



Confederation of Indian Industry

WOMEN AND HUMAN RIGHTS



Background paper compiled
by
A.P. State Judicial Academy
Secunderabad





CII has launched the Indian Women Network (IWN) for Career Women – who are ambitious, dynamic & focused.

Many working women want to know how to enrich & pursue higher education, knowledge, skills & opportunities. Women understand the need & benefits of networking in professional groups & platforms. With the numbers of working women in the country increasing by the day since the Indian economy opened up over the last 20 years across sectors, this background is quite similar throughout the country for most working women & the need is to bridge this gap is right now.

The Indian Women Network is that engaging and effective networking model that all professional women are always looking to be a part of! IWN will work towards enabling women, help themselves to overcome career related fears - through continuous learning, sharing & mentoring to help become better professionals & achievers in their respective fields of expertise. Today's business demands require not only core competence but continuous & comprehensive learning, adapting to worldwide best practices, cater to domestic markets with global standards & competition. IWN also recognizes the national importance of nurturing women's health & well being in a holistic manner to help bring about a "good work-life balance" there by contributing to social inclusiveness, economic growth & development of the country .

How is IWN different from other women forums? IWN will cater to final year graduation students, junior level, middle management and senior management professionals, women entrepreneurs either through an individual or organizational membership structure. IWN will be accessible to micro, small, medium & large organizations across diverse sectors in the industry today. Apart from regular informal meets the network will work towards a more imperative focus of handholding & guiding students & junior management, encouraging & mentoring the middle management and work towards supporting the senior management to grow to greater heights.

On the whole IWN is that one platform that will provide Learning, Knowledge Enhancing Programs, Training/Skills, Mentorship & Opportunity Packed Networking. It's a positive environment of likeminded Career Women & Entrepreneurs to share experiences, overcome challenges and provide solutions.



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1. Introduction

1. 1. Women's rights are an essential component of universal human rights:

They reflect the fact that men and women have very different experiences - and the fact that women and girls often face gender-based discrimination that puts them at increased risk of poverty, violence, ill health and a poor education. Amnesty International's women's rights work encompasses a range of human rights as they relate to the equity needs of women, working at once to advance new rights and opportunities for all women and to combat the abuses of specific groups of women and girls.

From working to improve maternal health and sexual and reproductive rights, to advocating for girls' opportunities to access to a safe, high-quality education, to highlighting the vulnerabilities women face in war and the value they add to sustainable peace, Amnesty International addresses the rights of all women and girls, in several nations in the world.

2. The Human Rights of Women – International instruments

Numerous international and regional instruments have drawn attention to gender-related dimensions of human rights issues, the most important being the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), adopted in 1979. In 1993, 45 years after the Universal Declaration of Human Rights was adopted, and eight years after CEDAW entered into force, the UN World Conference on Human Rights in Vienna confirmed that women's rights were human rights. That this statement was even necessary is striking – women's status as human beings entitled to rights should have never been in doubt. And yet this was a step forward in recognizing the rightful claims of one half of humanity, in identifying neglect of women's rights as a human rights violation and in drawing attention to the relationship between gender and human rights violations.

2.1. The International Bill of Rights for Women

The Convention on the Elimination of All Forms of Discrimination against Women defines the right of women to be free from discrimination and sets the core principles to protect this right. It establishes an agenda for national action to end discrimination, and provides the basis for achieving equality between men and women through ensuring women's equal access to, and equal opportunities in, political and public life as well as education, health and employment. CEDAW is the only human rights treaty that affirms the reproductive rights of women.

The Convention has been ratified by 180 states, making it one of the most ratified international treaties. State parties to the Convention must submit periodic reports on women's status in their respective countries. CEDAW's Optional Protocol establishes procedures for individual complaints on alleged violations of the Convention by State parties, as well as an inquiry procedure that allows the Committee to conduct inquiries into serious and systematic abuses of women's human rights in countries. So far the Protocol has been ratified by 71 States.

In 1994, the International Conference on Population and Development in Cairo (ICPD) articulated and affirmed the relationship between advancement and fulfilment of rights and gender equality and equity. It also clarified the concepts of women's empowerment, gender equity, and reproductive health and rights. The Programme of Action of ICPD asserted that the empowerment and autonomy of women and the improvement of their political, social, economic and health status was a highly important end in itself as well as essential for the achievement of sustainable development. In 1995, the Fourth World Conference on Women in Beijing generated global commitments to advance a wider range of women's rights. The inclusion of gender equality and women's empowerment as one

of the eight Millennium Development Goals was a reminder that many of those promises have yet to be kept. It also represents a critical opportunity to implement those promises.

In spite of these international agreements, the denial of women's basic human rights is persistent and widespread. For instance:

- Over half a million women continue to die each year from pregnancy and childbirth-related causes.
- Rates of HIV infection among women are rapidly increasing. Among those 15-24 years of age, young women now constitute the majority of those newly infected, in part because of their economic and social vulnerability.
- Gender-based violence kills and disables as many women between the ages of 15 and 44 as cancer. More often than not, perpetrators go unpunished.
- Worldwide, women are twice as likely as men to be illiterate.
- As a consequence of their working conditions and characteristics, a disproportionate number of women are impoverished in both developing and developed countries. Despite some progress in women's wages in the 1990s, women still earn less than men, even for similar kinds of work.
- Many of the countries that have ratified CEDAW still have discriminatory laws governing marriage, land, property and inheritance.

While progress has been made in some areas, many of the challenges and obstacles identified in 1995 still remain. In addition, the new challenges for women's empowerment and gender equality that have emerged over the past decade, such as the feminization of the AIDS epidemic, feminization of migration, and increasing of trafficking on women need to be more effectively addressed.

3. Women's Rights Are Human Rights

A series of human rights treaties and international conference agreements forged over several decades by governments — increasingly influenced by a growing global movement for women's rights — provides a legal foundation for ending gender discrimination and gender based rights violations. These agreements affirm that women and men have equal rights, and oblige states to take action against discriminatory practices. The starting point is found in the principles of the United Nations Charter and the Universal Declaration of Human Rights, to which all member states of the United Nations subscribe.

