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Reject Transphobia, Respect Gender Identity: An Appeal to the United Nations and the World Health Organisation and the States of the World

(Editor's Note: Isis International is supporting this global call against transphobia, along with the International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA). For more information on this statement, please contact Stephen Barris through contact@idahomophobia.org)

Every day, people who live at variance to expected gender[1] norms face violence, abuse, rape, torture and hate crime all over the world, in their home as well as in the public arena. Though most cases of violence never get documented, we know that in the first weeks of 2009 alone, Trans women have been murdered in Honduras, Serbia and the United States. Trans men are equally victims of hate crimes, prejudice and discrimination despite their frequent social and cultural invisibility.

The basic human rights of Trans people are being ignored or denied in all nations – be it out of ignorance, prejudice, fear or hate and Trans people overwhelmingly face daily discrimination, which results in social exclusion, poverty, poor health care and little prospects of appropriate employment.

Far from protecting Trans citizens, States and International bodies reinforce social transphobia through short sighted negligence or reactionary politics:

Because of the failure of national law and social justice, in far too many States Trans people are being forced to live a gender which they experience as fundamentally wrong for them.

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When the Reds had their turn in Thailand

Last month saw yet another set of disturbing scenes on the streets of Bangkok. After the People's Alliance for Democracy (PAD) successfully paralysed Thailand's major international airport with supporters who wore the colour of the royalty and installed a new leadership, the United Front of Democracy Against Dictatorship or the Red Shirts took their turn. The protests resulted in the death of two protesters, razed buses and other damages. The current government also ordered the closure of community radio stations associated with the Red Shirts.

Chanida Bamford, coordinator of the Bangkok office of Focus on the Global South shares her reflection on these events.

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Unending Escape for Survival in Sri Lanka

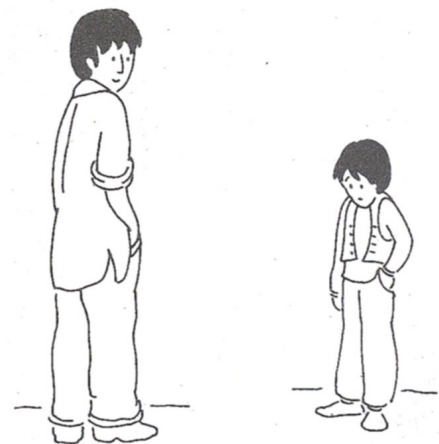
by Nina Somera

How much longer?

This has been the dominant question of Sri Lankans in the country's northern region of Vanni are participating in a massive exodus for safety. Despite hunger, thirst and uncertainty, civilians continue to walk under a sweltering sun for their survival.

While there may be reasons to believe that the 25 year old civil war is nearing its end, no one

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*"Are you the father of this child?"
"No! I am the Mother."
"Oh, I am sorry!! Your son is lovely."
"Actually, that lovely child is my daughter".*

Illustration by Bindia Thapar. From Laughing Matters by Kamla Bhasin and Biandia Thapar. New Delhi: Jagori, 2007

Urgent Need to Ensure Developing Countries Have Fair Access to Influenza Anti-virals and Vaccines

by Third World Network

The current outbreak of H1N1 virus has again highlighted concerns that people in developing countries will have little or inadequate access to much needed influenza vaccines or anti-viral treatments. Thus, there is an urgent need for establishing a global system of fair and equitable system for the sharing of the anti-viral vaccines and treatments on the basis of need.... The current discussion at the World Health Organisation (WHO) needs to conclude [with an assurance that] developing countries...will have access to affordable anti-virals and vaccines and the appropriate technology to make such products.

Last week, WHO alerted the international community to the possibility of a full-scale pandemic, as it raised its pandemic alert for the H1N1 to stage 5. As of 3 May 2009, 17 countries have officially reported 787 cases of influenza A(H1N1) infection.

The H1N1 outbreak is a stark reminder that if a deadly pandemic were to develop, there will be a desperate fight over limited supplies of anti-viral treatments and vaccines, in which the developing countries will be at a vast disadvantage.

Today more than 90 per cent of the global capacity for vaccine manufacturing is located in Europe and in North America[1]. Developed countries through advance purchase agreements with manufacturers have already reserved a good portion of the limited current manufacturing capacity[2]. Thus in the event of a pandemic, the world would be several billion doses short of the expected demand.

