

Policy Research and Policy Outcomes Report on **Gender Equality** in Asia: Comparative Studies

March 2018





In 2016, Asia Democracy Research Network (ADRN) selected corruption, shrinking civic space, and gender inequality as the common challenges across Asia that continue to plague and work against deepening the quality of democracy.

Against this background, ADRN published this special report to evaluate the current state of gender equality in the region by studying the strengths and weaknesses of each country's mechanisms including law and regulations, public participation, and public governance.

The report investigates pressing, contemporary questions such as:

What is the state of gender equality in Asia?

To what extent has each country achieved the Sustainable Development Goals (SDGs) on gender equality?

How can gender equality in Asia be strengthened?

Drawing on a rich array of resources and data, this report offers country-specific analyses, highlights areas of improvement, and suggests policy recommendations for strengthening gender equality in Asia.

"Policy Research and Policy Outcomes Report on Gender Equality in Asia:
Comparative Studies"

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Each author is solely responsible for the content of this report.

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Executive Summary

Promoting gender equality and ensuring full and effective female participation in all aspects of political, economic and public life are important aspirations. The fifth Sustainable Development Goal (SDG) aims to assure female empowerment. The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) aims to end discrimination against women and girls. Many countries need to change their policies, measures, rules, and regulations relating to gender issues in order to bring forth the desirable existence of non-discriminatory treatment in accordance with CEDAW and achieve the SDGs.

However, the aforementioned mechanisms still lack a practical action plan for promoting gender equality, particularly in terms of developing the potential and capacity of women so as to provide them with more opportunities to enter and participate in politics, government administrations, and decision-making processes. Therefore, the Asia Democracy Research Network formed a research working group comprised of The Genron NPO of Japan, the Taiwan Foundation for Democracy (TFD) of Taiwan, INCITEGov of the Philippines, the Jinnah Institute of Pakistan, the Manusher Jonno Foundation of Bangladesh, and King Prajadhipok's Institute of Thailand, and this group has produced *Gender Equality in Asia: Comparative Studies*, under the Policy Research and Policy Outcomes Report.

This research is a comparative study that covers Thailand, Taiwan, the Philippines, and Pakistan. The objectives of this study are 1) to study the gender equality situation and compliance with the SDGs on gender equality; 2) to explore the mechanisms that Thailand, Taiwan, the Philippines, and Pakistan use in order to enhance gender equality, including laws and regulations, public participation, and administrative mechanisms; 3) to conduct a comparative study on gender equality in various countries in Asia, specifically Thailand, Taiwan, the Philippines, and Pakistan; and 4) to provide recommendations for strengthening gender equality in Asia.

The study employed various methodologies. A literature survey was conducted that reviewed sources including laws and regulations, government publications, and academic papers. The SDGs and theories of gender equality and human rights were reviewed. Focus groups and in-depth interviews were conducted with experts and academics in relevant fields in order to explore the implementation process and specific ideas for gender equality improvement. Content analysis and comparative study were also used. This study provides the following contributions: 1) information about the status of gender equality and compliance with the SDGs on gender equality in the target countries; 2) information about the mechanisms that each country uses in order to enhance gender equality, including laws and regulations, public participation, and administrative mechanisms; 3) comparative information about gender equality in Asia, specifically Thailand, Taiwan, the Philippines, and Pakistan; and 4) recommendations for the strengthening of gender equality in Asia.

The results show that there is still a gender gap in each country. The table below shows the rankings of Thailand, Taiwan, the Philippines, and Pakistan on the Global Gender Index in 2016

and Executive Yuan in 2016. The Philippines ranked 7th out of 144 countries. Next were Taiwan and Thailand, which ranked 38th and 71st, respectively. Pakistan ranked 143rd out of 144 countries.

Table 1. Global Gender Index 2016, Compared by Countries

Index	Thailand	Taiwan	Philippines	Pakistan
Global Gender Index (2016)	71¹ 0.699	38² 0.729	7 0.786	143 0.556
Economic participation and opportunity	22 0.770	-	21 0.780	143 0.320
Educational attainment	74 0.990	-	1 1.000	135 0.811
Health and survival	1 0.980	-	1 0.980	124 0.967
Political empowerment	131 0.057	-	17 0.386	90 0.127

Note: Rankings are out of 144 countries total

Unequal political participation is an existing gender equality issue. This report found that women's leadership and political participation are restricted. Women are underrepresented as both voters and elected officials. This is because women face obstacles to participating in political life, such as a lack of education, contacts, and support from society.

The most important factor that impacts gender equality is social norms and values, which influence the characteristics of people in a particular place. Family structure is a significant factor that determines the division of labor between men and women, and affects the status of men and women in the family. Religion, especially Islam, is another factor that limits the role of women in society in places such as Pakistan, the Philippines, and three border provinces in Southern Thailand.

The primary mechanisms that each country uses to enhance gender equality are laws and regulations, comprised of each country's respective constitution, acts, codes, and policies. Apart from laws and regulations, Thailand, Taiwan, the Philippines, and Pakistan have committed to the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) and the SDGs in order to focus on gender equality and the empowerment of women.

¹ Data for Thailand, the Philippines, and Pakistan came from <http://reports.weforum.org/global-gender-gap-report-2016/rankings/>. Values range from 0 to 1; the closer the value to 1, the higher the level of equality.

² Data for Taiwan came from <http://www.gender-indicators.org.tw/zh-tw/equal/index/GGI>. The GGI report does not include the calculation and ranking of Taiwan. The index and rankings are calculated with the WEF formula by the Chief Executive Office of the Executive Yuan. *No data for sub-indexes.*

However, laws and regulations are not exactly the measurement of success. It is necessary to mainstream gender policies into planning and budgetary processes by taking into account the impacts of monetary allocations and policies on gender to ensure that benefits are provided equally for women and men.

Gender Responsive Budgeting (GRB) is an approach to budgeting that places importance upon gender equality within society and thus contributes to the allocation of financing to policies and projects designed to enhance gender equality. Thus, GRB is an important instrument in budget preparation because it serves to ensure that gender mainstreaming is valued and brought into the paradigm of women-related development. This occurs as decision makers strategically take both gender equality and budget administration into account, which is expected to contribute to national development. Nowadays, many countries have integrated GRB into their local government budget planning in order to foster gender equality through resource distribution. Thailand mandated GRB in Article 71 paragraph 4 of its 2017 Constitution, which is considered to be an achievement for gender equality. Thailand mainstreams GRB into its planning and budgetary processes as do Taiwan and the Philippines. Trainings on gender, such as gender responsive development, GRB, and LGBT rights campaigns are also provided. Moreover, Thailand is strengthening gender equality in schools and universities.

To strengthen gender equality in Asia, the study recommends changing people's attitudes through education, but not only formal education. All stakeholders should integrate their activities related to gender equality promotion and commit to strengthening and empowering women and promoting knowledge about gender equality and fairness in the society. In particular, there should be courses on GRB.

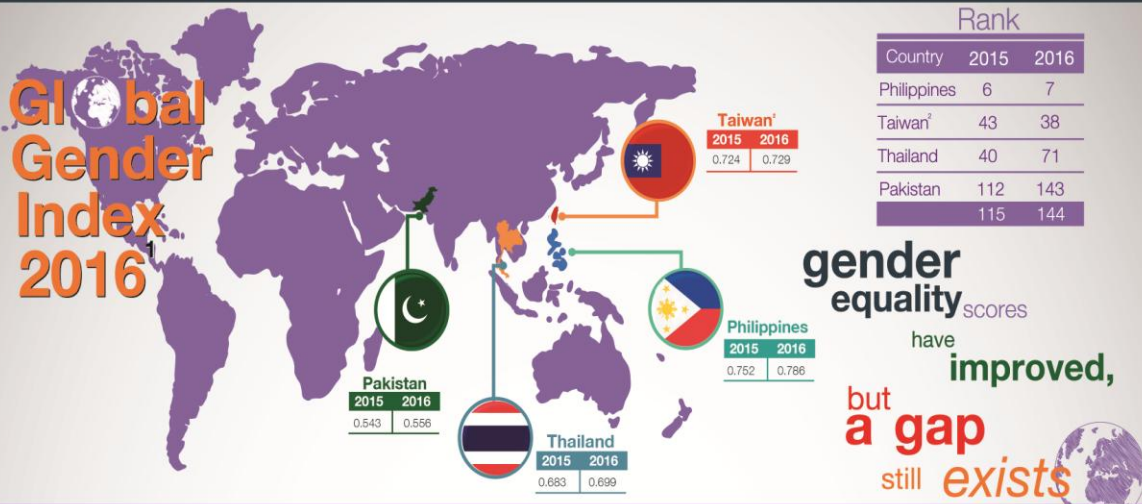
The state should continue to address the problem of gender inequality and listen to women's voices. Moreover, the state should amend outdated regulations and push for judicial reform. In addition, educational institutions should provide education on gender issues to boost the culture of gender equality. The state should also integrate the SDGs into its policy and laws at both the local and national level and mainstream GRB into planning and budgetary processes.

Beyond the aforementioned recommendations, the key to sustainable development lies in public participation. Public participation will give a chance for everybody, both women and men, to express their opinions so the state can respond to their various needs, and will ensure equity and justice in society. Lastly, social inequity will be reduced and progress made towards democracy and sustainable peace.

GENDER EQUALITY IN

THAILAND, TAIWAN, PHILIPPINES AND PAKISTAN

Global
Gender
Index
2016



Mechanisms



International Commitment
= CEDAW, MDGs, SDGs



Domestic laws & regulations
= Constitution, Acts, Rules, Codes, Policies



Administrative
= Mainstream Gender Responsiveness Budgeting (GRB), Gender and Development (GAD)

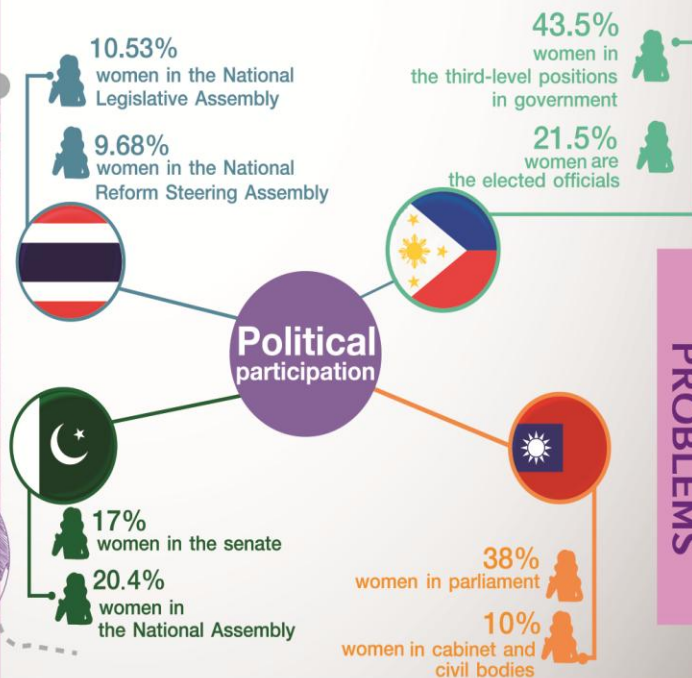


Training
= Gender Issues in school & universities, LGBT training, GRB training



Achieve
gender equality and empower all woman and girls

5 GENDER EQUALITY



PROBLEMS



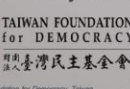
EAI
EAST ASIA INSTITUTE



King Prajithon's Institute, Thailand



Taiwan Foundation for Democracy, Taiwan



The International Center for Innovation, Transformation and Excellence in Governance, Philippines



Jinnah Institute, Pakistan

Asia Democracy Research Network (ADRN)

Resource:

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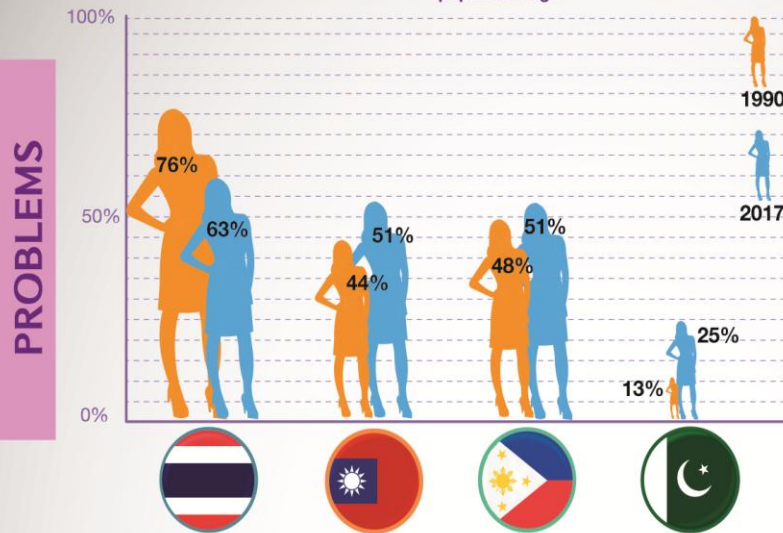
¹ World Economic Forum

² Executive Yuan, Taiwan

GENDER EQUALITY IN

THAILAND, TAIWAN, PHILIPPINES AND PAKISTAN

Economic participation : **Labor force participation**
% of **female 15+**
population age



violence against women and girls

still **exists**

such as
domestic violence,
violence in workplace

Factors affecting to gender equality



Norms and values



Family structure



Religion



Law enforcement & punishment

Recommendations

Law & regulations

Integrate **SDGs** into national policies

Mainstream **GRB**

Provide **gender-friendly workplaces**

Support and protect victims from violence

Acknowledgement & Awareness

Promote knowledge about gender equality

Build **capacity** of women

Media should report **positive news** and **information** about **gender**
NOT publish lots of **violence-related news**

Woman should **recognize** their **rights** and **potential**

Finally,
society will have more **gender equality**



EAI
EAST ASIA INSTITUTE



King Prajapada's Institute, Thailand



TAIWAN FOUNDATION
for DEMOCRACY
台灣民主基金會



INCITEGov



JINNAH INSTITUTE

Resource:

Policy Research and Policy Outcomes Report on Gender Equality in Asia: Comparative Studies, 2017

1. The World Bank, 2017

2. National Statistics, Republic of China (Taiwan), 2017

Gender Equality in Thailand

Thawilwadee Bureekul¹,
Ratchawadee Sangmahamad² & Walaiporn Losussachan³
King Prajadhipok's Institute

1. Introduction

Gender equality is one of the Sustainable Development Goals. Many countries have made progress in empowering women and increasing gender equality, but gender disparities remain a persistent challenge and obstacle to sustainable development. The SDGs aim to assure female empowerment by achieving equality of opportunity in leadership at all levels of decision making and full and effective female participation in political, economic, and public life. To meet this goal, policies should be adopted and strengthened with enforceable legislation to promote gender equality and female empowerment at all levels and ages (King Prajadhipok's Institute, 2016).

Thailand attaches great importance to gender equality and pushes this issue throughout the country, as evidenced by the country's signing and ratification of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) on August 9, 1985. On March 13, 2015, Thailand passed the Gender Equality Act B.E. 2558. In addition, the SDGs have been integrated into the 20-Year National Strategy Framework and the 12th National Economic and Social Development Plan (2017 – 2021).

Thailand has had mechanisms in place to promote gender equality since the Constitution of the Kingdom of Thailand of 1997 and later 2007. The most recent Constitution, which went into effect on April 6, 2017, also addresses gender equality in Articles 27(2) and 71(4). Despite the existence of several mechanisms to foster gender equality in Thailand, gender disparities persist. Even though women constitute 50.92 percent of Thailand's population, with 33,573,742 women in a total population of 65,931,150 (Ministry of Interior, 2017), the number of women in decision-making positions remains quite low.

¹ Director, King Prajadhipok's Institute (KPI)

² Researcher, KPI

³ Researcher, KPI

Consequently, Thailand is conscious of the problem of gender inequality and makes an effort to increase women's participation in politics and the presence of female representatives in both elected and ministerial positions. Therefore, the Research and Development Office of King Prajadhipok's Institute, supported by the Asia Democracy Network (ADRN), has conducted the following study in order to advance and strengthen gender equality in Thailand.

1.1) Objectives

1. To study the status of gender equality and compliance with the Sustainable Development Goals relating to gender equality in Thailand.
2. To explore the mechanisms that Thailand uses in order to enhance gender equality such as laws and regulations, public participation, and public governance mechanisms.
3. To provide recommendations for strengthening gender equality in Thailand.

1.2) Methodology

This comparative study of gender equality employed the following methodologies.

1. Literature survey of various sources, including laws and regulations, government publications, and papers from research institutes. Theories of gender equality and human rights, as well as the Sustainable Development Goals, were also reviewed.
2. Focus groups and in-depth interviews with experts and academics in relevant fields were conducted in order to look inside the implementation process or examine specific ideas on how to improve gender equality.
3. Content analysis and comparative study were used.

1.3) Theory and Literature Review

This part of the literature review addresses theories and literature concerned with gender perspective, gender equality, gender mainstreaming, and gender responsiveness.

1.3.1) Gender Perspective

The term "gender" encompasses a range of characteristics and roles created by society (Bacchi and Eveline, 2010, p.22) pertaining to masculinity and femininity by referring to social or cultural disparity (Roy, 2008, p. 24). Gender is related to power, privilege, responsibility, rights, duties, characteristics, opportunities, and relations between femininity and masculinity, as well as the socio-cultural relationship between women and men and girls and boys (Kasomo, 2012, p. 59).

The United Nations has proposed that the concept of gender does not only focus upon female and male individuals, but also on the system that dictates the roles and responsibilities of women and men, the power to gain access to and take control of resources, and the ability to

make decisions. Discussion of the issue of gender signifies an act of mentioning relations between women and men; thus, the act of campaigning for gender equality should also concern men as well as women. In addition, the basic social identity of men and women within a society is created by the general public rather than being determined by innate biological characteristics. This idea may be extended to understand society as encompassing the concept of socially created gender in addition to men and women as being referred to in terms of “sex” (United Nations, 2002).

Development feminists insist that the issue of gender should be taken into account for the sake of development as a whole, by means of gender analysis of the impacts upon women’s zone of privacy and life in the household, in order to free women from household burdens and restrictive familial structures (Barriteau, 2000, p.168). Therefore, feminists have adopted a theory of gender that supports the notion that women are not naturally bound to taking care of family and staying at home as asserted by many men, and the belief that biological differences between men and women, notably differences in reproductive organs, should not affect the social opportunities open to either sex (Bacchi and Eveline, 2010, pp. 50 and 91).

In addition, radical feminists highlight the role of the patriarchy in creating gender inequality. Under patriarchal social structures, men have supreme power and more economic opportunities than women. Some radical feminists believe that changing this social structure is the key to achieving equality. This includes individual changes in attitudes and relationships as well as changes in institutions and frameworks, economic institutions, and political decision-making structures (United Nations, 2002).

1.3.2) Gender Equality

Gender equality refers to the equality of rights, responsibilities, and opportunities for women and men. The equality of women and men is a part of human rights as a precondition for and indicator of sustainable, people-centered development. Gender equality is not limited to the sphere of law. It starts at the household level and applies in communities and in relations between states (United Nations Evaluation Group, 2011, p. 13).

Gender equality denotes a change in societal structure that results in equal powers for women and men (Council of Europe 1998, pp. 7-8). In addition, the Council of Europe provides the following definition of the term “gender equality”: equal treatment and opportunity between women and men with the goal being equality in terms of roles and duties (Hašková, 2003).

CEDAW is an important instrument whereby support can be provided for gender equality. Signatory countries to CEDAW should be assisted to enable the various sectors in their own country, starting with the state, to effectively undertake their respective obligations under CEDAW, such as campaigning for improving the understanding of what gender equality mean, so that they have more knowledge about their rights (Miranda, 2005, pp. 8-9).

1.3.3) Gender Mainstreaming

The concept of gender mainstreaming first took shape in the beginning of 1980s in the context of criticism about women's roles in providing assistance to development. This idea brought Europe to the forefront of gender development and placed importance on the issue of gender relations (Hašková, 2003, p. 66). The approach has been found in UN project implementation ever since the Second World Conference; it would eventually be clearly discussed and established as an international strategy during the Fourth World Conference on Women in 1995, as included in the Beijing Platform for Action. The Beijing Platform for action became the instrument that prescribed that the state and all affiliated institutions were to establish a policy on gender mainstreaming, which apropos of gender equality, was the major strategy discussed during the aforementioned event. The topic of gender mainstreaming was also cited in the instrument "ECOSOC Agreed Conclusions" in 1997 (Maytinee Bhongvej, 2009, p. 22; United Nations, 2002).

This approach also provided a guarantee that all segments within an organization are accountable for ensuring that policies equally impact both genders, with organizational changes implemented as needed in order to ensure that women and men have equal influence and are able to participate in and benefit from the process of development (United Nations, 2002). In addition, gender mainstreaming also help to stimulate each and every organization to make practical use of its gender equality policy in all of its designated plans and projects. Other gender equality policies in general tended to become more quickly adaptable yet were unable to provide complete coverage as effectively as gender mainstreaming (Hašková et al., 2003).

To conclude, gender mainstreaming is the participation of women in all kinds of activities including legislation, policy making, and project management at all levels. The ultimate goal is to achieve gender equality between men and women (Economic and Social Council of the United Nations, 1997 quoted in Moser and Mose, 2005, p. 12). For the implementation of gender mainstreaming to become successful in practice, analytical techniques, studies, and consultancy, are required. The main methodology is gender impact analysis, which has been widely adopted in development cooperation (Hašková et al, 2003, p. 67). Furthermore, it is necessary to be supported and remained in the organizations, not only the individuals (European Commission, DG-Employment and Social Affairs, 2001, p. 10).

1.3.4) Gender Responsive Budgeting (GRB)

Gender Responsive Budgeting (GRB) is an approach to budgeting that places importance upon gender equality within society and thus contributes to budget allocation being made for policies and projects designed to enhance gender equality. GRB initiatives are designed to national or local government practice to push towards further development of the next stages of the GRB approach.

GRB is not limited to analyzing the impacts of budgeting on women. It is also an effort to analyze the impacts of state revenue and expenditures, or the means by which the state seeks to generate income, by referring to the different impacts of budget allocation on women and men

and girls and boys from a gender perspective (Budlender et al., 2002, p. 11; Elson, 2001, p. 1). Gender-based analysis is becoming a significant global movement as governments work to demonstrate their intent to establish credible national policy with respect to the government's responsibilities towards women.

Thus, Gender Responsive Participatory Budgeting is a budgetary allocation scheme that takes into account gender and economic and political participation through association with participatory implementation in several sectors, such as national level and local level governments.

2. Gender Equality in Thailand

Thailand has placed importance upon female promotion and women's development and empowerment by establishing a guideline and approach to the issue of gender equality in the Third National Economic and Social Development Plan B.E. 2515-2519 (1972-1976). This was the first instrument of its kind in the country that specifically involved the promotion of all aspects women's empowerment including education. The guideline allows female students in both cities and rural areas to gain access to basic education, and expands access to public health services for mothers and children.

The results of this policy thus far show a drastic increase in the percentage of women who hold executive positions compared to the past, and, in general, indicate that Thai women have begun to enjoy a relatively higher social standing. An increased level of acceptance of gender equality between men and women within Thai society at large has led to an increase in the social status and roles of women within communities. Women have also been provided with more opportunities to participate in politics and rise to executive positions despite the relatively lower ratio of women to men within these arenas.

There are several issues related to gender equality in Thailand, including economics, education, health care, politics, and the gender ratio of persons in decision-making positions. Thailand's population totals 65,931,150 persons, with 32,357,808 men and 33,573,742 women (Ministry of Interior, 2017). Thailand's economy has continued to expand from 2016. The main growth drivers were the continued expansion of merchandise exports and the tourism sector, consistent with a steady improvement in external demand (Bank of Thailand, 2017). GDP grew by 3.2percent in 2016 and is expected to grow by 3.5percent in 2017 (Asian Development Bank [ADB], 2017).