Specific descriptions of rights and freedoms have been elaborated since these two instruments were written in the 1940s, but every subsequent human rights treaty has been rooted in the founders' explicit recognition of equal rights and fundamental freedoms for individual men and women, and their emphasis on protecting the basic dignity of the person. As expressions of the world's conscience, the consensus decisions of international conferences are also powerful instruments for promoting change both within countries and internationally.

The Vienna Declaration and Programme of Action, the Programme of Action of the International Conference on population and Development and the Platform for Action adopted at the Fourth World Conference on Women (FWCW) are international consensus agreements that strongly support gender equality and women's empowerment. In particular, the ICPD and FWCW documents, drawing on human rights agreements, clearly articulate the concepts of sexual and reproductive rights — including the right to sexual and reproductive health; voluntary choice in marriage, sexual relations and child bearing; freedom from sexual violence and coercion; and the right to privacy — which are essential to gender equality.

4. Human Rights Treaties

The Preamble of the United Nations Charter adopted in 1945, reaffirms “faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small”. The Charter recognizes that one purpose of the United Nations is “to achieve international co operation in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion”.

The Universal Declaration of Human Rights, adopted in 1948, further elaborated the scope of human rights. Article 1 summarizes all of the subsequent articles and succeeding treaties and conventions when it says, “All human beings are born free and equal in dignity and rights.” In some matters, such as marriage rights, the declaration goes into some detail in specifying the ways in which men and women should be treated. It specifies that “men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution. Marriage shall be entered into only with the free and full consent of the intending spouses.”

More than 20 years after adopting the Universal Declaration of Human Rights, the international community agreed on two covenants spelling out in more detail the rights embodied in the declaration. These were the International Covenant on Civil and Political Rights (often referred to as the political covenant) and the International Covenant on Economic, Social and Cultural Rights (often referred to as the economic rights covenant). Both entered into effect in 1976. These are legally binding on states that have ratified them. However, many member states have not done so, and many others have done so only with substantial reservations. (States can make reservations to treaty articles that they do not wish to be bound by, as long as these are not contrary to the meaning of the treaty.) Both covenants incorporated understandings based on the declaration, many of which have important implications with regard to gender and reproductive rights; these include the right of women to be free of all forms of discrimination, the right of freedom of assembly and association, and family rights. The political covenant, among other things, recognizes the rights to “liberty and security of the person” (Article 9) and “freedom of expression”, including “freedom to seek, receive and impart information and ideas of all kinds” (Article 19); and affirms that “no marriage shall be entered into without the free and full consent of the intending spouses” (Article 23).

4.1. *Convention on the Elimination of All Forms of Discrimination against Women:*

The Convention on the Elimination of All Forms of Discrimination against Women was adopted by the General Assembly in 1979 and had 165 states parties as of January 2000. The Convention seeks to address pervasive social, cultural and economic discrimination

against women, declaring that states should endeavour to modify social and cultural patterns of conduct that stereotype either sex or put women in an inferior position. It also declares that states should ensure that women have equal rights in education and equal access to information; eliminate discrimination against women in access to health care; and end discrimination against women in all matters relating to marriage and family relations. The Convention declares that states must act to eliminate violations of women's rights whether by private persons, groups or organizations.

The Convention sets clearer definitions and standards than the earlier covenants with respect to gender equality and expands the protections against discrimination. In particular, it recognizes that because socially defined gender roles differ, provisions against discrimination and abuse cannot simply require equal treatment of men and women; there must be a more positive definition of responsibilities that applies appropriate rights standards to all. The Convention recognizes the need to examine rules and practices concerning gender in society to make sure that they do not weaken rights guarantees ensuring the equality of the two sexes in all aspects of their lives. Nearly all states have ratified the Convention on the Rights of the Child, making it a strong tool for holding governments accountable on human rights issues. In addition to upholding specific rights of children, this Convention, adopted in 1989, deals more broadly with gender relations. It reaffirms, for example, the right to family planning services, recognized by prior conventions and conferences.

Article 24 obligates states "to ensure appropriate prenatal and post-natal health care for mothers". It also calls on them to take "all effective and appropriate measures with a view to abolishing traditional practices prejudicial to the health of children"; this is an explicit recognition of the deleterious effects of such practices as female genital mutilation. Article 34 says that states must "undertake to protect the child from all forms of sexual exploitation and sexual abuse". Article 17 states that the child should have access to information "aimed at the pro- motion of his or her social, spiritual and moral well-being and physical and mental health".

Applying the Convention, the Committee on the Rights of the Child has, for example: recommended that specific laws be enacted and enforced to prohibit FGM (1997); called on Kuwait to take action to prevent and combat early marriage (1998); and called on Mexico to raise and equalize the minimum legal ages for marriage of boys and girls (1999).

5. Human Rights Treaty Bodies: Reports and Recommendations

Countries that have ratified human rights treaties are required to report regularly on actions they have undertaken to ensure the exercise and enjoyment of the specified rights. Established bodies monitor the implementation of rights instruments. For example, the Human Rights Committee monitors compliance with the International Covenant on civil and Political Rights and receives complaints from individuals whose rights have been violated, while the Committee on Economic, Social and Cultural Rights monitors implementation of the economic rights covenant.

Treaty bodies offer recommendations and interpretations to assist in monitoring, reviewing and evaluating the international human rights treaties. Their recommendations can take several forms. Some clarify treaty provisions, for example, by specifying actions that states, groups or individuals should take. These monitoring bodies can also define standards and recommend actions needed to protect or expand a right. NGOs may also submit “shadow reports” when a state is before a treaty body.

The Committee on Economic, Social and Cultural Rights has issued a number of recent rulings on reproductive rights. For instance, it has called on Cameroon to eliminate the practices of polygamy, forced marriages and FGM, and bias in favour of the education of boys (1999); noted with concern the high incidence of pregnancies among females of school age in Saint Vincent and the Grenadines (1997); and noted that Switzerland’s Parliament had not yet recognized the right of pregnant women to maternity benefits as Article 10 requires (1998).