If there is a worldwide pandemic of a new deadly influenza billions of doses of anti-viral treatments and vaccines will be required in the developing world and manufacturers will only be able to supply a small portion of what is needed. The anti-virals and vaccines sold to developing countries are also likely to be expensive, making them unaffordable for those in need.

Similarly the latest technology and know-how needed to produce the necessary vaccines or anti-viral treatments are with manufacturers in developed countries, and often protected by patents and trade secrets, and thus inaccessible to manufacturers in developing countries...

For the past two years, developing countries led by Indonesia, Thailand, India, Nigeria and Brazil have been fighting for reforms in the WHO influenza system to ensure that developing countries (many of which contribute their viruses for research and for manufacturing vaccines) are

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Reject Transphobia, Respect Gender Identity...

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In most countries, any attempt to change one's gender can lead to legal sanctions, brutal mistreatment and social stigma. In other countries, legal recognition of gender change is subject to sterilization or other major surgical intervention. Trans people who cannot or do not wish to submit to this, cannot obtain legal recognition of their preferred gender, and are forced to "come out" whenever they cross a border, run into a police patrol, apply for a new job, move into a new home or simply want to buy a mobile phone.

Contributing factors include that current International health classifications still consider all Trans people as mentally "disordered." This outdated vision is insulting and incorrect and is used to justify daily discrimination and stigmatization in all aspects of Trans people's lives.

Recently though in some countries with very different social and cultural contexts significant legal advances have been made. Following in the wake of bold judicial decisions, State action has led to increased acceptance of Trans people within their society. This demonstrates that understanding and progress is possible.

Currently Trans people everywhere in the world rise up to reclaim their human rights and freedom. They carry an unanimous message that they will no longer accept to be labelled sick or treated as non human beings on the basis of their gender identity and gender expression.

This is why we ask:

- The WHO. to stop considering Trans people as mentally disordered and to promote access to adequate health care and psychological support, as desired by Trans people.
- The United Nations Human Rights bodies to examine the human rights abuses that Trans people face around the world and to take action to combat these abuses.
- The States of the World to adopt the international Yogyakarta Principles and ensure that all Trans people benefit from appropriate health care, including gender reassignment if they so wish; be allowed to adapt their civil status to their preferred gender; live their social, family or professional lives without being exposed to transphobic discrimination, prejudice or hate crime and that they are protected by the police and justice systems from physical and non-physical violence.

We call on the UN, WHO and the nations of the world, in adopting these measures, to refuse transphobia and welcome the right of their citizens to live fully and freely in their preferred gender, assumed as an expression of cultural freedom.

[1] Such as transvestite, transsexual, transgender and other cultural identities related to cross-gender dressing and living.

Subic Rape Case: Indeed A Nightmare in US-RP Military Relations

by Nina Somera

Alas the fears of Philippine women's movements came true.

On 22 April 2009, the Philippine Court of Appeals (CA) reversed the earlier decision that convicted United States soldier Daniel Smith for raping a Filipina, known to the public as "Nicole." Three women justices of the Court of Appeals penned the decision, pointing out that what transpired was not rape but rather a "spontaneous, unplanned romantic episode."

Although women's groups were not surprised by the decision, they were outraged by the very interpretation of the CA of the events, particularly rape. They wrote, "...Reality dawned on Nicole—what her audacity and reckless abandon, flirting with Smith and leading him on, brought upon her..."

The decision failed to take into account the intoxication of Nicole as well as the testimonies of other witnesses.

Aida Santos, a member of Task Force Subic Rape and the Philippine Women's Network for Peace and Security lamented: "How could you, Justices Fernando, Dimaranan-Vidal and Arevalo-Zenarosa believe the lies by the defense? Who swayed you?...It does not make sense. Ask anyone in the streets, in school, in communities. Ask the women. The evidence was overwhelming. And if science would be the sole basis, Smith raped Nicole."

A drunk Nicole met Smith and three other US servicemen in a bar in Subic. She was hoisted into a van where she was raped by Smith as the three other soldiers cheered on. A male DNA found on Nicole's underwear matched with that of Smith. Nicole's bruises also indicated rape. Bartenders in Neptune Bar and a toxicologist also attested to the high levels of alcohols that Nicole consumed, preventing her from consenting to sex.

