



# The Call for Equal Rights

**T**HE specific experience of women must be to human rights ... to transform the concept and practice of human rights in our culture so that takes better account of women's lives".

Charlotte Bunch, Director, Center for Women's Global Leadership, Rutgers University, United States

Dr. Bunch's words reflect a wide-spread concern. A growing international movement is under way to reaffirm that women's rights are indeed human rights.

The current debate also focuses on the equal rights of women and the need to eliminate discrimination against them, in law as well as in practice. Other questions include discrimination against the girl child, and traditional practices harmful to women, such as sexual mutilation and 'dowry deaths'.

The World Conference on Human Rights, which the United Nations is convening at Vienna in June 1993, is seen by women's rights advocates as a major opportunity to include women's rights in the mainstream human rights agenda.

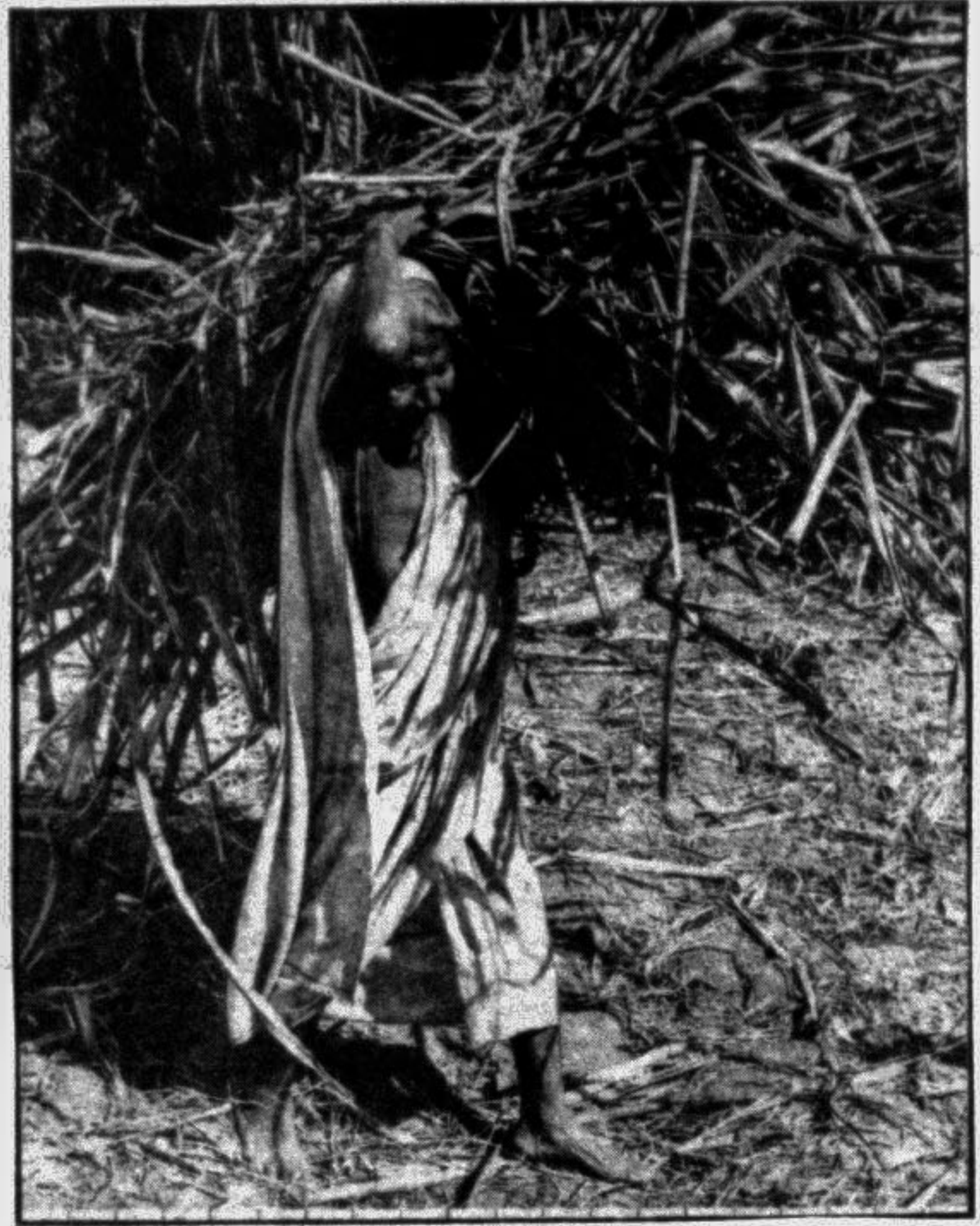
**Gender perspective**  
International human rights treaties and declarations do of course cover women, as they cover all human beings. But women's rights advocates believe there are certain human rights issues that need to be considered from a gender perspective.

