



The Conference of
Non-Governmental Organizations
in Consultative Relationship
with the United Nations (CoNGO)

Civil Society Development Forum (Main Component)ⁱ

New York Cityⁱⁱ
4-5 May 2010

OUTCOME DOCUMENT

Women's Human Rights and Development: Inclusion, Participation and Equality

Introduction

1. Representatives of member organizations of the Conference on Non-Governmental Organizations in Consultative Relationship with the United Nations (CoNGO) and other civil society groups convened in New York, 4-5 May 2010, and joined online, for the Civil Society Development Forum (CSDF) 2010 Main Component.ⁱⁱⁱ We met in preparation for the ECOSOC Annual Ministerial Review that will look into the “internationally agreed development goals, including the Millennium Development Goals, in regard to gender equality and women’s empowerment.” Within the general theme of women’s human rights and development, we discussed critical sub-themes such as inclusion, participation and equality, with the objective of putting forward our conclusions and recommendations for careful consideration and decision by ECOSOC Member States during its June-July session.

2. The keynote presentations addressed the general theme in terms of the causes and consequences of the world economic crisis and its impact on women of all ages. In five workshops, the forum examined the issues in the context of sub-themes: legal and institutional mechanisms – implementation and enforcement; women and sustainable development; women, decent work and migration; gender discrimination – multiple layers and multiple forms; and health and reproductive rights.

3. We gather at a time when the world continues to be trapped in the most complex economic crisis with serious consequences throughout the world in the areas of food, energy, finance and the environment. Unrelenting natural disasters and conflicts in different regions and countries have not only intensified threats to the socio-economic foundations and stability of the Global North, but they have also imposed ever greater burdens on the Global South. These events, coupled with the dismal failure to observe human rights and respect gender equality, have obliterated the socio-economic gains achieved over past years. They have devolved most negatively on women and children, in particular girls, whose role and strengths are consistently ignored as demonstrated by

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the continued deprivation of their access to education, funding and technology, as well as social and health services. Nonetheless, a growing number of reports show that the empowerment of women and improvement of conditions faced by women and girls is key to economic development, democracy and civil rights.

4. UN Member States and international financial institutions (IFIs) should without delay take into account the conclusions and recommendations of the UN Conference on the World Financial and Economic Crisis and Its Impact on Development held from 24 to 26 June 2009 in New York. Those recommendations remind us of the increasing impoverization of women throughout their life cycle and urge the United Nations system and the IFIs to ensure adherence to the social and economic rights of the vulnerable and marginalized communities, a particular concern being the urgency of effecting a move towards improving the conditions faced by women.

5. We have observed the 30th Anniversary of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the 10th Anniversary of its Optional Protocol, the adoption of United Nations Security Council resolutions on women in war and sexual violence in armed conflict, the appointment of a Special Representative of the Secretary-General on sexual violence in armed conflict, and the 15th Anniversary of the Fourth World Conference on Women and the Beijing Platform for Action. Further action should be taken to ensure international treaties and conventions are adopted and implemented in their entirety at the national levels, without reservations or conditions to the detriment of human rights and social justice. Laws that discriminate against women and girls need to be repealed or amended, thus ensuring women's equality in the legal system. Special efforts should be made to enforce the implementation of current laws that protect women and their rights, thereby effectively containing customary laws and social practices based on patriarchal ideology which would otherwise render the legislation declarative and inefficient.

6. During its 2010 review session, the UN Commission on the Status of Women (CSW) adopted a political declaration and reaffirmed previously existing commitments to the women of the world, a resolution on women's economic empowerment, and a resolution on strengthening the institutional arrangements of the United Nations system by consolidating the four existing offices focusing on women into a composite whole. Member States must move swiftly to establish the new entity, ensuring that its mandate addresses women's empowerment in all countries; it includes a strategic operational presence at the country level; it is ambitiously and adequately funded with stable and predictable resources; and a strong leader is appointed, who combines global vision with gender equality expertise and experience.

7. Attainment by 2015 of the Millennium Development Goals (MDGs), which bear significant implications for the advancement of women, is in dire jeopardy owing to the world economic and social crises and an apparent lack of political will. Particularly disturbing is the fact that MDG 5, reduction of the maternal mortality ratio, is the area of least progress among all the MDGs. Gender equality, in addition to being a way to achieve all the MDGs and a key to peace and development, is a major goal in itself. Moreover, although MDG 3 and MDG 5 are gender-specific, all eight goals have clear and interrelated gender dimensions.