In a previous interview with Isis, Esperanza Santos remarked, "How come it is so easy to believe that Nicole lied? For most people, Nicole is still a loose woman who is punished for drinking. Yet boys are never questioned when they stay late at night and drink alcoholic beverages. The public also has a typical idea of rape. It could not appreciate that what happened was a rape show, that was why Smith's fellow soldiers were cheering him on."

Women's groups have also criticised the Philippine government, which demonstrated its submissiveness to the US even before the trial started. Just a week after his conviction, Smith was transferred from the city jail to the US embassy in Manila. A day or two after the release of the CA decision, Smith exited the country without leaving any trace in the records of the Philippine Bureau of Immigration and Deportation. His own Filipino counsel was likewise unaware of Smith's departure until the US embassy released a statement.

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Unending Escape...

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can tell when the last bombs will fall. As Monica Zanarelli of the International Committee of the Red Cross-South Asia pointed out, "The ICRC has asked the authorities to clarify the time frame for lifting restrictions on movement imposed on the displaced population and to indicate when the resettlement process will begin." Some civil society groups estimate that given the destruction the war has wrought, it might take two years for affected communities to resume their lives.

At the moment, internally displaced people have reached more than 200,000. Some managed to flee the conflict zones by sea but more have been trapped in the crossfires.

Civilians are bearing the brunt of the continuing fires from both sides. Albeit some areas have been declared "no-fire zones," bombings and shellings are making it difficult for civilians to move to safer grounds. In some cases, it is said that the rebels have deliberately prevented civilians to join an exodus. The Tamil Tigers have also been accused of intensifying their recruitment of child soldiers.

According to Human Rights watch researcher Anna Neistat, "They shoot those who are trying to escape to government-controlled areas. They cannot spend 24 hours in their bunkers. The density of civilian population is enormous. Any attack in this area will result to enormous casualties. And so far, the government demonstrated reckless disregard."

Meanwhile, government forces have also continued shelling the area it declared to be a "no-fire zone." It has also refused to heed calls for ceasefire, which it referred to as a "joke." It also banned the media and civil society groups from penetrating certain areas.

Back in temporary shelters, internally displaced people (IDP) are facing the problems of inadequate food, water and even sleeping areas. Tarpaulins are not enough to shield affected civilians especially children from the 35 degrees Celsius. The grounds, however, are not prepared for rains. Many are also wary of family members who have been separated from them in course of the exodus.

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In 100 Days Obama Scored Big for Women of Colour

by C. Nicole Mason

[Editor's Note: While somewhere in the global South women are disappointed with Obama's alleged intervention for the release of a convicted American rapist, women of colour in the US have reasons to celebrate Obama's first 100 days in office. This commentary originally appeared on Women's e-News on 27 April 2009, URL: <http://www.womensenews.org/article.cfm/dyn/aid/3993/context/archive>]

On April 29, President Barack Obama will mark his 100th day in office.

For women of colour, it's also the time to mark a new era of political visibility and prominence.

Since he took office, Obama has appointed or nominated eight women to his cabinet or other high-level leadership positions and more than 50 per cent of these nominees have been women of colour. This is not only more than any other US president, it's a watershed moment in the history of women of colour in this country.

Hands down, the standout appointment is Secretary of Labor Hilda Solis. She is a pro-labour activist, who has served as congresswoman for the majority Latino 32nd district representing East Los Angeles for eight years. In a time of severe economic crisis and record unemployment rates, she will bring to the policy-making table an unparalleled understanding of the issues facing low-to-moderate income working families and immigrants.

Solis in Good Company

Solis is in good company. She will be joined by veteran environmental regulator Lisa P. Jackson, who will head the Environmental Protection Agency. Raised in the lower-ninth ward of New Orleans, a neighborhood ravaged by Hurricane Katrina, Jackson has called for action on climate change and global warming.

The lineup also includes noted policy expert Melody Barnes, a former lawyer and executive vice president at the Center for American Progress. As director of domestic policy, Barnes will coordinate national policy-making in the White House and advise Obama and Valerie Jarrett, White House senior advisor and chair of the newly created White House Council on Women and Girls.

The other high-profile women of color appointed by Obama are Susan Rice, former assistant secretary of state for African Affairs under President Clinton, as ambassador to the United Nations and Cassandra Butts, a former Harvard law classmate of Obama, as deputy White House counsel.

None of the established posts have ever been held by a woman of color. The influence that these women will have on policy and the direction of the country may be enormous.