2.1) Gender Equality in the Economy

The unemployment rate in May 2017 was 1.4 percent for men and 1.2 percent for women. Women's unemployment rose 0.1 percent from 1.1 percent in April 2017. On the other hand, the rate of employment for women is 3.25 percent less than men (National Statistic Office, 2017). This

is because the responsibility of family caretaking traditionally falls to women. Moreover, Thai women have fewer opportunities than men to access information, acquire knowledge, and practice their skills. Discriminatory employment with respect to gender unfortunately contributes to this gap. Southeast Asia in particular has witnessed professional discrimination against women, with the Global Gender Gap Index scoring Thailand's gender gap as 69.4 percent in 2017. This marks a decrease of 0.5 percent from 2016. Thailand's ranking in this index is 71st out of 144 countries, which is a slight increase from its prior ranking of 60th out of 145 countries in 2015 (World Economic Forum, 2016).

2.2) Violence Against Women in Thailand

Although various laws promoting gender equality exist in Thailand, there are many cases of violence against women such as rape and gender oppression. In 2016, there were 603 incidences of domestic violence recorded by the One Stop Crisis Center (OSCC), which is under the Ministry of Social Development and Human Security. 87.4 percent of the victims were women.

2.3) The Social Dimension of Gender Equality

Thailand is standing on the threshold of becoming a society of senior citizens. Elderly people (over the age of 60) account for 16 percent of the total population, with 5.7 million elderly women and 4.6 million elderly men. Women have a higher life expectancy than men (Office of the National Economic and Social Development Board, 2013). The typical Thai household will continue its transition from a multi-generational macro familial unit to the present-day micro unit, that is, a "single family" unit. This trend is likely to accelerate due to more women taking on the role of head of the household, thanks to various situations including the occupational relocation of family members, divorce, pregnancy, standing on their own feet without contribution to the household economically by men, and an increase in women remaining single by choice. All of these changes have placed a great deal of pressure on women to stand up and take charge as the head of their households- with dependents, usually elderly family members and children, relying upon them.

2.4) Gender in Politics and Decision-making Positions

The constitution of the Kingdom of Thailand established pursuant to the political transformation to the framework of the constitutional monarchy in 1932 prescribed that women and men were to be considered equal, and that governmental organizations and agencies should increasingly provide job opportunities for women. The constitution included freedom and liberty for Thai citizens, and specified that women were to be provided with equal opportunities and rights to participate in the decision-making process. Nevertheless, it was not until 1949 that the first woman was elected to the National Assembly.

Thailand participated in the Millennium Development Goals (MDGs) that were established following the Millennium Summit of the United Nations in 2000. The country set women's development as a specific goal in light of the MDGs in 2015, even as it was on track to attain the MDGs pertaining to the eradication of extreme poverty and hunger, improvements in maternal health, and the establishment of universal primary education. However, while women's development in the country appears to be positive at a quick glance, mechanisms at the policy level are still lacking, and the majority of women remain unaccepted with respect to candidacy for executive positions and the National Assembly (United Nations Development Program [UNDP], 2005:1; Office of Women's Affairs and Family Development, n.d.).

2.5) Participation in Politics and Administration

Participation is not restricted to being involved in the process of electing representatives or the right to candidacy. In a more in-depth political context, politics concerns individual livelihoods and its impacts are interwoven into the fabric of Thai people's lives; therefore, robust participation in politics does not simply mean winning a position through the process of election. In any given democratic society, the character and extent of political participation by the general public varies.

A coup d'état occurred on May 22nd 2014 to remove the interim government headed by Yingluck Shinawatra. After dissolving the government and the Senate, the National Council for Peace and Order (NCPO) vested executive and legislative powers in its leader and ordered the judicial branch to operate under its directives. Thailand then promulgated the Constitution of the Kingdom of Thailand (Interim) 2014. In the new regime, women constituted 10.53 percent of the National Legislative Assembly, 9.68 percent of the National Reform Steering Assembly, and 9.52 percent of the Constitution Drafting Committee.

Women's political participation as politicians can be allocated into three main categories: member of the House of Representatives, member of the Senate,⁴ and local politician.

In 2007, 8.75 percent of party list seats and 12.25 percent of constituency seats went to women. In 2011, the proportion of women gaining party list seats increased to 15.2 percent, and the percentage of women holding constituency seats also increased to 16 percent (Election Commission, 2011). Out of a total of 77 senators in 2014, 12 were female, thus giving a female representation rate of 15.58 percent (Election Commission, 2014).

2.6) The Local Politician

In general, local political activities refer to those activities where local people are involved in making decisions about local services, administration, and management. There are different types of local politicians. In general, local government administration in Thailand tends to take the form of local councils and administrations, such as the Bangkok Metropolitan Administration,

⁴ The data refer to the result of the national election in 2011.

provincial administrative organizations, and sub-district administrative organizations, as well as municipalities. Below is the record of Thai women's participation in local politics, which shows that women are still poorly represented (Department of Provincial Administration, 2013).

1. Bangkok Metropolitan Administration: comprised of 61 councilors, with 48 men and 13 women. Women made up 21.31 percent of the administration.
2. District councilors: (data collected from the election of August 29, 2010): there were 256 councilors, with 216 men and 40 women. Women made up 15.63 percent of district councilors.
3. Sub-district headman: there were 7,016 headmen, with 6,680 men and 336 women. Women made up just 4.79 percent of sub-district headmen.
4. Village headman: there were 67,449 headmen, with 62,446 men and 5,003 women. Women comprised 7.42 percent of all village headmen.

2.7) Women Holding Executive Positions at the Decision-making Level

Women mostly work as officials in ministries related to human security, such as the Ministry of Public Health, the Ministry of Social Development and Human Security, and the Ministry of Finance. Men mostly work in the Ministry of Natural Resources and the Environment, the Ministry of Justice, and the Ministry of Transport. However, executive positions in all of these ministries are occupied by men.

3. Evaluating Thailand's Gender Equality from the Perspective of the SDGs

The Sustainable Development Goals (SDGs) are a universal call to action to end poverty, protect the planet and ensure that all people enjoy peace and prosperity. The SDGs came into effect in January 2016.

Thailand made a commitment to the SDGs in September 2015. The government is interested in achieving the SDGs to develop Thailand sustainably. In the General Debate of the 71st Session of the United Nations General Assembly on "The Sustainable Development Goals: A Universal Push to Transform Our World", His Excellency General Prayut Chan-o-cha, Prime Minister of Thailand, stated "The Royal Thai Government attaches high importance to translating and incorporating such global Agenda and Goals into concrete action, policy and laws, at both local and national levels. Thus, we have established the National Committee on Sustainable Development and incorporated the SDGs into our 12th National Economic and Social Development Plan (2017-2021), and our 20-Year National Strategy. We also have a continued policy of providing healthcare services and a compulsory education program to ensure basic education for all" (Prayut Chan-o-cha, 2016).

SDG 5 aims to achieve gender equality and the empowerment of women in the next 15 years. In Thailand, girls enjoy equal access to quality education just as boys do, and more women than men are enrolled in higher education. Women now account for 60 percent of the workforce and make up 38 percent of executives in the private sector. However, gender analysis should not solely be limited to Goal 5, as this would only weaken gender mainstreaming in the rest of the SDGs. Thus, Goal 5 supports the mainstreaming of gender equality in each of the agenda's objectives and goals. From Thailand's Voluntary National Review on the Implementation of the 2030 agenda for Sustainable Development, the summary status of Thailand is as follows: (UN, 2017)

SDG 5.1: End all forms of discrimination against all women and girls everywhere

- Education: Girls and boys have equal access to basic education. The enrollment rates of women in tertiary education are higher than men.
- Poverty: the percentage of women living in poverty has been decreasing, and the current percentage (6.8 percent) is lower than that of men.

SDG 5.2: Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation

- The government has undertaken measures to improve its data collection capacity to enhance the protection of and elimination of violence against all women and children.
- There were 603 recorded incidences of domestic violence at the One Stop Crisis Center (OSCC), which is under the Ministry of Social Development and Human Security. 87.4 percent of the victims were women.

SDG 5.3: Eliminate all harmful practices, such as child, early and forced marriage and female genital mutilation

- Adolescent pregnancy remains a challenge in Thailand. From 2000 to 2012, pregnancies among girls aged 15-19 years continued to rise, although the rate improved slightly in 2013 and 2014.
- The Act for Prevention and Solution of the Adolescent Pregnancy Problem 2016 was passed in July 2016, and aims to ensure that teenage mothers are allowed to continue their studies at school following pregnancy.

SDG 5.4: Recognize and value unpaid care and domestic work through the provision of public services, infrastructure and social protection policies and the promotion of shared responsibility within the household and the family as nationally appropriate

- Rate of employment: a fewer percentage of women than men participate in the labor force.
- Unequal gender roles in the family still remain. Even in households where women work outside the home, women still shoulder the overwhelming burden of household tasks.

SDG 5.5: Ensure women's full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life

- Political: the number of women in national politics and the number of women holding executive positions in government agencies are still relatively low.
- In government agencies, the government appoints a Chief Gender Equality Officer. Each CGEO acts as a focal point to promote gender equality in the office.

SDG 5.6: Ensure universal access to sexual and reproductive health and reproductive rights as agreed in accordance with the Programme of Action of the International Conference on Population and Development and the Beijing Platform for Action and the outcome documents of their review conferences

- Thailand has developed a plan titled "Strategy for Women's Development 2017-2021" to promote gender equality and women's empowerment strategies.
- Thailand is considering the development of a gender-disaggregated database for the planning and implementation of policy that promotes gender equality.

There are other goals related to gender equality such as SGD10-reducing inequality and SGD13-climate action, by encourage gender equality and women's empowerment in all efforts, including global climate talks, to mitigate and adapt to it. (Ruengrawee Pichaikul [interview] June 17, 2017) Besides, the government should reduce the number of women impacted by disasters and promote disaster-risk reduction planning and training to help women become more resilient and informed.

4. The Mechanisms Thailand uses to Strengthen Gender Equality

Nowadays, gender equality is a critical issue to ensure female participation and equality of opportunity in leadership at all levels of decision making in political, economic, and public life. Thailand is addressing gender issues through various mechanisms, such as laws and regulations. Below is a summary of the relevant mechanisms.

4.1) Domestic Laws

Thailand promulgated the Constitution of the Kingdom of Thailand in 1997 and 2007 (B.E. 2540 and 2550), both of which addressed gender equality issues. Nevertheless, in practice, gender inequality remained; thus, a string of political demands for gender equality were made. For instance, in 1974 a group of female lawyers urged the administration to enact legal instruments in the constitution in the name of gender equality, which met with an unenthusiastic response from the government. Between the years 1980 and 1989, however, the dawn of gender equality in

Thailand began taking shape on account of the country's participation in international agreements and conferences (United Nations Development Program, 2006, p. 10). Efforts to address gender inequality continued from this point forward. The real turning point came when the administration prepared the Fifth National Economic and Social Development Plan (United Nations Development Program, 2006, p. 11).

In order to promote gender equality, the mechanism incorporated rules and regulations in 2000 whereby civil service agencies were to appoint a Chief Gender Equality Officer (CGEO) responsible for and in charge of supervising and monitoring policies, projects, campaigns, and budgets concerned with gender equality (Patcharee Arayakul, [interview] June 22, 2017).

In line with Thailand's commitment to the SDGs in September 2015, the government established the National Committee on Sustainable Development and incorporated the SDGs into the 12th National Economic and Social Development Plan (2017-2021), and into the 20-Year National Strategy.

There are several legal sections in the Thai constitution that deal with rights, liberty, and gender equality. Here, we will focus our discussion on the 2017 Constitution. The constitution contains 19 articles concerning the protection of women's rights, gender equality, and equality among women and men as follows:

Section 27(2) Men and women shall enjoy equal rights.

(4) Measures determined by the State in order to eliminate obstacles to or to promote the ability of persons to exercise their rights or liberties on the same basis as other persons, or to protect or facilitate children, women, the elderly, persons with disabilities or underprivileged persons shall not be deemed as unjust discrimination under paragraph three.

Section 71(4): **In allocating the budget**, the State shall take into account the different necessities and needs of people with **respect to genders**, ages and conditions to ensure fairness.

Section 90(3): In the preparation of a list of candidates under paragraph two, the members of a political party shall be allowed to participate in deliberations, and the selection of candidates for election shall take into account aspects such as different regions and **equality between men and women**.

The Personal Name Act (No. 3) B.E. 2548 [2005] also included the important revision, "A married couple has the right to employ the spouse's surname/last name, or each may choose to use their own surname during marriage." Any women who adopted her husband's surname before January 20, 2005 was entitled to continue employing her husband's surname without annulling the right to return to her maiden name following the end of the marriage (as in the case of divorce or a court ruling). In case of the death of one's spouse, the surviving spouse has the right to continue employing their existing surname. In case of remarriage, one may return to using one's own surname given at birth. After that, Thailand passed the Gender Equality Act B.E. 2558 [2015] on March 13, 2015.

The Labor Protection Act B.E. 2541 [1998] (Revised version B.E. 2553 [2010]) also mentions gender equality and equality for people from all walks of life, including hard laborers.

In addition, the research team would like to cite additional examples of legal instruments that incorporate gender equality, including the National Human Rights Commission Act B.E. 2542 [1999] in its section on recruitment and selection (Section 8), and the Rule of the Prime Minister's Office on Civil Servants' Leave (2012) regarding pregnancy. The latter allows women 90 days of maternity leave and permits husbands up to 15 consecutive days leave to attend to their wives' "first" pregnancy.

4.2) International Agreements and Commitments

For a number of decades there have existed a series of international agreements and commitments established by the United Nations. The year 1948 witnessed the inception of the Universal Declaration of Human Rights (on gender equality in terms of dignity and rights). In 1966, the Convention on Women's Political Rights was created, followed by the Convention on Civil and Political Rights, which was ratified the following year (1967). Other instruments would follow, all in favor of gender equality and equal opportunity (KPI, 2014).

1. The Commission on the Status of Women (CSW) by the Economic and Social Council (ECOSOC) provided suggestions regarding the promotion of women's rights in politics, the economy, society, and education for the purpose of making progress towards gender equality and women's advancement.
2. In 1985, Thailand signed the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), which, as its title suggests, is intended to eliminate all forms of discrimination against women.

Several additional international instruments have been created and ratified with the goal of ensuring equality, which member states are bound to observe. These include the United Nations Charter, the Universal Declaration of Human Rights, the International Convention of Civil and Political Rights, the Declaration on the Rights to Development, the International Covenant on Economic, Social and Cultural Rights (ICESC), the Convention on the Rights of the Child, and the Convention on Elimination of All Forms of Discrimination Against Women (Metinee Pongvech, 2010: 4).

As these instruments initiated a wave of opportunity for women, a number of conferences on gender equality took place. These include the conference on Women's Roles in Protection of the Environment and the Special Impact of Environment in Rio de Janeiro in 1997; the World Conference on Human Rights in Vienna in 1993; the conference on Women's Needs for Access to Health and Planning Facilities in Cairo in 1994; the Fourth World Conference on Women in Beijing in 1995, which led to the gender mainstreaming phenomena; and the Second World Conference on Women in Copenhagen in 1980.

5. The Strengths and Weaknesses of Gender Equality Policy in Thailand

5.1) Strengths of Gender Equality Policy in Thailand

There are a number of agencies in Thailand that give priority to women. The research team has made sure to present their professional points of view and an overview of the implementation as a whole by all sectors, including the public sector, the private sector, NGOs, and universities, all of which remain dedicated in their work on gender equality.

5.1.1) The Public Sector

5.1.1.1) The Committee on Social, Children, Youth, Women, the Elderly, the Disabled and the Underprivileged Affairs

The Committee on Social, Children, Youth, Women, the Elderly, the Disabled and the Underprivileged Affairs was authorized by The National Legislative Assembly in 2008 to take into account Draft Organic Law, and to investigate and/or conduct studies on issues related to children, youths, women, the elderly, and the disabled. They also coordinate with both domestic and international organizations to find solutions and promote rights protection and development of the quality of life for children, youths, women, the elderly, and the disabled, as well as the general public at large (Committee on Social, Children, Youth, Women, the Elderly, the Disabled and the Underprivileged Affairs, 2011).

Meanwhile, the Committee on Political Development, Mass Communication and Public Participation was authorized by The National Legislative Assembly in 2008 to investigate and/or conduct studies on political mass communication and public participation, the promotion and dissemination of political ideas under the constitutional monarchy, democratic ways of life and ideology, and problems with the enforcement of the constitution, its legal codes, and laws. The committee also promoted education for the general public concerning liberty and the responsibility of individuals and media sources with regards to the expression of opinions. The Committee provides protection for victims who harmed by having and sharing information and intelligence while engaging people to participate in politics and investigating the operations of authorities at all levels (the Committee on Political Development, Mass Communication and Public Participation, 2013).

By virtue of the Constitution of the Kingdom of Thailand 1997, senators were to be selected via popular elections held at the provincial level. The Constitution of the Kingdom of Thailand 1997 was also known as the “People’s Constitution” due to its having been drafted by the popularly-elected Constitutional Drafting Assembly. The “Women and the Constitution Network” was established to promote the participation of talented and morally upstanding women in the Constitutional Drafting Assembly with the aim of attaining the goals of the

Network's movement to encourage women participate in the public issues (Office of the Secretariat of the Senate, 2011, p. 56).

5.1.1.2) The Office of Women's Affairs and Family Development

The Office of Women's Affairs and Family Development is a department-level agency serving under Thailand's Ministry of Social Development and Human Security, with the aim of creating gender equality and eliminating all forms of discrimination against women. It promotes and supports governmental agencies, educational institutions, mass media, and communities in order to bring forth the physical, mental, and intellectual empowerment of women and to help them build desirable skill sets, while at the same time strengthening bonds among family members.

The Office of Women's Affairs and Family Development also develops women and family-related operational mechanisms by promoting and supporting women's networks and family units so as to achieve tangible results. It also aims to enhance the effectiveness of organizational administration and management by maintaining an ongoing focus on human resources development.

The Office of Women's Affairs and Family Development serves as a center for the instrumentalization of gender equality and holds activities and training courses on relevant subjects.

5.1.2) NGOs and Civil Society

A variety of NGOs are becoming involved in the promotion of women's empowerment in Thailand. The research team has opted to cite only a handful of the organizations/agencies and foundations whose contributions to gender equality and women's empowerment are well documented (King Prajadhipok's Institute, 2014). 1) The Foundation for Women (FFW) operates in terms of women's development, providing supports and assistance for women and children as well as organizing awareness campaigns in light of currently existing problems women have been reportedly experiencing, such as sexual violence, etc. 2) The Association for the Promotion of the Status of Women under the Royal Patronage of HRH Princess Soamsawali (APSW) provides aid and assistance for women and children in crisis. 3) Women Network Reshaping Thailand (WREST) deals with the problems that affect women in myriad of aspects as well as following up with the undertaking of the relevant activities performed by the Reconciliation Commission. 4) The Friends of Women Foundation (FOW) promotes gender equality via increasing education regarding the roles, duties, and rights of women in society. 5) The Asia Foundation builds knowledge of women and youths regarding politics and democracy, and promotes a number of projects on women's participation. 6) The Gender and Development Research Institute (GDRI) operates as part of the Association for the Promotion of the Status of Women, emphasizing action research concerning policies affecting women and women's participation in decision-making processes that will lead to gender equality.

5.1.3) The Academic Sector

The main objectives of the academic sector in promoting gender equality are to create educational opportunities and develop and strengthen knowledge of women's studies. Some examples include 1) Chiang Mai University's Women's Studies Center in the Faculty of Social Sciences, 2) Thammasat University's Master of Arts in Women's Studies in the Faculty of Social Sciences, its Women and Youth Studies Program, and courses related to women's studies taught in the College of Interdisciplinary Studies.

5.2) Weaknesses of Gender Equality Policy in Thailand

1. Family structure is the significant factor that establishes the division of labor between men and women and affects the status of men and women in families.
2. Culture and social norms are important in determining the characteristics of people in any particular place. For instance, in television media, women have been assigned the role of housemaids, wives, or mothers. Moreover, advertising shows women cooking, cleaning, and taking care of their children. Culture determines the roles of both men and women, and in Thai culture women are raised to do housework whereas men work outside the home.
3. Law enforcement is not efficient. Judgments on domestic violence use the mediation process. This process fails to resolve these domestic violence problems and conditions for women remain the same.

6. Conclusion and Recommendations

Gender equality in Thailand might not be a critical problem. There are no differences between men and women with regards to education opportunities, or access to health services, although women have a lower participation rate than men in politics and occupy fewer decision-making positions. The most important reason for these differences is people's values. The majority of people do not accept women as leaders, especially in decision-making positions. Thai culture also gives women the responsibility of caring for their families, including child-raising duties. Thus, they do not have adequate time or opportunity to participate in social activities.

However, Thailand attaches great importance to gender equality and is trying to promote this issue. General Prayut Chan-o-cha, the prime minister of Thailand, established the National Committee on Sustainable Development and incorporated the SDGs into the 12th National Economic and Social Development Plan (2017-2021) as well as the 20-Year National Strategy. Moreover, there are several mechanisms used to promote gender equality such as laws, policy, and the latest constitution. This constitution contains many articles concerned with gender equality.

The government also has its own policy on gender equality and approaches to gender mainstream the main project of every ministry. Moreover, there are organizations whose main purpose is to strengthen gender equality in Thailand.

The constitutional framework works to strengthen gender equality, but in terms of translating law and policy into practice there is still a big gap. Thus, gender equality may be achieved in Thailand through the following instruments.

1. Government agencies should collect gender disaggregated data in order to analyze the situation, problems, and roles of men and women and provide the appropriate policies and projects to address related issues.
2. The media should report positive news stories and information about gender equality in various dimensions. Dramas should portray role models, especially honoring other people.
3. Research or a forum with the media sector should be conducted to share information regarding the problem of gender-based violence. This should include brainstorming to find potential ways to address the problem of violence. The media should not publish much violence-related news because the people may become accustomed to violence.
4. Relevant agencies should promote knowledge about gender equality and fairness in society. The core objective of this is to promote a true understanding of gender equality, with a special focus differentiating between men's and women's ideal roles in society (Maytinee Bhongvech, 2001, p. 29) in order to be aware of problems and the need to develop gender equality. Furthermore, educational organizations should be the key institutions that teach children to understand the difference between genders, and gender roles in society. All stakeholders should boost the culture of gender equality. All stakeholders, especially the government, media, and education sectors, should integrate their activities and commit to strengthening and empowering women.
5. The state should mainstream Gender Responsiveness Budgeting (GRB) into the planning and budgeting process. Moreover, GRB should be addressed in the Budget Act.
6. King Prajadhipok's Institute and the Office of Women's Affairs and Family Development should offer courses on GRB training for local organizations.

References

- Asian Development Bank. (2017). Thailand: Economy. Retrieved from <https://www.adb.org/countries/thailand/economy>. Accessed on June 14, 2017.
- Association for the Promotion of the Status of Women. (2013) Name List Act (No. 3) 2548 BE. Retrieved from <http://www.apsw-thailand.org/Law.html>. Accessed on June 14, 2017.
- Bacchi, Carol, and Joan Eveline. (2010). *Mainstreaming politics: Gendering practices and feminist theory*. Adelaide: University of Adelaide Press.
- Bank of Thailand. (2017). BOT Press Release on the Economic and Monetary Conditions for April 2017. Retrieved from https://www.bot.or.th/English/MonetaryPolicy/EconomicConditions/PressRelease/DocPressRelease/PressEng_April2560_PINK369.pdf. Accessed on June 14, 2017.
- Barriteau, V. Eudine. (2000). "Feminist Theory and Development: Implications for Policy, Research, and Action. In *Theoretical Perspectives on Gender and Development*, edited by Jane L. Parpart, M. Patricia Connelly, and V. Eudine Barriteau." Ottawa: International Development Research Centre. Pp. 161-178.
- Budlender and sharp. (1998). *How to do a gender-sensitive budget analysis: Contemporary research and practice*. London: Commonwealth Secretariat.
- Committee on Social, Children, Youth, Women, the Elderly, the Disabled and the Underprivileged Affairs. (2011). Authority and function. Retrieved from http://www.senate.go.th/w3c/senate/comm.php?url=home&comm_id=1549.
- Committee on Political Development, Mass Communication and Public Participation. (2013). Authority and function. Retrieved from http://www.senate.go.th/w3c/senate/comm.php?url=function&comm_id=72.
- Constitution of the Kingdom of Thailand 2017.
- Council of Europe. (1998). *Gender Mainstreaming. Conceptual Framework, Methodology and Presentation of Good Practices*. Final Report of Activities of the Group of Specialists on Mainstreaming (EG-S-MS). Strasbourg: Council of Europe.
- Election Commission of Thailand. (2014). Statistical data on election for the members of the House of Representatives. Retrieved from www.ect.go.th/sn57/sn57.pdf. Accessed on March 20, 2014.
- European Commission, Directorate-General for Employment and Social Affairs. (2001). *Equal Opportunities for Women and Men in the European Union, Annual Report 2000*, pp. 1- 33. Luxembourg: Office for Official Publications of the European Communities.
- Hašková, H. et al. (2003). *Women's Civic and Political Participation in the Czech Republic and the Role of European Union Gender Equality and Accession Policies*. Czech: Institute of Sociology, Academy of Sciences of the Czech.
- Hirshman, Charles. (2016). Gender, the status of women, and family structure in Malaysia., *Malaysia journal of Economic studies* 53(1): 33-50, University of Washington, Seattle, Retrieved from <https://faculty.washington.edu/charles/newpercent20PUBS/A127.pdf>.
- Kasomo, Daniel. (2012) Factors Affecting Women Participation in Electoral Politics in Africa. In *International Journal of Psychology and Behavioral Sciences* 2(3). pp. 57-63.
- King Prajadhipok's Institute. (2014). *The National Action Planning for Women's Leadership and Participation in Politics and Decision Making*. Supported by UN Women. Bangkok: King Prajadhipok's Institute.