Of course, women sometimes suffer abuses such as political repression that are similar to abuses suffered by men," states Charlotte Bunch. "However, many violations of women's human rights are distinctly connected to being female — that is, women are discriminated against and abused on the basis of gender".

Many forms of discrimination are directly related to women's reproductive role. Human rights aspects of procreation encompass the right to decide freely on the number and spacing of children, the right to reproductive health and the right to sexual self-determination. Violations of women's reproductive rights occur, to vary-

ing degrees, in all geographical, political and socio-economic settings.

Worldwide, an estimated 300 million women have no access to quality family planning services, and thus have little control over their fertility. But



without the ability to prevent unwanted pregnancies, women can hardly take charge of other aspects of their lives, be that in the areas of education, employment or participation in public life. Reproductive choice is also vital to the health of women. Over half a million women die every year from pregnancy-related causes (99 per cent in developing countries). For every woman who dies, 12 to 15 are left with serious, often permanent, disabilities. Yet, although pregnancy is a major cause of death and disease, investments in fertility management and reproductive health care still take low priority in most countries.

Finally, women suffer gross human rights violations through assaults on their sexual autonomy. A stark reminder is the continued practice of female genital mutilation to prevent women from enjoying sex. Some 80 million women world-

wide have been subjected to this practice. Certain groups of women are particularly vulnerable to infringements of their sexual integrity. One such group is refugee women. At least 75 per cent of the world's 18 million refugees are women and children; in some countries, women and children make up 90 per cent of refugees. Refugee women are too often victims of rape and other physical and sexual abuses, and have special need of human rights protection.

Responding to such needs, the Office of the United Nations High Commissioner for Refugees has developed a policy

seeking to integrate the needs and resources of refugee women in all aspects of its assistance. Another issue is trafficking in women. This includes prostitution of women and girls, usually accompanied by coercion, violence or exploitation. As a consequence, women are sexually and economically abused and degraded, in violation of their fundamental human rights.

In this area, the United Nations has set international standards by approving the Convention for the Suppression of the Traffic in Persons and of the Exploitation of Others, to which 64 States have adhered. Voices have now been raised asking for a United Nations convention against sexual exploitation.

But perhaps the most widespread gender-related abuse is violence against women. One problem is that much of this violence takes place in private, especially in the family. It is mostly inflicted by a male who has a close relationship with woman — the husband, boyfriend, father or brother. This secrecy has made it difficult to grasp the dimensions of the phenomenon. Thus, violence against women has remained for too long unseen, and women have been left without protection and assistance.

**Still not recognized**  
In addition, basic women's rights are still not recognized, says Ambassador Mervat Tallawy of Egypt, Chairperson of the United Nations Commission on the Status of Women and Chairperson of the United Nations Committee on the Elimination of Discrimination against Women. "Women are half of humanity," Ambassador Tallawy points out, "and still are not enjoying the basic human rights mentioned in the Universal Declaration, the International Covenants and so on".