Historically Left Out

Historically, women of colour have been locked out of the halls of power. Although they experience the fastest growing rate of HIV-AIDS infection of any other group at 75 per cent; have infant mortality rates 2.5 times higher than their white counterparts; and are more likely to live in poverty, recent policies such as the Welfare Reform Act of 1996 and even the Violence Against Women Act of 1994 were passed without solid input from women of color.

This new cadre of women in the White House is different. They not only bring knowledge of the economy, environment, education and housing to the table, but a keen familiarity with how issues are impacting communities across race, class, gender and geographic location. They have also been empowered by the Obama Administration to shape policy and key legislation.

In addition to the historic appointments of women of colour, Obama's first 100 days were good for all women.

In the throes of a spectacular financial crisis and just six days into his presidency, Obama lifted the rule that restricted US aid from helping any overseas family planning agency that used its funds to support abortion in any way. While not surprising, it did send a reassuring message about Obama's intention of overturning harmful and shortsighted policies instituted over the last eight years.

Another positive signal was the new was the new president's decision to make the Lilly Ledbetter Fair Pay Restoration Act the first piece of legislation he signed into law. The law gives women a longer time period in which to challenge unequal pay, which can be expected to help women from coast to coast and across occupations. And in his recent Economic Recovery and Reinvestment Act, over US\$100 billion dollars are dedicated directly or indirectly to providing support to women and families.

Less than a month shy of his 100 days, lest he forgot something, Obama created the White House Council for Women and Girls, an inter-agency office designed to ensure that the policies and programs implemented by different federal agencies take into account the needs of women and girls. A similar office was disbanded by George W. Bush in his first 100 days in office.

With 1,360 days still left in office, the possibility of two Supreme Court nominations over the next few years, two outstanding cabinet appointments, and women still lagging behind in earnings, representation in elected office, and many fields in science and technology, Obama still has plenty more time and opportunity to keep closing the gender gap.

World Association for Christian Communication (WACC) Statement on World Press Freedom Day

(Editor's Note: The statement can be downloaded from URL: <http://www.waccglobal.org/component/content/article/1768:press-freedom-and-responsibility-go-hand-in-hand.html?Itemid=167>)

WACC recognises – along with many others – that freedom of the press underlies democracy and enhances freedom of expression. The capacity of the “fourth estate” to hold governments and public institutions accountable, to inform and alert the world’s people is indispensable. And never more so than in an age of 24/7 digital communication.

Press freedom is essential for the media to foster dialogue, challenge violations of human rights and the rule of law, and expose corruption. Press freedom is a matter of life and death. Already in 2009, Reporters Without Borders has recorded the deaths of 18 journalists and the imprisonment of 143 journalists and 66 cyberdissidents. Article 19 recently highlighted the plight of women journalists in Yemen, who are subject to censorship and slanderous attacks “simply because they are women.”

Journalists everywhere must be able to practice their profession without fear and censorship. The resurgence of official censorship in Fiji is of particular concern on this World Press Freedom Day.

Good governance and informed democratic participation depend on a free press. They also depend on diverse and pluralistic media that follow high professional and ethical standards of accuracy and inclusiveness, and that are not beholden to special private or political interests. Only the observance of high professional standards enables the media to hold or gain credibility with the public. A public well served by a highly professional and ethical press is a public that will see value in press freedom.

Thus, media responsibility and accountability in combination with press freedom lie at the heart of democratic processes. With this in mind, civil society media observatories have begun to monitor media content and to critique media ownership and control. Media reform movements in Europe, Latin America and North America underscore the need and desire for an inclusive, diverse, vibrant and fair media free from political and commercial special interests.

When the mass media are free, independent, responsible and accountable can they contribute meaningfully to the life and liberty of the populations they serve. A free press that gives voice to minorities and marginalised groups promotes dialogue and mutual understanding among the different groups in society.

Press freedom in combination with media professionalism and responsibility enables spaces in which to inform and be informed, to debate public-policy making and the way powerful public and private institutions are run. Together they enable alternative points of view and – ultimately – truth-telling in matters of public concern.

WACC stands for communication rights in a pluralistic society. We believe that press freedom in combination with media professionalism, responsibility and accountability is vital to open dialogue and debate in a world of diversity. Media practitioners and civil society can work together to bring this about.

When the Reds...

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How would you assess the six-week protests of the UDD and their impact on the immediate future of Thai politics?

