



KEEP WOMEN'S RIGHTS ALIVE!

WIDE's Policy Paper on women's rights and
gender justice in the context of the Beijing +15
Review

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This policy paper is based on the following WIDE briefings:

[Beijing +15 Joint Civil Society Statement](#), a statement jointly released by WIDE in collaboration with other civil society actors in New York, 2010;

[WIDE Statement to the 54th Session of the Commission on the Status of Women](#);

[WIDE's Proposals for the Advancement of Women's Rights and Gender Equality in EU External Policies](#);

[Taking Stock: the financial crisis and development from a feminist perspective](#), WIDE's position paper on the global social, economic and environmental crisis, produced by WIDE Austria; and on

WIDE's contribution to the European Women's Lobby side event at the 54th Commission on the Status of Women, 2010, prepared by Christa Wichterich.

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Introduction

The Beijing Declaration and Platform for Action (BPfA), together with the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), are the most important international agreements concerning women's human rights. The Beijing Declaration and BPfA were adopted on 15 September 1995 by consensus by 189 UN Member States that were represented at the Fourth World Conference on Women in Beijing. Among them were also representatives of European Union (EU) Member States, who made concrete commitments towards the advancement of women's human rights.

Today, 15 years after agreeing to this milestone for women's rights and gender justice, the EU and its Member States still face huge gaps when it comes to the implementation of women's rights and gender equality commitments given at Beijing and reiterated many times.

Taking into account that the multifaceted global crisis (financial, economic, food, energy, climate, care) severely threatens the fragile gains in terms of women's rights and empowerment worldwide, this policy paper focuses on the implementation of gender equality commitments at EU level, while highlighting the importance of moving from discourse to action. This is especially important in the framework of the Beijing+15 Review, which was considered a crucial opportunity for the EU and its Member States to strengthen their commitments and implementation

mechanisms towards the advancement of gender equality and women's rights.

The paper comprises four parts. The first represents the underlying framework of this paper – the interlinked crises – while the following three chapters concentrate on WIDE's main areas of concerns. WIDE calls on the EU and European governments to translate the commitments made in the Beijing Declaration and the BPfA into concrete objectives in ongoing policy areas including policy coherence for development, financing for development, aid effectiveness and mutual accountability.

The Beijing+15 Review in the Context of the Global Crisis

When they were adopted in 1995 the Beijing Declaration and the BPfA reflected a new global vision for social justice, equality, development and peace. By means of gender mainstreaming, it envisioned a transformation of existing power relations between men and women. However, 15 years later in the Beijing+15 Review process, governments seem to have lost sight of this global vision, and gender mainstreaming appears to be reduced to a non-political, technical instrument.

Although the 15-year review of the implementation of the Beijing Declaration and the BPfA in New York in March 2010 was an important landmark in the Beijing Platform's history, the outcome was far from satisfactory from gender advocates'

and women's rights organisations' point of view.

Participating governments tended to overstate the progress made on gender equality and women's rights and ignore the slow and partial nature of implementation. The degree and types of challenges that remain for women in their multiple identities, including the persistence of all forms of violence against women, continued to be underestimated. They failed to take into account changes in the global and local contexts: the current context of multiple crises, new forms of insecurity, new aid modalities, internationalisation of conflicts, perpetuation of the feminisation of poverty, and the ongoing struggle around women's health issues, including sexual and reproductive health and rights and HIV/AIDS, have created challenges not present 15 years ago.

The spaces for influencing decision-making by women's organisations at the Beijing+15 Review had been drastically reduced; the final Declaration was agreed beforehand and adopted without consulting civil society. The BPfA and the review process would seem to be considered by governments as a technical instrument, and its substance has been depoliticised and diluted. The Millennium Development Goals' (MDGs) limited agenda on gender equality and women's rights took over from BPfA commitments. The key implementation strategy of gender mainstreaming has lost its critical perspective and transformative purpose in terms of power relations and inequalities.

Fifteen years after the landmark event in Beijing, women's organisations are

struggling once again for voice, resources and space to engage in policy dialogues for gender and social justice and women's rights. The gender-blind responses to the multiple crises illustrate that women's rights are non-priority intervention areas for most governments.