- King Prajadhipok's Institute. (2016). Gender Differences in Support for Democracy and Political Participation in Thailand. Paper presented in the Conference on "Asia Democracy Research Network (ADRN) Third Workshop", August 15-16, 2016, at Ulaanbaatar, Mongolia.
- Maytinee Bhongvech. (2009). *Gender Equality Promotion in Civil Service Sector: Analysis of the Process of Public Policy*. The Doctoral Dissertation, Doctor's Degree, Political Science, the National Institute of Development Administration (NIDA).
- Maytinee Bhongvech. (2010). On the Path to Gender Mainstreaming Creation. Edison Press. Sustainable Development Foundation. Retrieved from <http://www.sdfthai.org/about.html>.
- Maytinee Bhongvech. (2011). 2011 Annual Report. Association for the Promotion of the Status of Women under the Royal Patronage of HRH Princess Soamsawali. Edison Press.
- Mehra, R. and Gupta, G. R. (2008). Gender Mainstreaming: Making it Happen. in *Equality for Women: Where do we Stand on Millennium Development Goal 3?*, Mayra B., Andrew R. M., Waafas Oforu-A., and Mirja S. (Eds.). Washington DC: World Bank.
- Mikkola, Anne, and Carrie A. Miles. (2007). Development and Gender Equality: Consequences, Causes, Challenges and Cures. Helsinki: Helsinki Center of Economic Research.
- Ministry of Interior. (2017). The amount of population in Thailand year 2017. Ministry of Interior. Department of Provincial Administration. Retrieved from https://dopa.go.th/main/web_index.
- Ministry of Social Development and Human Security of Thailand. (2015). Status of Thai women. Office of Women's Affairs and Family Development. Retrieved from https://www.m-society.go.th/article_attach/14891/18399.pdf.
- Ministry of Social Development and Human Security of Thailand. (2017). Status of Thai women. in Introduction Gender Equality Act B.E.2558 Workshop 5th, 19 – 21 June 2017, Royong.
- Miranda, Rosa Linda T. (2005). Impact of women's participation and leadership on outcomes. Expert Group Meeting on Equal participation of women and men in decision-making processes, with particular emphasis on political participation and leadership, United Nations (DESA, DAW, ECA, IPU), October 24-27, 2005.
- Moser, Caroline, and Annalisa Moser. (2005) Gender Mainstreaming since Beijing: A Review of Success and Limitations in International Institutions. *Journal Gender and Development* 13:2 (2005): pp. 11-22.
- National Statistical Office. (2014). Statistical data on Thai population. Retrieved from <http://www.nso.go.th/>. Referenced on May 22, 2014.
- National Statistic Office. (2017). Summary of the labor force survey in Thailand: May 2017. Bangkok: National Statistic Office.
- Office of the Civil Service Commission. (2015). 2015 Report of Manpower in Public Sector: Ordinary Civil Servant. Information Technology and Communication Center.
- Office of the National Economics and Social Development Board. (2011). Information on poverty and income distribution. Retrieved from http://social.nesdb.go.th/SocialStat/StatSubDefault_Final.aspx?catid=13. Accessed on May 22, 2014.
- Office of the National Economic and Social Development Board. (2013). Population Projects for Thailand 2010-2040. Bangkok: Office of the National Economic and Social Development Board.
- Office of the Secretariat of the Senate. (2011). *Julniti periodical*, 8th year, 6th issue, November-December 2011. Printing Bureau.
- Office of the Women's Affairs and Family Development. (n.d.) Gender equality Promotion in Civil agencies. Retrieved from http://www.dcy.go.th/woman_man/data/278.pdf.
- Pavadee Tong-uthai. (2008). The 52nd Meeting Minutes Report of the Commission on the Status of Women. Office of Women's Affairs and Family Development.

- Prayut Chan-o-cha. (2016). The Sustainable Development Goals: A Universal Push to Transform Our World. Speech made at the United Nations Headquarters, New York, United States of America. September 21, 2016. Retrieved from <http://www.reformvoice.com/en/2016/09/>.
- Pruek Pomjun. (2008). Gender mainstreaming in the Department of Labour Protection and Welfare. Retrieved from http://digi.library.tu.ac.th/thesis/ig/0038/10CHAPTER_2.pdf.
- Roy, Kartik, Hans Blomqvist, and Cal Clark, eds., (2008). Institutions and Gender Empowerment in the Global Economy. Singapore: World Scientific Publishing.
- Suteera Vichitranonda and Maytinee Bhongvech. (2003). Gender Mainstreaming in Politics and Administration, Gender and Development Research Institute. Edison Press Products Co., Ltd.
- The Prime Minister's Office. (2013). Thai Women Empowerment Funds. Retrieved from <http://202.47.224.92/womenfund/unifem.php>.
- UNFPA and UNIFEM. (2006). Gender Responsive Budgeting and Women's Reproductive Rights: A Resource Pack. New York: New United Nations Development Fund for Women.
- United Nations. (2002). Gender Mainstreaming: An Overview. New York: Office of the Special Advisor on Gender Issues and Advancement of Women. Retrieved from <http://www.un.org/womenwatch/osagi/pdf/e65237.pdf>.
- United Nations. (2015). Sustainable development goals. Available at <http://www.un.org/sustainabledevelopment/sustainable-development-goals/>.
- United Nations Evaluation Group. (2011). Integrating Human Rights and Gender Equality in valuation -- Towards UNEG Guidance. United Nations Evaluation Group. Retrieved from www.uneval.org/document/download/1294.
- World Economic Forum. (2016). The Global Gender Gap report 2016. Retrieved from <http://reports.weforum.org/global-gender-gap-report-2016/economies/#economy=THA>.
- Young, K. (1988). The Social Relations of Gender. In Gender in Caribbean Development, edited by Mohammed P. and Shepherd C. Mona, Jamaica: Women and Development Studies Group.

Interviews

- Patcharee Arayakul, Interviewed by Ratchawadee Sangmahamad, Office of Women's Affairs and Family Development, June 22, 2017.
- Ruengrawee Pichaikul, Interviewed by Ratchawadee Sangmahamad, Gender and Development Research Institute, June 17, 2017.

Gender Equality in Taiwan

Eric Yu¹

Taiwan Foundation for Democracy

Prologue

It was the tragedies that befell two women that triggered gender equality reform in Taiwan.

Deng Ru-Wen

When Deng was very young, her mother, who was a single parent, met Lin Ah-chi, a man in the neighborhood. He repeatedly abused her mother both physically and sexually. In 1986, when Deng was 15, Lin raped and impregnated her, subsequently forcing her into marriage. Mistreated by Lin, Deng tried many times to run away only to succumb out of fear of Lin's threats to hurt her parents and the baby. In October 1993, Deng finally fought back and killed Lin, who had attempted to rape Deng's younger sister. Deng was convicted after she turned herself in. She served 18 months in prison before being released on parole.

Peng Wan-Ru (1949-1996)

A trailblazer in Taiwan's feminist movement, Peng helped push through many policies safeguarding women's rights when she served as Director of Women's Affairs of the Democratic Progressive Party (DDP). On November 30, 1996, Peng went to Kaohsiung in southern Taiwan to campaign for a proposal to reserve 25 percent seats for women in the DPP assembly. The night before the vote she went missing in a taxi hailed on the street. Three days later, her body was found with dozens of knife wounds and signs of rape and facial mutilation. This horrendous murder shocked the otherwise peaceful Taiwan to the core. It remains unsolved.

¹ Director, Taiwan Foundation for Democracy (TFD)

The brutal violence against these two women set the legislative wheels in motion to enact the Sexual Assault Crime Prevention Act (1997) and the Domestic Violence Prevention Act (1998) in quick succession. The legal framework and policies safeguarding gender safety in Taiwan today can be attributed to the suffering of these two women as well as the concurrent democratization and human rights movement.

Table 2. Milestones on Taiwan's Path to Gender Equality

Year	Milestone
1987	Martial law lifted in Taiwan; torrents of social power released to advocate for long-mistreated groups, including those languishing in an outdated patriarchal society.
1997	Law: The Sexual Assault Crime Prevention Act Body: Cross-ministry task-force Foundation for Women's Rights Promotion and Development (FWRPD)
1998	Law: The Domestic Violence Prevention Act
2002	Law: Act of Gender Equality in Employment
2004	Law: Gender Equality Education Act
2005	Law: Sexual Harassment Prevention Act
2007	Policy: Taiwan's voluntary signing of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)
2009	Report: the first CEDAW country report
2011	Policy: Gender Equality Policy Guidelines
2012	Law: Enforcement Act of CEDAW Body: FWRPD elevated to the permanent cabinet-level Gender Equality Committee (GEC)
2013	Report: The second CEDAW country report
2014	Policy: The second CEDAW country report reviewed by an international panel Policy: White Paper on Women's policy
2016	Event: Taiwan LGBT Pride parade
2017	Report: Drafting of the third CEDAW country report Law: Constitutional Interpretation No. 748 paves the way for same-sex marriage in Taiwan

1. Introduction

Taiwan's gender equality movement has come a long way and passed numerous milestones. For decades, participatory democracy has been the primary thrust behind Taiwan's evolution toward gender equality. From early on, women's civic groups have been actively engaged in preparing shadow reports for Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW)² reviews. These efforts culminated in the elevation of the Foundation of Women's Rights Promotion and Development to the cabinet level in 2012 and the publication of a White Paper on Women's Affairs in 2014; both have seen inputs from the public and private sectors as well as civil society and academia. Relevant policies and measures have taken shape after frequent enthusiastic discussions and consultation across many boundaries. Taiwan's decades-long gender equality movement may be viewed as an exemplary case of participatory democracy bearing long-term, sustainable fruit.

Despite these scintillating achievements, Taiwan's path to full-fledged gender equality has been marred by some setbacks along the way. In the Human Development Report of the United Nations Development Program (UNDP),³ there is no entry to recognize Taiwan's successes, and the island of Taiwan (with a population of 23 million) is invisible on the world map accompanying the report.⁴ In fact, Taiwan deserves to be proud of its performance when compared with most countries in the world. Its 38 percent female representation in the parliament is higher than the global average of 22.4 percent.⁵ Taiwan has delivered a fair report card in most indicators commonly cited to gauge a country's level of gender equality,⁶ such as life expectancy at birth, expected years of schooling, per capita gross national income (GNI), and Human Development Index (HDI) value.

On January 1st 2016, the [United Nations launched the 17 Sustainable Development Goals \(SDGs\)](#) of the [2030 Agenda for Sustainable Development](#) to end all forms of poverty, fight inequalities and tackle climate change, while ensuring that no one is left behind. The fifth goal (SDG 5) aims to achieve gender equality and empower all women and girls. As of 2014, out of the 195 countries around the world, 143 guaranteed equality between men and women in their constitutions. Taiwan, though not on the UN SDG 5 report radar, has plenty to offer in terms of experience in gender equality advocacy. After voluntarily signing the CEDAW convention in 2007, Taiwan has twice compiled CEDAW country reports in 2009 and 2013, and subjected the reports to scrutiny by an international panel. This exercise to align efforts in gender mainstreaming has gained momentum in recent years. As many as 30 NGOs also contributed their parallel reports to the second round. Taiwan's third CEDAW report is currently being prepared for 2017.

² www.un.org/womenwatch/daw/cedaw was adopted in 1979 by the UN Assembly.

³ UNDP, HDI ranking, and World Economic Forum's Global Gender Gap Report etc.

⁴ <http://hdr.undp.org/en/countries>.

⁵ State of Democracy in Asia Report, Feb. 2017, p.8.

⁶ State of Democracy in Asia Report, Feb. 2017, p.25.

Table 3. Gender Equality Indicators of Some Asian Countries

	Life expectancy at birth		Expected years of schooling		Per capita GNI		HDI value ⁷		Women in congress (percent)
	F	M	F	M	F	M	F	M	
Indonesia	71.0	66.9	13.1	12.9	6485	13052	0.655	0.706	17.1
Philippines	71.8	64.9	11.5	11.1	5382	10439	0.649	0.644	27.1
China	77.3	74.3	13.2	12.9	10128	14795	0.705	0.747	23.6
Japan	86.9	80.4	15.2	15.5	25381	49822	0.887	0.914	11.6
Korea	85.2	78.8	15.8	17.3	21311	47930	0.863	0.929	16.3
Taiwan	83.5	77.0	16.7	16.4	23284		N/A	N/A	38.0

This paper attempts to gauge how Taiwan is doing against the nine SDG 5 benchmarks/criteria (5.1-5.6 and 5.a-5.c) based on document reviews and conclusions reached at the National Workshop on Gender Equality in Taiwan that was held on June 30th 2017. The work begins by scouring key documents such as the two existing CEDAW country/parallel reports, conclusions and recommendations by the review committee on the second CEDAW report, the draft of the third CEDAW report, and academic papers. Gender equality as a research field is garnering plenty of attention from NGOs and scholars. The mid-2017 workshop served to supplement timely observations on the present state of affairs. Efforts are made to adopt a balanced view between official assessments by the government and appraisals offered by civil society.

1.1) Participatory Gender Strategies

In Taiwan's pursuit of gender equality, participatory gender strategies have been instrumental in mending outdated paternalistic gender culture and facilitating gender mainstreaming at various levels of government and organizations. These strategies came from the "participatory gender audit" scheme promoted by the International Labor Organization (ILO) to enhance a group's collective capacity to examine the activities of an individual, a work place or an organization from a gender perspective to identify strengths and weaknesses in promoting gender equality.

Fan and Wu (2016) indicate that as early as the 1980s, towards the end of Taiwan's martial law era, groups of female activists organized a number of influential NGO outfits such as the Awakening Foundation, the Garden of Hope Foundation, Taipei Women's Rescue Foundation, the Warm Life Society, and the Housemakers United Foundation to inject leadership and energy

⁷ From <http://hdr.undp.org/en/indicators/137006>. Human Development Index (HDI). A composite index measuring average achievement in three basic dimensions of human development: long and healthy life, knowledge and a decent standard of living. See Technical note 1 at http://hdr.undp.org/sites/default/files/hdr2016_technical_notes.pdf for details on how the HDI is calculated. Source: HDRO calculations based on data from UNDESA (2015a), UNESCO Institute for Statistics (2016), Barro and Lee (2016), World Bank (2016a), ILO (2016a) and IMF (2016).

into Taiwan's gender equality movement. Their tireless lobbying during those formative years in the 1980s and 1990s culminated in the legislation of crucial gender equality laws followed by campaigns to push gender mainstreaming across the board in public administration and scheduled CEDAW reviews.

Wu (2016) pointed out that Taiwan's gender equality movement has been instrumental in Taiwan's path to a young but full-fledged democracy. It has been a driving force as well as an achievement. Now the torch has been passed onto younger generations with more sophisticated gender-conscious agendas integrated into causes for political reform, the environment, and indigenous peoples. It continues to ride the wave of egalitarianism and globalization to gather grassroots support from the bottom up. With such participatory gender strategies, Taiwan has been able to maximize civil society involvement in advocacy campaigns and policy development. Namely, widespread citizen engagement has exerted enough pressure on the government to change its attitude – from passively reacting to criticism to proactively leading the crusade and adopting international review tools.

2. Taiwan's Gender Equality against the SDG 5 Indicators

The following section reviews Taiwan's participatory strategies against the SDG 5 criteria with the caveat that the SDGs were designed for least developed countries, while Taiwan is widely considered a developed democracy. Hence, some indicators are not suitable for Taiwan, such as SDG 5.3 (female genital mutilation and child marriage). Indicators more relevant to Taiwan are SDG 5.2 (prevention of sexual violence against females), SDG 5.5 (women's participation in politics and public service), and SDG 5.a (women's right to economic and social resources).

2.1) Elimination of Sexual Discrimination

SDG 5.1: End all forms of discrimination against all women and girls everywhere

SDG 5.1.1: Whether or not legal frameworks are in place to promote, enforce and monitor equality and non-discrimination on the basis of sex.

Along with its democratic advancement and awakening to gender issues, Taiwan has amended one statute after another that used to discriminate against women. Progressive legislation was enacted: the Act of Gender Quality in Employment (2002) and the Gender Equality Education Act (2004). This was followed by the official endorsement of CEDAW, one of the first international covenants ratified in Taiwan. A piece of domestic law, the Enforcement Act of the Convention on the Elimination of All Forms of Discrimination against Women, was enacted in

2011, and became effective in 2012.⁸ Such a law dedicated to the enforcement of an international accord could be considered a historic legislative landmark in the battle to eradicate sex-based discrimination.

Yet, law means nothing without implementation. The Gender Mainstreaming Project Team was set up in 2012, with 25 members who examine policies and laws to facilitate the fulfillment of CEDAW objectives. Meanwhile, the government, civil society and academia have all devised action plans to identify obstacles impeding gender equality, and set up a notification scheme among social services, police practices, medical care, and the judicial system. Such efforts have been documented in the report “Commitment and Action: Pursue CEDAW to End Sexual Violence” published by the Taiwan Foundation for Democracy in 2013.

There are also critiques from academia. According to National Taiwan University law professor Chang Wen-Chen, she mentioned CEDAW articles spell out a government’s obligations. The articles are intertwined and mutually supportive in applicability. Despite perceivable efforts on the side of the executive and legislative branches of the government, Taiwan’s judiciary seems slow in applying and interpreting CEDAW-related statutes. In the review paper on Taiwan’s second CEDAW country report, Item 17 in the Conclusion and Recommendations states “Although there have been many training programs on CEDAW and gender equality for judges, the Review Committee is gravely concerned that in a case involving a six-year old, the judges wrongfully deliberated the issue of consent when this did not apply in a statutory rape case.⁹ The Review Committee strongly recommends that the government undertake a study on the prevalence of this kind of wrongful application of the law by prosecutors and judges. It also urges the government to impose disciplinary sanctions on erring prosecutors and judges.”

Generally speaking, Taiwan has built up sufficient legal frameworks and practices to bolster gender equality: enactment of relevant laws, signing and ratifying CEDAW, and regular reviews of CEDAW country/parallel reports (with preparation for the third round of reviews complete). The gender equality movement in Taiwan has conquered much more ground than other campaigns for social justice for less-privileged groups like children, people with disabilities, and indigenous tribes. Yet, as some scholars have pointed out, there are genuine public concerns about the judiciary’s disinterest in deliberating over gender equality laws.

⁸ The legal status and binding power of international treaties are explained in Taiwan’s Grand Justice Interpretation No 329: “According to the Constitution, an international convention that has been approved by the cabinet meeting, ratified by the legislature, and the instruments of ratification of which have been signed by the President, shall have the status of law” namely “the convention shall be legally binding as a piece of domestic law. In Taiwan, the executive and legislative branches had fulfilled all procedures to ratify CEDAW in 2007, but the attempt to register it with the United Nations failed. This was namely because Taiwan has not been recognized as a signatory country. To avoid disputes in its implementation in Taiwan, the Enforcement Act of Convention on the Elimination of All Forms of Discrimination against Women was passed in 2011 to formally incorporate CEDAW into domestic laws.

⁹ <http://www.appledaily.com.tw/realtimenews/article/new/20170329/1086232/>.

Starting in 2014, gender mainstreaming has been the leading policy for advancing gender equality. This initiative came from Item 9 of the 2014 Review of Taiwan's Second CEDAW Report. The review report recommended that "the government assess the extent and effectiveness of its efforts to mainstream gender equality into all ministries and local governments." The Review Committee also recommended that the cabinet-level Gender Equality Committee (GEC) be provided with sufficient human and financial resources to carry out the necessary work to realize legal and substantive gender equality". In other words, the cabinet should lead the government's executive branch with policy tools to incorporate the idea of gender mainstreaming into its official duties. In fact, in 2012 the GEC began to set up a gender statistics databank to compile SDG 5-related data and its indicators.¹⁰

In Taiwan's third CEDAW country report (draft copy as of June 2017), there are numerous passages detailing the improvement of gender issues in the areas of law and policy, human trafficking and exploitation, political participation, diplomacy work, new immigrants, education, working conditions and employment, the right to health, judicial implementation, and the registration/recognition of transgender identity.

2.2) Eliminate Sexual-based Violence

SDG 5.2 Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation

SDG 5.2.1 Proportion of ever-partnered women and girls aged 15 years and older subjected to physical, sexual or psychological violence by a current or former intimate partner in the previous 12 months, by form of violence and by age

SDG 5.2.2 Proportion of women and girls aged 15 years and older subjected to sexual violence by persons other than an intimate partner in the previous 12 months, by age and place of occurrence

Unfortunately, sex-based discrimination still exists, in particular unfriendly pressures against pregnant women in the workplace and breaches of the equal-pay-for-equal-work principle. The Ministry of Labor disclosed¹¹ in 2016 that the pay gap between the two genders was 14.5 percent, which translates into 54 more workdays for a woman to earn the same annual salary as her male counterpart. A 2015 survey by the Awakening Foundation showed that 50 percent of respondents said they themselves, coworkers, or acquaintances had been given the cold shoulder at work for pregnancy. The Ministry of Finance's 2015 report showed as many as 56.2 percent of women renounced their inheritances, a sign that many women are still excluded or marginalized from

¹⁰ from the GEC database <http://www.gender ey.gov.tw/gecdb/>.

¹¹ <http://www.mol.gov.tw/announcement/2099/24956/>.

their inheritance rights.¹² Despite explicit wording regarding “gender equality” in statutes and institutional frameworks, there is a long way to go to entirely root out socially and culturally entrenched sexual discrimination against women.

In 2015, Taiwan’s Ministry of Health and Welfare conducted the first survey of violence in intimate relationships experienced by Taiwanese women ages 18-74, following the methodologies of the UN, the EU and WHO in similar surveys. The results showed that one in every four Taiwanese women had suffered violence from an intimate partner,¹³ a number that seems to echo the UN’s survey finding that one in every three women has experienced physical or sexual abuse.¹⁴ In fact, the type of violence in Taiwan is starkly different: 21 percent reported experiencing emotional abuse, 9.8 percent physical abuse, 9.6 percent financial abuse, 7.2 percent sexual abuse, and 5.2 percent stalking and harassment.

The definition and nature of gender-based violence varies from one country to another. In Taiwan, the Database for Gender Equality (DGE) is structured to correspond to articles in the three pieces of legislation that target gender-based offenses: the Sexual Assault Crime Prevention Act, the Domestic Violence Prevention Act, and the Sexual Harassment Prevention Act.

The most common form of sexual violence is inflicted in a domestic setting behind closed doors. Taiwan’s social norms in the past frowned upon “bringing laws into the household.” Taiwanese people used to turn a blind eye to “domestic violence” and believed that even the long arm of the law had no business interfering in such “domestic affairs.” As a result, many victims of domestic violence were left languishing in the house in a state of constant anxiety and fear.