Concerned about the high number of suicides of adolescent girls, “which appear in part to be related to the prohibition of abortion,” the Human Rights Committee called on Ecuador to help adolescents facing unwanted pregnancies to obtain adequate health care and education (1998). Regarding Poland, the committee voiced concern about: strict abortion laws leading to high numbers of unsafe clandestine abortions; limited access for women to affordable contraceptives; the elimination of sexual education from schools; and the insufficiency of public family planning programmes (1999). In March 2000, the committee adopted a comprehensive new General Comment on gender equality, spelling out what Article 3 of the political covenant entails and what information states parties are expected to provide in their reports. . States parties are obliged to prohibit discrimination on grounds of sex, and to “put an end to discriminatory actions both in the public and the private sector”.

The Committee on the Elimination of Discrimination against Women monitors implementation of the Convention on the Elimination of All Forms of Discrimination against Women. At its January 1992 session, the committee adopted General Recommendation 19 on violence against women, which states that “gender-based violence which impairs

or nullifies the enjoyment by women of human rights and fundamental freedoms is discrimination” within the treaty’s purview.

In 1994, the committee found that violence against women within families constituted a violation of the “right to non-discrimination against women in all matters relating to marriage and family relations”. It called for: criminal penalties and civil remedies in domestic violence cases; outlawing the “defence of family honour” as a justification for assault or murder; services to ensure the safety of victims of family violence; rehabilitation programmes for perpetrators of domestic violence; and support services for families where incest or sexual abuse had occurred. The committee subsequently decried the high incidence of teenage pregnancy in Belize, which it linked to a lack of adequate family planning information and contraceptive use; it also expressed concern that schools are free to expel girls because of pregnancy, and that only a few allow girls to continue their education after pregnancy (1999). It ruled that in Chile, “Deep-rooted social and cultural prejudices” hold back the achievement of equality for women; it expressed concern at high rates of teenage pregnancy, which it linked to sexual violence; and it urged the Government to revoke laws imposing criminal penalties on women who undergo abortions and requiring health professionals to report them (1999). It urged Nepal to amend discriminatory laws on property and inheritance, marriage, nationality, birth registration and abortion; and to punish persons who procure women for prostitution or for trafficking; and it expressed concern about harmful traditional customs and practices, such as child marriage, dowry, polygamy, and ethnic and religious practices that force girls to become prostitutes (1999).

The committee expressed concern about Peru’s high incidence of domestic violence, including incest, and sexual violence against rural and indigenous women, including teenagers; it recommended that the Government review its law on abortion and ensure that women have access to the machinery that provides them protection from all sorts of oppression.

6. Human Rights of Women

6.1. *Introduction:*

Human rights and fundamental freedoms are the birthright of all human beings; their protection and promotion is the first responsibility of Governments. The World Conference on Human Rights reaffirmed the solemn commitment of all States to fulfil their obligation to promote universal respect for, and observance and protection of, all human rights and fundamental freedoms for all, in accordance with the Charter of the United Nations, other instruments relating to human rights, and international law. The universal nature of these rights and freedoms is beyond question.

The promotion and protection of all human rights and fundamental freedoms must be considered as a priority objective of the United Nations, in accordance with its purposes and principles, in particular with the purpose of international cooperation. In the framework of these purposes and principles, the promotion and protection of all human rights is a legitimate concern of the international community. The international community must treat human rights globally, in a fair and equal manner, on the same footing, and with the same emphasis. The Platform for Action reaffirms the importance of ensuring the universality, objectivity and non-selectivity of the consideration of human rights issues.

The Platform for Action reaffirms that all human rights - civil, cultural, economic, political and social, including the right to development - are universal, indivisible, and interdependent and interrelated, as expressed in the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights. The Conference reaffirmed that the human rights of women and the girl child are an inalienable, integral and indivisible part of universal human rights. The full and equal enjoyment of all human rights and fundamental freedoms by women and girls is a priority for Governments and the United Nations and is essential for the advancement of women.

Equal rights of men and women are explicitly mentioned in the Preamble to the Charter of the United Nations. All the major international human rights instruments include sex as one of the grounds upon which States may not discriminate.

Governments must not only refrain from violating the human rights of all women, but must work actively to promote and protect these rights. Recognition of the importance of the human rights of women is reflected in the fact that three quarters of the States Members of the United Nations have become parties to the Convention on the Elimination of All Forms of Discrimination against Women.

The World Conference on Human Rights reaffirmed clearly that the human rights of women throughout the life cycle are an inalienable, integral and indivisible part of universal human rights. The International Conference on Population and Development reaffirmed women's

reproductive rights and the right to development. Both the Declaration of the Rights of the Child and the Convention on the Rights of the Child guarantee children's rights and uphold the principle of non-discrimination on the grounds of gender.

The gap between the existence of rights and their effective enjoyment derives from a lack of commitment by Governments to promoting and protecting those rights and the failure of Governments to inform women and men alike about them. The lack of appropriate recourse mechanisms at the national and international levels, and inadequate resources at both levels, compound the problem. In most countries, steps have been taken to reflect the rights guaranteed by the Convention on the Elimination of All Forms of Discrimination against Women in national law. A number of countries have established mechanisms to strengthen women's ability to exercise their rights.

In order to protect the human rights of women, it is necessary to avoid, as far as possible, resorting to reservations and to ensure that no reservation is incompatible with the object and purpose of the Convention or is otherwise incompatible with international treaty law. Unless the human rights of women, as defined by international human rights instruments, are fully recognized and effectively protected, applied, implemented and enforced in national law as well as in national practice in family, civil, penal, labour and commercial codes and administrative rules and regulations, they will exist in name only.

In those countries that have not yet become parties to the Convention on the Elimination of All Forms of Discrimination against Women and other international human rights instruments, or where reservations that are incompatible with the object or purpose of the Convention have been entered, or where national laws have not yet been revised to implement international norms and standards, women's de jure equality is not yet secured. Women's full enjoyment of equal rights is undermined by the discrepancies between some national legislation and international law and international instruments on human rights. Overly complex administrative procedures, lack of awareness within the judicial process and inadequate monitoring of the violation of the human rights of all women, coupled with the underrepresentation of women in justice systems, insufficient information on existing rights and persistent attitudes and practices perpetuate women's de facto inequality. De facto inequality is also perpetuated by the lack of enforcement of, inter alia, family, civil, penal, labour and commercial laws or codes, or administrative rules and regulations intended to ensure women's full enjoyment of human rights and fundamental freedoms.