8. In MDG 3, in particular, one target is the elimination of gender disparity in primary and secondary education, preferably by 2005, and at all levels of education by no later than 2015. Achievement is measured in terms of three indicators: ratio of girls to boys in primary, secondary and tertiary education; share of women in wage employment in the non-agricultural sector; and

proportion of seats held by women in national parliaments. These indicators constitute measurable yardsticks for the advancement of women. It is contingent upon governments continuing to invest national resources in the three areas, fully realizing that access to quality education for all bears wide implications for women's empowerment and as a result, for the quality of life of society at large.

9. Violence against women and girls is a major impediment to achieving gender equality. Violence is one of the key factors raising the risks of maternal and infant mortality and causing other diverse women's health issues. The Secretary-General's in-depth study on this issue recognizes that while violence against women varies – in its nature and manifestations – across as well as within societies for different groups of women and girls, and for the same woman/girl at different stages in her lifetime, it remains a universal phenomenon which persists in every country of the world and manifests itself in a variety of forms and different settings. No country is free of domestic violence against women, practiced by their intimate partners. Gender-based violence, including trafficking in women (and, increasingly, girls), has far-reaching consequences for them, their families and society at large; it has a fundamental impact on the development process.

10. Several decades after the United Nations system first declared their commitment to women's empowerment and women's human rights, structural discrimination against women remains deeply embedded in social systems worldwide. To counter the bias of our inherently patriarchal societies and ensure progress towards true gender equality, promotion of gender awareness through education and public discussion should be of highest priority for governments, civil society, private sector, and mass media. Information about women's contribution to economic and social development, as well as about the discrimination and human rights violations that women suffer daily, including the manner in which they have overcome and struggled against such discriminations and violations, should be systematically collected and widely disseminated.

11. In addition, the link between a higher status for women and more caring social and economic policies that support human capacity development – such as universal health care, child care, paid parental leave – needs to be understood and acted upon. A number of studies, including the World Economic Forum's Gender Gap reports, show convincingly that nations with the lowest gender gaps and significant investment in the social and fiscal support for caring policies maintain a generally high quality of life for all and enjoy economic success. Findings of such studies should be widely disseminated as they also show that gender equity is a major factor in determining whether stereotypically 'feminine' qualities and activities, such as caring, care-giving, and non-violence are truly valued – be it in women or men – and the effect it has on social and economic policy.

Legal and institutional mechanisms: implementation and enforcement

12. Good governance goes hand in hand with respect for the rule of law. Independent and impartial legal and judicial institutions, legal identity, equality before the law, and access to both justice and legal information are building blocks which permit women to enjoy their human rights. The harmonization of national law with international treaties is a significant step towards implementing the rule of law, and ensuring government accountability for their internationally agreed obligations. Institutional mechanisms, including national machineries, should be a means for women to protect their rights. They serve to implement law reform, monitor enforcement and design social policy. In addition, international criminal law, including the Rome Statute, should be applied when States fail to pass or enforce laws protecting girls and women from systemic and widespread acts that cause great harm, and even death.

13. Civil society needs to campaign firmly for the ratification of international treaties and conventions and the withdrawal of reservations to the same; the repeal of discriminatory laws against women; the establishment of a special UN mechanism concerning equality before the law; the organization of national consultations relating to law reform; the conduct of gender equality assessments for all legislation; gender sensitivity training for judges, court personnel, legal professionals and law enforcement officers. Civil society actors should also use complaint procedures based on the UN human rights machinery and regional human rights mechanisms to hold governments accountable for their obligations relating to women's human rights. The CEDAW Committee should be adequately funded and resourced so that it can monitor country reports in a timely manner and continue supporting the elaboration of the convention's provisions through drafting additional general recommendations.

14. Member States should fulfil their obligations as set forth in the United Nations Declaration on the Rights of Indigenous Peoples and take the necessary steps to ensure that these rights are implemented, in particular to ensure the protection of indigenous women and girls. Indigenous women that migrate to cities are particularly vulnerable as they lose the link with their home land, communities and traditions. They become invisible among other migrants. Culturally sensitive policies, legislations and programmes should be elaborated at all levels to ensure the recognition of their interests and rights.

15. Women's equal participation in parliament and political office is a necessary prerequisite for the recognition of women's human rights by government and other sectors of society. Women's leadership empowers women, enabling them to prioritize their concerns and take decisions on addressing those concerns. The United Nations system and Member States should use temporary special measures called for in CEDAW in order to achieve the measurable target of equal participation. The private sector, particularly corporations, should also use temporary measures to secure the participation of women in positions of leadership and decision-making.