The Sexual Assault Crime Prevention Act came to their rescue. The law was enacted in 1997 shortly after the Peng Wan-Ru incident, when society’s outrage and demand for bodily safety rose to a fever pitch. Yet the legislative momentum did not stop with this trend-setting law for the protection of [mostly] women. In the following year, the legislature passed the Domestic Violence Prevention Act, making Taiwan the first country in Asia to have a comprehensive legal safety net with special laws on top of existing civil codes with some necessary amendments. Such progressive legislation reflected the protect-our-women sentiment that arose after Deng Ru-Wen and Peng Wan-Ru met their tragic fates and triggered a torrent of support for the gender equality advocacy campaign.

The Sexual Harassment Prevention Act was enacted in 2005 to complement the Act of Gender Quality in Employment (2002) and Gender Equality Education Act (2004). Its purpose was to broaden protection against sexual advances anywhere, particularly in the workplace, by adding formal legal tools. Wu Su-Hsia, a member of the Interior Ministry’s Domestic Violence and Sexual Assault Prevention Committee, indicated in a 2001 paper that despite the issues- a “laws first policy later” approach, meager measures, and inertia in social attitudes- hindering sexual violence prevention, a safety network had been set up to assist women in need in a timely manner through the “113 Hotline” thanks to legislation and some forward-looking policies.

¹² <https://udn.com/news/story/7243/2392677>.

¹³ <http://www.mohw.gov.tw/cp-2625-19294-1.html>.

¹⁴ <http://www.unwomen.org/en/what-we-do/ending-violence-against-women/facts-and-figures>.

Table 4. Numbers of Cases of Rape, Domestic violence and Sexual Harassment, 2015

Number of cases	Complaints/ Notices to authorities	Accepted for investigation	Prosecutions (deferred or otherwise)	Percentage (%)
Sexual assault	16,630	-	-	-
Domestic violence	116,742	8,304	4,240	3.63% charged
Sexual harassment	629 to the GEC; 716 to the court (many victims chose to press charge directly)	500	290	80% GEC-origin 40% court charges

Source: Judicial Affairs Databank, Ministry of Justice <http://www.rjsd.moj.gov.tw/rjsdweb/>

In addition to the legal framework, Taiwan has a comprehensive network for reporting incidents and filing complaints. Staff members at hospitals, schools and social service agencies are mandatory reporters. Public transportation vehicles and bathrooms are also equipped with emergency buttons to deter unwanted sexual advances.

There has been criticism regarding Taiwan's judiciary dragging its feet in cracking down on sexual violence. One CEDAW parallel report by NGOs in 2014 alleged that the criminal justice system was essentially a major loophole in preventing sexual offenses because it was hostile to victims and lenient to perpetrators. The low prosecution rate of 3.63 percent in Table 3 supports that accusation. In addition, sentences meted out for sexual crimes have been light: typically, less than six months for domestic violence with most commutable to monetary fines. The same goes for sexual harassment. For an offense of coercive sexual intercourse not causing death in the Criminal Code, most sentences have ranged from three to five years. Moreover, the judges may exercise free reasoning in determining what constitutes "consensual sex." The court often hands down controversial rulings in favor of the perpetrator under the pretense of "upholding the defendant's human rights." Again, in the name of human rights, the life of prison inmates is too comfortable to have much of a punitive effect and deter repeated offenses. Overall, the judicial system is the major obstacle to Taiwan's campaign against sexual violence.

2.3) Child Marriage and Female Genital Mutilation

SDG 5.3 Eliminate all harmful practices, such as child, early and forced marriage and female genital mutilation

SDG 5.3.1 Proportion of women aged 20-24 years who were married or in a union before age 15 and before age 18

SDG 5.3.2 Proportion of girls and women aged 15-49 years who have undergone female genital mutilation /cutting by age

The United Nations Millennium Development Goals were devised to help less developed countries cope with the challenges of the millennium. These goals evolved into the SDGs. Taiwan being a developed country, the proportion of women described above who are subject to child, under-aged or forced marriage, or genital mutilation, is extremely low.

Yet, the definition of early (under-aged) marriage is debatable. Article 980 of Taiwan's Civil Codes stipulates that "boys under age 18 or girls under age 16 must not get married". Namely, girls are eligible to marry at age 16. Yet, SDG 5.3.1 considers marriage before age 18 to be child/under-aged marriage.¹⁵ By that definition, official data from 2016 shows that there were 510 women under 18 who got married that year, accounting for 0.3 percent of the 148,349 total women who tied the knot during that period. Legislator Lin Jing-Yi has repeatedly raised this issue with the Ministry of Justice, calling for revision of the law to no avail.

It is essential that Taiwan amend the legal definition of under-aged marriage to comply with international norms. It is reasonably assumed that there exists almost no child marriage or genital mutilation in Taiwan, but other types of harmful practices, such as hate speech against women or LGBT persons still abound, and even go viral on the Internet in Taiwan.

2.4) Domestic Labor

SDG 5.4 Recognize and value unpaid care and domestic work through the provision of public services, infrastructure and social protection policies and the promotion of shared responsibility within the household and the family as nationally appropriate

SDG 5.4.1 Proportion of time spent on unpaid domestic and care work, by sex, age and location

There are very few official surveys or data on domestic and care work sorted by gender. The Awakening Foundation, an NGO dedicated to gender equality advocacy, calls for the sophisticated design of such surveys that incorporates separate entries for household chores versus caregiving. The lack of official data about unpaid domestic work (such as caring for the elderly or children, tasks disproportionately borne by women) causes habitual under-appreciation, if not outright ignorance, of women's contributions in social policy design. The Awakening Foundation also calls for a publicly funded care-giving system and a reform of the annuity scheme to ensure financial security for elderly women.

According to a 2014 survey on women's marital status, education and employment, a married Taiwanese woman aged 15 to 64 spends an average of 4.22 hours every day on household chores, including meal preparation, child care and care for other family members and the elderly. Most families cannot afford commercial childcare or elderly care services. As a result, the woman of the house becomes the sole caregiver for the young, the old, the chronically ill, or the disabled. One

¹⁵ From the database of Department of Household Registration of the Ministry of Interior
<http://www.ris.gov.tw/346>.

cannot help but worry about quality of life both for the overburdened woman and her charges. It is essential to examine Taiwan's policies on child welfare, elderly and long-term care from a gender perspective to offer women relief from household chores. Only then can women's talents be used outside the family, for the public segment, even in decision-making positions that may lead to more participation in public affairs.

2.5) Political Rights and Public Life

SDG 5.5 Ensure women's full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life.

SDG 5.5.1 Proportion of seats held by women in national parliaments and local governments

SDG 5.5.2 Proportion of women in managerial positions

The official White Paper on Women's Policies highlights the need for women to take the lead – but with cross-gender cooperation – in policy-setting and budget planning on matters that concern women most. This injects new ideas into traditional national agenda discourses: namely the idea of mixed public-private cooperation to achieve a gender-equal government (GEC, 2014).

Taiwan's laws clearly stipulate the number of seats reserved for women in various levels of legislative bodies. Article 134 of the Constitution says, "In the various kinds of elections, the least proportion of women's elected seats shall be pre-specified, and measures pertaining thereto shall be prescribed by law." Furthermore, Article 4 of the Additional Articles to the Constitution says, "Beginning with the Seventh Legislative Yuan, the Legislative Yuan shall have 113 members.....A total of 34 members shall be elected from the nationwide constituency and among citizens residing abroad.....Members for such seats shall be elected from the lists of political parties in proportion to the number of votes won by each party that obtains at least 5 percent of the total vote, and the number of elected female members on each party's list shall not be less than one-half of the total number."

Outside the constitution, Article 67 of the Civil Servants Election and Recall Act stipulates that "the number of women's seats for each political party shall not be less than one half of the sum of legislators-at-large and overseas legislators for that party." Article 33 of the Local Government Act states that "there shall be one female seat for each electoral district [at various levels] where four representatives or less are to be elected, and one more female seat for every four seats targeted beyond that." The same principle applies to indigenous tribe representatives elected at the municipality level or township level.

Other than national laws, major political parties in Taiwan have adopted this "one-quarter standard" in the Constitution in their intra-party nomination rules for female legislators-at-large. For example, the Democratic Progressive Party (DPP) identifies one woman for every four legislators-at-large nominated, while the Nationalist Party (Kuomintang: KMT) reserves one quarter of the seats for women.

In terms of political commitment, presidents-elect in recent years have made promises about female participation in government. When elected in 2000, Chen Sui-bian pledged to have at least one quarter of the representation in the cabinet consist of women, and at the top governing committees of the five branches of the government (executive, legislative, judicial, examination and control [financial and ethics]). When taking office in 2008, Ma Yin-jeou vowed to gradually increase the ratio of female political appointees at the central government level to one quarter by 2012 and at least one third by 2016 (Yang Wan-Ying, 2015). In 2016, Taiwan elected its very first woman president by popular vote.

In the Conclusions and Recommendations at the end of the 2014 CEDAW review meeting, it says, “While commending the ‘one-third principle’ on women’s representation and recognizing the increased representation of women at the Central Level, the Review Committee is concerned that the proportion of the women in the Judicial Yuan, in particular in the Constitutional Court and serving as Grand Justice, is comparatively low...the committee recommends...the creation of a database of qualified female candidates.”

In this same 2015 paper, Yang Wan-Ying analyzed number of women running for and/or elected to public office (council members, mayors, or neighborhood wardens) in the 31 small-to-medium sized municipalities in Taiwan. She found that the more “grassroots (rural)” a place is, the less female representation it gets. Table 4 shows that women accounted for just 14.47 percent of candidates and 17.17 percent of elected officials. At the neighborhood level in these rural districts, the ratios of female candidates and officers-elect are 14 percent and 15 percent respectively. Yet, the corresponding numbers of their Taipei counterparts are 23.61 percent and 22.86 percent respectively. This urban-rural gap seems to point to the different levels of gender enlightenment associated with a woman’s socioeconomic status. The higher the “awakening level” she achieves, the more willing and capable she is to run for public office. Rural women’s participation rate in grassroots public affairs is even lower. Only 4 percent of the board members are women in farmer’s (302), fishermen’s (39) and irrigation associations (18) around Taiwan.

Table 5. Gender Ratio of Candidates and Elected Officials in Small-to-Medium Municipalities (population < 250,000 each)

	Total number	Male	Female	Female ratio
Candidates	470	402	68	14.47%
Elected	198	164	34	17.17%

Unfortunately, there is scarce information available for meaningful analysis of women’s participation in public life. Gender-related surveys conducted by the government or research bodies should include additional analysis of female involvement in public life.

Generally speaking, Taiwanese women have a relatively high sense of political obligation that is not reflected in their sense of their political efficacy. In the 2016 presidential election, 51 percent of ballots cast came from women, who accounted for 75 percent of the total number of eligible women voters. Both numbers were slightly higher than their male counterparts. In the

election for legislators, female to male ratios were 1 to 4 for the number of candidates, 29 percent to 71 percent for votes garnered, and 32 percent to 68 percent for number of seats won.

Table 6 shows the composition of workers (employees and volunteers) in the 45,023 registered civic groups (NGOs) in Taiwan by gender and by nature of the job. The majority of full-time employees and volunteers are female. Women occupied just 29.42 percent of executive positions (elected officers and chairpersons of the board). Only 23.83 percent of the civic groups have female chairpersons.

Table 6. Gender Analysis of Workers in Taiwan's 45,203 Civil Groups by Position

	Total	Male	Female	Female ratio
Pro bono Board members	750,658	529,850	220,808	29.42%
Chairpersons	45,023	34,295	10,728	23.83%
Full-time employees	75,911	31,163	44,748	58.95%
Volunteers	533,814	202,139	331,675	62.13%

Taiwan's 2017 CEDAW country report also points out the hard battle female candidates have to fight to get elected, particularly at the grassroots level. The report also proposes a target participation rate of one-third for women in political and public work. Taiwan should aspire to instill gender sensitivity through ongoing campaigns and education to turn around the paternalistic attitude entrenched in the culture. It is also essential to build a female-friendly atmosphere for women to obtain the resources necessary to engage in public life.

2.6) Health and Reproductive Rights

SDG 5.6 Ensure Universal access to sexual and reproductive health and reproductive rights as agreed in accordance with the Program of Action of the International Conference on Population and Development and the Beijing Platform for Action and the outcome documents of their review conferences.

SDG 5.6.1 Proportion of women aged 15-49 years who make their own informed decisions regarding sexual relations, contraceptive use and reproductive health care

SDG 5.6.2 Number of countries with laws and regulations that guarantee women aged 15-49 years access to sexual and reproductive health care, information and education

Table 7 shows that, along with socioeconomic development, Taiwan has seen a declining birth rate and increasing age of mothers at first birth.

Table 7. Birth Rates and Mother's Age at First Birth

Year	Children per couple	Under-aged mothers	Mother's age at first birth
1951	7.040	1.0%	
1961	5.585	0.8%	
1971	3.705	1.0%	
1981	2.455	1.3%	
1991	1.720	1.0%	25.5
2001	1.400	0.9%	26.7
2011	1.065	0.4%	29.9
2016	1.170	0.3%	30.7

Source: Demography database, the Department of Household Registration, Ministry of Interior

(<http://www.ris.gov.tw/346>)

Prenatal check-ups, pap smears for women over 30, and mammograms for those over 40 are provided to Taiwanese women free of charge as part of Taiwan's comprehensive health care program. This is a tremendous boost for women's health rights. Yet, other medical generosity has raised some concerns, for example, the high rates of cesarean delivery and hysterectomies phenomenon in Taiwan. Fort Fu-te Liao looked at this overmedication rip-off mentality in a 2015 study, saying it could be the cause of Taiwan's high rates of cesarean delivery and hysterectomies. Moreover, in an oral report at a CEDAW review on health regulations, Liao pointed out that requiring a "husband's consent before abortion" seems to contravene the spirit of gender equality.

In 2014, the Birth Reform Alliance was founded by a group of Taiwanese parents and parents-to-be to advocate for alternative child delivery and infant care options. The "default" child-birth medical institutions offer little room for negotiation for fear of jeopardizing performance scores under the national health insurance scheme. The alliance is concerned that overmedication may put women's physical autonomy at risk.

2.7) Rights to Economic Life, Employment Equality and Digital Equality

SDG 5.a Undertake reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resources, in accordance with national laws.

SDG 5.a.1 (a) Proportion of total agricultural population with ownership or secure rights over agricultural land, by sex; and (b) share of women among owners or rights-bearers of agricultural land, by type of tenure.

SDG 5.a.2 Proportion of countries where the legal framework guarantees women's equal rights to land ownership and/or control.

SDG 5.b Enhance the use of enabling technology, in particular information and communications technology, to promote the empowerment of women.

SDG 5.b.1 Proportion of individuals who own a mobile telephone, by sex.

SDG 5.c Adopt and strengthen sound policies and enforceable legislation for the promotion of gender equality and the empowerment of all women and girls at all levels.

SDG 5.c.1 Proportion of countries with systems to track and make public allocations for gender equality and women's empowerment.

These three indicators, SDG 5.a -5.c, examine whether women are given equal opportunity to obtain economic resources. Analysis of land ownership is more relevant to developing and least developing countries, where agriculture is the primary economic activity. In those countries, gender-based discrimination requires women to engage in farming work, but rarely grants them economic rights to the land. In contrast, Taiwan has evolved into a commercial/industrial economy where discrimination against women manifests in lower pay for equal work and lower positions than men.

In developed countries, the pay gap and position gap result in women having less access to economic resources. Table 7 shows a steady rise in the employment rate of women over the past two decades. Yet, for the same hours of work, women's average wages are equal to just 70-80 percent of what their male counterparts make. As early as 2002, Taiwan passed the Act of Gender Equality in Employment to ensure equality in job opportunities and "equal pay for equal work" between men and women. Taiwan's third CEDAW country report draft in 2017 offers the latest numbers and status of women's participation in the job market: the participation rate is slowly increasing, and the gender-based pay gap is gradually shrinking. Such "slow and gradual" progress seems all the more ironic 15 years after the passage of the Act that has not been adhered to.

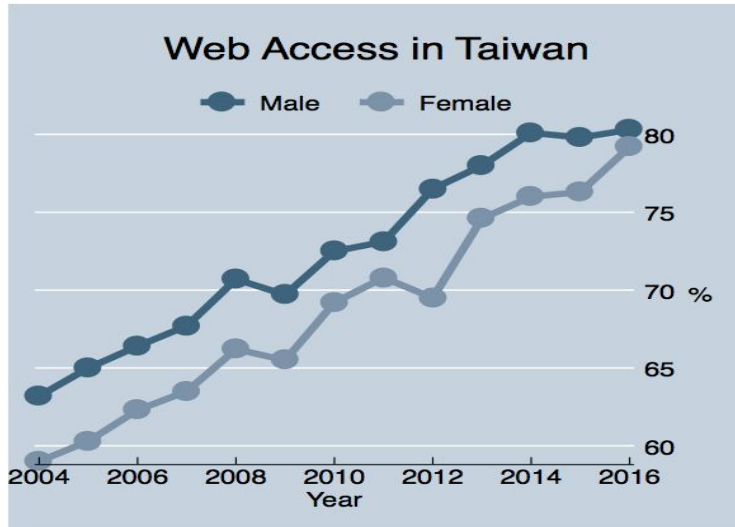
Table 8. Job and Wage by Gender

Year	Job rate (%)		Monthly wage (NT\$)		Wage of Women/ men	Work hours/ month		Ratio
	M	F	M	F		M	F	
1995	70.75	44.53	40,571	28,395	69.99%	196.6	191.1	97.20%
2000	67.08	44.90	47,253	35,007	74.08%	192.4	187.2	97.30%
2005	64.71	46.25	47,830	37,477	78.35%	183.8	179.6	97.71%
2010	62.65	47.67	48,716	39,195	80.46%	183.3	178.4	97.33%
2015	64.20	48.99	52,653	43,709	83.01%	177.6	172.5	97.13%
2016	64.24	48.99	52,824	44,168	83.61%	171.7	166.9	97.20%

Source: Gender-sensitive statistical database of the Ministry of Labor

SDG 5.b.1 looks at equal access to information and telecom technology regardless of gender. Figure 1 shows the ratio of people who have access to the Internet.

Figure 1. Percentage of People with Internet Access



Source: Gender-based database of GEC

3. Conclusion

This article attempts to evaluate Taiwan's gender equality status against the SDG 5 benchmarks in order to chart a map for future development in terms of legal framework, institutional structure, and policy. We conclude with an overall assessment and policy suggestions as follows:

3.1) Gender Equality Status

Taiwan has pursued gender equality for almost three decades. The initial momentum came from the social backlash in response to a number of horrendous sexual crimes. Three pieces of legislation against sexual violence were quickly enacted. For women's representation in politics, the one-quarter target proposed by women's groups in the early days of this initiative has been raised to one-third.¹⁶ A greater amount of statistical data is available to gauge how far Taiwan has progressed since the 1990s. There is one specific area with plenty room for improvement: the gender-rooted position gap and pay gap in the workplace. Looking back over the past 30 years,

¹⁶ Taiwan has a relatively high level of female political participation. Surveys show that the public in general approves of women in politics. For example, in the 2015 Asia Barometer Survey, as many as 94.6 percent of respondents disagreed with the statement "women should not be involved in politics as much as men" (Yun-Han Chu & Chin-En Wu, 2017).

one can surmise that the road to genuine gender equality is a never-ending uphill struggle in human developmental history.

Taiwan has come a long way in making gender equality a fact of life for many. Yet, in this SDG 5 review, a number of issues have been identified as targets for improvement, such as some regulations in urgent need of revision, the cultivation of a gender-friendly culture in various spheres including the corporate world, and the full implementation of gender equality policies. Taiwan is quite unique in terms of the enthusiastic involvement of numerous NGOs in its gender equality campaign: they have engaged in long-term dialogues with the government to sustain the momentum for gender rights. This is a manifestation of participatory democracy. Taiwan's government is also genuinely sincere in its efforts to comply with international practices of scheduled reviews on various covenants to fulfill the objectives within each agreement.

3.1.1) Taiwan's Performance against the SDG 5 Benchmarks

Though some specific data remains unavailable, Taiwan has reached a higher level of sophistication in clamping down on sexual violence than its neighboring Asian countries. Yet, some thorny issues remain unresolved: judges need to keep themselves abreast of gender equality notions to properly apply the law to make just rulings. The definition of "child marriage" awaits revision in order to make Taiwanese law consistent with international norms. The traditional concept of domestic chores is like a yoke around the neck of women keeping them from engaging in more meaningful participation in public affairs. Gender-friendly policies can relieve women of the exclusive burden of caring for young and old family members. Taiwan elected a female president from a non-political background, and a parliament with very high ratio (30 percent) of female legislators, but female workers in grassroots bodies and NGOs still face gender-based disadvantages on a daily basis. Election laws need to be revamped to entice more aspiring women into serving in the public sphere. Exclusive zones have emerged in hospitals catering to women to safeguard their rights to reproduction and health. There is a need to look into the alleged practice of doctors overmedicating to receive more generous reimbursements from the national health insurance scheme. It is time to launch customized health care that meets the particular needs of the LGBT community. The pay gap and position gap still exist, hampering women's economic rights for employment equality. This is substantiated in the corresponding SDG 5 indicators.

Table 9. Status and Prospects of SDG 5 in Taiwan

SDG 5.1	Status: Signed CEDAW in 2007
	Prospects: Need for more education to defuse social/cultural prejudices
SDG 5.2	Status: Three pieces of legislation against sexual violence
	Prospects: In urgent need of judicial reform against sexual violence
SDG 5.3	Status: In compliance, but legal definitions need revision
	Prospects: Need to revise the marriage age to meet the UN standard of 18
SDG 5.4	Status: The burden of domestic chores and caring for dependent family members still falls on women
	Prospects: Publicly-funded care for children and the elderly
SDG 5.5	Status: Parliament is 38 percent female, but the cabinet and civil bodies are only 10 percent female
	Prospects: Election rules should favor the inclusion of women; NGOs and the corporate world should offer incentives to women
SDG 5.6	Status: In compliance, but overmedication (due to generous insurance reimbursements for certain procedures) may jeopardize reproductive rights and bodily autonomy
	Prospects: Review and revise the national health insurance scheme
SDG 5.a-c	Status: Women may seem to have equal digital access, but are still lacking in opportunities to gain financial and job resources
	Prospects: Besides NGOs, engage the corporate world to cultivate gender-friendly workplaces for genuine equal access to financial resources

3.2) Effective Approaches to the Pursuit of Gender Equality in Taiwan

In Taiwan's pursuit of gender equality, "participatory gender strategies" have been an effective approach to mobilizing individual members from the bottom up to formulate national gender equality laws and regulations spanning various domains. The campaign for LGBT rights is one success story. Back in 2003, only a few hundred people took part in the LGBT Pride parade. In 2016, to the amazement of the international press, nearly 82,000 people attended. The endeavors of LGBT advocates finally paid off. In 2017, Taiwan's grand justices ruled that the civil code's requirement that "a marriage should be between a man and a woman" was unconstitutional. This ruling will push Taiwan to achieve a higher level of gender equality.

3.2.1) Gender Equality Policies with Numeric Targets

As early as 1997, Peng Wan-Ru was already advocating for the one-quarter target of female representation in the DPP assembly. During Ma Ying-jeou's presidency, he vowed to have one-third of cabinet members be women. Yet the overall ratio of women in public offices is still low. Taiwan may have achieved the one-third target in the parliament, but overall female involvement in public spheres still leaves much to be desired. It is therefore crucial to revise the election rules at all levels to offer more resources to encourage women's political engagement. The Act of Gender Equality in Employment can be a powerful tool to enhance the employment rate of women by increasing opportunities for decent jobs, compensation packages, prospects for promotion, and life-long learning opportunities. Support networks are essential in minimizing time spent between jobs and obtaining skill sets for new jobs. These are crucial to the realization of genuine gender quality in employment. Professor Liu Mei-Chun wrote in the Taiwan White Paper on Women Policy that policies are made to set targets, while laws and regulations are formulated to facilitate the realization of gender equality in every corner of society.

3.3) How to Enhance the Status of Gender Equality

The gender equality campaign is a treacherous journey with no end in sight. Here are some thoughts:

3.3.1) Build an enhanced databank to facilitate insight into policy outcomes and GEC efficacy

This paper has recounted Taiwan's myriad achievements. Yet, when it comes to comparing this performance against the SDG 5 benchmarks, there is a severe shortage of reliable data. In addition to expanding the domestic bank of data related to these topics, the government should seek to include Taiwan's data in relevant global archives like the Human Development Index (HDI of UNDP) and the World Bank Data. Since 2012, the cabinet-level GEC has been charged with coordinating gender equality tasks among various ministries and local governments. This study's check against SDG 5 shows that Taiwan still has a long way to go to achieve true gender equality. The GEC's power, as it currently stands, is too limited as it clearly lacks the authority to enact punitive measures to deter breaches.