Women see their rights violated in their daily lives, Tallawy says. "In stressing human rights we shouldn't neglect the silent majority.... The majority of women are denied their basic human rights every day: poorer women, rural women.... How can we protect their rights? All

those concerned with human rights must look into this". "We have to consider human rights as a package," she adds. "We should treat all these rights equally, and all beneficiaries of these rights should be treated equally.... Just as the environment was a catalyst for development issues, human rights should be a catalyst to promote equality among all groups of the population".

### Protecting women's rights

Women's rights advocates draw strong conceptual support from the Forward-looking Strategies for the Advancement of Women to the Year 2000, adopted by the United Nations World Conference on Women in 1985. The concept expressed in the Strategies that 'the advancement of women is without a doubt a precondition for the establishment of a humane and progressive society' reflects the belief that advancement in any given area cannot be made without corresponding advancements in other areas.

The 23-member expert Committee on the Elimination of Discrimination against Women is the body charged with monitoring implementation of the Convention. It examines periodic reports by States parties, makes suggestions and recommendations to States on improving the status of women, and reports annually to the United Nations General Assembly.

Says Kay Fraleigh, representative of the International Alliance of Women at the United Nations: "The Committee seeks to keep the States parties 'on their toes' and to challenge them to take the measures necessary to ensure that the spirit of the Convention is upheld; to ensure that women's legal rights move from de jure to de facto; and to ensure that women are included in the decision-making which affects their lives".

The latest international instrument in the making is a United Nations Declaration on Violence Against Women, now at the end of the drafting stage. The Declaration is being drafted

by an expert group, on the recommendation of the Commission on the Status of Women. In the draft Declaration, such violence is defined as "any act, omission, controlling behaviour or threat, in any sphere, that results in,

perpetuates the idea that the rights of women are of a lesser order than the 'rights of man'. In the United Nations," she adds, "the Human Rights Commission has more power to hear and investigate cases than the Commission on the Status

of Women, more staff and budget, and better mechanisms for implementing its findings. Thus it makes a difference in what can be done if a case is deemed a violation of women's rights and not of human rights".

Another problem is that women's rights are too often perceived as a social rather than human rights question, argues Elsa Stamatopoulou-Robbins, Chief of the New York Office of the United Nations Centre for Human Rights, who complains about "the relative political marginalization of the issue".

Treating women under the softer social issues rather than the politically heavier human rights issues has weakened the cause," she says. "Women's issues are... social issues but also human rights issues, and should be treated in both of these areas of the United Nations".

"Part of the problem," she adds, "is that traditional human rights NGOs have only recently had a women's angle, and women's NGOs did not participate in the Commission on Human Rights and other mainstream human rights bodies. This trend regarding NGOs seems to be in the process of being reversed".

Signs of change are on the rise, as traditional human rights organizations add women's rights to their agendas, new 'women's rights watch' organizations are being formed, and statistics, studies and legal briefs are being produced.

Says Kay Fraleigh: "The 1990s have seen a shift in the perception of the relative value of achieving one human right over the others. Human rights issues are so interwoven that no advance can be made in one area without reference to another. And the growth of the understanding of what constitutes human rights has opened the possibilities for a greater acceptance of the concept that women's rights are human rights".



Stop violence against women NARIPOKKHO

or is likely to result in, physical, sexual or psychological injury to women".

The draft Declaration has been submitted to the Commission on the Status of Women for approval at its March 1993 session, and will be considered by the forty-eighth session of the General Assembly, convening in September 1993.

But what is needed most is an overall shift in perception, many human rights experts argue. "Human rights are still considered to be more important than women's rights", Dr. Bunch states. "The distinction

of Women, more staff and budget, and better mechanisms for implementing its findings. Thus it makes a difference in what can be done if a case is deemed a violation of women's rights and not of human rights".

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Treating women under the

## Diary of a Working Mother

by Shaheen Anam

**F**EW weeks ago I had written a piece about the majority of working mothers who work as hard if not harder than anyone and yet live below the poverty line. One of my very esteemed readers commented that I had made the jump too sudden from the elite office going mother to the day labourer. Yes, I admit that I did but it was done to dramatize a point.