Every person should be entitled to participate in, contribute to and enjoy cultural, economic, political and social development. In many cases women and girls suffer discrimination in the allocation of economic and social resources. This directly violates their economic, social and cultural rights.

The human rights of all women and the girl child must form an integral part of United Nations human rights activities. Intensified efforts are needed to integrate the equal status and the human rights of all women and girls into the mainstream of United Nations

system-wide activities and to address these issues regularly and systematically throughout relevant bodies and mechanisms. This requires, inter alia, improved cooperation and coordination between the Commission on the Status of Women, the United Nations High Commissioner for Human Rights, the Commission on Human Rights, including its special and thematic rapporteurs, independent experts, working groups and its Sub commission on Prevention of Discrimination and Protection of Minorities, the Commission on Sustainable Development, the Commission for Social Development, the Commission on Crime Prevention and Criminal Justice, and the Committee on the Elimination of Discrimination against Women and other human rights treaty bodies, and all relevant entities of the United Nations system, including the specialized agencies. Cooperation is also needed to strengthen, rationalize and streamline the United Nations human rights system and to promote its effectiveness and efficiency, taking into account the need to avoid unnecessary duplication and overlapping of mandates and tasks.

If the goal of full realization of human rights for all is to be achieved, international human rights instruments must be applied in such a way as to take more clearly into consideration the systematic and systemic nature of discrimination against women that gender analysis has clearly indicated.

Bearing in mind the Programme of Action of the International Conference on Population and Development and the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights, the Fourth World Conference on Women reaffirms that reproductive rights rest on the recognition of the basic right of all couples and individuals to decide freely and responsibly the number, spacing and timing of their children and to have the information and means to do so, and the right to attain the highest standard of sexual and reproductive health. It also includes their right to make decisions concerning reproduction free of discrimination, coercion and violence, as expressed in human rights documents.

Violence against women both violates and impairs or nullifies the enjoyment by women of human rights and fundamental freedoms. Taking into account the Declaration on the Elimination of Violence against Women and the work of Special Rapporteurs, gender-based violence, such as battering and other domestic violence, sexual abuse, sexual slavery and exploitation, and international trafficking in women and children, forced prostitution and sexual harassment, as well as violence against women, resulting from cultural prejudice, racism and racial discrimination, xenophobia, pornography, ethnic cleansing, armed conflict, foreign occupation, religious and anti-religious extremism and terrorism are incompatible with the dignity and the worth of the human person and must be combated and eliminated. Any harmful aspect of certain traditional, customary or modern practices that violates the rights of women should be prohibited and eliminated. Governments should take urgent action to combat and eliminate all forms of violence against women in private and public life, whether perpetrated or tolerated by the State or private persons.

Many women face additional barriers to the enjoyment of their human rights because of such factors as their race, language, ethnicity, culture, religion, disability or socio-economic class or because they are indigenous people, migrants, including women migrant workers, displaced women or refugees. They may also be disadvantaged and marginalized by a general lack of knowledge and recognition of their human rights as well as by the obstacles they meet in gaining access to information and recourse mechanisms in cases of violation of their rights.

The factors that cause the flight of refugee women, other displaced women in need of international protection and internally displaced women may be different from those affecting men. These women continue to be vulnerable to abuses of their human rights during and after their flight.

While women are increasingly using the legal system to exercise their rights, in many countries lack of awareness of the existence of these rights is an obstacle that prevents women from fully enjoying their human rights and attaining equality. Experience in many countries has shown that women can be empowered and motivated to assert their rights, regardless of their level of education or socio-economic status. Legal literacy programmes and media strategies have been effective in helping women to understand the link between their rights and other aspects of their lives and in demonstrating that cost-effective initiatives can be undertaken to help women obtain those rights. Provision of human rights education is essential for promoting an understanding of the human rights of women, including knowledge of recourse mechanisms to redress violations of their rights. It is necessary for all individuals, especially women in vulnerable circumstances, to have full knowledge of their rights and access to legal recourse against violations of their rights.

Women engaged in the defence of human rights must be protected. Governments have a duty to guarantee the full enjoyment of all rights set out in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights by women working peacefully in a personal or organizational capacity for the promotion and protection of human rights. Non-governmental organizations, women's organizations and feminist groups have played a catalytic role in the promotion of the human rights of women through grass-roots activities, networking and advocacy and need encouragement, support and access to information from Governments in order to carry out these activities.

In addressing the enjoyment of human rights, Governments and other actors should promote an active and visible policy of mainstreaming a gender perspective in all policies and programmes so that, before decisions are taken, an analysis is made of the effects on women and men, respectively.

6.2. Actions to be taken by Governments:

Work actively towards ratification of or accession to and implement international and regional human rights treaties;

Ratify and accede to and ensure implementation of the Convention on the Elimination of All Forms of Discrimination against Women so that universal ratification of the Convention can be achieved by the year 2000;

Limit the extent of any reservations to the Convention on the Elimination of All Forms of Discrimination against Women; formulate any such reservations as precisely and as narrowly as possible; ensure that no reservations are incompatible with the object and purpose of the Convention or otherwise incompatible with international treaty law and regularly review them with a view to withdrawing them; and withdraw reservations that are contrary to the object and purpose of the Convention on the Elimination of All Forms of Discrimination against Women or which are otherwise incompatible with international treaty law;

Consider drawing up national action plans identifying steps to improve the promotion and protection of human rights, including the human rights of women, as recommended by the World Conference on Human Rights;

Create or strengthen independent national institutions for the protection and promotion of these rights, including the human rights of women, as recommended by the World Conference on Human Rights;

Develop a comprehensive human rights education programme to raise awareness among women of their human rights and raise awareness among others of the human rights of women;

If they are States parties, implement the Convention by reviewing all national laws, policies, practices and procedures to ensure that they meet the obligations set out in the Convention; all States should undertake a review of all national laws, policies, practices and procedures to ensure that they meet international human rights obligations in this matter;

Include gender aspects in reporting under all other human rights conventions and instruments, including ILO conventions, to ensure analysis and review of the human rights of women;