3.3.2) The Dual-track Nature of SDG 5 and the Gender Impact Assessment

This study takes advantage of SDG 5's dual-track nature to examine Taiwan's gender equality status while simultaneously exploring future possibilities in economic affairs, education, health, the environment, and international cooperation. Currently, the gender impact assessment (GIA) program is carried out by the GEC. Starting in 2009, all medium- to long-term projects and bills

by the executive branch must go through an assessment led by the GEC and be monitored and evaluated by the cabinet-level National Development Council. In the future, it may be worthwhile to expand participation to include government agencies, corporations, trade unions, and NGOs in the GIA review and monitoring mechanism to raise the visibility of GIAs and encourage public debates. This will help foster a national culture supportive of gender equality. The GEC alone does not have the administrative clout required to penetrate all corners of society as it promotes gender equality. Ultimately it relies on long-term education – in schools, in vocational training, and in life-long learning programs – to instill such ideas.

3.3.3) Agenda and Timeline

The deadline to accomplish the SDGs is 2030. Taiwan should also set a relevant agenda and timeline to gradually accomplish the following goals: amend outdated regulations, enhance corresponding databases, participate in international benchmark reviews, formulate incentives for businesses to foster gender-friendly workplaces, provide publicly funded childcare and long-term elderly care, overhaul insurance reimbursement schemes that seem to encourage overmedication, push for judicial reform, augment the GIA mechanism, and strengthen gender education to boost gender equality culture. The SDGs boast a second guideline, which is to Leave No One Behind. We shall be persistent and brave in lending our gentle caring hands to the LGBT community and those languishing under the injustices of capitalism.

References

- Taiwan Foundation for Democracy. (2013). *Commitment and Action: Fulfill CEDAW to terminate sexual violence*. Taipei, Taiwan Foundation for Democracy.
- Chang, Wen-chen. (2015). Anti-discrimination and state obligation. In *CEDAW papers* edited by Wen-chen Chang and Hsiao-Wei Kuan. Taipei, Taiwan New Century Foundation.
- Wu, Su-xia. (2001). Analysis of functional integration of individual networks against domestic violence. *Community Development Quarterly*, No. 94, pp 32-42.
- Gender Equality Committee, Executive Yuan, Taiwan White Paper on Women's policy, Taipei, Department of Gender Equality.
- Yang, Wan-ying. (2015). Public and international participation. In "CEDAW papers" edited by Wen-chen Chang and Hsiao-Wei Kuan. Taipei, Taiwan New Century Foundation.
- Laio, Ford Fu-Te. (2013). CEDAW and safeguarding women's right to health: what it says and how Taiwan exercises it. Taipei, National Science Council study project.
- Fan, Yun and Wei-ting Wu. (2016). The Long Feminist March in Taiwan. In *Routledge Handbook of Contemporary Taiwan*.
- Chu, Yun-han and Chin-en Wu. (2017). State of Democracy in Asia: Taiwan. In *State of Democracy in Asia Report*, Asia Democracy Research Network.
- ILO Participatory Gender Audits. (2007). International Labour Organization, Gender, Equality and Diversity Branch (GED).

Gender Equality in Philippines

Maria Cleofe Gettie Sandoval¹ & Maricel Aguilar²
The International Center for Innovation, Transformation and
Excellence in Governance

1. Introduction

On April 30, 1937, a plebiscite was held to determine whether women would be allowed to vote in the Philippines. An overwhelming 91 percent or nearly half a million women who cast their votes agreed to give Filipino women the right of suffrage. Without disregarding the gallant women who fought in the revolutions against Spain and the United States, this may be considered the first major legal victory of the Philippine women's movement, a culmination of more than two decades of lobbying with the Philippine Congress. Now in 2017, eighty years hence, the strength of women as a collective voice and force continues to be challenged to stand in the forefront. While the fight to give women's right to the ballot was led by middle-class and professional women, today, Filipino women from all walks of life, all ages, ethnicities, sexual preferences, and geographic origins are called to recognize, celebrate and protect the victories that have been gained throughout the years in the name of gender equality.

This paper establishes the criticality of Filipino women's political participation in shaping the enabling environment for gender equality in the country and more generally in strengthening democracy.

Women's political participation, as explored in this paper, will look at the participation of women in the body politic as decision and policy makers, and as citizens.

Key legislation and policies, systems and mechanisms, as well as plans and programs on women and gender equality will be presented as milestones of women's advocacy. Challenges in sustaining these milestones amidst the current political and social backdrop will be raised to serve as guideposts for future interventions.

¹ Trustee, The International Center for Innovation, Transformation and Excellence in Governance (INCITEGov)

² Consultant, INCITEGov

1.1) Objectives

This report aims to present the latest data and information on the country's compliance with indicators identified as relevant to achieving gender equality. With reference to the UN Sustainable Development Goals (SDGs), the report focuses on the laws and governance mechanisms that have been established, and how these have supported or constrained the achievements of the global SDG on gender equality. In addition, this report will include the current challenges that the country is facing, particularly in areas that threaten the basic democratic tenets of freedom, justice and the rights of citizens to participate in governance, and how these curtailments impinge on the journey towards non-discrimination and equality.

1.2) Methodology

This report was written based on a literature review using a historical chronology to establish milestones in institutionalizing a gender-responsive legal and political environment in the Philippines. Furthermore, secondary data was gathered from various country reports to the United Nations, government websites, and written works by members of academic institutions and civil society organizations. Four stories of women's actions to protect democracy and support gender equality will also be presented.

2. Main report

As previously mentioned one of the major milestones for women's political participation was the granting of women's suffrage in 1937. Since then, Filipino women have continued their struggle to find their place in the body politic, and to uphold the principles and elements of democracy.

2.1) Milestones in Women's Political Participation and Democracy²

The following chronology of six government administrations covering five decades from 1965 to 2016 gives us an overview of the significant laws and government mechanisms that were established to institutionalize a gender-responsive environment. These were primarily policies and laws and the institutions that were tasked to implement them and monitor their impacts.

The Ferdinand E. Marcos regime (1965-1986) was, in its first seven years, a democratically-elected government, but when it morphed to a dictatorship, a second wave Filipino feminist movement was born where women fought against dictatorship and impunity alongside men.

² Most of the entries from this section are taken from Progress of the Women's World (UNIFEM, 2000).

Nevertheless, the Marcos regime strove towards legitimacy in the global community of nations such that in 1975, during the International Year of Women, the National Commission on the Role of Filipino Women (NCRFW) was established under Presidential Decree No. 633. First Lady Imelda Marcos acted as Chair and the Commission served as an advisory body to the President on the integration of women in all facets of development. In 1979, the Philippines signed the United Nations Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), and ratified the instrument in 1981.

Despite apparent progress in the pursuit of human rights for women, women were not spared from human rights violations during the nine-year martial law period (1972-1981). Women were themselves tortured or became widows, but they also became activists, human rights defenders, and leaders, so much so that Corazon C. Aquino, widow of the assassinated Senator Benigno Aquino, Jr., became the unifying leader of a peaceful political uprising now known as the People Power Revolution, and thereafter became the first woman president in the whole of Asia.

Corazon C. Aquino's presidency (1986-1992) abolished the Marcos dictatorship's 1973 Constitution and ratified the Philippines current 1987 Constitution. Section 2, Article 14 of the 1987 Constitution provides that "the State recognizes the role of women in nation building, and shall ensure the fundamental equality before the law of women and men." A special law articulating this Constitutional provision was enacted, Republic Act No. 7192, or the Women in Development and Nation-Building Act of 1992. This law introduced 'gender mainstreaming' as the government strategy to ensure that women benefit and participate equally in development and that gender bias is eliminated in all legislation and policies of the government. It also stipulated the setting aside and utilization the regular budgets of the government as well as a substantial portion of official development assistance (ODA) to support programs for women.

Corazon Aquino was succeeded by Fidel V. Ramos (1992-1998), who issued a 30-year framework plan for women, entitled the Philippine Plan for Gender-Responsive Development (PPGD) 1995-2025. The plan used the 12 critical areas of concern of the 1995 Beijing Platform for Action as its organizing framework, indicating prevailing issues and proposed strategies to guide government – from national to local levels, including its instrumentalities – in the integration of gender concerns into their policies, plans and programs. A board spectrum of women's and civil society organizations participated in the formulation of the plan.

In 1994, NCRFW, with the Department of Budget and Management (DBM) and the National Economic and Development Authority (NEDA), issued Joint Memorandum Circular 94-1 which required the integration of Gender and Development (GAD) targets into agency plans. This was carried into the National Budget Memorandum and the General Appropriations Act (GAA), the government's annual budget law. The provision on GAD budgeting was first introduced in Section 27 of the 1995 GAA and mandated that the government "set aside an amount out of the agencies' appropriations to be used for projects designed to address gender issues." In 1998, the GAA further specified that "the cost of the implementation of the GAD plan shall be at least five percent of the agencies' total budget appropriation."

In the Ramos administration, two laws protecting women against violence and abuse were passed, namely: (1) Republic Act No. 7877, or the Anti-Sexual Harassment Act of 1995; and, after decades of lobbying from women's groups, Republic Act No. 8353, or the Anti-Rape Law of 1997, which redefines rape as a crime against persons, not against chastity; hence a public crime. Republic Act 8425 or the Social Reform and Poverty Alleviation Act, paved the way for the representation of women in policy-making through the National Anti-Poverty Commission.

Joseph E. Estrada (1998-2001) succeeded Ramos. His administration was, however short-lived after another people's revolt broke out following the aborted Senate impeachment proceeding.

Gloria Macapagal-Arroyo, then vice-president, succeeded him to finish the remaining three years of the Estrada administration (2001-2004). She ran and won a full term as president (2004-2010). During the Arroyo administration, another two crucial laws regarding women were passed, namely: (1) Republic Act No. 9210, or the Anti-Trafficking in Persons Act of 2003; and (2) Republic Act No. 9262, or the Anti-Violence Against Women and their Children Act of 2004.

The landmark Republic Act No. 9710, or the Magna Carta of Women was also passed during Arroyo's time. The Magna Carta served as the translation of CEDAW into local legislation. It renamed the NCRFW to Philippine Commission on Women (PCW). She also created a steering committee composed of national agencies that would implement the National Action Plan on Women, Peace and Security.

Despite these milestone pieces of legislation, Arroyo's presidency was not easy. In July 2005, seven cabinet secretaries and three heads of government agencies resigned from their posts (later to be dubbed the "Hyatt 10" after the hotel they used) resigned their posts over charges of election fraud committed by Arroyo in the 2004. Four of these Hyatt 10 officials were women who were influential in both the government and the Philippine women's movement.

Benigno S. Aquino III (2010-2016), son of assassinated Senator Benigno Aquino, Jr. and people power icon, President Corazon Aquino, was elected to the presidency in 2010. During his time, Republic Act 10354 or the Responsible Parenthood and Reproductive Health (RPRH) Act of 2012 was passed despite the strong opposition of the Roman Catholic Church.

The Benigno Aquino administration completed 17 years of negotiations with the Moro Islamic Liberation Front (MILF). In March 2014, the parties signed the Comprehensive Agreement on the Bangsamoro (CAB), marking the end of more than four decades of armed conflict. The CAB contains provisions covering women's meaningful political participation, protection from all forms of violence, and inclusion of women in the normalization and transitional justice process. Women played leading roles in the Bangsamoro peace process, including chairing the government peace panel, heading the Secretariat and legal team, and the Cabinet-ranked President's Peace Adviser. However, the proposed Bangsamoro Basic Law that would put the political settlement into law was not passed in the last Congress. It has been recast and is hoped to pass in the current administration.

It was also under the Aquino administration that the National Action Plan on Women, Peace and Security (NAPWPS) was reviewed and implemented in compliance with UN Security Council Resolution No. 1325, making the Philippines the first country in Asia to do so. At least 17

government agencies providing services for and 40 provincial governments with conflict-affected towns and villages issued their own agency-specific and/or localized plans.

2.2) Recent Gains and Continuing Agendas for Development

The 2030 Agenda for Sustainable Development contains a plan of action that aims to eradicate poverty in all its forms and dimensions. While SDG 5 specifically aims to achieve gender equality and the empowerment of women and girls, gender considerations are mainstreamed across all 17 SDGs.

In relation to the milestones in policies and programs for gender, development and equality in the Philippines, the following are recent gains and challenges related to the SDGs:

2.2.1) Eliminating Violence and the Exploitation of Women and Girls

As part of the implementation of Republic Act No. 9262, or the Anti-Violence Against Women and their Children Act, the Philippine National Police (PNP) have established 1,918 Women and Children Protection Desks (WCPD) nationwide, with 4,573 personnel at the frontlines of response and prevention who receive and document gender-based violence and violence against women and children (VAWC), and provide assistance in filing appropriate administrative and criminal cases. Around 88 percent of the 42,028 villages have set up their WCPDs to respond to gender-based violence cases. In 2016, DSWD assisted a total of 355,133 cases of Women in Especially Difficult Circumstances (WEDC).

From 2013 to 2015, the Department of Justice (DOJ) recorded a total of 30,334 cases of violence against women (VAW) filed in court. It is important to note that there were 41,049 cases of various violations against women reported to the PNP³, which may indicate that there were cases brought to the police which were filed in the courts. One of the reasons for the low number of cases filed is that women victim-survivors are fearful and not protected from further violence by the perpetrators, or may not have the resources to file cases in courts.

Women who have been working on anti-VAWC and exploitation have observed that at the village level, WCPDs are established but non-functional.⁴ At the village level, officials lack the capacity to properly handle VAWC cases and issue Barangay Protection Orders for the victims. Village WCPDs lack systems for referral to related services such as medico-legal examinations, psychosocial support, and temporary shelter for victims, among others.

In armed conflict-affected areas, violence against women and children that is nuanced in the context of conflict is not included in the data of the PNP, probably owing to the fact that this form of violence is rarely reported for fear of being targeted further by armed groups, whether state or non-state actors. Specific protocols for handling such violence are also not yet in place.

³ Fact Sheet on Women and Men in the Philippines, March 2017. Retrieved from www.psa.gov.ph on March 15, 2017.

⁴ According to participants of the *National Consultation on Gender Equality Country Report - Philippines*, July 12, 2017, Quezon City.

2.2.2) Ensuring Universal Access to Reproductive Health and Rights

In 2015, the Department of Health (DOH) executed the first stage of implementation of the RPRH Law and appropriated PhP 21.74 billion, almost double the budget of the previous year, to support the implementation of various RPRH programs, like the Family Planning Program and the National Safe Motherhood Program. With adequate institutional support and budget for the implementation of the RPRH Law, 80 percent of total live births were covered by DOH facilities. The maternal mortality ratio decreased from 221 deaths per 100,000 deliveries in 2011 to 114 per 100,000 deliveries in 2015. Contraceptive use in the country has increased since 2012; with the contraceptive prevalence rate increasing from 33.26 percent to 46.87 percent in 2015. Moreover, women's life expectancy increased from 72.9 years in 2016 to 74.3 years in 2017.

However, the full implementation of the RPRH Law has been hampered by a temporary restraining order (TRO) issued by the Supreme Court in 2015 that bars government agencies from approving new registrations for contraceptives and distributing some hormonal contraceptives considered akin to abortifacients by those opposed to the law.⁵

2.2.3) Ensuring Women's Full and Effective Participation and Leadership in Decision Making

In October 2016, the World Economic Forum's 2016 Global Gender Gap Report ranked the Philippines seventh in terms of gender equality. It was the only Asian country in the top 10.⁶ The Philippines ranked first globally in terms of educational attainment and health and survival indicators. However, it ranked 17th in the political empowerment and 21st in the economic participation and opportunity indicators, respectively.

As of March 2017, women occupy 43.5 percent of third-level positions in government, yet only 21.5 percent of elected officials are women.⁷ While more women finish tertiary education, labor force participation among women is 49.3 percent compared to 77.9 percent for men.

2.2.4) Budget Allocations for GAD Mainstreaming

The PhP 105.75 billion budget for GAD in 2015 was almost twice the PhP 57.73 billion of 2013. The number of agencies complying with the minimum 5 percent GAD budget allocation has also increased from a mere 25 in 2014 to 137 in 2017. The allocation and utilization of the GAD budget across government agencies and local governments, however, remained low vis-à-vis the total government budget, and the Philippine Commission on Women and the Department of

⁵ Retrieved from <http://news.abs-cbn.com/news/05/05/17/hold-order-on-reproductive-health-bill-killing-women-expert> on May 13, 2017.

⁶ Retrieved from <https://www.weforum.org/agenda/2016/10/worlds-most-gender-equal-countries/> on May 13, 2017.

⁷ Fact Sheet on Women and Men in the Philippines, March 2017. Retrieved from www.psa.gov.ph on March 15, 2017.

Budget and Management have difficulty establishing the direct contribution of the GAD Budget to the achievement of the S/MDGs.

2.3) Current Crucial Challenges: Defending Democracy, Defending Gender Equality

2.3.1) Violations of Human Rights and the “War on Drugs”

Rodrigo Duterte (2016-present), former mayor for more than two decades of Davao City, became the first president to come from the southern island region of Mindanao. He gained popularity due to his campaign for decentralization through a federal form of government, with the hopes of redistributing power and resources outside of “Imperial Manila,” as well as his ‘War on Drugs’ which promised peace and order for Filipinos. He likewise committed to push for the passage of the Bangsamoro Basic Law to finally seal the peace process with the Moro people of Mindanao adhering to the Islamic faith and way of life.

Still, during his campaign, President Duterte hinted at the possibility of a ‘bloody’ presidency given his so-called War on Drugs, promising pardons for human rights abuses that may be committed while implementing the policy and by the military in this war. In his first State of the Nation Address on July 25, 2016, he vowed: “We will not stop until the last drug lord ... and the last pusher have surrendered or are put either behind bars or below the ground, if they so wish.”⁸

The War on Drugs had recorded more than 7,000 deaths by January 2017⁹, and added almost 2,000 deaths in next three months¹⁰ as reported by the media since the beginning of the Duterte presidency. Killings have been committed either in legitimate police operations or in vigilante-style or unexplained killings.

Nearly all of the victims are from poor or low-income families, and the war has placed thousands of women and children on the receiving end of violence, fear, and under the extreme economic burden of single-handedly providing for the basic needs of their remaining family members. They have been condemned to sliding deeper into poverty and insecurity.

In a democracy, the actions of political leaders may be subject to scrutiny, investigation or opposition. Senator Leila de Lima led the Senate investigations on the killings that allegedly happened between 1998 and 2008¹¹ by the so-called *Davao Death Squad* (DDS) when President Duterte was still the mayor of Davao City. Two main witnesses, who were self-confessed paid killers of the DDS, emerged. As the hearings progressed, the majority in the Senate, who are allies of the current administration, removed Senator de Lima as Chair of the Committee investigating the killings. Later, she was charged in court for having allegedly violated the Dangerous Drugs

⁸ Retrieved from <http://time.com/4495896/philippine-president-rodrigo-duterte> on May 13, 2017.

⁹ Retrieved from <https://humanrightscommission.house.gov/events/hearings/human-rights-consequences-war-drugs-philippines> on July 14, 2017.

¹⁰ Retrieved from <http://www.gmanetwork.com/news/news/nation/607811/us-troubled-by-increasing-extrajudicial-killings-in-philippines/story/> on May 13, 2017.

Law along with other cases. She has remained incarcerated for more than four months. Her sympathizers continue to support her by attending her hearings, posting daily dispatches from her detention cell, and sponsoring campaigns to gain freedom and justice for the woman senator.

In April and June 2017, respectively, lawyer Jude Sabio, counsel to one of the witnesses in the Senate hearings on the killings committed by the so-called Davao Death Squad, and two opposition legislators, Senator Antonio Trillanes IV and Representative Gary Alejano, filed communications to the Prosecutor requesting that the International Criminal Court investigate the extrajudicial killings in the Philippines that occurred in the first year of the Duterte administration.

2.3.2) Misogyny and Inciting Violence against Women

Sexist actions and remarks by President Duterte have been commonplace. During campaign events, he would kiss female supporters or sit them on his lap. Prior to his presidency, several women's groups rallied against Duterte due to his rape joke.¹² During the rally, Duterte said "he should have been first" to rape Jacqueline Hamill, an Australian missionary who was gang raped and eventually killed in the 1989 Davao hostage crisis. The Australian Ambassador to the Philippines at the time, Amanda Gorely, reportedly said that rape and murder should never be joked about or trivialized and added, "Violence against women and girls is unacceptable anytime, anywhere."¹³

More recently, when the battle in Marawi City between government armed forces and a local terrorist group known as the Maute Group, which purportedly has pledged allegiance to the Islamic State (IS), was in its first week, President Duterte urged soldiers to fight by saying that he would "pay the consequences if any soldier is accused of abuses." He then characteristically dished out another misogynistic joke, saying "if you happen to have raped three women, I will own up to it."¹⁴

2.3.3) Duterte's Martial Law

On May 23rd 2017, Proclamation No. 216 was issued by President Duterte, entitled "Declaring a State of Martial Law and Suspending the Privilege of the Writ of Habeas Corpus in the Whole of Mindanao," resulting from clashes between government security forces and the Maute group. The Maute group is an armed group based in Lanao del Sur who are involved in the establishment of an ISIS-linked organization in Lanao.¹⁵

¹² Retrieved from <http://www.rappler.com/nation/politics/elections/2016/129784-viral-video-duterte-joke-australian-woman-rape> on March 15, 2017.

¹³ Retrieved from <http://news.abs-cbn.com/halalan2016/nation/04/18/16/australian-envoy-boos-dutertes-rape-remark/6-20-2017/> on March 15, 2017.

¹⁴ Retrieved from <http://www.sunstar.com.ph/cagayan-de-oro/local-news/2017/05/27/duterte-jokes-about-rape-speech-soldiers-544221> on May 30, 2017.

¹⁵ Retrieved from <http://www.rappler.com/thought-leaders/173037-maute-group-rise-family-terrorism> on June 28, 2017.

The declaration was followed by heavy fighting, including aerial attacks in Marawi City, the only Islamic City in the Philippines, which resulted in the displacement of 290,000 people.¹⁶

More than a month later, and within the month of the Ramadan, the bombings and displacement continued. This declaration relives all the horrors of the Marcos Martial Law, which to this day still has victims seeking justice and compensation. While the 1987 Constitution instituted safeguards to prevent the violations of human rights that occurred during the Marcos Martial Law, the current administration has vowed that this martial law will be harsh.¹⁷

3. Women's Political Imperative to Protect Women's Rights and Gender Equality

As elucidated above, the basic policies and laws are in place for the protection of women's rights and promotion of gender equality, capped by the Philippines' Magna Carta of Women of 2009. Furthermore, in the past years, institutional mechanisms have been established and strengthened to implement these policies and laws, which are being monitored and coordinated by the Philippine Commission on Women with representative participation of women from various sectors.

However, under the current dispensation, women's rights are under threat and whatever gains have been made in gender equality are being eroded. Consultations and participation of affected stakeholders, especially women and other marginalized sectors, is no longer the norm for government, especially in rural and urban poverty-focused programs and in peace processes with insurgent groups.

Women are waging campaigns against this erosion of rights on several fronts:

Firstly, campaigns are being waged in communities of the poor, particularly in urbanized areas where the killings and deaths are relentless due to the government's War on Drugs, and in Mindanao, particularly in Marawi City and other towns, where the war against organized terrorists and insurgents is being waged. In these communities, it is poor women and children who suffer most, victimized by losing their loved ones, their means of livelihood and their homes.

In some of these communities, even in the past two decades, organizers and local leaders have stepped up education and awareness-raising for women about their rights and how they can fight for them. Now, in the midst of fear and insecurity, one of these community organizations that has been struggling for women and children's rights in urban communities is also taking collective action to challenge the methods being used by the police in the War on Drugs and supporting women and children who have lost family members.

CSOs and faith-based groups have also initiated community-based drug rehabilitation programs, which have the potential to be more effective and long-lasting than center-based programs.

¹⁶Retrieved from <https://www.humanitarianresponse.info/en/operations/philippines/infographic/philippines-marawi-city-armed-conflict-displacement-snapshot-9> on June 28, 2017.