There are thousands of mothers in our society who do not have the option of going out and getting a job and yet their income is crucial to the survival of the family. These constraints are due to lack of proper opportunities, and other family considerations. The most important among them is of course the problem of proper child care for their children. Even though our traditional extended family system is still intact it still does not always provide the support to most women who need it. This point was dramatized very well in a recent television series where a mother had to put her young son in a boarding school in order to work outside the home.

It is true that children could be left with domestics, but this also does not work very well because, first, good trustworthy help is not very easy to get and second, most lower middle class women cannot afford them.

So, what can these women do? Well, depending on ability, talent and support from other family members, many of these women have initiated home based activities which bring in income essential and crucial to the survival or to the well-being of the entire family. Their activities range from preparing lunch for office going people, tailoring, tuitioning primary school children, making traditional desserts such as pithas etc. They are not very visible in our society.

I was talking to Habiba, who supplies tiffin to an office in the Motijheel Commercial Area. She is a mother of three children and her husband works as a clerk in one of the commercial banks. She cannot go out to find a job because none to look after her children. She found this job through a friend of her husband. While restaurant business in Dhaka is very profitable and lucrative, the situation is entirely different for those who are only able to invest a small amount of money and whose clientele are lower middle class people. They usually want to eat well but spend very little money for it. They are a very difficult group of people to please. Habiba, charges only Tk 10 for a plate of rice, dal and a piece of fish. She prepares 30 lunch boxes everyday and has to cook all by herself as she cannot afford a help. At least you are assured of your income I told her. "No, often they don't like the food and send some boxes back" was her disappointed reply. She is able to make a profit of Tk 1000



to 1500 a month. What does she plan to do in future? "Open a restaurant perhaps" she smiles. No, she does not mind the hard work, at least she can afford to buy some nice clothes and good food for her children.

There are of course the single mothers or the Female Headed Households, a fact that we can no longer ignore. They have very special problems and needs which society has to address soon. They are waging a heroic battle to survive in a society which has so far told them that women should be dependent on men and should be taken care of by men. The reality however is very different for these women. My next diary will be about them.