Women and sustainable development

16. A holistic approach to sustainable development necessarily integrates environment, economics, and ethics that embrace all life. Women must be recognized as critical agents for successful environmental change. They should be included in the design, implementation, decision-making, and monitoring of climate change and adaptation policy at all levels of government, private sector, civil society and media. Sustainable development should focus on process rather than ready-made solutions. The participation of women is necessary for locating sustainable solutions that would arise from bottom-up processes which embrace the economic, ecological, gender, psychosocial and cultural aspects of development.

17. Responsible consumption coupled with genuine resource redistribution is called for, including global cooperation between producers and consumers to mitigate and control climate change, to increase resource productivity, and to limit resource consumption. Sustainable development goes beyond conserving the environment and resources; it is very much about releasing the potential offered by women to make a lasting contribution to sustaining growth and development based on local resources and knowledge. To this end, measures of economic health must be changed to give visibility and value to the work of caring, traditionally performed by women, in both the market and non-market economic sectors, as support for this work is fundamental to both the economic empowerment of women and human and economic development.

18. While women and girls in developing countries of Asia, Africa, and Latin America produce two thirds of the food, they themselves go hungry and suffer from malnutrition which, in turn, affects infant and maternal mortality rates. Special attention should be paid to rural and peri-urban women who are typically small-scale livestock farmers. Such focus is essential for combating malnutrition and the generation of financial resources for medical care and education for their children. Lack of investment in agriculture and the failure to recognize women's rights to land and inheritance has given rise to chaos in food production in both the Global South and Global North. Instead of learning from and using the potential of sustainable farming practices established by women, we continue to watch even more women become landless and jobless.

19. There can be no further delay in the development, promotion, and introduction of climate-friendly and climate-change adaptation technology. New policies and programmes need to aim at pro-poor environmental outcomes that will raise the living standards of the poor and vulnerable, disproportionately represented by women. Innovative financial mechanisms should be introduced to raise significantly financing for the environment and create strong incentives for conservation practices, slum upgrading and affordable housing for the poor, in particular women. Developed countries, which cause eighty percent of climate change and environmental disasters, must respond to the devastating effects that their unsustainable development has on the global scale. They should provide fair financial and technical assistance to the developing countries, whose population are demonstrably most vulnerable to the consequences of climate change. That assistance should be especially channelled towards women and address their particular needs.

20. Achieving just, sustainable, equitable, stable and participatory development, focused on improving living standards and securing well-being and human dignity for all, calls for a mix of value systems that offer an effective response to the problems and challenges posed by living itself, regardless of actual geographic location. Member States should pay special attention to 'The Peoples Agreement', an outcome of the World People's Conference on Climate Change and the Rights of Mother Earth held 19-22 April 2010 in Cochabamba, Bolivia, particularly with a view to incorporating the agreement in the preparatory process for and run-up to the upcoming Conference of Parties to the United Nations Framework Convention on Climate Change in Cancun, Mexico.

Women, decent work and migration

21. The International Labour Organization's (ILO) concept of decent work deserves full recognition by Member States. The ILO Global Job Pact states that it is the responsibility of governments to ensure decent work opportunities for women of all ages and to provide social policies and social services. Governments and the private sector should guarantee equal pay for equal work to both women and men. Governments must recognize women's unremunerated work and their contributions to a 'caring economy' in their countries and provide fair compensation and assistance for all the care work women perform. Without adequate day-care services, after-school programmes, family leave and financial assistance, women's participation in economic development will remain impeded. Just as critically, for want of such policies, investment in human capacity development may not be sufficient, despite its essentiality in the knowledge/information economic era in both human terms and financial terms.

22. Governments need to analyze the issue of migration in the context of human rights and its social dimensions, rather than exclusively in terms of international markets and economic consequences. Member States should recognize the human rights of migrants and their families, treating them in the same manner as their nationals and including them in social programmes.

Bilateral agreements or memoranda of understanding between the countries of origin and recipient countries should be concluded which emphasize the protection of the human rights of migrant workers. Member States should regularly scrutinize recruiting agents and employment contracts for the safeguarding of the rights of migrant workers. This is particularly important when dealing with migrant women who are often employed in the informal economy that is poorly regulated by legislation.

23. Women migrants include both skilled and unskilled workers. Skilled workers whose qualifications are not recognized in recipient countries frequently end up as domestic workers. Women migrants are more vulnerable to physical violence, including sexual violence and human trafficking. Domestic work exposes women to violence and their being stripped of their rights; their passports are seized; they are denied food and refused access to health services, in addition to working round-the-clock in servitude. South-South migration, primarily from the Asian countries to the Gulf region, poses a serious problem for women. Member States and civil society should fully support an ILO Convention relating to domestic work.