¹⁷ Retrieved from <http://newsinfo.inquirer.net/899340/martial-law-will-be-harsh-says-duterte> on May 30, 2017.

Secondly, coalitions of women's organizations are at the frontlines of campaigns to defend women's rights and, in particular, the defenders of these rights, such as Sen. Leila de Lima. One ongoing project aims to bring the voices of these women leaders to several key cities, raising awareness of participants on current national issues that directly affect women's rights, and providing opportunities for participating women leaders to deepen their analysis of these issues.

Women's organizations have raised the hard questions by holding forums, working with progressive legislators in Congress to question the extraordinary rise of deaths in the War on Drugs and the culture of impunity against critics of the administration.

Through conventional mass media and social media, women civil society leaders have called out the misogynistic statements and actions of the President, and have used historical events, such as the 80th anniversary of Filipino women winning the right to suffrage, to inform the public of the rights that need to be protected through concerted action.

Women's organizations have also openly supported women and men in government and national institutions who have stood their ground to defend democratic processes and the judicial system (such as Ombudswoman Conchita Carpio-Morales, Commission on Higher Education Chair Patricia Licuanan, and Senator Risa Hontiveros). These women are allies of the democratic movement and have upheld the principles of freedom of expression and the right to redress for abuses committed by government functionaries.

The following stories showcase concrete responses of women to the issues confronting them in their communities and in broader Philippine society. Their projects and activities, while not widespread, are novel responses to the new realities that threaten to take away their agency and voices.

The first story is about conversations with an urban poor organization composed of women who have more than 25 years of experience organizing, providing day care services for children in the community, lobbying for changes in the law, and fighting for the rights of abused women in their communities. Theirs are real stories of communities affected by the War on Drugs, and they share their journey from fear to understanding and response.

The second is the story of a group of women from various organizations who banded together to give concrete relief to families of victims of extrajudicial killings. Theirs is a story of women willing to respond to a call that, although not initially planned, was recognized as necessary and just for the women and children who have been traumatized by the killings.

The third is a personal account from a woman who is leading a coalition of several civil-society organizations in the fight to protect freedom, democracy and equality.

3.1) Seeking Courage: The PINASAMA People's Organization Story¹⁸

In the months after the May elections, a small collective of experienced community organizers, development workers, academics, researchers and artists began to gather. At first, they sought

¹⁸ Written by Alexandra Pura and Aimee Santos-Lyons, two members of the collective that managed and processed the focus group discussions of PINASAMA (Pinagkaisang Samahan ng Magulang), an urban poor organization composed of women who are seasoned organizers and advocates for women's rights.

comfort and healing from the brutal rhetoric of the electoral campaign, but soon they began trying to make sense of the political developments arising from Rodrigo Duterte's emerging presidency.

What was happening in the Philippines was deeply alarming to them all: an increasing number of extrajudicial killings among the urban poor, misogynistic presidential speeches signaling a dramatic shift from decades of progressive reform on women's rights issues, unbridled hate speech online, and frightening blood thirst at all levels of Philippine society. Perhaps most terrifying of all was the perceived silence of activists and progressive movements.

After day-long retreats where they discussed what they could contribute, they settled on one tactic: reaching out to an urban poor community partner and engaging in conversations to understand their perspective and stance on this issue. The collective then reached out to their friends from an urban poor people's organization, PINASAMA, and set up a series of group discussions with their members and local youths. Their members serve as daycare teachers and represent a cross-section of the barangay populace – village councilors, PNP women's desk volunteers, vendors, and the like. They are often the beating heart of their villages, having raised generations of children and earned the trust of their communities. The focus group discussions were held away from their barangays in a departure from usual community organizing practice to establish a safe space for sharing.

The major themes that came out of the analysis workshop with PINASAMA are as follows:

- *Stereotyping/dehumanization and public perception of drug users:* Drug users may be family members or friends who the women and youths live in close proximity to and interact with on a daily basis. Media reporting on past heinous crimes that linked the crimes to drug use by the alleged perpetrators was mentioned as contributing to the stereotyping of drug users. It is worth exploring how stigma or prejudice can easily extend to families of drug users (for failing to prevent addiction within the family, for benefitting from the drug trade, or for being users/traders themselves) and/or to those who are trying to go into or advocate for harm reduction and rehabilitation work and care for drug dependents.
- *Erosion of social ties and changing power relations in poor communities:* There are stories and images of neighbors and community members who stopped attending the wakes and burials of victims, relatives who snitched on drug users to barangay officials and the police, community members not trusting each other or barangay officials, and the growing powerlessness of citizen groups as they are eased out of the affairs of the barangay.
- *Peace and order through a culture of fear, surveillance, limited mobility, and a war on the poor:* The "war on the poor" may not really be an entirely new phenomenon that came with the current administration's War on Drugs. It has been going on for a long time, and in the past manifested in different strategies of state control, such as forced and violent demolitions of informal settler houses without adequate relocation sites. There is a difference between the policing and "maintenance of peace and order"

strategies being used in slums and gated communities. There is a need to understand the continuity between political repression and crime control (the latter particularly in the context of the drug war). Extrajudicial killings of suspected drug addicts, who are deemed “potential criminals,” are perceived to be an intensification of state control over the urban poor.

3.2) Baigani’s Courage¹⁹

The group “**Baigani: Feminist Solidarity against EJKs**,” or **Baigani** for short, is a collective of a dozen women who chose to advocate for the end of the killings in the War on Drugs, and to champion the human rights of the widows, mothers and children of those killed.

Working with lawyers, religious people, school organizations, and women’s groups, **Baigani** seeks to convince the public to oppose the rampant extrajudicial killings (EJKs) of suspected drug addicts and pushers, majority of whom are from the very poor sections of Philippine society.

Baigani stands in solidarity with the wives, mothers and children of the victims of EJKs, who are reeling not only from the violent deaths of their loved ones but also from the abrupt loss of the wherewithal to survive. Among their immediate and dire needs is welfare assistance, psychosocial counselling, and job referrals or livelihood assistance. Equally important to them is a safe space in which they can speak out and chart their way forward.

The first **Baigani** General Assembly was held in April 2015, during which the Free Legal Assistance Group (FLAG) gave an analysis of the broken justice system that served as the basis for the widespread tolerance for extrajudicial killings. A dialogue on EJK between the widows and students was facilitated by the Justice Advocates of Miriam College in May 2017.

In June 2017, **Baigani** mounted a three-day summer camp for 10 families (eight widows, two women, and 43 children aged three months to 15 years) robbed of a husband, son and/or father killed by unknown assailants or by the police during drug busts or warrantless searches and arrests. The women shared their “tokhang”²⁰ stories, and their ways of coping with both the trauma of losing a loved one and the challenge of feeding and raising between three and seven children each. All participants, from the nine-year-old children to the 83-year-old grandmother, attended age-appropriate arts, theater and play exercises as well as a “laughter therapy” workshop that provided tools for coping with stress and anxiety. Situational analysis and life planning were given to help the women in their emotional and psychological healing, and to enable them to imagine and plan for a future for themselves and their children.

¹⁹ Written by Annie A. Serrano on 23 June 2017 based on notes/write-ups by Nina Somera and Kristina Gaerlan and from the [TEDxESADE](#) video of Lan Mercado.

²⁰ The term was used by the Philippine National Police in the first wave of their War on Drugs, termed “Operation Tokhang,” a word coined from the terms *katok*, which means “knock”, and *hangyo*, “request.” If you are the subject of “tokhang,” you are a suspected drug user or pusher; the police will “knock” on your door and invite you to “surrender.” The victims are reportedly killed by police because they tried to escape or shot at police with handguns or other weapons.

Baigani hopes to support these families as they follow these life plans. It is raising funds to support a modified Conditional Cash Transfer (CCT) scheme for these 10 families so that they will not go hungry and so the children can remain in school. These are the two most important goals in the minds of these widows and mothers. Funds permitting, **Baigani** will mount a series of family camps for EJK families, taking on 10 families at a time, and enroll them in the **Baigani** CCT. **Baigani** partners with the EJK Case Documentation and a parish-based counselling program of the Diocese of Novaliches in this undertaking.

Baigani is also gearing up to expand its awareness-raising activities in schools and communities. In addition, it supports the legal documentation of cases of extrajudicial killings as a way towards realizing the women's search for justice and slowly chipping away at the prevailing culture of impunity.

3.3) Onward Women: The World March of Women Story²¹

Jean Enriquez, Executive Director of the Coalition Against Trafficking in Women-Asia Pacific and Coordinator of World March of Women writes: "CATW-AP led women human rights defenders in countering the rape culture intensified by the "rape joke" made by Rodrigo Duterte, a presidential candidate, and in filing a complaint against him in April 2016. CATW-AP, in promoting the Magna Carta of Women and acting directly on cases of sexual violence such as rape, was constrained from filing the complaint along with other advocates in the women's movement, the Commission on Human Rights, serving as the government's Gender Ombudsman.

As coordinator of the World March of Women and Steering Committee member of iDefend (a human rights network campaigning against extrajudicial killings, the death penalty bill, and the bill to lower the age of criminal responsibility), we lead women's actions protesting the so-called death policies. We also directly assist victims of extrajudicial killings and their families. It is now public knowledge that the killings, mostly in poor communities, have reached more than 7,000. This has unduly burdened human rights groups with the additional work of responding to the loss of these victims and the fear of other community members for their lives. Young women are sexually exploited further as they are offered by drug dealing parents to vigilantes or policemen in exchange for the sparing of their lives (this information was provided by survivors of sexual exploitation/prostitution with whom we work).

Women seek our help out of fear for their own lives or those of their kin who are listed in the precincts as having links to either drug use or peddling. Some have lost their kin already but are unsure about seeking justice, and clearly in need of psychosocial assistance. CATW-AP has been facilitating paralegal and psychosocial assistance for the women and their relatives. The cases that we have received come from as near as Sta. Mesa, Manila and as far as Zamboanga City in Mindanao.

²¹ Contributed by Jean Enriquez as excerpt from an article she wrote.

Given our visibility in the campaign against the narrowing of civil space, we are receiving death and rape threats online and via text message from anonymous persons, who, upon investigation, have been revealed to be supporters of the current president and his allies, the Marcos politicians.

We were also informed by some of the military intelligence contacts of human rights groups that the CATW-AP Executive Director is listed as one of five “persons of interests” among the leaders of iDefend. “Person of interest” is a euphemism for “suspect” in anti-terrorism parlance.

The threats started when we filed the complaint with the Gender Ombudsman, and continued as we subsequently held protests and responded to the death policies. Not only have we received threats from his supporters, Mr. Duterte himself has targeted us with his own vitriol and threats.²²

3.4) Institutions as Bastions of Truth and Justice

Women have turned to government institutions that should redress wrongs committed against them, both individually and collectively.

A group of women filed a case before the Commission on Human Rights for violation of the Magna Carta of Women, citing President Duterte’s derogatory, sexist and insulting remarks about not just the deceased rape victim who was the subject of his misogynistic comment during the campaign, but women in general. Hearings were held and the Commission on Human Rights found that the comments were indeed in violation of the law. Recently, the CHR denied the Motion for Reconsideration filed by President Duterte’s lawyers.

In another case, a group of women submitted a petition to the Senate Committee on Ethics, praying that Senator Vicente Sotto III, Chair of the Committee, who is also a member of the Commission on Appointments, be disciplined for his comments in one of the hearings to approve the appointments of cabinet members. During the incident in question, the candidate for a cabinet position stated that she was a single mother, to which the senator said that, in street parlance, she was “naano” (just knocked up). The petition to discipline the senator remains pending in the Senate Committee on Ethics.

²² 1. <http://news.abs-cbn.com/halalan2016/nation/04/20/16/duterte-faces-complaint-over-rape-remark> accessed March 15, 2017.

2. <http://www.gmanetwork.com/news/story/567608/news/nation/women-s-rights-group-urge-agencies-to-file-cases-vs-duterte> accessed June 15, 2017.

3. <http://newsinfo.inquirer.net/782466/duterte-speaks-like-a-pimp-womens-rights-group-say> accessed February 23, 2017.

4. <https://newrepublic.com/article/136484/will-anyone-stop-rodrico-duterte> accessed February 23, 2017.

5. <https://www.indybay.org/newsitems/2016/04/30/18785848.php> accessed February 23, 2017.

6. <http://newsinfo.inquirer.net/849591/duterte-threat-alarms-human-rights-groups> accessed February 23, 2017.

7. <http://news.abs-cbn.com/focus/12/01/16/human-rights-advocates-slam-duterte-freudian-slip> accessed February 23, 2017.

Lastly, with martial law and the privilege of the writ of habeas corpus suspended, four women from Marawi City filed a case before the Supreme Court, questioning the factual basis of the declaration of martial law. This action is in accordance with the mandates of the 1987 Constitution, which allows citizens to come before the Supreme Court to bring this particular action. Afterwards, ten more women from different areas and backgrounds joined the initial four of Marawi in their action. On July 4, 2017, the Supreme Court upheld the validity of the proclamation of martial law in the whole of Mindanao.

4. Conclusion and recommendations

Despite the peak in the number of women elected to the Senate in 2013 (4 out of 12 or 33.3 percent), the House of Representatives in 2016 (68 out of 238 or 28.6 percent), and women who cast votes in the 2016 general elections (51.6 percent of 54 million registered voters), one cannot ascertain that an increase in women's participation in the body politic is directly proportional to an increase of support for gender equality and women's empowerment measures.

It had been observed that prior to the 2016 general elections; women voters supported Duterte because of his campaign to bring public safety and order to the country. Even though Duterte was a self-confessed womanizer with a penchant for sexist jokes and remarks, he was beloved by women voters who said that the country needed a leader with an iron fist.

The Philippine Commission on Women (PCW) remains a government entity under the Office of the President. While this may be seen as an advantage given that it can, ideally, influence the Chief Executive on matters pertaining to women's empowerment and gender equality and call for greater accountability among all government entities on gender mainstreaming, it has remained in the margins. The PCW has meager government resources and depends on official development assistance for its innovative programs. In most government agencies or local units, the GAD focal points are still assigned to women staff members who may not be in a position of power and authority to influence the agency or the local government to mainstream gender. Moreover, it has been severely constrained, remaining silent on the Chief Executive's sexist remarks about women, whether they are directed towards the Vice-President, a member of the Senate, or ordinary women caught in the middle of the conflict.

The threats to democracy presented in this paper are directly related to women's capacity (or lack thereof) to attain equality and non-discrimination. It is only when society and its environs allow for the exercise of people's rights that advocacy to continue seeking gender equality can endure. It is imperative for women in the company of men who believe that gender equality should be the norm to continue to lead, to reconnect, and to hold on to gains that have already been achieved over the years. To be able to do this, some concrete actions may be considered:

- a) Women's groups should recognize that there is a need to assess the current challenges to democracy in light of the struggle towards gender equality, and if need be, redefine basic

understandings and positions on principles like human rights for women and feminism in relation to the democratic principles of truth, justice and participation. One cannot go without the other, and these principles should be defined in light of current realities that the country faces.

- b) Gains and victories that women have fought for should be guarded. This means continuing to build the capacities of women as leaders, agenda-setters, and participants in governance.
- c) Groups working towards the realization of gender equality should be strengthened. These groups need not be purely women's organizations, or formally organized. Every ally that can be tapped should be cultivated as a partner in gender advocacy.
- d) Organized women should rally the support of partners and allies so that the voices of women will continue to be heard, their experiences known, and their victories celebrated. Voices of women should be heard not only in their communities, but also in mass media and social media outlets.
- e) Concrete actions to support the victims, widows and orphans of extrajudicial killings should be continued and intensified, including awareness-raising regarding the real situation and putting a face on the impact of the killings; protecting those who are willing to come out and speak about the killings; providing "psychological first aid" for victims and their family members; and showing solidarity with affected communities, thus helping them to overcome the trauma of their experiences.

Advocates recognize that moving forward towards gender equality is an ongoing struggle. Challenges include not only influencing policymakers, institutionalizing gains, and ensuring real implementation of laws and policies, but also strengthening women's groups by continuing to organize, build alliances, sharpen their strategies, and consolidate their ranks.

While women continue to struggle for the attainment of gender equality, the current scenario in the Philippines challenges governance, the strength of basic institutions, and the spirit of the basic law that this country's democracy is built upon. Women's roles are crucial in keeping this society intact, and in ensuring that the effects of this crucial segment of the country's history will be handled with justice and reckoning.

References

- ABS-CBN News. (2016, April 18). *Australian envoy boos Duterte's rape remark*. Retrieved from ABS-CBN Halalan 2016: <http://news.abs-cbn.com/halalan2016/nation/04/18/16/australian-envoy-boos-dutertes-rape-remark> on March 15, 2017.
- ABS-CBN News. (2017, May 5). *Hold order on reproductive health bill 'killing women'--expert*. Retrieved from ABS-CBN News: <http://news.abs-cbn.com/news/05/05/17/hold-order-on-reproductive-health-bill-killing-women-expert> on May 13 2017.
- Andrade, J. I. (2017, May 25). *Martial law will be harsh, says Duterte*. Retrieved from Inquirer: <http://newsinfo.inquirer.net/899340/martial-law-will-be-harsh-says-duterte> on May 30, 2017.
- Banlaoi, R. C. (2017, June 15). *The Maute Group and rise of family terrorism*. Retrieved from Rappler: <http://www.rappler.com/thought-leaders/173037-maute-group-rise-family-terrorism> on June 28, 2017.
- Bigornia, D. (2016, April 30). *Philippines: Duterte tells CHR, women's groups: Go to hell!* Retrieved from Indy Bay: <https://www.indybay.org/newsitems/2016/04/30/18785848.php> on February 23, 2017.
- Breene, K. (2016, October 26). *The world's 10 most gender-equal countries*. Retrieved from World Economic Forum website: <https://www.weforum.org/agenda/2016/10/worlds-most-gender-equal-countries/>.
- Bueza, M. (2017, April 23). *IN NUMBERS: The Philippines' 'war on drugs.'* Retrieved from Rappler: <http://www.rappler.com/newsbreak/iq/145814-numbers-statistics-philippines-war-drugs>.
- Conde, C. H. (2005, March 23). *Philippine death squads extend their reach*. Retrieved from New York Times: <http://www.nytimes.com/2005/03/23/world/asia/philippine-death-squads-extend-their-reach.html> on March 15, 2017.
- Cruz, R. (2016, December 1). *Human rights advocates slam Duterte 'Freudian slip.'* Retrieved from ABS-CBN News: <http://news.abs-cbn.com/focus/12/01/16/human-rights-advocates-slam-duterte-freudian-slip> on February 23, 2017.
- GMA News. (2017, April 21). *US troubled by increasing extrajudicial killings in Philippines*. Retrieved from GMA News Online: <http://www.gmanetwork.com/news/news/nation/607811/us-troubled-by-increasing-extrajudicial-killings-in-philippines/story/> on May 13, 2017.
- Hong, S. (2016, September 1). *Will Anyone Stop Rodrigo Duterte?* Retrieved from New Republic: <https://newrepublic.com/article/136484/will-anyone-stop-rodrigo-duterte> on February 23, 2017.
- Human Rights Commission. (n.d.). *The Human Rights Consequences of the War on Drugs in the Philippines*. Retrieved from Human Rights Commission: <https://humanrightscommission.house.gov/events/hearings/human-rights-consequences-war-drugs-philippines> on July 14, 2017.
- Human Rights Watch. (2017, March 2). *"License to Kill": Philippine Police Killings in Duterte's "War on Drugs."* Retrieved from Human Rights Watch: <https://www.hrw.org/report/2017/03/02/license-kill/philippine-police-killings-dutertes-war-drugs#page> on March 15, 2017.
- Inquirer. (2016, December 1). *Duterte threat alarms human rights groups*. Retrieved from Inquirer: <http://newsinfo.inquirer.net/849591/duterte-threat-alarms-human-rights-groups> on February 23, 2017.
- Iyengar, R. (2016, September 15). *Inside Philippine President Rodrigo Duterte's War On Drugs*. Retrieved from Time: <http://time.com/4495896/philippine-president-rodrigo-duterte/>.
- Lopez, V. (2017, May 25). *Women's rights group urge agencies to file cases vs. Duterte*. Retrieved from GMA News: <http://www.gmanetwork.com/news/news/nation/567608/women-s-rights-group-urge-agencies-to-file-cases-vs-duterte/story/> on June 15, 2017.
- National Consultation on Gender Equality Country Report - Philippines. (2017, July 12).
- Philippine Statistics Authority. (2017). *2017 Factsheet on Women and Men in the Philippines*.

- Pura, A., & Santos-Lyons, A. (2017). *SEEKING COURAGE: The Pinasama People's Organization Story*.
- Ranada, P. (2016, April 17). *VIRAL: Video of Duterte joking about raped Australian woman*. Retrieved from Rappler: <http://www.rappler.com/nation/politics/elections/2016/129784-viral-video-duterte-joke-australian-woman-rape> on March 15, 2017.
- Serrano, A. A. (2017). *Baigani's Courage*.
- SunStar. (2017, May 27). *Duterte jokes about rape in speech to soldiers*. Retrieved from SunStar Cagayan De Oro: <http://www.sunstar.com.ph/cagayan-de-oro/local-news/2017/05/27/duterte-jokes-about-rape-speech-soldiers-544221> on June 28, 2017.
- UNIFEM. (2000). *Progress of the World's Women*. New York: UNIFEM.
- UNIFEM. (2000). *Transforming the mainstream: Building a gender-responsive bureaucracy in the Philippines, 1975-1998*. Bangkok: UNIFEM.
- UNOCHA. (2017, June 10). *Philippines: Marawi City Armed Conflict Displacement Snapshot (as of 9 June 2017)*. Retrieved from Humanitarian Response: <https://www.humanitarianresponse.info/en/operations/philippines/infographic/philippines-marawi-city-armed-conflict-displacement-snapshot-9> on June 28, 2017.
- Yap, D. (2016, April 30). *Duterte speaks like a pimp, women's rights group say*. Retrieved from Inquirer: <http://newsinfo.inquirer.net/782466/duterte-speaks-like-a-pimp-womens-rights-group-say> on February 23, 2017.

Annex

Attendees of the National Consultation on Gender Equality Country Report and their organizations:

Name	Organization
Maricel C. Aguilar	PILIPINA
Cristy Balleras	PINASAMA
Teresita Quintos-Deles	PILIPINA
Itty Gaerlan	IWS/BAIGANI
Cecil Lucenia	PINASAMA
Aimee Santos-Lyons	AWID
Zahria P. Muti- Mapandi	ADMF
Andrea Menguria	PINASAMA
Amparo Miciano	PKKK
Clydie Pasia	CATWAP
Socorro Reyes	CLD
Janice Rosales	CATWAP
Annie Serrano	PILIPINA
Karen Tanada	PILIPINA
Beth Yang	PILIPINA

Abbreviations and Acronyms

ARMM	Autonomous Region in Muslim Mindanao
CAB	Comprehensive Agreement on the Bangsamoro
CCT	Conditional Cash Transfer
CATW-AP	Coalition Against Trafficking in Women-Asia Pacific
CHR	Commission on Human Rights
CSOs	Civil Society Organizations
DBM	Department of Budget and Management
DOH	Department of Health
DOJ	Department of Justice
EJK	Extrajudicial Killings
FAB	Framework Agreement on the Bangsamoro
GAA	General Appropriations Act
GAD	Gender and Development
INCITEGOV	International Center for Innovation, Transformation and Excellence in Governance
IS	Islamic State
MILF	Moro Islamic Liberation Front
NCRFW	National Commission on the Role of Filipino Women
NAPWPS	National Action Plan on Women, Peace and Security
NEDA	National Economic and Development Authority
PCW	Philippine Commission on Women
PINASAMA	Pinagkaisang Samahan ng Magulang
PPGD	Philippine Plan for Gender-Responsive Development
RPRH	Responsible Parenthood and Reproductive Health
SDGs	Sustainable Development Goals
TRO	Temporary Restraining Order
UNCEDAW	United Nations Convention on the Elimination of all Forms of Discrimination Against Women
VAWC	Violence Against Women and their Children
WCPD	Women and Children Protection Desks

State of Violence against Women²³

Forms of Violence	Age Group						Reference Period/ Source
	15-19	20-24	25-29	30-39	40-49	Total	
Percentage of Women Age 15-49 Who Have Experienced Various Forms of Physical and Sexual Violence, by Current Age							
Physical violence	14.0	16.0	15.8	16.0	15.3	15.4	2013/ NDHS, PSA
Sexual violence	1.8	2.3	2.3	2.1	2.3	2.1	2013/ NDHS, PSA
Physical and sexual violence	2.6	3.8	4.6	4.9	4.8	4.2	2013/ NDHS, PSA
Physical or sexual violence	18.4	22.1	22.7	22.9	22.5	21.7	2013/ NDHS, PSA
Number of Women	2,214	1,888	1,473	2,864	2,524	10,963	2013/ NDHS, PSA

²³ (Philippine Statistical Authority, 2017)

Political Participation²⁴

Proportion of Occupied Elected Positions (%)		21.5	2013 and 2016/COMELEC
Number of Elected Women and Men by Position		3,693	2013 and 2016/COMELEC
	President	0	2016/ COMELEC
	Vice-President	1	2016/ COMELEC
	Senators	4	2016/ COMELEC
	Senators	2	2016/ COMELEC
	Congressmen	68	2016/ COMELEC
	Governors	19	2016/ COMELEC
	Vice-Governors	14	2016/ COMELEC
	Mayors	377	2016/ COMELEC
	Vice-Mayors	322	2016/ COMELEC
	Sangguniang Panlungsod and Bayan	2,888	2016/ COMELEC
Total Number of Elected Women			COMELEC
	1998	2,810	
	2001	2,999	
	2004	2,922	
	2007	3,040	
	2010	3,305	
	2013	3,580	
	2016	3,849	

²⁴ Ibid.