Since 2008 we have witnessed the most severe crisis in capitalism since the 1930s that has threatened, and is still threatening, lives and livelihoods of hundreds of millions of women and men, girls and boys worldwide. This is a systemic crisis marking the failure of three decades of neoliberal policies that have favoured large capital interests at the expense of people's lives, sustainable livelihoods and social justice – perpetuating the already existing gender inequalities.

As a result of the crisis, there is a widening asymmetry, both between North and South and within individual countries. Contrary to the objectives of the MDGs, the number of hungry and malnourished people in the world increased to one billion in 2009, and the political, economic and social rifts between men and women are growing everywhere.

Past financial crises in Latin America, Asia and Russia, as well as the crisis of the New Economy in 2000, have shown that financial markets can be stabilised quite quickly, but that the lives of the poor – particularly women – are always mortgaged for the long term. The reduction in government debt is usually associated with a cutback in social services (such as health, education and care provision) which, in turn, has a major impact on the most vulnerable groups in society, such as migrants, children,

unemployed, elderly and other marginalised people. Due to the traditional division of work in society that places women as the main providers of care in the family, and the discrimination they suffer in the labour market as well as other discriminations resulting from unequal gender power relations, women in these groups are disproportionately affected.

In the EU, people are confronted with the restructuring of the European welfare states, including government cuts in social services, education, health, pensions etc. At the same time they are faced with growing job insecurity, unemployment or under-employment and rising informalisation and flexibilisation of work. While the social sector remains exempt from any fiscal stimulus measures, but has to undergo serious cuts, vast amounts of money have been used to save the global banking system and boost big business. As such, the question of redistribution of resources is high on the agenda, but a gender-just redistribution seems to be far away. Under such circumstances gender justice objectives and the enforcement of women's rights are easily losing ground.

An exit strategy out of the crisis needs to be built with women's rights at its centre. As the EU is considered to have a major role in promoting gender equality, women's rights and the empowerment of women through its internal and external policies, WIDE urges the EU and Member States to engage in a critical process towards creating a new, humane economic system based on people's rights and needs by strengthening the economy of care as well as ecologically sustainable economic activity.

In the current global context of crisis, demanding accountability for existing women's rights agreements is more urgent than ever before.

Despite the enormous challenges mentioned above, the year 2010 has also generated some positive outcomes for the advancement of gender justice, such as the adoption of the EU's Plan of Action on Gender Equality and Women's Empowerment in Development for the period of 2010–2015 (March 2010) and the new EU Gender Strategy for Equality between Women and Men 2010–2015 (following the Roadmap for Equality between Women and Men 2006–2010). Together with the establishment of the new gender entity, UN Women, and the new Global Strategy for Women's and Children's Health launched at the UN Review Summit of the MDGs in September 2010, these multiple efforts need our support and engagement to ensure they are fully implemented and function well.

WIDE considers it crucial to reaffirm the BPfA as a comprehensive, critical human rights framework that requires full implementation as a matter of urgency and as integral to and a prerequisite for achieving gender and social justice. The full implementation of the BPfA in addition to other gender equality and women's rights commitments is fundamental not only to securing women's human rights in the time of crisis, but also to moving towards global social, economic and gender justice.

EU Policy Coherence for Development, Women's Rights and Social Justice

For more than two decades the EU has embarked on a neoliberal economic policy framework, aiming, first and foremost, at maximising growth and efficiency and ensuring the EU's competitiveness in the global context. The resultant policy prescriptions unfold a growing paradox: on the one hand, the EU promotes certain values (including respect for human dignity, liberty, democracy, equality, the rule of law, and respect for human rights, pluralism, tolerance, justice, solidarity and non-discrimination) which are, for example, reflected in the EU's discourse for gender equality, fair distribution and social security. On the other hand, the EU's policies and practices often lack coherence with its values and, consequently, contradict existing commitments. Examples are manifold, but illustrations from the EU's external policy sector, where neoliberal trade policies undermine human-centred development objectives, including the eradication of poverty, are striking. It seems like the right hand gives, but the left snatches away.

The subordination of human and women's rights to the free trade agenda and the absence of policy coherence for gender equality in EU policies such as trade, investment, development, the labour market and migration policies is not in line with the EU's and its Member States' commitments to gender equality and women's empowerment, including the BPfA. It forms a main barrier to the

advancement of the EU's goal to promote gender equality in development.