24. Member States should include discussions relating to migration more frequently in the work of the United Nations system. The participation of civil society, trade unions and the private sector is essential in such fora, significantly the Global Forum on Migration and Development, and the voices of women should be heard in those discussions. Civil society should advocate the ratification of ILO Conventions relating to migrant workers and their families.

25. Microfinance is recognized as a tool used to reduce poverty, provide credit and financial services to underserved populations, create livelihoods and jobs, and foster community development. The reliability and efficiency of women in managing often scarce finances, especially in times of crisis, have been acknowledged. However, women should not become hostage to perpetual expectations based on the gender division of roles in a patriarchal society. Microfinance is not a goal in itself, but should be considered the first of many steps leading to equitable and sustainable development. Women play crucial roles at both the micro-economic and macro-economic levels.

Gender discrimination: multiple layers and multiple forms

26. Discrimination against women and girls is grounded in patriarchy and affects them all at many points throughout the life cycle. Women of all ages experience more than one type of discrimination, compounded by such factors as race, social class, age, ethnic identity, disability, sexual orientation, culture, religion, situations of war and natural disaster, and statelessness, including citizenship.

27. Assessment of the impact of disasters and conflict upon women, indigenous peoples and rural populations, the elderly, the displaced, and youth should be carried out to ensure their needs are met. Humanitarian assistance and development aid needs to be delivered with no strings attached.

28. Member States should encourage respect for human rights and tolerance to ensure a society fit for all. Member States should recognize the universality of human rights and repeal laws that punish persons on the basis of sexual orientation, particularly LGBTQ^{iv} persons.

29. Older women are critical providers of primary education, economic support and care for disabled and underage members of their families. Access to work should be ensured and their contributions to society must to be acknowledged. However, they may be in need of care and

support themselves. They should be provided with meaningful assistance and financial security in order to improve their quality of life and guarantee ageing with dignity.

30. The International Criminal Court (ICC) recognized that rape, abduction and the use of girls as weapons of war and other armed conflicts is a crime against humanity. Member States should cooperate with: (a) ICC to bring perpetrators to court and end impunity for all forms of gender-based violence in war; (b) the new Special Representative of the Secretary-General on Violence in Armed Conflict and the Victims' Trust Fund to ensure that survivors of these crimes receive comprehensive remedies; (c) the Special Rapporteur on Violence against women, its causes and consequences of the Human Rights Council; and (d) the United Nations system to implement gender-sensitive re-integration programmes for child soldiers into their families and societies should take into account the particular challenges that girls face.

The United Nations system should ensure better coordination between peacekeeping operations, the United Nations Security Council, the United Nations Secretariat, and the Human Rights Council so as to include women in conflict prevention, conflict resolution and post-conflict peace building.

31. Engaging men and boys as partners to bring about women's empowerment is a critical component to advancing the status of women and girls and achieving gender equality and equity. While women's empowerment benefits men, programmes in positive masculinity provide skills training to men and boys, resulting in their individual development and the development of healthier societies at large.

Health and reproductive rights

32. Women's health includes mental health and well-being, both which are influenced by their social and economic status. The lack of essential health services for women and girls keeps them in a revolving cycle of poverty, leaving them trapped in dire circumstances from one generation to another. Governments must ensure the prevention of conditions that lead to poor health – physical, social and mental – and into delivering on their commitments to women's health, as well as making access to health services universal for women throughout the life cycle.

33. Ensuring women's health is not solely about delivering services, it involves changing gender norms. Women and girls often do not have the power to reject unwanted sex, which poses a great risk of HIV/AIDS and other infectious diseases, increases their chances of unplanned pregnancies and compromises their reproductive health. Education to end practices such as genital mutilations of girls and women must be a priority. Investing in adolescent girls is critical to their health and development. Keeping them in school and educating them about pregnancy, HIV/AIDS, and ways of negotiating sexual relationships, are steps that must be taken in all societies. Local organizations should engage with the United Nations Development Fund for Women (UNIFEM) and the United Nations Population Fund (UNFPA) to design comprehensive age-appropriate sex education programmes.

34. In many areas, lack of human resources continues to increase child birth risks. Women should be involved in the delivery of public health-care services. Member States should develop and provide training for and strengthen support of health-care workers – doctors, nurses, midwives, social and community workers – specifically those who provide information and services to women and girls in rural areas. Particular attention should be given to services for girls subjected to early marriages. Owing to their young age, these girls are exposed to notably higher risks of complications and death at childbirth.

35. Family planning saves women's lives and empowers women, and yet in many areas, funds for family planning services have been cut. Member States should establish a high-level task force on financing for women's health in order to achieve MDGs 3 and 5.