Economic participation²⁵

Labor Force Participation Rate (%)	49.3	October 2016 LFS/PSA
Unemployment Rate (%)	4.3	October 2016 LFS/PSA
Proportion of Unpaid Family Workers (%)	4.1	October 2016 LFS/PSA
Proportion of Poor Households by Sex of Household Head (%)	10.4	2015/PSA
Proportion of Poor Women (%)	25.6	2012/PSA
Most Common Occupation	Elementary occupations	October 2016 LFS/PSA
Major Industry Division Where Most are Employed	Wholesale & Retail; Repair of Motor Vehicles & Motorcycles & Personal & HH Goods	October 2016 LFS/PSA
Number of Overseas Filipino Workers (in thousands)	1,250	2015/ SOF, PSA
Age Group with the Largest Proportion of OFWs	25-29	2015/ SOF, PSA
Most Common Destination of OFWs	Saudi Arabia	2015/ SOF, PSA
Most Common Occupation of OFWs	Laborers and Unskilled Workers	2015/ SOF, PSA
Total remittance (in million pesos)	64,878	2015/ SOF, PSA
Average remittance per OFW (in thousand pesos)	58	2015/ SOF, PSA

²⁵ Ibid.

Services to Micro, Small and Medium Enterprises (MSMEs)				Program Related Services			
Number of Trainees per Activity: 2016				Number of Beneficiaries: 2016			
Activity	Total	Women	Men	Program	Total	Women	Men
Product design related	3,462	2,241	1,221	National Industry Cluster Capacity Enhancement Project (NICCEP)	8,060	4,559	3,501
Export related trainings	35,876	20,353	15,523				
All other trainings (PTTC)	11,495	7,642	3,853	Comprehensive Agrarian Reform Program (CARP)			
Total	50,833	30,236	20,597	<i>Farmer-beneficiaries</i>	842,519	443,201	399,318
Business Name Registration: as of December 2016				<i>Landowners</i>	118	58	60
New Business Name	556,620	297,387	259,233	Trade Related Technical Assistance (TRTA3) Project	1,793	1,100	693
Business Name Renewal	23,174	9,849	13,325	Total	852,490	448,918	403,572

Gender Equality in Pakistan

Daanika Kamal¹ & Arsalaan Nazir²
Jinnah Institute

1. Introduction

1.1) Pakistan's Legal Framework

Pakistan's 1973 Constitution establishes explicit legal equality between men and women, requiring the state to treat both genders equally as both are seen to retain equal capacity as citizens. The fundamental freedoms granted to citizens of Pakistan, as per Article 25 of the Constitution state that:

- All citizens are equal before the law, and entitled to equal protection under the law
- There shall be no discrimination on the grounds of sex
- Nothing in this article shall prevent the State from making any special provision for the protection of women and children.

However, the government has a history of amending laws in practice to bring them into conformity with Islam. More often than not, aligning laws with Islamic injunction has significantly impacted formal equality granted to men and women. The formation and consequent authority given to the Council of Islamic Ideology (CII), which is composed of ten to twenty members, only one of which is required to be female, lacks gender representation in an important legislative mechanism. The Federal Shariat Court, whose decisions are binding on High Courts, has also been given the authority to declare any law repugnant to the teachings of Islam.

The lack of female representation in these government-endorsed bodies has led to numerous gaps in the legal protection of gender equality in Pakistan.

¹ Program Manager for the Open Democracy Initiative (ODI), Jinnah Institute

² Administration & Human Resource Officer, Jinnah Institute

1.2) International Commitments

While Pakistan is party to the Universal Declaration of Human Rights (1948) and has ratified a number of treaties which include provisions safeguarding the rights of citizens, the provisions laid out have been enacted into national law, and therefore cannot be directly implemented. The Convention on the Elimination of All Forms of Racial Discrimination (CERD), the Convention on Economic, Social and Cultural Rights (ICESCR), the Convention on Civil and Political Rights (ICCPR) and the Convention against Torture (CAT) are examples of agreements Pakistan has voluntarily ratified. However, the lack of accession means that the State's international commitments are not binding and cannot be enforced. In relation to women specifically, Pakistan ratified the Convention on the Political Rights of Women in 1954, and in 1996, Pakistan became party to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

Pakistan may have shown its intention to commit to international standards of rights and equality, but it continues to fail to follow up with policy and legislative action. For instance, CEDAW reaffirms the duty of the State to ensure that gender equality is embodied within the constitution and legislation prohibits discrimination on the grounds of gender. It requires Courts to provide effective legal protections for women and to take action against public authorities, institutions, corporations and individuals that encourage discrimination. Specifically, CEDAW requires states to '*modify social and cultural patterns of conduct of men and women, with a view to the elimination of prejudice and all customary practices which are based on the idea of the inferiority or superiority of either of the sexes, or on stereotyped roles for men and women.*'³

1.3) The Sustainable Development Goals

The United Nation's Sustainable Development Goals are yet another mechanism which came into force on the 1st of January 2016, adopted by world leaders the year prior. Goal 5 of the SDGs, *Gender Equality and Women Empowerment*,⁴ provides a comprehensive set of targets to provide women and girls with access to education, employment, health and other socio-political rights. These include:

- 1) Ending all forms of discrimination against all women.
- 2) Eliminating all forms of violence against and exploitation of women and girls.
- 3) Eliminating all forms of harmful practices such as forced marriages and female mutilation.
- 4) Recognizing the value of domestic work through the provision of public services.
- 5) Ensuring women's full and effective participation in decision-making mechanisms.
- 6) Ensuring access to sexual and reproductive health, and reproductive rights.

³ General Recommendation 19 of the CEDAW Committee (1992).

⁴ See <http://www.un.org/sustainabledevelopment/gender-equality/>.

- 7) Undertaking reforms to give women equal rights to economic resources.
- 8) Enhancing the use of enabling technology to promote the empowerment of women.
- 9) Adopting policies and legislation to promote gender equality.

International law requires states to put appropriate mechanisms in place to allow women to access and enjoy due rights and freedoms. In order to meet objectives laid out under the Sustainable Development Goals, Pakistan must have an effective legislative system and justice sector which not only secure these rights, but ensure that policing and prosecution services to protect women are implemented so that gender equality in all sociopolitical and economic areas may be achieved.

2. Demographic and Social Barriers to Women's Empowerment

Empowerment encompasses access to options, information, education and resources; decision-making power and authority; and control over one's life.⁵ Measurements of empowerment, while useful in providing a snapshot, tend to avoid holistic understandings of subjective experiences and ontological issues by reducing data to a few measurable variables. Nevertheless, the Gender Development Index (GDI) and the Gender Inequality Index (GII) are helpful in tailoring interventions for policy makers.

Pakistan is the sixth fastest growing population in the world. Current figures estimate the population to be above 190 million, 48 percent of which are women. The GDI measures gender inequality in achievements of health (measured by male and female life expectancy at birth), education (measured by male and female years of schooling) and command over economic resources (measured by male and female estimated earned income). For women, Pakistan's GDI value is 0.45, in comparison to 0.61 for men. Research finds that the age of women has a significantly positive effect on women's empowerment; however, the number of children she bears and subsequent increase in household size has a negative impact.⁶

On the other hand, the GII reflects gender-based disadvantages in reproductive health (measured by mortality and adolescent birth rates), empowerment (measured by education and political participation) and economic activity (measured by labor market participation). Specifically, the index shows a loss of potential human development due to inequality between men and women in these dimensions. As of 2015, Pakistan had an overall GII value of 0.55, ranking it 130th out of 159 countries. Amongst others, rates indicated that 26.5 percent of women have reached at least a secondary level of education, and 24.3 percent of women partake in the labor market compared to 46 percent and 82 percent of their male counterparts respectively. It is

⁵ Planning Commission. Government of Pakistan 2005.

⁶ Sheikh, Meraj and Sadaqat (2016). Gender equality and socio-economic development through women's empowerment in Pakistan. *Ritsumeikan Journal of Asia Pacific Studies*, Volume 34.

important to note that education plays a vital role, as the coefficient of women's level of education shows an increase in empowerment by 10 percent.

In assessing Pakistan's progress towards the SDG gender dimensions as per Goal 5, targets have been relevantly bracketed into: advancements in battling violence, exploitation and harmful practices against women; female political participation; gender-sensitive economic rights; sexual health and reproductive rights; and access to technology. Developments in these areas since the SDGs came into force in January 2016 are highlighted.

3. Progress: Gender Equality Dimensions of the SDGs

3.1) Violence, Exploitation and Harmful Practices

The Human Rights Commission of Pakistan recorded almost 3,000 cases of violence against women and girls, including murder, rape and gang rape, sodomy, domestic violence, and kidnappings over the last year.⁷ The majority of statistics available on violence against women come from reported incidents, and it would therefore be misleading to assume they are isolated incidents which arise unpredictably. Gender-related killings are the extreme manifestation of existing forms of violence against women. Varying harmful practices, from psychological and physical abuse to harassment in public spaces are best seen on a scale, with honor killings representing the extreme end of the spectrum. Grounds for these crimes in Pakistan are incremental through gender socialization, glorification of masculine violence, nurturing of gender inequality, and tolerance of discrimination rooted in Pakistani culture.

3.1.1) Anti-Honor Killing and Anti-Rape Bills (2016)

Over 500 women are reportedly killed each year nationwide at the hands of perceived damage to 'honor', which involves eloping, fraternizing with men, or any other infraction against the sweeping conservative values relating to women. In most cases, the victim is killed by a close family member or a relative who tends to escape punishment by seeking forgiveness for the crime from family members.

October 2016 saw a major milestone for women in Pakistan. After pending for a long time, a joint sitting of parliament unanimously approved two pro-women bills. Political parties resting their mandate on Sharia'h law found the bills, specifically the anti-honor killing bill, to be against the tenets of Islam. They had therefore been previously unprepared to vote in favor of the proposed laws. The reintroduction of the Anti-Honor Killing and Anti-Rape Bills, both Criminal Amendment Bills, in parliament after a rather long lapse resulted from a series of tragic events

⁷ <https://www.amnesty.org/en/countries/asia-and-the-pacific/pakistan/report-pakistan/>.

circulating in domestic and international media involving the murder of women due to rape and honor across the nation.

Under the new legislation, if a woman is murdered on the pretense of honor by a family member, the perpetrator will still be liable to strict punishment, regardless of whether or not he is pardoned by other family members. In principle, judges are to sentence those accused of honor killings to a life term in prison, even if forgiveness is granted. In cases of rape, legal cover has been granted to the collection and subsequent use of DNA evidence to prove that rape was committed. This amendment overrules the 2013 decision by the Council of Islamic Ideology which held that DNA cannot be considered primary evidence in rape cases. By amending the Pakistan Penal Code, Code of Criminal Procedure, and Qanun-i-Shahadat Order (law of evidence), new laws hold individuals responsible for sabotaging or obstructing investigations and allow the use of technology to record the statements of witnesses, which are admissible in court to eliminate the risks associated with court appearances.

However, despite Prime Minister Nawaz Sharif ‘vowing’ to ensure the implementation of anti-honor killing and anti-rape laws across the country,⁸ there has been little headway made in practice. For one, the lack of female police officers serves as a major disincentive to women filing complaints. Delays in registering First Information Reports (FIR), medico-legal officers lacking resources and training in collecting evidence in a gender-sensitive manner, and prejudices against victims, such as believing women are ‘making false accusations,’ ‘inviting’ rape due to their behavior and ‘deserving’ to be killed due to their immoral acts are all major impediments to implementation.

3.1.2) The Hindu Marriage Act (2017)

In February 2017, the Senate unanimously passed a landmark bill to regulate the marriages of Hindus in Pakistan. As a minority community, it was previously difficult for Hindus to register their marriages with the State, leading to many Hindu women unable to prove that they were married. As a result, a number of forced conversions were reported within the community. The Hindu Marriage Act sets the minimum age of marriage at 18, specifies a new means of registering a marriage through the Shadi Parath’, similar to the ‘Nikahnama’ for Muslims, and creates mechanisms for separation and remarriage for members of the minority community. This is the first personal law for Pakistani Hindus, applicable in Punjab, Balochistan and Khyber Pakhtunkhwa. Sindh had previously established its own Hindu marriage laws.

3.1.3) Child Marriages, Penal Code Amendment (2017)

Under the Child Marriage Act of 1929, the minimum marriageable age for girls is 16. Following Goal 5 of the SDGs, parliamentarians suggested raising the minimum age of marriage to 18;

⁸ See <https://www.dawn.com/news/1288177>.

however, members of the National Assembly Standing Committee on Religious Affairs declared this amendment to be un-Islamic, decrying it as a Western idea which went against the culture and family values of Muslims. Despite 18 being the legal age of majority in Pakistan, the age of marriage falls under exception, depriving girls of their childhoods, education, and gainful employment.

Further, in early 2017, the National Assembly passed a bill seeking amendments to criminal laws in the country. Most relevant to the SDG gender targets was the amendment made to Section 498-B of the Penal Code relating to forced marriages. While the original text simply of the Penal Code simply referred to forced marriages of women, the amendment recognizes forced child marriages and forced marriages of non-Muslim women as different crimes, increasing the sentencing and punishment for both instances of forced marriage. It is important to note here, however, that despite this largely positive development, penalties for forced marriages do not apply to marriages involving girls between the ages of 16 and 18.

3.1.4) The Protection of Women against Violence Bill (2016)

The Punjab Assembly passed the Protection of Women against Violence Bill in February 2016, redefining violence to mean any offence committed against the human body, including domestic violence, sexual violence, psychological and emotional abuse, economic abuse, stalking, and cybercrime.⁹ Under the bill, protection officers are liable to inform a defendant whenever a complaint is received, with resistance and false accusations punishable by fines and imprisonment. Shelter homes are to be built for the protection of aggrieved women and a toll-free universal access number has been established to receive and investigate complaints filed by women. For the first time in Pakistani legislation, the bill introduced a built-in implementation mechanism through district-based violence against women centers, court orders, and a GPS tracking system. It further provides civil remedies through protection, residence, and monetary orders for all the offences covered by the Bill.

The Council of Islamic Ideology strongly rejected the bill, declaring it un-Islamic.¹⁰ Specifically, the CII said the Protection of Women Bill was a conspiracy to destroy the family system in Pakistan and an attempt to promote secular views. On the topic of domestic abuse, Islamic scholars stated that ‘lightly beating’ one’s wife is allowed on religious grounds, if ‘necessary,’ and should not be deemed unlawful by this new legislation.

3.2) Political Participation of Women

In the 14th National Assembly, women are represented in nine of the 18 political parties with seats, with reserved seats for women allocated proportionately to the number of seats won in elections.

⁹ See <http://punjablaws.gov.pk/laws/2634.html>.

¹⁰ See <http://www.dawn.com/news/1245835>.

The Pakistan Muslim League-Nawaz (PML-N) holds 190 seats, of which 35 are reserved for women.¹¹ Of the main opposition parties, the Pakistan People's Party has 47 seats, with eight reserved for women,¹² and Pakistan Tehreek-i-Insaf (PTI) has six.¹³ Within the National Assembly, 50 of these 60 women are part of standing committees, while only four hold ministerial positions.

From a legislative point of view, 26 bills were tabled by women in reserved seats during the last parliamentary year. Of these, three were related to women's rights. Furthermore, 27 resolutions were tabled by 22 women in reserved seats, only one of which directly concerned gender rights. The small number of parliamentary interventions initiated by women in politics seems insufficient to address the extensive number of gender (in)equality issues in Pakistan.

3.2.1) Decision-Making Mechanisms

The Women's Parliamentary Caucus (WPC), established in 2008, has played an instrumental role in advancing women's rights legislation in Pakistan. In addition to the federal WPC, four provincial Caucuses have been established to help mobilize the political representation of women. Currently, there are 85 women parliamentarians and approximately 130 women MPAs from more than 20 different political parties working together to advocate for gender-sensitive legislation.

There has been an increase in the number of women finding their footing in Pakistani politics and decision-making institutions. 70 of 342 seats in the National Assembly are currently held by women. In the Senate, women hold 17 percent of parliamentary seats. Despite this increase in representation, however, social and cultural prejudices continue to impact gendered political participation. Limited social and financial support for women candidates, limited access to political networks, and the absence of political education and trainings for women in leadership positions have all contributed to maintaining female inferiority in prejudiced political landscapes.

3.2.2) Voting

According to the last census held in 1998, women make up 48 percent of the total population of 132 million in Pakistan. The latest figures of registered voters released by the Election Commission of Pakistan (ECP) indicate that 42.42 million, or 44 percent, of the 97 million registered voters are women. The current voter list reveals that Pakistan has 54.57 million male and just 42.42 million female voters. There are 12.17 million women who are eligible to be registered as voters who are not included on the voter list for various reasons.

The Representation of the People (Amendment) Bill of 2016 sought to amend the Representation of the People Act of 1976. It aimed to criminalize the practice of preventing

¹¹ http://www.na.gov.pk/en/members_listing.php?party=101.

¹² http://www.na.gov.pk/en/members_listing.php?party=102.

¹³ http://www.na.gov.pk/en/members_listing.php?party=103.

women from voting, make gender-based segregated data of polled votes available, and sought to nullify and redo elections in constituencies where women's turnout remains lower than 10 percent. Amendments to Sections 78 and 103AA of the Representation of the People Act were recently instituted. Under these amendments, the ECP can disqualify candidates who prevent women from voting and can declare an election void by calling for a redo in constituencies where women have been barred from voting.

3.3) Economic Rights: Employment and Social Protection

In Pakistan, women generally do not own land. In cases where they do, it is unlikely for them to exercise control over it. Their dependence upon male relatives deepens customary and traditional restrictions on ownership. Fear of violence and social censure typically leads to women being reluctant to demand their rightful inheritance, and state laws on financial inheritance are not easily accessible to many women, with some women lacking knowledge that such laws exist altogether.¹⁴

Although Pakistan is signatory to a number of ILO conventions which stipulate equal wages, remuneration standards, and adequate work environments,¹⁵ the State ranks 143rd in economic participation and opportunities for women.¹⁶ Social vulnerability combined with economic vulnerability keep women underpaid and overworked, even if they are fortunate enough to overcome structural and social barriers to seek employment. Excluding gender-sensitive procedures in micro and macroeconomic policies aggravates the low position of women in society, as federal and provincial government initiatives focus more on income generation than on bringing women into the economic mainstream.

30 percent of women in Pakistan's labor force are home-based workers. Therefore, the majority of upcoming women entrepreneurs in Pakistan employ less than 10 people on average, have low financial turnover, and minimal high-value assets as they often run home-based businesses. Under the present small and medium enterprises policy, established by the Small and Medium Enterprises Development Authority (SMEDA) in 2007, there is gender-sensitive space within the existing regulatory framework to incentivize and foster the active and stable participation of women in the economy. SMEDA has little to no institutional jurisdiction, nor does it have the infrastructural or financial resources required to benefit the operations of women-led organizations. As a result, women entrepreneurs continue to face a multitude of impediments, most of which stem from a lack of access to credit, markets, and networks, and pose a significant threat to the facilitation and sustainability of their employment.

¹⁴ Women's Empowerment in Pakistan: A Scoping Study, Aurat Foundation 2011.

¹⁵ See ILO publication for excellent overview of labor legislation in Pakistan: Pakistan Decent Work Country Profile 2014. Downloadable at: http://www.ilo.org/islamabad/whatwedo/publications/WCMS_316668/lang-en/index.htm.

¹⁶ Global Gender Gap Report 2015 <http://www3.weforum.org/docs/GGGR2015/cover.pdf>.

It is reported that 68 percent of women entrepreneurs who access bank loans require a male relative's permission to qualify for a loan.¹⁷ Lending finances to single women for their employment is considered 'risky,' and application processes often require female clients to provide two male guarantors, one of whom has to be unrelated to her.¹⁸ Given the societal and mobility restrictions that most women are subject to, the latter clause is a challenging condition to meet. As a result, businesswomen depend heavily on informal sources of support to start their enterprises, with over 50 percent relying on a male family member and just 5 percent seeking assistance from governmental institutions. The interplay of these factors has resulted in a situation where only 25 percent of businesswomen in Pakistan access microfinance, 70 percent of which is reportedly being used by their male relatives.¹⁹

Further, vulnerability in the employment sector can be attributed to the nature of work, nature of contracts, and the fact that the majority of women work in the informal sector. There have been no steps taken to address the increasingly high gender wage gap in Pakistan. A study by UN Women found that men in Pakistan earn 71 percent more than women on average, controlling for other individual education and labor characteristics.²⁰ Findings therefore point at significant sex discrimination in remuneration.

3.4) Sexual Health and Reproductive Rights

Eight percent of adolescent women ages 15 to 19 are already mothers or pregnant with their first child.²¹ Marriage at an early age is not only associated with high risk pregnancies, premature births and high rates of infant mortality, adolescent girls are also more likely to have limited knowledge about sexual issues, reproductive choices, and sexually transmitted diseases. It is also common for young girls to be more restricted in accessing health care and family planning services.

Under Islamic law, and consequently Pakistani law, pregnancies can be legally terminated in early stages - that is, up to 120 days of pregnancy. However, health professionals are reluctant to carry out the procedure due to the risks associated with backlash from family or society members. Many women therefore end up resorting to sharp objects, physically abusing their own bodies, or ingesting drugs in hopes of avoiding carrying unplanned pregnancies to term.

As such, an estimated 890,000 induced abortions are carried out in Pakistan every year, 40 percent of which are performed by untrained healthcare providers. Complications from

¹⁷ World Bank, (2012). "Less than 25 percent of Pakistani women entrepreneurs use microfinance loans." Press Release. Retrieved from <http://www.worldbank.org/en/news/press-release/2012/10/17/less-than-25percent-of-pakistani-women-entrepreneurs-use-microfinance-loans-finds-the-world-bank>.

¹⁸ ESCAP South and South-West Asia Office, (2013). "Creating an Enabling Environment for Women's Entrepreneurship". *Development Paper Series*, No. 1304.

¹⁹ World Bank, 2012.

²⁰ See <http://www2.unwomen.org/-/media/field%20office%20eseasia/docs/publications/2016/05/pk-wee-status-report-summary.pdf?vs=751>.

²¹ http://www.nips.org.pk/abstract_files/PDHS%20Key%20Findings%20FINAL%201.24.14.pdf.

miscarriages and abortions account for 10 to 12 percent of maternal deaths, with one in every six pregnancies being terminated by abortions induced through risky methods.²² Research further shows that the majority of women turning to abortion already have two or more living children,²³ indicating that abortion is being used as a family planning method due to the unmet need for safer birth control and birth spacing methods.²⁴

The most recent legislation regarding abortion is an amendment made to the Penal Code in 2005, reading ‘whoever causes a woman with child whose organs have not been formed, to miscarry, if such miscarriage is not caused in good faith for the purpose of saving the life of the woman’, is said to cause *isqat-i-haml* (abortion and/or miscarriage). The inclusion of the clause ‘necessary treatment’ provides incoherency in defining the legality of an abortion. There has therefore been little to no progress surrounding the sexual health and reproductive rights of women since the adoption of the SDGs.