Report on schedule to the Committee on the Elimination of Discrimination against Women regarding the implementation of the Convention, following fully the guidelines established by the Committee and involving non-governmental organizations, where appropriate, or taking into account their contributions in the preparation of the report;

Enable the Committee on the Elimination of Discrimination against Women fully to discharge its mandate by allowing for adequate meeting time through broad ratification of the revision adopted by the States parties to the Convention on the Elimination of All Forms of Discrimination against Women on 22 May 1995 relative to article 20, paragraph 1, and by promoting efficient working methods;

Support the process initiated by the Commission on the Status of Women with a view to elaborating a draft optional protocol to the Convention on the Elimination of All Forms of Discrimination against Women that could enter into force as soon as possible on a right of petition procedure, taking into consideration the Secretary- General's report on the optional protocol, including those views related to its feasibility;

Take urgent measures to achieve universal ratification of or accession to the Convention on the Rights of the Child before the end of 1995 and full implementation of the Convention in order to ensure equal rights for girls and boys; those that have not already done so are urged to become parties in order to realize universal implementation of the Convention on the Rights of the Child by the year 2000;

Address the acute problems of children, inter alia, by supporting efforts in the context of the United Nations system aimed at adopting efficient international measures for the prevention and eradication of female infanticide, harmful child labour, the sale of children and their organs, child prostitution, child pornography and other forms of sexual abuse and consider contributing to the drafting of an optional protocol to the Convention on the Rights of the Child;

Strengthen the implementation of all relevant human rights instruments in order to combat and eliminate, including through international cooperation, organized and other forms of trafficking in women and children, including trafficking for the purposes of sexual exploitation, pornography, prostitution and sex tourism, and provide legal and social services to the victims; this should include provisions for international cooperation to prosecute and punish those responsible for organized exploitation of women and children;

Taking into account the need to ensure full respect for the human rights of indigenous women, consider a declaration on the rights of indigenous people for adoption by the General Assembly within the International Decade of the World's Indigenous People and encourage the participation of indigenous women in the working group elaborating the draft declaration, in accordance with the provisions for the participation of organizations of indigenous people.

By relevant organs, bodies and agencies of the United Nations system, all human rights bodies of the United Nations system, as well as the United Nations High Commissioner for Human Rights and the United Nations High Commissioner for Refugees, while promoting greater efficiency and effectiveness through better coordination of the various

bodies, mechanisms and procedures, taking into account the need to avoid unnecessary duplication and overlapping of their mandates and tasks:

Give full, equal and sustained attention to the human rights of women in the exercise of their respective mandates to promote universal respect for and protection of all human rights - civil, cultural, economic, political and social rights, including the right to development;

Ensure the implementation of the recommendations of the World Conference on Human Rights for the full integration and mainstreaming of the human rights of women;

Develop a comprehensive policy programme for mainstreaming the human rights of women throughout the United Nations system, including activities with regard to advisory services, technical assistance, reporting methodology, gender-impact assessments, coordination, public information and human rights education, and play an active role in the implementation of the programme;

Ensure the integration and full participation of women as both agents and beneficiaries in the development process and reiterate the objectives established for global action for women towards sustainable and equitable development set forth in the Rio Declaration on Environment and Development;

Include information on gender-based human rights violations in their activities and integrate the findings into all of their programmes and activities;

Ensure that there is collaboration and coordination of the work of all human rights bodies and mechanisms to ensure that the human rights of women are respected;

Strengthen cooperation and coordination between the Commission on the Status of Women, the Commission on Human Rights, the Commission for Social Development, the Commission on Sustainable Development, the Commission on Crime Prevention and Criminal Justice, the United Nations human rights treaty monitoring bodies, including the Committee on the Elimination of Discrimination against Women, and the United Nations Development Fund for Women, the International Research and Training Institute for the Advancement of Women, the United Nations Development Programme, the United Nations Children's Fund and other organizations of the United Nations system, acting within their mandates, in the promotion of the human rights of women, and improve cooperation between the Division for the Advancement of Women and the Centre for Human Rights;

Establish effective cooperation between the United Nations High Commissioner for Human Rights and the United Nations High Commissioner for Refugees and other relevant bodies, within their respective mandates, taking into account the close link between massive violations of human rights, especially in the form of genocide, ethnic cleansing, systematic rape of women in war situations and refugee flows and other displacements,

and the fact that refugee, displaced and returnee women may be subject to particular human rights abuse;

Encourage incorporation of a gender perspective in national programmes of action and in human rights and national institutions, within the context of human rights advisory services programmes;

Provide training in the human rights of women for all United Nations personnel and officials, especially those in human rights and humanitarian relief activities, and promote their understanding of the human rights of women so that they recognize and deal with violations of the human rights of women and can fully take into account the gender aspect of their work;

In reviewing the implementation of the plan of action for the United Nations Decade for Human Rights Education (1995-2004), take into account the results of the Fourth World Conference on Women.

Give priority to promoting and protecting the full and equal enjoyment by women and men of all human rights and fundamental freedoms without distinction of any kind as to race, colour, sex, language, religion, political or other opinions, national or social origins, property, birth or other status;

Provide constitutional guarantees and/or enact appropriate legislation to prohibit discrimination on the basis of sex for all women and girls of all ages and assure women of all ages equal rights and their full enjoyment;

Embody the principle of the equality of men and women in their legislation and ensure, through law and other appropriate means, the practical realization of this principle;

Review national laws, including customary laws and legal practices in the areas of family, civil, penal, labour and commercial law in order to ensure the implementation of the principles and procedures of all relevant international human rights instruments by means of national legislation, revoke any remaining laws that discriminate on the basis of sex and remove gender bias in the administration of justice;

Strengthen and encourage the development of programmes to protect the human rights of women in the national institutions on human rights that carry out programmes, such as human rights commissions or ombudspersons, according them appropriate status, resources and access to the Government to assist individuals, in particular women, and ensure that these institutions pay adequate attention to problems involving the violation of the human rights of women;

Take action to ensure that the human rights of women, including the rights referred to in paragraphs 94 to 96 above, are fully respected and protected;

Take urgent action to combat and eliminate violence against women, which is a human rights violation, resulting from harmful traditional or customary practices, cultural prejudices and extremism;