The prospects for the United Front of Democracy Against Dictatorship (UDD) and sympathetic organisations (the red shirts) are very poor: Their figurehead, former Prime Minister Thaksin Shinawatra, is a fugitive from justice in self-imposed exile; their first-line leadership is in jail; their media outlets— a TV station, numerous community radio stations and over 60 websites— have been closed and banned. They attempted to copy many of tactics of their arch-enemy, the yellow-shirted People’s Alliance for Democracy (PAD). But where the PAD appear to have enjoyed impunity, the UDD have been suppressed. Their only option now is clandestine circulation of information, much of which is unsubstantiated rumour, and seething resentment.

Prime Minister Abhisit Vejjajiva has offered the possibility of an amnesty and dialogue on political reform. This would appear to be a progressive development. But two questions have to be asked. Are the offers sincere? And if yes, can he actually deliver?

The offer of dialogue on political reform was made before the latest violence and was presented in a 27-month-long framework for amending a constitution that only took six months to write. This raises suspicions that it was a ploy to buy time without having to call for an election that the ruling Democrat party itself fears it will lose. The amnesty, depending on its terms, may end up exonerating the PAD as well as the UDD and the politicians who were bribed into joining the Democrat-led coalition government as well as red-shirt MPs.

Abhisit became PM on the strength of losing two elections and boycotting a third. The military and palace are widely thought to have been instrumental in engineering his chance of taking office. It is not clear how much freedom the PM would have in acting against the wishes of these parties. Military involvement in human rights abuses, for example, even in cases that happened before PM Abhisit’s watch, have gone unpunished.

How would you assess the roles of the King and the military in quelling and addressing the resentment of Thaksin supporters?

Thailand has some of the fiercest lèse majesté laws in the world and the role of the King cannot even be discussed. All that can be said with any certainty is that the King has said nothing throughout this

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crisis and the Queen displayed clear partiality towards the PAD. Certainly the PAD are staunchly royalist; and if there are any republicans in Thailand, they will be among the reds.

The elephant in the room that few dare discuss openly is the implications of the current political polarisation on the succession. Right now, the yellow side can point to a benevolent monarch revered by the Thai on the street. But this loyalty is to an increasingly frail 81-year-old monarch, rather than to the monarchy as an institution. The connection between the palace and military is largely mediated by the presence of former military leaders in the Privy Council, most notably Gen. Prem Tinasulanonda, PM through the 1980s, and Gen. Surayudh Chulanond who was appointed PM by the leaders of the 2006 military coup. The reds, through ex-PM Thaksin, raised the stakes by openly accusing these two, together with leaders of the judiciary of being involved in planning the 2006 coup. This is inches away of accusing the palace of involvement in politics.

The military were completely unresponsive when the previous government called on them to deal with the PAD occupations of Government House and the airports. This escalated into virtual insubordination when the Army chief called on national TV for the resignation of the PM. The army were also slow to get involved in the more recent conflict. The police were allowed to show their incompetence, indiscipline and/or reluctance to deal with street blockades in Bangkok for four days before the army moved in. They did so successfully while avoiding the bloodbath of May 1992, which earlier tarnished their reputation.

How polarised is Thai society? How would you describe the possibility for a middle group to emerge?

Thai society has been extremely polarised for a decade. This couldronically be blamed on the 1997 “People’s” Constitution, which aimed to avoid the instability and corruption that happened in repeated coalition governments. It increased the power of the executive while balancing it against a set of new “independent agencies.”

Partly through so-called “populist” policies, Thaksin won handsome electoral majorities, took the enhanced power and preceded to neutralise the “independent agencies.” In the meantime, a system of “policy corruption” enriched his family and businesses. Human rights were trampled with the war on drugs and suppression of violence in the south.

Hatred of Thaksin became the unifying element for the various sectors of society that felt threatened – from business rivals to NGOs to Buddhist fundamentalists. This broad spectrum of interests formed the PAD in 2006 when the military got rid of Thaksin by a bloodless coup. It was the red's turn to feel threatened. Their PM had been overthrown and the military rammed a new constitution down

their throats. They got their own back in the first post coup election, which they won, despite Thaksin’s Thai Rak Thai party having been dissolved by a compliant court (which found the Democrats not guilty at the same time).

The return of a “proxy” Thaksin government in the December 2007 elections was the cue for the PAD to return to the streets and the ultimate downfall of two pro-Thaksin PMs. The PAD was more openly royalist, nationalist and anti-democratic, alienating its former more progressive supporters. But even groups that might have been expected to be “neutral,” such as human rights organisations, were quickly identified as being one side or the other.