3.5) Technology

Digital spaces in Pakistan have evolved at a rapid pace. However, protection measures, legislation, and ownership laws have not progressed at a pace sufficient to protect users of these tools. A 2015 scoping study found that 75-80 percent of online users are men, indicating that women are a marginalized community online.²⁵ Inequality in digital spaces is neither acknowledged nor adequately dealt with, and dominant ideologies find refuge in technology. Due to the social power dynamics prevalent in Pakistan, it is difficult to separate the structural inequality of women in society from gender-based online inequality. Many women consciously choose not to access technological spaces due to fear of abuse and violence. Hate speech, leaking and publishing a woman’s information, harassment, and cyber stalking are all deterrents to young girls in particular to actively engage in online spaces.

The Prevention of Electronic Crimes Act,²⁶ passed in 2016 amidst much contention, criminalizes hate speech, cyber-stalking, and violation of privacy. The majority of the definitions associated with criminalization, however, are specific to cyber terrorism, freedom of expression (or lack thereof) towards Islamic and State narratives, and have little or no focus on gender-sensitive issues. There continue to be widespread incidents of young girls being violently attacked by family members for using technology,²⁷ or for defaming their family’s honor through their

²² See Dr. Shershah Syed’s comments <https://www.dawn.com/news/688125/doctors-attitude-towards-abortion-risking-womens-lives-moot-told>.

²³ http://www.nips.org.pk/abstract_files/PDHS%20Key%20Findings%20FINAL%201.24.14.pdf.

²⁴ Khan, Ayesha and Pine, Pamela (2003). Adolescent Reproductive Health in Pakistan. The Policy Project/USAID.

²⁵ Digital Rights Foundation – see, <http://digitalrightsfoundation.pk/wp-content/uploads/2017/05/Hamara-Internet-Online-Harassment-Report.pdf>.

²⁶ http://www.na.gov.pk/uploads/documents/1472635250_246.pdf.

²⁷ <http://tribune.com.pk/story/1093483/teenage-girl-shot-dead-by-brother-over-honour-in-karachi/>.

social media activities.²⁸ In the current situation, encouraging women to use technology as a means of women's empowerment will not be effective. Pakistan therefore falls short in advancing towards this target.

4. Recommendations

Under Pakistan's Constitution, domestic laws, and international commitments, it is the duty of the State to investigate and prosecute violence against women as an obligation towards women's rights. This also includes providing protection to women from being targeted in the first place, which would require significant structural changes in society. Increasing the availability of shelters for at-risk women and holding State parties accountable for the failure to act with due diligence in cases of women's rights violations are the first steps needed ensure gender-sensitive rights to life and physical and mental integrity.

Inadequate engagement with the legislature in the budget making processes, insufficient allocations for actual needs, and untimely fiscal flows are weaknesses that hamper the effective operating capacity of development incentives in the federal budget. Education, for instance, forms the foundation of capacity development. Despite an 11 percent increase in the education budget for 2016-17, Pakistan's expenditure on education continues to be the lowest in South Asia.²⁹ Although literacy rates have increased, they are still largely behind MDG education targets, and consequently have an adverse effect on the achievement of the gender goals in the SDGs. A visible increase in education budgets for each province independent of a structured measurement for the utilization of resources will not assist women in realizing their rights, identifying relevant laws, and accessing justice, nor will it empower them to actively partake in the political and economic sectors of society.

For the fiscal year 2017-18, Rs. 605 million have been allocated to the social welfare sector, and Rs. 500m have been set aside for development programs to establish women's shelters for survivors of violence.³⁰ The federal budget also introduces new initiatives for women, such as the promotion of awareness of women's rights to the public at large through mass media, capacity building for women councilors and parliamentary candidates, and the monitoring and tracking of women's empowerment initiatives. Increasing budget allocations for the implementation of laws, increasing the number of women in government, and encouraging a higher degree of participation of women in legislatures will assist in redefining the parliamentary agenda for women's empowerment going forward.

²⁸ See 'Qandeel Baloch murdered by her brother in Multan' <https://www.dawn.com/news/1271213>.

²⁹ Dawn News (28 Apr 2016). 'Pakistan's education spending lowest in South Asia'. Available at <https://www.dawn.com/news/1254909>.

³⁰ Dawn News (03 Jun 2017). 'Budget: What's in it for women?' Available at <https://www.dawn.com/news/1337121>.

4.1) Political Participation

Sincere efforts to maximize the registration of women to vote prior to the 2018 general elections should be undertaken by increasing the number of female polling stations in areas where women's participation is inhibited due to social and cultural barriers, deploying female election and security staff to polling stations, arranging transport for female voters, and criminalizing actions by individuals or groups who attempt to bar women from voting. Clauses in the Representation of the People (Amendment) Bill (2016) should be implemented, and election redos should be held at stations where less than 10 percent of registered women submit their votes. Special measures should also be undertaken for women from vulnerable communities or with disabilities.

The Political Parties Act should be amended to ensure that each party allocates at least 35 percent of tickets to women candidates. Intraparty election requirements should be strengthened to promote equal opportunity for women, and registration of the party should be contingent upon meeting the required gender benchmark.

4.2) Economic Participation

The financial sector should incorporate gender concerns into their distribution and consequent mobilization of resources by using gender-responsive budget allocations. Shifting policies from the monetary and financial goals of enterprises to the goals of gender equality within enterprises will allow for a more sustainable development program. For example, capacity building to address gender gaps needs to be the main focus of a revised SME Policy. Instead of treating women entrepreneurs as exceptional cases, they should be recognized as ongoing stakeholders of the policy. Basing policies on gender-blind assumptions without including women in mainstream policy dialogues will ultimately sustain the already prominent gender imbalance. Furthermore, in order to incentivize entry into employment, government grants can be allocated to vocational training for women. Vocational training and skill development for women can break down the current segregation and segmentation in the labor market by promoting non-traditional avenues of employment, setting targets for the participation of women in these avenues, and understanding the supply and demand regime under which they will operate.

4.3) Violence against Women

When it comes to Pakistan's colossal problem of violence against women, laws and their implementation will only assist in disentangling half the problem. Pakistan's society has deeply rooted gender stereotypes that perpetuate gender-based discrimination, instituted in historically established religious and cultural norms. Given the devastating effect that violence has on women, most efforts over the last few years, while commendable, have focused on legal responses and social services for survivors and complainants. In Pakistan, it is important to focus on the

structural causes of gendered violence through education and community mobilization in addition to policy reforms. A transformation of beliefs, practices and attitudes over a considerable amount of time will challenge the powerful institutional norms that currently prevail and permeate Pakistan's society.

4.4) Reproductive Health

Family, community, private and public healthcare providers, and the State are all instrumental in facilitating the availability of and access to family planning and reproductive health services. A multi-sectoral approach to the institutionalization of reproductive health services, beginning from pre-pregnancy, delivery and continuing throughout the early life of the child will assist in reducing maternal and infant mortality rates. Improvements in access to services would entail a rise in the promotion of and access to contraceptives and ultimately lead to maintaining a positive balance between Pakistan's population and the country's resources. It is important to note, however, that the betterment of reproductive health rights for women requires financial resources to build effective interventions at both clinical and health system levels, and requires capacity development through the dissemination of information, education, and knowledge management. In order to develop an evidence-based, policy-level strategy for integrated health financing models, it is essential to determine key indicators and prioritize targets in order to better clarify the appropriate flow and use of funds.

References

- Amnesty International Annual Report 2016/2017. Available at <https://www.amnesty.org/en/countries/asia-and-the-pacific/pakistan/report-pakistan/>.
- Aurat Foundation (2011). Women's Empowerment in Pakistan: A Scoping Study. Available at http://pdf.usaid.gov/pdf_docs/pnaea123.pdf.
- CEDAW Committee (1992), General Recommendation 19. Available at <http://www.ohchr.org/EN/HRBodies/CEDAW/Pages/Recommendations.aspx>.
- Dawn News (03 Jun 2017). 'Budget: What's in it for women?' Available at <https://www.dawn.com/news/1337121>.
- Dawn News (06 Oct 2016). 'Pakistan passes anti-honor killings and anti-rape bills.' Available at <https://www.dawn.com/news/1288177>.
- Dawn News (14 Jan 2012). 'Abortion and risking women's life.' See Dr. Shershah Syed's comments, available at <https://www.dawn.com/news/688125/doctors-attitude-towards-abortion-risking-womens-lives-moot-told>.
- Dawn News (15 Mar 2016), 'Religious parties denounce law protecting women from abuse as 'un-Islamic'. Available at <http://www.dawn.com/news/1245835>.
- Dawn News (16 Jul 2016). 'Qandeel Baloch murdered by brother in Multan: police.' Available at <https://www.dawn.com/news/1271213>.
- Dawn News (28 Apr 2016). 'Pakistan's education spending lowest in South Asia.' Available at <https://www.dawn.com/news/1254909>.
- Digital Rights Foundation (2017). Measuring Pakistani women's experiences of online violence. Available at <http://digitalrightsfoundation.pk/wp-content/uploads/2017/05/Hamara-Internet-Online-Harassment-Report.pdf>.
- Domestic Violence (Prevention and Protection) Act (2013), Provincial Assembly of Sindh. Available at <http://www.pas.gov.pk/index.php/acts/details/en/19/215>.
- ESCAP South and South-West Asia Office (2013). "Creating an Enabling Environment for Women's Entrepreneurship." *Development Paper Series*, No. 1304.
- Express Tribune (10 Feb 2017). 'Honor killing cases on the rise in K-P.' Available at <https://tribune.com.pk/story/1322211/honor-killing-cases-rise-k-p/>.
- Global Gender Gap Report (2015). Available at <http://www3.weforum.org/docs/GGGR2015/cover.pdf>.
- ILO (2014). Pakistan: Pakistan Decent Work Country Profile. Available at http://www.ilo.org/islamabad/whatwedo/publications/WCMS_316668/lang--en/index.htm.
- Khan, Ayesha & Pine, Pamela (2003). Adolescent Reproductive Health in Pakistan. The Policy Project/USAID.
- National Assembly, Pakistan (2017). Available at http://www.na.gov.pk/en/members_listing.php?party=101.
- Pakistan Demographic and Health Survey (2013). Available at http://www.nips.org.pk/abstract_files/PDHSpercent20Keypercent20Findingspercent20FINALpercent201.24.14.pdf.
- Sheikh, Meraj and Sadaqat (2016). Gender equality and socio-economic development through women's empowerment in Pakistan. *Ritsumeikan Journal of Asia Pacific Studies*, Volume 34.
- Sustainable Development Goals. Goal 5: Achieve gender equality and empower all girls. Available at <http://www.un.org/sustainabledevelopment/gender-equality/>.
- The Express Tribune (28 Apr 2016). 'A matter of 'honor': Young man remanded into police custody for killing sister.' Available at <http://tribune.com.pk/story/1093483/teenage-girl-shot-dead-by-brother-over-honor-in-karachi/>

- The Prevention of Electronic Crimes Act (2016). Available at http://www.na.gov.pk/uploads/documents/1472635250_246.pdf.
- The Punjab Protection of Women Against Violence Act (2016) Available at <http://punjablaws.gov.pk/laws/2634.html>.
- UN Women (2016). Women's economic participation and empowerment in Pakistan. Available at <http://www2.unwomen.org/-/media/field%20office%20eseasia/docs/publications/2016/05/pk-wee-status-report-summary.pdf?vs=751>.
- World Bank (2012). "Less than 25% of Pakistani women entrepreneurs use microfinance loans." Press Release. Retrieved from <http://www.worldbank.org/en/news/press-release/2012/10/17/less-than-25percent-of-pakistani-women-entrepreneurs-use-microfinance-loans-finds-the-world-bank>.

Conclusion and Recommendations

This chapter shows comparative gender equality results for the four target countries and addresses mechanisms and laws as well as thematic issues.

1. Conclusion

1.1) Mechanisms and Laws

The values and attitudes towards gender roles vary between each country according to the local culture, economy, society, family, beliefs, and religion. Sometimes, globalization has the potential to contribute to greater gender equality because most countries would like to be respected by the international community.

Comparing the four countries in the study, the main mechanism for promoting gender equality and women's empowerment is laws and regulations, including the constitution, acts, codes, policies, and international agreements such as the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), the Sustainable Development Goals (SDGs), and the Universal Declaration of Human Rights (UDHR). Laws affect the lives of women and men alike. Law and justice impact the capacity of persons to enjoy returns on such endowments, access rights and resources, and act as free, autonomous agents in society. However, inequalities in social status and access to resources and rights may arise from the norms and values in each country.

Several countries have devised policies regarding administrative mechanisms or government mechanisms related to gender issues. Thailand and the Philippines mainstream Gender Responsive Budgeting into their planning and budgetary processes, whereas Taiwan mainstreams participatory gender strategies at various levels of government and organizations. Knowledge is the most important thing for enhancing gender equality in each country. In some countries training on gender issues is provided in schools and universities, especially there are training on LGBT rights in Taiwan. Below is a table that summarizes the mechanisms and laws relating to gender equality in Thailand, Taiwan, the Philippines, and Pakistan:

The results show that there is still a gender gap in each country. The table below shows the rankings of Thailand, Taiwan, the Philippines, and Pakistan on the Global Gender Index in 2016 and Executive Yuan in 2016. The Philippines ranked 7th out of 144 countries. Next were Taiwan and Thailand, which ranked 38th and 71st, respectively. Pakistan ranked 143rd out of 144 countries.

Table 10. Mechanisms and Laws Relating to Gender Equality

	Thailand	Taiwan	Philippines	Pakistan
Laws and Regulations	<ul style="list-style-type: none"> - Constitution - Laws - Acts - Rule of the Prime Minister 	<ul style="list-style-type: none"> - Constitution - Laws - Acts - Policies - Civil Codes 	<ul style="list-style-type: none"> - Laws - Acts - Executive Orders and Issuances of local government units - Policies 	<ul style="list-style-type: none"> - Constitution - Penal code - Acts - Bills
Administrative Mechanisms	<ul style="list-style-type: none"> - Enforcement of the international agreement and national laws - Formation of policies on gender issues - Mainstreaming of GRB into the planning and budgetary processes - Promotion of knowledge about gender equality and fairness in society - Strengthening of gender equality in schools and universities 	<ul style="list-style-type: none"> - Participatory gender strategies at various levels of government and organizations - Training on LGBT rights 	<ul style="list-style-type: none"> - Budget allocations for GAD mainstreaming - Government machinery for gender equality - Compulsory annual GAD plans and budget from the whole bureaucracy, including local government units 	<ul style="list-style-type: none"> - Provision of a comprehensive set of targets for women and girls to achieve access to education, employment, health and political participation
International Agreements	<ul style="list-style-type: none"> - CEDAW - SDGs - The Universal Declaration of Human Rights 	<ul style="list-style-type: none"> - CEDAW - SDGs 	<ul style="list-style-type: none"> - CEDAW and Optional Protocol - SDGs - Beijing Platform for Action - Universal Declaration of Human Rights - International Convention on Population and Development - Declaration on the Elimination of Violence Against Women 	<ul style="list-style-type: none"> - CEDAW - SDGs - The Universal Declaration of Human Rights
Strengths	<ul style="list-style-type: none"> - Laws and regulations - Organization's awareness of gender issues (government, NGOs, civil society, academics) 	<ul style="list-style-type: none"> - Laws and regulations - Various organizations awareness on gender issues 	<ul style="list-style-type: none"> - The cooperation of organizations (government agencies, local government, private sector) - Legislated requirement for planning and budgeting for gender equality, including mechanisms for implementation and monitoring - Women's groups and coalitions 	<ul style="list-style-type: none"> - Various organizations awareness on gender issues - A vibrant history of the women's movement has been politically active in demanding greater rights for women.
Weaknesses	<ul style="list-style-type: none"> - Discriminatory norms and values - Inefficient law enforcement - Violence against women 	<ul style="list-style-type: none"> - Inefficient law enforcement - Discriminatory social norms - Discrimination against women 	<ul style="list-style-type: none"> - Inefficient utilization of planning and budgeting policies - Ineffective enforcement of laws - Presence of discriminatory national laws and cultural practices 	<ul style="list-style-type: none"> - Inefficient law enforcement and prosecution - Abuse and violence against women - Lack of freedom of expression

1.2) Thematic Issues

Even though the countries studied have some mechanisms to support gender equality and empower women, gender inequality is still present within these societies in areas including economic participation, political participation, and the status of the SDGs.

Almost all of the countries studied have committed to integrating the SDGs into their policies, laws, and national social, economic, and environmental development agendas. However, they are still far from achieving the SDG objectives. The first issue is political participation. Globally, women's presence in unicameral parliaments and the lower houses of bicameral parliaments reached 23.4 percent in 2017, just 10 percentage points higher than in 2000. Women in Thailand, Taiwan, the Philippines, and Pakistan have low levels of participation in politics.

These four countries each have laws/acts that prohibit and punish gender-based violence. There are centers that support victims of domestic violence, such as the One Stop Crisis Center or "1300 hotline" in Thailand, the Women and Children Protection Desks in the Philippines, and the "113 hotline" in Taiwan.

The Global Gender Gap Index 2016 ranked women's economic participation in the Philippines 7th out of 144 countries, with Taiwan ranking 38th, Thailand ranking 71st, and Pakistan ranking 143rd. Pakistan was ranked the second-worst country in the world for gender inequality because of the low level of women's economic participation; women do not own land and 30 percent of women are home-based workers. Below is a summary of the status of these thematic issues in Thailand, Taiwan, the Philippines, and Pakistan:

Table 11. Thematic Issues on Gender Equality

	Thailand	Taiwan	Philippines	Pakistan
Status of the SDGs	<ul style="list-style-type: none"> - The status of women in Thailand has drastically improved - The government integrated the SDGs into the planning and budgetary processes 	<ul style="list-style-type: none"> - Not a member state of the UN to participate in SDGs - The SDGs have no legal status in Taiwan - Taiwan is willing to complying with SDG5 in pursuing gender equality. 	<ul style="list-style-type: none"> - The Philippines government integrates the SDGs into its social, economic and environmental agendas - Considering creating a high-level inter-agency NEDA Committee to plan and oversee the coordinated implementation of SDG-related policies and programs 	<ul style="list-style-type: none"> - Pakistan ratified CEDAW in 1996: two decades later, it is far from implementation - Women's low status deprives the state of realizing the full productive potential of half the population - Remains far from achieving SDG 5, the goal of ending discrimination against women and girls
State of violence against women	<ul style="list-style-type: none"> - "1300 Calling" One Stop Crisis Center, mechanism for 24-hour case notification - One Stop Crisis Center (OSCC) offers support for victims of domestic violence - The Gender Equality Act of 2015 and Labor Protection Act of 2010 provide protection for everyone from gender-based discrimination 	<ul style="list-style-type: none"> - Three Acts against gender-based violence - "113 Calling" mechanism for case notification - Reform is urgently needed in the judicial system 	<ul style="list-style-type: none"> - Acts against gender-based violence - 1,918 Women and Children Protection Desks (WCPD) nationwide, for responding to and preventing, receiving, and documenting gender-based violence 	<ul style="list-style-type: none"> - From report Pakistan 2016/2017, 3,000 cases of violence against women and girls (such as murder, rape, domestic violence, kidnapping) - Pakistan's society has deeply rooted gender stereotypes that perpetuate gender-based discrimination, instituted in historically established religious and cultural norms - Acts, bills, and amendments provide protection for women and girls from gender-based violence
Political participation	<ul style="list-style-type: none"> - National Legislative Assembly is 10.53% women - National Reform Steering Assembly is 9.68% percent women - Gender equality issues are addressed in the current Constitution 	<ul style="list-style-type: none"> - High in parliament and local legislative bodies, but low in executive branches and local civil bodies - Rules and incentives that encourage women to participate in elections should be offered - Parliament is 38% women, but the cabinet and civil bodies are just 10% female 	<ul style="list-style-type: none"> - Women occupy 43.5% of the third-level positions in government - 21.5% of elected officials are women 	<ul style="list-style-type: none"> - 26 bills were tabled by women in reserved seats during the last parliamentary year - Small number of parliamentary interventions initiated by women in politics - Senate is 17% women - National Assembly is 20.4% women
Economic participation	<ul style="list-style-type: none"> - Unemployment rate was 1.4% for men and 1.2% for women (May 2017) - Thailand ranks 71st out of 144 countries in the Global Gender Gap Index (2016) - Women's labor force participation rate of 63% (World Bank, 2017) 	<ul style="list-style-type: none"> - Gender pay gap and position gap exist, - Taiwan ranks 38th out of 144 countries in the Global Gender Index (2016)¹ - Workplace discrimination against pregnant women and LGBT people - Affordable child care policy is urgently needed - Women's labor force participation rate is 51% (National Statistics, 2017) 	<ul style="list-style-type: none"> - Women's labor force participation rate is 49.3% compared to 77.9% for men - In 2016, 53% of women registered new business names, whereas 57% of men registered business name renewal - The Philippines ranks 7th out of 144 countries in the Global Gender Gap Index (2016) 	<ul style="list-style-type: none"> - Women's labor force participation rate is 25% (World Bank, 2017) - 30% of women in Pakistan's labor force are home-based workers - Pakistan ranks 143rd out of 144 countries in the Gender Inequality Index (2016)

¹ <http://www.gender-indicators.org.tw/zh-tw/equal/index/GGI>.

2. Recommendations

Laws and regulatory frameworks are effective mechanisms in boosting gender equality, but there are still obstacles to translating law and policy into practice. We recommend pursuing the realization of gender equality through the following instruments.

2.1) Laws and Regulations

- States should **integrate the SDGs** into policy and law at both local and national levels; develop social, economic, and environmental agendas, and **mainstream Gender Responsive Budgeting (GRB)** into their planning and budgetary processes. Moreover, GRB should be addressed in the Budget Act.
- States should **amend outdated regulations** and push for judicial reform.
- Stakeholders in both the private sector and government agencies should participate in international benchmark reviews to ensure they **provide gender-friendly workplaces, childcare, and long-term elderly care.**
- Government agencies should **collect gender disaggregated data** in order to analyze the situation, problems, and roles of men and women in society and provide the appropriate policies and projects to enhance gender equality. In addition, the government should seek to **include the nation's data in relevant global archives** like the Human Development Index (HDI of UNDP) and World Bank Data.

2.2) Acknowledgement and Awareness

- **Relevant agencies** should promote knowledge about gender equality and fairness in society, especially through training courses on GRB, and encourage public debates that help foster a nationwide culture supportive of gender equality. There should be **research or a forum** with the media to share information on the status of gender equality and the problem of gender-based violence. In addition, they should brainstorm ways to address the violence problem.
- **Educational organizations**, including schools, vocational training institutions, and life-long learning facilities should be the key institutions teaching children concepts such as the difference between genders and gender roles in society, and boosting the culture of gender equality. All stakeholders, especially the government, media, and education sectors, should integrate their activities and commit to strengthening and empowering women. It is especially important to focus on the structural causes of gender-based violence through education and community mobilization. Furthermore, the government should **build women's capacity as leaders, agenda-setters, and participants in governance.**

- **The media** should publish positive news stories and information about gender equality in various dimensions. Dramas should portray role models, especially honoring other people. The media should not publish much news about violence because it may accustom people to violence.

- Concerned organizations/groups should be strengthened in order to **support and protect victims of domestic violence**. Voices of women should be heard not only in their communities, but also in mass media and social media outlets. Concrete actions to support victims of violence, and widows and orphans of extrajudicial killings, **should be continued and intensified, including awareness-raising of the reality of the current situation and putting a face on the impact killings have upon families left behind**; protecting those who are willing to come out and speak about killings; “psychological first aid” for victims and their family members; and a show of solidarity with affected communities to help them overcome the trauma of their experiences.

- The most important recommendation is that women themselves should play a role in strengthening women through bottom-up and grass root networking at national and regional levels, and carry out a model of participatory democracy in Asia. **Women should recognize their rights to economic participation and access to public services**, such as education and health care. And not only for women, but also for all gender minorities. This is the best way to empower women and build sustainable development, which will bring about gender equality in Asia.