In the area of EU trade policy we observe no integration of gender equality obligations in current policy proposals of the ongoing bilateral free trade agreement (FTA) negotiations. The social and environmental costs of FTAs are not reflected in economic calculations and trade rules. Instead, EU trade policies attempt to open up business opportunities for the European companies abroad while they restrict development objectives of third countries.

WIDE is deeply concerned that the ongoing negotiations for an FTA between India and the EU will fuel poverty, inequality and environmental destruction. Research suggests that just about every aspect of the negotiations, including the liberalisation of trade in goods and services, the extension and strict enforcement of intellectual property rights and the liberalisation of government procurement and investment will destroy people's livelihoods and undermine their rights. The proposed FTA will also erode government policy space that is essential to manage trade and investment in the interest of outcomes that support-development and are socially and gender-just and environmentally sustainable.

Increased market access for European businesses would expose farmers, fisherfolk, street vendors and small businesses to crushing competition and lead to massive job and livelihood losses. In addition, tariff reductions would create a major loss of import duty income for the Indian government, with a potentially higher risk of further cuts in social

spending, including for education, health and food security.

Further liberalisation of investment would incapacitate governments, removing policy tools that protect and build domestic industries, foster domestic value-addition and shield vulnerable sectors of society, specifically in times of crisis. For example, Indian street vendors and small shop owners would be pushed out of the market if European supermarket giants are allowed to enter the Indian retail sector. Liberalising foreign direct investment in land, fisheries and other natural resources will deprive millions of people of access to the resources they depend on for their livelihoods. Provisions on investor protection and on investor–state dispute settlement would grant corporations the right to challenge the Indian government and the EU over any regulatory measures that diminish their returns.

Further liberalisation of financial services would have a detrimental effect on lending to socially disadvantaged sectors such as small farmers and small and medium-sized enterprises (SMEs), and would lead to a dramatic decline in rural credit and services. Liberalisation of the financial sector would reduce government policy space to respond to financial crises and would further destabilise the financial system.

Opening government procurement markets would undermine the role and scope of the government to advance equity and social justice by boosting domestic production, supporting SMEs and marginalised regions and groups.

Seeking reckless access to raw materials, including a ban on export taxes and other export restrictions, would undermine governments' rights to regulate the use of raw materials and natural resources in favour of their people; it would exacerbate ongoing land displacement struggles and undermine people's rights to their habitats and produce.

Moreover, the fact that basic services are not excluded from the FTA negotiations poses a fundamental threat to basic human and women's rights as well as to social security. Due to gender-based labour discrimination and the traditional division of work in society, placing women as the main care-providers, restricted access to basic services and public goods tends to have a disproportionate impact on women. Therefore,

WIDE DEMANDS

- **That the EU Policy Coherence for Development approach must address the interrelationship between gender equality objectives, development, trade, peace and security and respond to women's rights commitments, such as established in the BPfA and CEDAW, in its external and internal policies.** It must link human-centred development policies to other systemic issues such as responses to the crisis or to the financing for development process.
- **That the EU has to start creating pro-development alternatives to corporate-driven FTAs – putting sustainable livelihoods, food**

sovereignty, environmental, social and gender justice at their core.

The EU must desist from accelerating deregulation of the kind that would increase market concentration while undermining access to essential services and public goods.

- **That, in particular in the area of migration, the EU needs to put more stress on gender equality issues. EU commitments to gender equality and women's rights must be applied to migrant women living in Europe.** The complex process of women's migration in Europe has to be seen within a development and rights context. **This requires addressing migration from the perspective of the human rights of migrant women themselves, including their labour rights** and the economic and social consequences of their migrating, including the impacts on their families in their country of origin.

Gender Justice and Women's Rights at the Core of Development Cooperation

Adopted at a high-level forum held in Paris in 2005, the **Paris Declaration on Aid Effectiveness** has become one of the most important frameworks of the donor community regarding the management of development aid. The Paris Declaration is linked to the achievement of the MDGs for 2015 and is based on five guiding principles: ownership, alignment,

harmonisation, mutual accountability and managing for results. In addition, it established a variety of 'new' aid modalities, namely: budget support, sector-wide approaches (SWAs), poverty reduction strategy papers (PRSPs) and basket funding, referring to a new joint funding modality.