It is important to note that even though each side represents, at best guess, no more than 20 per cent of the population (counting activists and sympathisers), they resemble each other in a way that the disinterested middle does not.

They both rely on charismatic leaders who make outlandish promises. They are both united primarily by hatred for the other side, rather than any positive agenda (hence the vitriolic language commonly used). Both claim to be speaking for the true interest of the country. Both assembled large propaganda operations, mostly aimed at maintaining their own side’s loyalty and demonising the opposition. Both operate by decision-making systems that are in no way democratic.

The few feeble attempts to start a “white shirt” movement have floundered in this supremely negative polarity. It is hard to see any possibilities for progress here.

What has been the impact of the protests for ordinary Thais? Who among them have been grossly effected and why?

Most of ordinary Thais wear red or yellow shirts and are directly affected by the fortunes of their side. Right now the yellows are crowing and feel that they have might as well as right on their side. The reds seethe with resentment at being cheated by a conspiracy of the elite—the palace, the military, the judiciary and the establishment.

“No-colour” Thais wish, to varying degrees, a plague on both their houses. They have suffered disruptions to their lives from blockades of the airports and roads. Workers in some sectors, such as tourism, were already taking a hit that has been made much worse. But probably the biggest effect is indirect. When governments have to concentrate on suppressing opposition forces on the street, they have less time to think what to do about the accelerating collapse of the Thai economy. Already perilously exposed to the global crisis by its heavy reliance in export-led growth, Thailand is less likely to work out constructive policies for saving jobs and businesses if its leaders have to keep running away from mobs.

Urgent Need...

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assured of access to technology and know-how to prepare [for] a pandemic....However there has been fierce resistance from developed countries particularly the US, EU and Japan, that would like to ensure that no obligations are placed on their manufacturers to share their technology and know-how, or treatments that developing countries need.

For developing countries to prepare for or combat a pandemic, there needs to be international solidarity, a call made ALSO by WHO Director General Dr. Margaret Chan.

This international solidarity needs to be realized in the upcoming negotiations on influenza virus and benefit sharing that resumes on 15 May in Geneva....Developing countries have proposed several measures on benefit-sharing including:

—Obligating manufacturers that receive virus samples to contribute to a WHO stockpile and to provide developing countries with vaccines and anti-virals needed at a reasonable costs;

—Providing technology and know-how licences to allow manufacturing in developing countries; and

—Obligating manufacturers to contribute a portion of their profits to a fund which could be used for purchasing the needed vaccines or anti-virals as well as building manufacturing and other relevant capacity in developing countries.

—Ensuring that patents and intellectual property rights (IPRs) do not block access to needed vaccines and anti-virals as well as the technology to produce such products....

[1] See WHO's Questions and answers related to vaccines for the new influenza A(H1N1), available at http://www.who.int/csr/disease/swineflu/frequently_asked_questions/vaccine_preparedness/en/index.html

[2] The 2006 WHO Global Pandemic Influenza Action Plan to increase vaccine supply estimates that if manufacturers optimize current output, the production capacity for potential influenza vaccine would be 500 million doses (inactivated trivalent vaccine).

Subic Rape Case...

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In her open letter to the three women CA justices, Aida Santos said, “After what you’ve done, do you expect women to be brave enough to report cases of rape or any other forms of violence?... At the end of the day, the nation lost the case... And the winner is the United States of America, the military establishment...”

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We! is the newsletter of Isis International, an international NGO servicing women's information and communication needs within and beyond Asia and the Pacific region. We! provides the latest information on the issues, campaigns, conferences, training opportunities, funding possibilities and other goings-on in the women's movement. It also provides updates on national, regional and international events organised by NGOs, government bodies and multilateral agencies that impact women.

We! comes out in both electronic and print editions. The electronic edition is circulated every two weeks, and the print version as special editions. In consideration of the limitations of print space and time-bound nature of some of the materials, not all articles and postings in the electronic version will be included in the monthly version. Isis International encourages feedback and looks forward to receiving information about your activities, issues and campaigns. Archives of we! may be viewed at <http://www.isisinternational.org>

Isis is located at 3 Marunong Street, Central District, Quezon City Philippines 1100, with tel. no. +63 2 928-1956 and fax no. +63 2 924-1065. Send communications to communications@isiswomen.org