## VIOLENCE AGAINST WOMEN

# The Asian Context

by Emilina O Quintillan

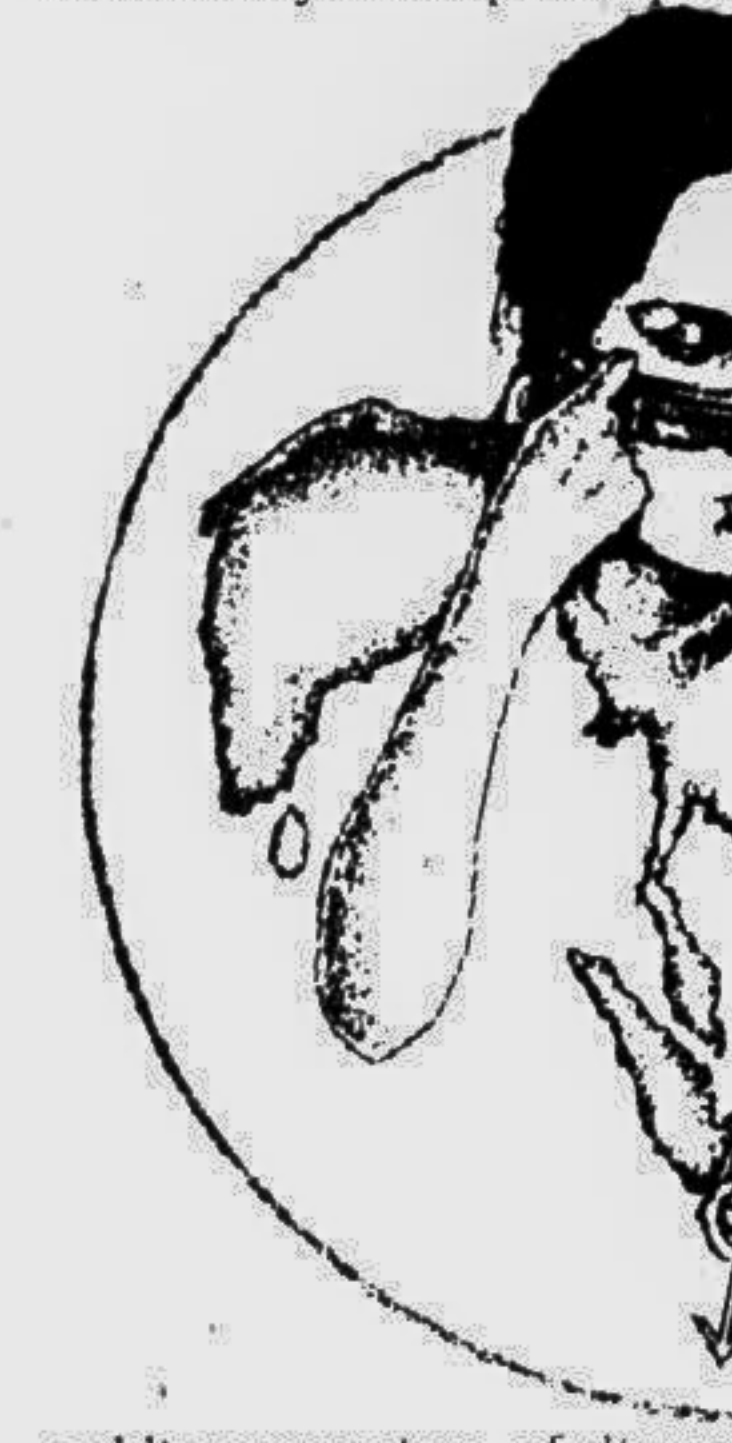
**W**ITH the advancement of science and technology the world has become smaller and nation-states have become more interactive. This has brought about the interplay of cultural values and standards amid a changing economic order. Asia is a showcase of cultural pluralism with conflicting values and standards that has brought about more misery and at the same time more activism of women.

In the post-colonial era in Asia, the structures of nation-states and their development policies have created severe social inequalities and power imbalances. In spite of rhetoric of independence, the development models and policies of our nations continue to be dependent on the former colonial rulers and are linked to the international economic order.

Politically, we see the centralization of power and repression in the name of national security and economic development resulting in the loss of democratic space and violations of basic human rights by governments. In most Asia-Pacific countries, the purpose of political participation is not to create democratic institutions, but to obtain power and material gain. This has resulted in governments with election processes of guns, goons and gold. In many instances, the rule of law and the role of the judiciary have been subjugated by the executive power. Legislation has been used to control and limit human activity instead of enhancing greater participation, liberating people's creativity and creating support structures for weaker sectors of society. Economists continue to measure development with the qualification of Gross National Product or GNP instead of accounting for the Net National Welfare or the quality of life of the people.

An editorial of Asiaweek observed that when governments increase spending for people's welfare, investors won't invest. It cited records from various countries, including Indonesia,

Macau, Mauritius and Mexico. Investment needs a calm and stable government. Hence, "national security" has come to be a prerequisite to "development." Democratic processes and expressions of contrary opinions have been seen by investors as indicators of instability. Attempts to quell



public expressions of dissent have often resulted in violations of human rights by the governments and violent clashes between the citizenry and the police or military. These are exemplified by the arrest of cause-oriented individuals in Singapore, Malaysia, and the Philippines particularly during the Marcos regime as well as the violence demonstrated in China, Thailand, South Korea, and the Philippines during the martial law rule. Too many of the human rights violations in Asian societies today are in the name of national security and development.