While the importance of the aid effectiveness process is acknowledged by many civil society organisations, the Paris Declaration has been strongly criticised for being too technical, donor driven and especially gender-blind. In fact, **gender equality** was mentioned in only one out of 50 paragraphs in the document, namely Article 42: *"Similar harmonisation efforts are also needed on other cross-cutting issues, such as gender equality and other thematic issues including those financed by dedicated funds."*

Some important advances were made in the Accra Agenda for Action (AAA) which emerged from the Third High Level Forum on Aid Effectiveness in September 2008. Thanks to the strong mobilisation and advocacy work of women's groups from various regions, the AAA emphasises the importance of human rights, gender equality and environmental sustainability as cornerstones of development cooperation. The AAA also states that *"developing countries and donors will ensure that their respective development policies and programmes are designed and implemented in ways consistent with international commitments on gender equality, human rights, disability, and environmental sustainability"*. However, advances in the language used in the AAA were seen to be undermined by the lack of

new targets or monitorable commitments towards gender equality and women's rights as well as the lack of allocated resources for fulfilling the agreements made.

Furthermore, the multiple global crises have had a strong impact on countries' willingness to deliver on commitments made in the AAA and the Doha Declaration on Financing for Development signed in 2008 to reaffirm commitments for increasing official development assistance (ODA).

Having followed the aid effectiveness agenda, which continues to play an important role in shaping bilateral and multilateral funding for development, WIDE is concerned that the current system of development cooperation or the so-called 'new international aid architecture' **has so far put more emphasis on monitoring aid delivery than on demonstrating any real ability to change donors' behaviour or to link the aid effectiveness agenda to sustainable development outcomes. As such, it is gender-blind and, therefore, reproduces the same patriarchal schemes and structural inequalities.**

In this framework, WIDE calls for a development architecture that goes beyond the current understanding of aid effectiveness largely stimulated by donor governments' concerns. What is needed is a whole **new understanding of development cooperation that should be based on a human rights framework and have social and gender justice as the guiding principles for economic policies. The BPfA can serve as a starting point**

towards the new culture of development cooperation. As short-term measures to start with,

WIDE DEMANDS

- To seek **compliance with certain international commitments** such as the BPfA, CEDAW, the International Conference on Population and Development Programme of Action, and UN Resolutions 1325 and 1820 on Women, Peace and Security and Sexual Violence, respectively.
- **That the EU institutions and Member States put a gender perspective and women's rights at the centre of the European Development Agenda** by integrating the Beijing commitments into the new international aid architecture and funding for development. In this sense, compliance with and implementation of the new **EU Plan of Action on Gender Equality and Women's Empowerment in Development for the period of 2010–2015** (March 2010) – also called the Gender Action Plan (GAP) – is crucial. Implementation of the GAP should enhance policy coherence with other EU external policies, including trade policies, and must count on the allocation of adequate resources. Civil society, specifically women's rights advocates and organisations, should have the channels and space to participate in the GAP's implementation and assessment process.

- **That the EU and Member States meet their ODA commitments (0.7% of GDP),** including addressing the negative effects of the multiple crises in developing countries, particularly on gender equality and women's empowerment. By 2015 at least 20% of ODA needs to be allocated to gender equality and women's empowerment.
- That the newly established entity **UN Women**, led by the Under-Secretary-General Ms. Michelle Bachelet, **is capacitated to ensure the representation of women's rights and gender equality issues at top UN decision-making level.** UN Women needs to have a strong mandate, include civil society participation at all levels, especially at national level, have a strong operational capacity and be funded ambitiously.

Mutual Accountability for Gender Equality and Women's Rights

Governments' accountability for development cooperation efforts is a prerequisite in striving for gender and social justice. As stated in the Paris Declaration on Aid Effectiveness, "mutual accountability means that donors and partners are accountable for development results". The concept of partnership should mean that while developing countries are held accountable by donor governments, donors themselves are accountable to developing countries' governments and

citizens. This has not been the case so far, considering donor countries' double standards in trade and development policies, as discussed in Chapter 2.

