurity and fear they feel working alongside women.

This resistance is also reflected in their argument against a 33.3% quota where they have been demanding for an increase in the number of Parliamentary seats saying "when women will be accommodated men will stand to lose out".

FEMINIST VIEW

Priya S.K.

APWLD Trainer and Women in Power Organising
Committee Member

"This Bill has been in the works for nearly ten years! It speaks of the persistence of women MPs of all parties that it remains in the news and is on the agenda of the ruling party still!"

If you would like to comment on an issue that is important to women in your region, please contribute to this section by contacting, apwld@apwld.org.

Patterns of Sexual Violence and Impunity Continue in Shan State

Member Report from Shan Women's Action Network

It has been over 8 years since the publication of our joint report *Licence to Rape*, documenting the systematic sexual violence carried out by Burma Army troops in Shan State between 1996 and 2001.

In the past few years, we have worked with other sister organisations in the Women's League of Burma to issue reports and briefings on continuing cases of sexual violence throughout Burma, but have not published any recent overall numbers of cases in Shan State. This has led some to conclude that the situation for women in Shan State has improved.

We only wish this was true. The number of Burma Army battalions has been steadily increasing in Shan State, with troops given ongoing licence to secure control over local populations at all costs. This means that women and girls continue to live in fear of assault during their daily lives, whether in their homes, fields or on their way to market.

We have compiled some of the rape cases that have been reported over the last two years to show that the same patterns of sexual violence that we exposed 8 years ago are still evident. For sure, these cases are only the "tip of the iceberg" as most women and girls remain afraid to disclose incidents of rape, for fear of retribution from their rapists and censure from their communities.

Most of the rapes continue to be carried out by officers, usually in front of their own troops. Almost half of the cases are gang rapes. Over half are girls under 18, several of whom were killed. The rapes were committed by perpetrators from a range of different battalions, not from a single "rogue" battalion. These are very similar to the patterns that we exposed in *Licence to Rape*.

Finally, and most importantly, in the recent cases no legal action whatsoever has been taken against any of the rapists. In other words, there is still complete impunity for sexual violence by Burma Army troops. This is the main chilling fact that is instilling fear among women and girls throughout Shan State.

That is why the sham 2010 election, based on the 2008 constitution which keeps the military outside the law, provides no hope of peace and safety for our people. The Burma Army's "Licence to Rape" is set to continue.



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Shan Women's Action Network

Press Release

10 November 2010

SWAN denounces Burma Army build-up and rape in central Shan State

SWAN strongly denounces the Burma Army build-up around the Shan ceasefire area in Ke See township, central Shan State, which led to the rape of a young disabled woman on the eve of the November 7 election.

Since November 3, more than 1,000 new troops have been deployed from other parts of Shan State to areas adjacent to territory of the Shan State Army-North (SSA-N) First Brigade.

These troops have been conducting patrols and hunting out villagers suspected of supporting the SSA-N 1st Brigade, which refused to become a Border Guard Force under the Burma Army.

On November 6, a fully armed 10-man patrol from Mong Nawng-based LIB 286, led by Major Win Zaw Latt, searched the village of Wan Nawng New, about five miles north of Mong Nawng. One of the troops raped a 25-year-old disabled woman who was alone in her house with her two-year-old niece.

The soldier tied up the woman's hands and feet, and then bound her hair to one of the house posts before raping her. Neighbours heard her screams but did not dare come to her aid until after the patrol had left the village. No one dared complain about the crime, and the woman herself has fled the village in fear of repercussions.

SWAN is gravely concerned at the fate of this woman, and of other civilians in this area, who are being deliberately targeted under this new military campaign against the SSA-N.

SWAN has repeatedly documented the systematic use of sexual violence by the Burma Army, and is appalled that even just before the election, when the eyes of the entire world were on Burma, troops dared openly commit rape. This is a clear sign that the impunity enjoyed by the Burma Army for sexual violence is set to continue.

"We strongly urge the international community not to recognise the Burmese generals' new proxy government," said SWAN spokesperson Nang Moan Kaein. "It is tantamount to legitimising the Burma Army's crimes, and will condemn women in Burma to continued systematic sexual violence."

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Women of APWLD

APWLD's last Programme and Management Committee Meeting was held in Chiang Mai on September 13th and 14th. Specific agenda items included improving access for grassroots women within APWLD. The Committee will gather again in Chiang Mai on December 8th and 9th.



NEW TO THE CHIANG MAI SECRETARIAT



Gaayathri Nair

Gaayathri joined the APWLD team in September and will be assisting with the UN SRVAW Consultation and Publication. As a Malaysian Indian Immigrant to New

Zealand, Gaayathri's personal appreciation of the multiple intersections of women's equality led her to focus her studies on feminist political theory. Her awareness surrounding women's equality continued in her work with community based NGOs in New Zealand before joining APWLD where her insight and experience will support the secretariat in Chiang Mai for the next year.



Claire Layden

Through the generous support of Australian Volunteers International (funded by AusAID), APWLD will have the support and expertise of Claire Layden for the next 18 months. Claire has worked with AVI for the last 4 years supporting their Pacific

programme and more recently as their Effectiveness and Reporting Coordinator. Her experience has spanned a short-term assignment in Tamil Nadu, India and field monitoring visits to Viet Nam, Fiji, Solomon Islands, and across Southern Africa. With an educational background in Anthropology, Claire jumped at the opportunity to work with diverse women from across the frontlines of the region. She has put her final studies towards her Masters in Public Health on hold to support the APWLD network as our Monitoring and Evaluation/ Funding Officer.



Dalina Prasertsri

From her home in Bangkok, Dalina joins APWLD as our new ASEAN Programme Officer amid an exciting and challenging time for human rights in Southeast Asia. Dalina comes to us well equipped after gaining valuable experience with UNIFEM East and Southeast Asia

Regional Office in Bangkok where she spent several years working to promote women's rights and gender equality. With a diverse education background including a recent MA in Gender and Peace Building from the University for Peace in Costa Rica; an MA in International Development Studies from Chulalongkorn University in Bangkok; and an Undergraduate focus on Economics that gained her accreditation from Colorado College in the US, Dalina is well positioned to tackle the sizable task of coordinating APWLD's regional advocacy role surrounding ASEAN.



Grace Bangoy

Joining the secretariat team from the Philippines, Grace is APWLD's new Web Developer. For the next year she will be building APWLD's new and interactive website to be

ready in 2011 and assisting the network with IT support and training. Grace is supported by Volunteer Service Overseas (VSO) who also co-ordinated Grace's work with a grassroots children's organisation in India before coming to Chiang Mai. Given Grace's experience, education in computer science and her passion to build IT capacity within grassroots NGOs, she is a welcome addition to the APWLD secretariat.



ABOUT FORUM NEWS

Forum News is a regular publication of APWLD. FN provides space for the network members to share information on their activities, campaigns, stories and reflections. The opinions and positions expressed in the articles in this publication do not necessarily reflect those of the APWLD network but those of the individual authors.

FN welcomes sharing of articles, statements and photos from the members and network. FN reserves editorial rights. FN also encourages feedback or requests for further information from the readers. Feel free to send them to apwld@apwld.org.

APWLD is Asia Pacific's leading feminist, membership driven network. We hold consultative status with the Economic and Social Council of the United Nations. Our 180 members represent groups of diverse women from 25 countries in the region. For nearly 25 years APWLD has been empowering women to use law as an instrument of change for equality, justice, peace and development. We use research, training, advocacy and activism to claim and strengthen women's human rights.

APWLD's secretariat is based in Chiang Mai, Thailand.

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