

THE IMPACT OF DOMESTIC AND INTERNATIONAL POLICIES ON THE SITUATION OF WOMEN

By Senator Miriam Defensor Santiago

(Head of Philippine delegation; chair, Senate foreign relations committee.

Delivered at the Inter-Parliamentary Union assembly on April 2005 at Manila.)

As head of the Philippine delegation, and as chairperson of the Philippine Senate foreign relations committee, I reiterate the most cordial welcome of our government to each one of you.

Current Situation of Women

The current situation of women is illustrated by recent news. On the one hand, last March 23, the first woman-led mixed gender Islamic prayer was reportedly held in New York. Five days later, a similar prayer took place in Boston. This departure from tradition followed in the steps of Judaism and Christianity, both of which began conversations 4 or 5 decades ago about women leading prayer.

On the other hand, last March 30, Oxfam International reported that 3 times as many women were killed on average than men in some of the tsunami-hit areas in India, Indonesia, and Sri Lanka. Oxfam also reported that the most disadvantaged people as a result of the disaster would be women. With the scarcity of female survivors, women in camps are reportedly being sexually harassed, forced into marriages to much older men, and raped. Domestic violence is reportedly also rising. Oxfam is concerned that the gender imbalance could affect women's mobility, create a need for early marriage, increase a woman's workload, and affect women's land rights.

International Policies

The so-called international bill of rights for women is the 1979 Convention on the Elimination of All Forms of Discrimination Against Women, aka CEDAW, together with its 1999 Optional Protocol to the Convention. The Philippines has ratified the CEDAW, and it entered into force for the Philippines in 1981. However, regrettably the United States remains one of the few countries in the world that has not ratified the CEDAW. The U.S. argues, among others, that it desperately needs, in the American war on terrorism, the help of some of the most anti-female countries such as Saudi Arabia, Kuwait, and Pakistan.

The CEDAW as the basic document for women's rights was followed by the Beijing Declaration and the Platform for action adopted 10 years ago by the Fourth World Conference on Women in Beijing. The Beijing document stressed the specific obstacles women encounter the world over, obstacles related to their family status, particularly as single parents and to their socio-economic status, including their living conditions in rural, isolated, or impoverished areas.

Additional barriers also existed for refugee women, displaced women, immigrant and migrant women, including migrant workers. Many women were also seen as particularly affected by environmental disasters, serious and infectious diseases, and various forms of violence committed against them.

Today, a decade since the adoption of the Declaration and the Platform, the same obstacles persist, and the same barriers stand in the way of a truly just playing field for women in the societies of the world.

The gap between women and men caught in the cycle of poverty has continued to widen in the past decade – a phenomenon labeled by the United Nations as the "feminization of poverty." Worldwide, women earn on average slightly more than half of what men earn and often they are denied access to critical resources such as credit, land, and inheritance.

Women also continue to suffer from persistent, and in many cases rising, incidence of violence, particularly of state conflict provenance and in the family; underrepresentation in political decision-making institutions; discriminatory laws governing personal and family life, such as in marriage and its dissolution; negation of the acquisition of land, property, and inheritance; victims of HIV/AIDS pandemic; trafficking and exploitation of prostitution or forced prostitution; and the consequent negative implications of globalization such as the intensification of transnational crimes, starting with terrorism, and the exacerbation of poverty.

In 2003, 1.1 billion of the world's 2.8 billion workers, approximately 40 percent, were women. However, women still face higher unemployment rates, receive lower wages than men, and represent 60 percent of the world's 550 million working poor.

Moreover, women remain underrepresented at most levels of government. According to the United Nations, the proportion of seats held by women in legislative bodies in 2004 stands at 15.4 percent, the highest world average reached to date. Only 14 countries at present have at least 30 percent representation of women in parliament, a target established for 1995. Now, a decade later, the aim continues to elude us.

This assembly offers us the chance to evaluate our efforts and respond the why's of our failed targets. Thus, raising the status of women and girls, investing in their

potential means and ensuring that they have the tools of opportunity available to them: education, health care, jobs, credit, legal protection, and the right to participate fully in the political life of their countries, is the crucial task and challenge that faces us today.

Domestic Policies

At present our Philippine Plan for Gender-Responsive Development (1995-2025) and the current Philippine Framework Plan for Women provide the general template for programs for women among executive agencies and local government units.

Official statistics and studies done as early as 1992 showed how women have been marginalized in the economic and political spheres. They also revealed the pervasiveness of gender stereotyping, multiple burdens and violence against women that impede women's advancement in status. Such analysis of women's situation has strongly influenced the direction of domestic lawmaking.

Poverty remains the biggest concern of most Filipinos. Women, specially those in the rural areas, are usually more disproportionately affected than men in poverty situation. Employment opportunities have also shrunk.