Prohibit female genital mutilation wherever it exists and give vigorous support to efforts among non-governmental and community organizations and religious institutions to eliminate such practices;

Provide gender-sensitive human rights education and training to public officials, including, inter alia, police and military personnel, corrections officers, health and medical personnel, and social workers, including people who deal with migration and refugee issues, and teachers at all levels of the educational system, and make available such education and training also to the judiciary and members of parliament in order to enable them to better exercise their public responsibilities;

Promote the equal right of women to be members of trade unions and other professional and social organizations;

Establish effective mechanisms for investigating violations of the human rights of women perpetrated by any public official and take the necessary punitive legal measures in accordance with national laws;

Review and amend criminal laws and procedures, as necessary, to eliminate any discrimination against women in order to ensure that criminal law and procedures guarantee women effective protection against, and prosecution of, crimes directed at or disproportionately affecting women, regardless of the relationship between the perpetrator and the victim, and ensure that women defendants, victims and/or witnesses are not revictimized or discriminated against in the investigation and prosecution of crimes;

Ensure that women have the same right as men to be judges, advocates or other officers of the court, as well as police officers and prison and detention officers, among other things;

Strengthen existing or establish readily available and free or affordable alternative administrative mechanisms and legal aid programmes to assist disadvantaged women seeking redress for violations of their rights;

Ensure that all women and non-governmental organizations and their members in the field of protection and promotion of all human rights - civil, cultural, economic, political and social rights, including the right to development - enjoy fully all human rights and freedoms in accordance with the Universal Declaration of Human Rights and all other human rights instruments and the protection of national laws;

Strengthen and encourage the implementation of the recommendations contained in the Standard Rules on the Equalization of Opportunities for Persons with Disabilities, paying special attention to ensure non-discrimination and equal enjoyment of all human rights and fundamental freedoms by women and girls with disabilities, including their access to information and services in the field of violence against women, as well as their active participation in and economic contribution to all aspects of society;

Encourage the development of gender-sensitive human rights programmes.

6.3. Actions to be taken By Governments and non-governmental organizations, the United Nations and other international organizations, as appropriate:

Translate, whenever possible, into local and indigenous languages and into alternative formats appropriate for persons with disabilities and persons at lower levels of literacy, publicize and disseminate laws and information relating to the equal status and human rights of all women, including the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Rights of the Child, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Declaration on the Right to Development and the Declaration on the Elimination of Violence against Women, as well as the outcomes of relevant United Nations conferences and summits and national reports to the Committee on the Elimination of Discrimination against Women;

Publicize and disseminate such information in easily understandable formats and alternative formats appropriate for persons with disabilities, and persons at low levels of literacy;

Disseminate information on national legislation and its impact on women, including easily accessible guidelines on how to use a justice system to exercise one's rights;

Include information about international and regional instruments and standards in their public information and human rights education activities and in adult education and training programmes, particularly for groups such as the military, the police and other law enforcement personnel, the judiciary, and legal and health professionals to ensure that human rights are effectively protected;

Make widely available and fully publicize information on the existence of national, regional and international mechanisms for seeking redress when the human rights of women are violated;

Encourage, coordinate and cooperate with local and regional women's groups, relevant non-governmental organizations, educators and the media, to implement programmes in human rights education to make women aware of their human rights;

Promote education on the human and legal rights of women in school curricula at all levels of education and undertake public campaigns, including in the most widely used languages of the country, on the equality of women and men in public and private life, including their rights within the family and relevant human rights instruments under national and international law;

Promote education in all countries in human rights and international humanitarian law for members of the national security and armed forces, including those assigned to United

Nations peace-keeping operations, on a routine and continuing basis, reminding them and sensitizing them to the fact that they should respect the rights of women at all times, both on and off duty, giving special attention to the rules on the protection of women and children and to the protection of human rights in situations of armed conflict;

Take appropriate measures to ensure that refugee and displaced women, migrant women and women migrant workers are made aware of their human rights and of the recourse mechanisms available to them.

7. Women and Poverty

7.1. Introduction:

More than 1 billion people in the world today, the great majority of whom are women, live in unacceptable conditions of poverty, mostly in the developing countries. Poverty has various causes, including structural ones. Poverty is a complex, multidimensional problem, with origins in both the national and international domains. The globalization of the world's economy and the deepening interdependence among nations present challenges and opportunities for sustained economic growth and development, as well as risks and uncertainties for the future of the world economy. The uncertain global economic climate has been accompanied by economic restructuring as well as, in a certain number of countries, persistent, unmanageable levels of external debt and structural adjustment programmes.

In addition, all types of conflict, displacement of people and environmental degradation have undermined the capacity of Governments to meet the basic needs of their populations. Transformations in the world economy are profoundly changing the parameters of social development in all countries. One significant trend has been the increased poverty of women, the extent of which varies from region to region. The gender disparities in economic power-sharing are also an important contributing factor to the poverty of women. Migration and consequent changes in family structures have placed additional burdens on women, especially those who provide for several dependants.

Macroeconomic policies need rethinking and reformulation to address such trends. These policies focus almost exclusively on the formal sector. They also tend to impede the initiatives of women and fail to consider the differential impact on women and men. The application of gender analysis to a wide range of policies and programmes is therefore critical to poverty reduction strategies. In order to eradicate poverty and achieve sustainable development, women and men must participate fully and equally in the formulation of macroeconomic and social policies and strategies for the eradication of poverty.

The eradication of poverty cannot be accomplished through anti-poverty programmes alone but will require democratic participation and changes in economic structures in order to ensure access for all women to resources, opportunities and public services. Poverty has various manifestations, including lack of income and productive resources sufficient to ensure a sustainable livelihood; hunger and malnutrition; ill health; limited or lack of access to education and other basic services; increasing morbidity and mortality from illness; homelessness and inadequate housing; unsafe environments; and social discrimination and exclusion. It is also characterized by lack of participation in decision-making and in civil, social and cultural life. It occurs in all countries - as mass poverty in many developing countries and as pockets of poverty amidst wealth in developed countries.

Poverty may be caused by an economic recession that results in loss of livelihood or by disaster or conflict. There is also the poverty of low-wage workers and the utter destitution of people who fall outside family support systems, social institutions and safety nets.