At country level, mutual accountability should translate into donors making transparent and binding commitments for which they can be held accountable. In addition, different phases of development cooperation, including policy formulation, monitoring and evaluation, should be carried out in close cooperation between governments of both donor and developing countries as well as with the active engagement of parliamentarians, local development actors and civil society representatives such as gender advocates and women's organisations. The BPfA and other international gender commitments should provide a binding framework for accountability mechanisms such as sex-disaggregated data, gender responsive indicators, gender audits and budgeting.

In reality, making governments accountable for the advancement of gender equality and women's rights remains a challenge. WIDE is concerned that the current accountability mechanisms in development cooperation both at national and EU level are gender-blind. Promises and targets set in the BPfA, for example, have not yet been put into practice. To guarantee its full implementation,

WIDE DEMANDS

- **That the EU and its Member States apply BPfA indicators approved at EU level** to monitor the implementation of gender equality

commitments in their external policies, including development, trade and security.

- **That gender-sensitive budgets are employed by the EU and Member States as key tools for the effective implementation and follow-up of operations and commitments to promote the rights of women and girls.**
- **That adequate resources will be guaranteed** for the implementation of gender equality and women's empowerment initiatives as well as for women's and other civil society organisations promoting these goals.
- **That the EU and Member States recognise the BPfA as being integral to all MDGs.** The assessment of performance of EU and national development policies for the advancement of gender equality and **women's rights must not be reduced only to measuring achievement of MDG3**, which presents a too narrow and minimalist focus. All MDGs need to incorporate the structural nature of poverty and of gender inequality.
- **That the EU and Member States implement external independent monitoring of international business enterprises** that are active in countries of the global South, with respect to how they comply with and protect the rights **of women and internationally**

recognised social and ecological standards. In cases of non-compliance, adequate forms of sanctions against the companies need to be established.

- **Increased transparency in all EU policymaking processes, in particular in trade policymaking and negotiations.** The value and importance of contributions of civil society, and especially women's organisations, to policy formulation, monitoring and implementation should be recognised and supported by both the EU and partner country governments through appropriate initiatives and actions, such as creating open political spaces for true policy dialogue.

Concluding Remarks

This policy paper has shown the continuing relevance of the Beijing Platform for Action and other existing women's rights agreements in demanding gender justice to be an integral part of all development efforts as well as a prerequisite for their success.

Adherence to human and women's rights is a principle that should apply to all stakeholders involved in external policies, including EU institutions, the EU Member States and national governments in the countries of the South. The promotion of women's empowerment and their economic, social and political rights should be a joint responsibility of those

stakeholders. Demanding their accountability is seen as especially important in the current state of multiple crises that has put economic recovery before human rights and needs.

WIDE is concerned that despite the multiple crises and their disastrous outcomes witnessed worldwide, current macro-economic policies including unfettered trade liberalisation and market opening – embodied by the World Trade Organization and bilateral free trade agreements – have not worked to promote well-being and a better life for all. Based on market-driven logic, this system is not geared at sustenance or provision for all, but mainly prioritising the interest of global capital and profit maximisation.

Exposing the linkages between existing macro-economic policies and human rights-based development approaches has been another underlying objective of this paper. They are deeply intertwined, and the contemporary macro-economic paradigm is governing the content of the development agenda; this will not lead us towards a more economically and socially just world. There is a need for a new understanding of development cooperation, a shift from the aid effectiveness paradigm towards an inclusive, sustainable and human rights-based paradigm. This implies, however, exposing and challenging the structural inequalities and power relations that are shaping the current neoliberal world order.

As such, the importance of contributions of civil society, and especially women's rights organisations, to policy formulation, monitoring and implementation becomes crucial. Their role should be recognised and

supported by both the EU and partner country governments through appropriate initiatives and actions, including the creation of political spaces for true policy dialogue and adequate financial support for women's organisations.

When it was adopted in 1995, the BPfA envisioned a transformation of existing power relations and reflected a new global vision for social justice, equality and development. Although this essential women's rights agreement seems to have lost part of its transformative power, as stated in the introduction, it still represents an alternative way towards global social and gender justice.

Ensuring the implementation of the BPfA is more urgent than ever before. Starting with the demands represented in this paper, and making governments accountable for meeting them, can help us pave the way towards new economic as well as development paradigms that have gender and social justice at their core.