Even as economic alliances are formed such as the South Asian Association for Regional Cooperation (SAARC) and the ASEAN Free Trade Agreement (AFTA), Asian governments are also obviously being drawn into

an increasing defense expenditure and payment of foreign debt while reducing defense expenditure and payment of foreign debt while reducing welfare expenses in relation to health, education and other social development programmes.

We also see processes of

homogenization of cultures where ethnic minorities within nation-states are denied self-expression. The ethnic strife between the Tamils and Singhalese in Sri Lanka, between the Hindus and the Muslims in India, and between the Christians and Muslims in the Philippines are only a few violent examples. Within these ethnic groups, women's voices are never heard and their life stories are never told. Until recently, violence in the lives of women have never been considered as a development issue.

In Asia, violations of a woman's rights may be categorized into those that violate her personal security such as in cases of violence perpetuated in various levels — the family, the community, the state, and the multi-nationals; those that violate her freedom,

her human dignity and belief in the name of religion and culture; and those that violate her economic rights.

Historically, religion has played a pervasive basis in the formulation of state and personal laws in Asian societies. The impact of religion on the legal system that affect women focus on the issues of marital obligations, on alimony, on divorce, abortion, inheritance, and other personal relations. For example, in India, in Malaysia, and the Philippines, their constitutions provide for equal rights to all citizens at the same time allowing the personal or customary laws to govern. It is often in these personal and customary laws where women are subordinated or deprived of equal rights. In Pakistan's Qanoon-e-Shahadat (Law of Evidence) and in the Philippines' Code of Personal Laws, women's evidence are reduced in value. A woman's testimony is given half the weight of a man's testimony.

Financial independence is crucial to women's equality. Women in Asia, however, have limited access to and control of basic financial, economic, and human resources. Women's access to resources is greatly conditioned by family laws and customs particularly in inheritance and property rights.

In many Asian countries, women are denied to form associations or to unionize. Even in the Philippines where women are allowed to join trade unions, the participation in decision-making has been limited by the double-burden that they carry as employed workers and as "home-makers".

## Women and Reproductive Rights

**T**HE right to family planning has been recognized by the international community as a human right for over twenty years. The last International Conference on Human Rights, in Teheran in 1968, endorsed the statement that "parents have a basic human right to determine freely and responsibly the number and spacing of their children". This was reaffirmed in the 1979 Convention on the Elimination of All Forms of Discrimination Against Women, the 1984 International Conference on Population and the 1985 World Conference to Review and Appraise the Achievements of the United Nations Decade for Women.

UNFPA takes an active part in calling attention to the discrimination women suffer in vital aspects of their lives. The Fund maintains that the denial of reproductive self-determination and neglect of reproductive health are an affront to human dignity and individual as well as communal well-being. Public resource allocation is rarely adequate to protect women's most basic rights to physical integrity and security. Pregnancy and childbirth kill over half a million women every year, the vast majority in developing countries. In fact, the disparity between maternal death rates in developed and developing countries is greater than for any other health indicator.

The Fund has worked consistently over more than 20

ments is the ability of women to have full control over their fertility, which requires that family planning information and services be provided with utmost respect for voluntarism and attention to high-quality care.

These efforts have received strong support in the international community. The 1984 International Conference on Population asserted that the "ability of women to control their own fertility forms an important basis for the enjoyment of other rights; likewise, the assurance of socio-economic opportunities on an equal basis with men and the provision of the necessary services and facilities enable women to take greater responsibility for their reproductive lives". Another recommendation states that efforts to reduce maternal morbidity and mortality should "support family planning as a health measure in maternal and child health programmes as a way of reducing births that occur too early or too late in the mother's life, of increasing the interval between births and of diminishing higher birth orders, and by giving special consideration to the needs of those in the post-partum and/or breastfeeding period".

The Amsterdam Declaration of 1989 emphasized the imperative need to "recognize that women are at the centre of the development process and that the improvement of their status and the extent to which they

are free to make decisions of their families will be crucial in determining future population growth rates".

