

Feature Address  
By Her Honour Mrs. Deborah Thomas-Felix  
President of the Industrial Court of Trinidad and Tobago  
Thanksgiving Service and Launch of International Women's Day 2018

## **Feature Address**

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**President of the Industrial Court of Trinidad and Tobago**

**Thanksgiving Service and Launch of  
International Women's Day 2018**

**Hosted by**

**The Network of NGOs of Trinidad and Tobago for the Advancement of Women**

**Holy Trinity Cathedral, Port of Spain**

**Sunday, March, 4, 2018**

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## **Get Up, Stand Up, Speak Up For Gender Justice**

***Namaste,  
Assalam ualaikum,  
Good Morning everyone***

I am deeply honoured to be invited to address you as we celebrate International Women's Day at this Thanksgiving Service. It does not escape me that this year marks 60 years of commemoration of International Women's Day in Trinidad and Tobago. I am particularly heartened by your theme for this year "***Get Up, Stand Up, Speak Up For Gender Justice***".

I want to sincerely congratulate the Network for its hard work, tenacity and robust advocacy over the years. A number of the significant advancements we have seen in our twin-island Republic in the area of women's empowerment are as a result of the tireless advocacy, persistence and conviction of the NGOs.

At this time in our history, as we are poised to begin the third decade of this new millennium, we *do* need to get up, speak up and stand up against all forms of injustice as we witness and experience the rapid transformation of our society from a peaceful nation, to a nation which is plagued by continued violence and injustice against women, men, boys and girls.

Despite what we are told officially – which is that we are in a recession characterised by a deepening economic malaise - in 2017, Trinidad and Tobago was still classified as a fairly high middle income country in this hemisphere. Our twin-island republic boasted a per capita GDP of US\$16,000, inflation stood at 1.5% and a GDP at market prices of over

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US\$21.5 billion and we were still managing to contain unemployment at 3.9%.

However in 2017, we were also debating child marriage. Let me emphasise, we debated child marriage in 2017. To be specific, our Parliament debated the change of the age of marriage (under Hindu Law, Muslim Law and Orisha Law) for girls from as low as age 12 to age 18 years which is the universally accepted age of marriage. These marriages to underage girls have been sanctioned by law and by society for decades and remained entrenched in our laws up to 2017.

While it can be argued, that the figures for children and teenagers who actually got married were relatively low with UNICEF estimating that 2% of girls were married by 15 and 8% by 18, I noted that it was reported in one of

our daily newspapers that the Attorney General of the Republic of Trinidad and Tobago cited a figure of 3,478 child marriages which occurred between the period of 1996 and 2016 and I wondered why does this issue require debate?

To compound the problem, of that figure, as the Attorney General informed, 3,404 were girls while 74 were boys under the age of 18, illustrating the pervasive influence of longstanding beliefs about the role of the girl child and that of women.

The fact that such laws were retained for so long and have been defended in some quarters may suggest first, a degree of societal comfort at some level, with the philosophy and value system supporting child marriage; and second, a lack of urgency on the part of those who govern and society to seriously address the overall treatment of women and girls especially in the areas of domestic violence and abuse.

I wonder aloud, how in 2017, this issue even required debate. More critically, it catalysed a portion of our society to rise to defend it. In my view, this should

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give us pause, for as we celebrate the tremendous gains made by girls, women, boys and men, we should not lose sight of what our child marriage debate highlighted: firstly, the persistence of a deep rooted belief, in some quarters, that young girls are of lesser value and are akin to property; and also, the reality that we have a lot of work ahead of us on how we shape our society to view and to treat our girls and young women.

Critically, this example also underscores one key instrument in the arsenal against gender-based inequities: ***The continuous examination of the law and our legal framework with a view of identifying areas for change.*** This must be put on the front burner and at the forefront of any decision we make as NGOs and as policy makers. The reason is, that the issue is not only one of gender justice; for me, it is one that speaks to fundamental human *injustice* in the context of our broader human rights commitments.

The way I see it, and I say so respectfully, any action, any law, any value system in any society which renders a woman inferior, which allows her to be less educated, receive less wages, be subject to constant assaults, or to

be married at 12 because as we say here in Trinidad and Tobago "*after 12 is lunch*" is violence against all of us and constitutes a grave violation of the fundamental tenets of the human rights of citizens.

It is therefore, strictly speaking, not just gender injustice that is perpetrated against women and girls, but a form of systemic, structural, accepted violence and injustice that has decimated and continues to eviscerate our people on a daily basis.

We need only to read the headlines to learn about the violent attacks against women. Just recently we recoiled in horror at the vicious, pernicious attack on yet another woman who lost her life at the hands of her partner. Some of these acts are committed in the full view of children, and usually, the unspoken and attendant problem is that of children growing up as orphans. We need only to remember our friend or sister who was fired or received less pay because she was pregnant; we need only to remember the horrific cases

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of child abuse detailed most recently by the Children's Authority, to know that our citizens live with a constant sense of fear, uncertainty and insecurity on a personal, economic and psychosocial level.