In the past decade the number of women living in poverty has increased disproportionately to the number of men, particularly in the developing countries. The feminization of poverty has also recently become a significant problem in the countries with economies in transition as a short-term consequence of the process of political, economic and social transformation. In addition to economic factors, the rigidity of socially ascribed gender roles and women's limited access to power, education, training and productive resources as well as other emerging factors that may lead to insecurity for families are also responsible. The failure to adequately mainstream a gender perspective in all economic analysis and planning and to address the structural causes of poverty is also a contributing factor.

Women contribute to the economy and to combating poverty through both remunerated and unremunerated work at home, in the community and in the workplace. The empowerment of women is a critical factor in the eradication of poverty.

While poverty affects households as a whole, because of the gender division of labour and responsibilities for household welfare, women bear a disproportionate burden, attempting to manage household consumption and production under conditions of increasing scarcity. Poverty is particularly acute for women living in rural households.

Women's poverty is directly related to the absence of economic opportunities and autonomy, lack of access to economic resources, including credit, land ownership and inheritance, lack of access to education and support services and their minimal participation in the decision-making process. Poverty can also force women into situations in which they are vulnerable to sexual exploitation.

In too many countries, social welfare systems do not take sufficient account of the specific conditions of women living in poverty, and there is a tendency to scale back the services provided by such systems. The risk of falling into poverty is greater for women than for men, particularly in old age, where social security systems are based on the principle of continuous remunerated employment. In some cases, women do not fulfil this requirement because of interruptions in their work, due to the unbalanced distribution of remunerated and unremunerated work. Moreover, older women also face greater obstacles to labour-market re-entry.

In many developed countries, where the level of general education and professional training of women and men are similar and where systems of protection against discrimination are available, in some sectors the economic transformations of the past decade have strongly increased either the unemployment of women or the precarious nature of their employment. The proportion of women among the poor has consequently increased. In countries with a high level of school enrolment of girls, those who leave the educational

system the earliest, without any qualification, are among the most vulnerable in the labour market.

In countries with economies in transition and in other countries undergoing fundamental political, economic and social transformations, these transformations have often led to a reduction in women's income or to women being deprived of income.

Particularly in developing countries, the productive capacity of women should be increased through access to capital, resources, credit, land, technology, information, technical assistance and training so as to raise their income and improve nutrition, education, health care and status within the household. The release of women's productive potential is pivotal to breaking the cycle of poverty so that women can share fully in the benefits of development and in the products of their own labour.

Sustainable development and economic growth are possible only through improving the economic, social, political, legal and cultural status of women. Equitable social development that recognizes empowering the poor, particularly women, to utilize environmental resources sustainably is a necessary foundation for sustainable development.

The success of policies and measures aimed at supporting or strengthening the promotion of gender equality and the improvement of the status of women should be based on the integration of the gender perspective in general policies relating to all spheres of society as well as the implementation of positive measures with adequate institutional and financial support at all levels.

7.2. Actions to be taken

Review and modify, with the full and equal participation of women, macroeconomic and social policies with a view to achieving the objectives of the Platform for Action;

Analyse, from a gender perspective, policies and programmes - including those related to macroeconomic stability, structural adjustment, external debt problems, taxation, investments, employment, markets and all relevant sectors of the economy - with respect to their impact on poverty, on inequality and particularly on women; assess their impact on family well-being and conditions and adjust them, as appropriate, to promote more equitable distribution of productive assets, wealth, opportunities, income and services;

Pursue and implement sound and stable macroeconomic and sectoral policies that are designed and monitored with the full and equal participation of women, encourage broad-based sustained economic growth, address the structural causes of poverty and are geared towards eradicating poverty and reducing gender-based inequality within the overall framework of achieving people-centred sustainable development;

Restructure and target the allocation of public expenditures to promote women's economic opportunities and equal access to productive resources and to address the basic social, educational and health needs of women, particularly those living in poverty;

Develop agricultural and fishing sectors, where and as necessary, in order to ensure, as appropriate, household and national food security and food self-sufficiency, by allocating the necessary financial, technical and human resources;

Develop policies and programmes to promote equitable distribution of food within the household;

Provide adequate safety nets and strengthen State-based and community-based support systems, as an integral part of social policy, in order to enable women living in poverty to withstand adverse economic environments and preserve their livelihood, assets and revenues in times of crisis;

Generate economic policies that have a positive impact on the employment and income of women workers in both the formal and informal sectors and adopt specific measures to address women's unemployment, in particular their long-term unemployment;

Formulate and implement, when necessary, specific economic, social, agricultural and related policies in support of female-headed households;

Develop and implement anti-poverty programmes, including employment schemes, that improve access to food for women living in poverty, including through the use of appropriate pricing and distribution mechanisms;

Ensure the full realization of the human rights of all women migrants, including women migrant workers, and their protection against violence and exploitation; introduce measures for the empowerment of documented women migrants, including women migrant workers; facilitate the productive employment of documented migrant women through greater recognition of their skills, foreign education and credentials, and facilitate their full integration into the labour force;

Introduce measures to integrate or reintegrate women living in poverty and socially marginalized women into productive employment and the economic mainstream; ensure that internally displaced women have full access to economic opportunities and that the qualifications and skills of immigrant and refugee women are recognized;

Enable women to obtain affordable housing and access to land by, among other things, removing all obstacles to access, with special emphasis on meeting the needs of women, especially those living in poverty and female heads of household;

Formulate and implement policies and programmes that enhance the access of women agricultural and fisheries producers (including subsistence farmers and producers, especially in rural areas) to financial, technical, extension and marketing services; provide access to and control of land, appropriate infrastructure and technology in order to increase women's incomes and promote household food security, especially in rural areas and, where appropriate, encourage the development of producer-owned, market-based cooperatives;

Create social security systems wherever they do not exist, or review them with a view to placing individual women and men on an equal footing, at every stage of their lives;

Ensure access to free or low-cost legal services, including legal literacy, especially designed to reach women living in poverty;

Take particular measures to promote and strengthen policies and programmes for indigenous women with their full participation and respect for their cultural diversity, so that they have opportunities and the possibility of choice in the development process in order to eradicate the poverty that affects them.