Legislative measures to promote economic empowerment of women have been sparse.¹ On the other hand, a number of laws have been passed in support of the government's macro economic and development policies and strategies. These measures adhere to structural adjustment programs prescribed by international financial institutions,

¹ These laws include (a) Rep. Act No. 7882 (1995) providing women engaged in micro and cottage business enterprises given priority in securing loans provided they meet set requirements. (b) Rep. Act No. 8042 (1995) that aims to establish a higher standard for the protection and promotion of the welfare of migrant workers and their families. (c) The Fisheries Law of 1998 that guarantees women's representation.

resulting in eschewed national budgets in favor of debt servicing (at 33.2% for 2005) at the expense of social services and other allocations.

Laws intending to prime local industries, specially agriculture and fisheries, to compete in the global economic order are market oriented and favorable to corporate agribusiness. These measures have had negative effects on the health and the subsistence production of farms and fisherfolk. Overall, such measures have exacerbated the economic situation of women, specially those in agriculture and fishing communities. Different forms of Violence Against Women, aka VAW, have been the subject of major legislation in recent years.²

At present, our domestic laws on women have yet to be aligned with the CEDAW standards of non-discrimination and equality. For the legislature and other branches of government, the convention's broad definition of discrimination and its *de facto* or substantive equality framework can serve as standards, and as analytical and evaluative tools.

Expanding the legal framework on crimes against women and establishing a more women-sensitive justice system can draw from the gender-related features provided under the International Criminal Court Statute and its supplementary documents. The Philippines has not yet ratified the Statute. The war crime and crime against humanity of sexual slavery for instance, loudly resonates with us. Until now, the Filipino "comfort women" have not secured justice for the sexual slavery committed against them during the second world war.

² Major laws against various forms of VAW are: Anti-Rape Law, Rape Victim Assistance Act, Anti-Trafficking in Persons Act of 2003, Anti-Sexual Harassment Act, Anti-Violence against Women and their Children (VAWC) Act.

Legislative measures should be complemented by public information campaigns, legal literacy programs specially for marginalized groups of women, capacity-building programs for those enforcing the laws, and provision of adequate resources to effectively implement them. Effective monitoring mechanisms should also be established. Some of these may be provided for in the laws themselves. Others may need dialogue or coordination between the legislature and pertinent branch or agency of government. An integrated approach like this may help narrow the divide between the *de jure* potential of laws, and their *de facto* impact on women's situation.

Gender and Women in Philippine Fisheries

The recent tsunami experience of December 2004 highlights the role of women in fisheries. The Philippines is a significant world producer of fish, ranking twelfth in 1998 among the fish producing countries and fourth biggest producer of seaweeds and other aquatic plants.

The Philippine Fisheries Code of 1998 takes cognizance of the need to uplift the conditions of women in the fisheries sector. It stipulates the inclusion of women and youth in developing the municipal fisherfolk and in the establishment of productivity enhancing and market development programs in fishing communities to engage in economic activities.

As is true in the entire agriculture sector, women in fisheries are among the poorest groups. Generally, women in fishing communities do not go on fishing expeditions because of the need for them to remain within the premises of the household where their primary responsibilities have been socially assigned. Those who engage in fish capture are usually in near-shore activities such as shell and fry gathering or gleaning,

spear fishing in rivers, reef fishing using scoop net, traps, and fish baskets. However, women play significant and central roles in pre, and post, capture activities: repair of nets, installation of nets and maintenance of stationary gear, hauling nets and lines, cleaning of boat, sorting of catch.

However, the participation of women in productive fishing activities takes place alongside their non-fishing production activities and household responsibilities demonstrating the double burden to which women usually are subject. Advocating the increased participation of women in fisheries development may therefore not necessarily constitute liberation from their subordinate positions, but might in fact exacerbate their oppression. Evaluating the impact of increased participation on women's position should entail a critical analysis of access to resources and control of the fruits of production. The recognition of the need for a critical understanding of gender relations has resulted in a refocusing of attention away from an almost exclusive consideration of women, to a consideration of gender.

The key element of the Fisheries Code of 1998 is the provision for the development, management and conservation of the fisheries and aquatic resources of the country. Coastal resource management (CRM) has become the strategy for fisheries development in addressing widespread problems of resource depletion, environmental damage, illegal fishing, poverty, and poor fishery law enforcement.

While these are generally desirable approaches, there is a need to specify the critical inclusion of a gender and development component. Gender sensitivity will ensure that the differential needs of men and women can be appropriately incorporated into the

design of implementation. This gender approach will make a difference in the following areas of concern:

1. Lighten the burden of household responsibilities.
2. Improve family and community gender relations.
3. Technology transfer.
4. Development of appropriate technology.
5. Formation and nurturance of women's organizations.
6. Promotion of income diversification/alternative livelihoods.
7. Access to credit.
8. Improve market information system.
9. Promoting gender sensitivity.
10. Participation in research programs.

Closing

Let me close with these words in paraphrase: The women of the world stake their future on the wisdom that we will achieve and actualize in this, the 112th Inter-Parliamentary Union assembly. I wish you all the power of knowledge, and the wonders of wisdom.

-oOo-