This, my friends, is why we must continue to advocate for equity in the strongest terms, not only in the nominal sense, but at every level and in every forum. This is critical, because I daresay that the economic, social, cultural and personal insecurity which citizens may experience in their daily lives, can feed directly into perpetuating an insecure and less resilient state. Where this type of insecurity proliferates, communities and nations will, in my view, struggle to realise their full potential and to contribute meaningfully to the achievement of parity, equity and justice for all. So when we get up, when we stand up, when we speak up for gender justice we stand up for the survival of our nation and of our people.

Understanding the role gender-based discrimination can play in fostering various types of insecurity in all aspects of our nationhood is therefore central to this debate. To illustrate, in terms of the economics of gender injustice, consider if you must, a 2015 McKinsey Global Institute Report that estimated in a scenario where women fully participated in the labour market as men do, US\$28 trillion could be added to the annual global GDP by 2025. This highlights the second key instrument to engage: **women's economic empowerment**.

On this subject, I feel compelled to also share some thoughts with you on an area that is steeped in the concept of social justice- the intersection of the world of women and the world of work.

From my vantage point as President of the Industrial Court, a Judge on the UN Appeals Tribunal and a member of the International Labour Organisation's (ILO) Committee of Experts on the Application of Conventions and Recommendations, I am reminded daily of the broad reach and profoundly altering impact of social justice on women's economic empowerment. This element is critical to achieving lasting parity and it is an area that merits devoted policy space and attention.

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It is therefore not surprising that the ILO, whose *raison d'être* is social justice, has dedicated a significant portion of its mandate over the past nearly 100 years to combatting discrimination in every form. Foremost among those is gender-based inequities.

From the landmark Domestic Workers Convention in 2011, the Maternity Protection Convention in 2000, the Workers with Families Responsibilities Convention in 1981, the Discrimination Convention in 1958, the Equal Remuneration Convention in 1951 and the Social Protection Floors Recommendation in 2012; the ILO's mandate on achieving equality in the world of work highlights the importance of reducing the gap between the rich and poor and the need for gender parity.

The work of the ILO also brings into focus the importance of creating options for women, and in so doing, facilitating the enjoyment of choice, which is central to true empowerment.

Clotil Walcott, the founder of National Union of Domestic Employees (NUDE) knew this, observing decades ago that she did the work of three men but got paid less than any one of them. Thankfully, those days are generally receding into the distance and the criteria to get and hold a job no longer depends on the arrangement of one's chromosomes.

We must admit that some parity has been achieved over the years and this, to a large measure, is due to the concerted action by civil society. Indeed, notable mention must be made of the work of the NGOs and the legislature in this regard.

While reforming the legal system and expanding the range of economic options available to women are central to advocating for change, lasting sustained transformation tends to be within reach, when the mechanisms I have mentioned are supported by the relevant power centres to drive the

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narrative forward, create awareness, promote mainstreaming and importantly provide funding. Simply put, we still need **political will**, our third key mechanism.

And what exactly do I mean by political will? I am certain if we have time, we can define it and engage in academic arguments about the concept. However my point is, that the Gender Justice issues which we are concerned about today are those serious, troubling and pressing issues, which, if left unaddressed can constitute a threat to public health, a threat to our economic well-being, a threat to public and personal safety and a threat to the viability of our communities.

Political will – for me- therefore suggests that those who govern, treat these issues with the fierce urgency they require, by adopting the zero tolerance approach. It means defining and declaring in unequivocal terms zero tolerance to these issues and incorporating this approach in all aspects of policy making as it relates to gender inequality. The “Getting to Zero” campaign has been used very successfully in the global fight against HIV and AIDS. Let us now apply the same principle with respect to Gender Justice.

This means that those who govern must not only declare zero tolerance, but create policy which makes domestic violence shelters, hospitals, public education and women’s healthcare, priorities which attract the same type of injection of funding as do bridges, highways, roads and stadia. Moreover, this also means that we must ensure that the highest priority is afforded to gender mainstreaming across the Public Sector and state agencies.

Additionally, we should engage the enormously talented reservoir of institutional memory we have here in Trinidad and Tobago by creating a mechanism that drives the mainstreaming process forward.

Finally, it is my view that we need to seek a broader understanding of what security means for our society and communities in the context of human security.

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May I add, while the focus is on International Women's Day, we must remember our sons – the young men who are struggling to find their way in homes which are riddled with violence against their mothers, their aunts and their sisters. They learn of the injustice which their parents endure at work and observe the violence at home and they interpret it in their own way and some of them by their own acts relive that violence.

If we have the will to tackle injustice in this country then we can make the lives of these young men lives of promise, lives of potential, lives of hope and lives worth living.

In closing, I draw inspiration from the words of the abolitionist Theodore Parker which were later made famous by Dr. Martin Luther King Jr. who observed that ***“the arc of the moral universe is long but it bends towards justice”***.

So let us get up, stand up and speak up against all forms of injustice, for by so doing, each of us will leave an indelible footprint on the pathway that leads to a fair, just and equitable society.

**Sita Ram**  
**Assalam ualikum**  
**Peace Be Unto You.**