36. Issues related to reproduction are extremely sensitive and value-laden, being linked to sexuality, control of women's bodies and fertility on the one hand, and to population size and composition, on the other. The complexity of ethics, politics, economics and religion has made the question a still more heated issue on the international agenda. After the 1994 Cairo UN Conference on Population and Development emphasized sexual health, the Beijing Platform for Action underscored the right of women "to have control over and decide freely and responsibly on matters related to their sexuality" (¶ 96).

37. At the same time, all aspects of health-care for women – physical, mental and social – should be improved and not limited solely to obstetric and gynaecological care and access to appropriately trained medical staff and physicians. Women and men differ in every system in their bodies, including the immune system, which can increase the risk and severity of infections from influenza to HIV/AIDS. Particularly during pregnancy, women's immune systems are compromised, exposing them to greater risks. Rapidly increasing around the globe are the rates of heart disease and cancer among women, including preventable cancer related to tobacco-use. Gender-sensitive medicine and equal access to all health-care systems must become standard practice throughout the world. The health of women and their access to health care are of paramount importance to the health and sustainability of society as a whole.

38. The oppression of the world's women and girls stands in direct relationship to their mental health and social well-being. Among females of all ages, limited rights to control their own bodies is linked to unwanted pregnancies and an ever-increasing risk of HIV/AIDS. There is no subject that has been addressed during the CSDF 2010 that does not bear serious implications for the health and psycho-social well-being of women and girls. Social and cultural practices create further obstacles that would otherwise protect them against AIDS. Taboos against sex education, prevalent in many developed and developing countries, compound the situation. According to the World Health Organization, mental health is directly correlated with social and economic conditions. It is not surprising that women are the major sector of the population at the greatest risk of non-psychotic depression and anxiety throughout the world.

Concluding statement

39. This CSDF component was part of a series of CoNGO fora providing timely and organized civil society inputs to ECOSOC debates on the attainment of the MDGs^v. In 2007, CSDF participants met to debate on the overall theme "A Platform for Development: Countdown to 2015". They concluded that a "new narrative" – a new approach – is needed, that recognizes the emerging convergence of growth and development strategies with human rights norms, including gender equality and equity standards and "climate justice".

40. CSDF 2008 set out to highlight (i) the crucial role of the internationally agreed development goals / MDGs in the pursuit of a results-oriented global development strategy and (ii) the need for an assessment of the development community's efforts and achievements, so far, in meeting these goals. Specifically, its Outcome Document addressed issues germane to the then emergent crises – specifically the food crises – a manifestation of failed sustainable development policies.

41. Carefully chosen to be located within the same perspective as the theme of ECOSOC's Annual Ministerial Review, CSDF in 2009 focused on "Threats to the Health and Development of Nations (Civil Society Proposals on Global Public Health in the Context of the Global Economic Crisis)". Taking place during the far-ranging hardship caused by already ongoing multiple and interrelated global crises – food, energy, environment, finance, poverty and migration – CSDF participants concluded that the combined threats of the failure to achieve the MDGs, as cross-sectoral goals, are likely to harm the delicate interrelationship between global public health and development; threats to the good intentions to address the social determinants of health.

42. Closer to the target date and yet far from the timely attainment of the MDGs, participants at CSDF 2010 noted with concern that the failure of target realization by 2015 is now – more than ever – an imminent threat. Only under conditions of just and democratic governance within a holistic human rights framework, recognizing fully women's human rights and development via inclusion, participation and equality, will their realization be ensured.

ⁱ CSDF 2010 (Main Component) was organized by CoNGO, in cooperation with the NGO Branch of the United Nations Department of Economic and Social Affairs (UN/DESA), with the support of CoNGO's members and substantive committees, and with partners, in particular the Swiss Agency for Development and Cooperation (SDC).

ⁱⁱ Held at the Auditorium of the Salvation Army International Social Justice Commission premises.

ⁱⁱⁱ A list of the participants and their organizations are available upon request. An online version of this Outcome Document will include these names and organizations. It can be accessed at www.ngocongo.org.

^{iv} Lesbian, gay, bi-sexual, transgender and queer.

^v Constituting the main advocacy component, this CSDF 2010 event will be succeeded by a CSDF 2010 component in Geneva (30 September - 1 October 2010). The latter will examine ways and means for follow-up action to implement this Outcome Document mainly in light of the conclusions and recommendations of the Annual Ministerial Review as reflected in its Ministerial Declaration. The output of the component in Geneva will be translated into a set of succinct action points for subsequent consideration by Governments, the United Nations system and civil society. Copies of action points and outcome documents from past fora are available at www.ngocongo.org.