By multilateral financial and development institutions, including the World Bank, the International Monetary Fund and regional development institutions, and through bilateral development cooperation:

In accordance with the commitments made at the World Summit for Social Development, seek to mobilize new and additional financial resources that are both adequate and predictable and mobilized in a way that maximizes the availability of such resources and uses all available funding sources and mechanisms with a view to contributing towards the goal of poverty eradication and targeting women living in poverty;

Strengthen analytical capacity in order to more systematically strengthen gender perspectives and integrate them into the design and implementation of lending programmes, including structural adjustment and economic recovery programmes;

Find effective development-oriented and durable solutions to external debt problems in order to help them to finance programmes and projects targeted at development, including the advancement of women, inter alia, through the immediate implementation of the terms of debt forgiveness agreed upon in the Paris Club in December 1994, which encompassed debt reduction, including cancellation or other debt relief measures and develop techniques of debt conversion applied to social development programmes and projects in conformity with the priorities of the Platform for Action;

Invite the international financial institutions to examine innovative approaches to assisting low-income countries with a high proportion of multilateral debt, with a view to alleviating their debt burden;

Ensure that structural adjustment programmes are designed to minimize their negative effects on vulnerable and disadvantaged groups and communities and to assure their positive effects on such groups and communities by preventing their marginalization in economic and social activities and devising measures to ensure that they gain access to and control over economic resources and economic and social activities; take actions to reduce inequality and economic disparity;

Review the impact of structural adjustment programmes on social development by means of gender-sensitive social impact assessments and other relevant methods, in order to develop policies to reduce their negative effects and improve their positive impact, ensuring that women do not bear a disproportionate burden of transition costs; complement adjustment lending with enhanced, targeted social development lending;

Create an enabling environment that allows women to build and maintain sustainable livelihoods.

7.3. Action to be taken by national and international non-governmental organizations and women's groups:

Mobilize all parties involved in the development process, including academic institutions, non-governmental organizations and grass-roots and women's groups, to improve the effectiveness of anti-poverty programmes directed towards the poorest and most disadvantaged groups of women, such as rural and indigenous women, female heads of household, young women and older women, refugees and migrant women and women with disabilities, recognizing that social development is primarily the responsibility of Governments;

Engage in lobbying and establish monitoring mechanisms, as appropriate, and other relevant activities to ensure implementation of the recommendations on poverty eradication outlined in the Platform for Action and aimed at ensuring accountability and transparency from the State and private sectors;

Include in their activities women with diverse needs and recognize that youth organizations are increasingly becoming effective partners in development programmes;

In cooperation with the government and private sectors, participate in the development of a comprehensive national strategy for improving health, education and social services so that girls and women of all ages living in poverty have full access to such services; seek funding to secure access to services with a gender perspective and to extend those services in order to reach the rural and remote areas that are not covered by government institutions;

In cooperation with Governments, employers, other social partners and relevant parties, contribute to the development of education and training and retraining policies to ensure that women can acquire a wide range of skills to meet new demands;

Mobilize to protect women's right to full and equal access to economic resources, including the right to inheritance and to ownership of land and other property, credit, natural resources and appropriate technologies.

7.4. Actions to be taken By Governments:

Ensure access to free or low-cost legal services, including legal literacy, especially designed to reach women living in poverty;

Undertake legislative and administrative reforms to give women full and equal access to economic resources, including the right to inheritance and to ownership of land and other property, credit, natural resources and appropriate technologies;

Consider ratification of Convention No. 169 of the International Labour Organization (ILO) as part of their efforts to promote and protect the rights of indigenous people.

Enhance the access of disadvantaged women, including women entrepreneurs, in rural, remote and urban areas to financial services through strengthening links between the formal banks and intermediary lending organizations, including legislative support, training for women and institutional strengthening for intermediary institutions with a view to mobilizing capital for those institutions and increasing the availability of credit;

Encourage links between financial institutions and non-governmental organizations and support innovative lending practices, including those that integrate credit with women's services and training and provide credit facilities to rural women.

7.5 Action to be taken by commercial banks, specialized financial institutions and the private sector in examining their policies:

Use credit and savings methodologies that are effective in reaching women in poverty and innovative in reducing transaction costs and redefining risk;

Open special windows for lending to women, including young women, who lack access to traditional sources of collateral;

Simplify banking practices, for example by reducing the minimum deposit and other requirements for opening bank accounts;

Ensure the participation and joint ownership, where possible, of women clients in the decision-making of institutions providing credit and financial services.

7.6. Action to be taken by multilateral and bilateral development cooperation organizations:

Support through the provision of capital and/or resources, financial institutions that serve low-income, small-scale and micro-scale women entrepreneurs and producers, in both the formal and informal sectors.

By Governments and multilateral financial institutions, as appropriate:

Support institutions that meet performance standards in reaching large numbers of low-income women and men through capitalization, refinancing and institutional development support in forms that foster self-sufficiency.

7.6.1. By international organizations: Increase funding for programmes and projects designed to promote sustainable and productive entrepreneurial activities for income-generation among disadvantaged women and women living in poverty.

7.7. Actions to be taken By Governments, intergovernmental organizations, academic and research institutions and the private sector:

Develop conceptual and practical methodologies for incorporating gender perspectives into all aspects of economic policy-making, including structural adjustment planning and programmes;

Apply these methodologies in conducting gender-impact analyses of all policies and programmes, including structural adjustment programmes, and disseminate the research findings.

By national and international statistical organizations:

Collect gender and age-disaggregated data on poverty and all aspects of economic activity and develop qualitative and quantitative statistical indicators to facilitate the assessment of economic performance from a gender perspective;

8. The Girl-child

8.1. Introduction:

The Convention on the Rights of the Child recognizes that “States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child’s or his or her parent’s or legal guardian’s race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or status” (Art. 2, para. 1). However, in many countries available indicators show that the girl child is discriminated against from the earliest stages of life, through her childhood and into adulthood. In some areas of the world, men outnumber women by 5 in every 100. The reasons for the discrepancy include, among other things, harmful attitudes and practices, such as female genital mutilation, son preference - which results in female infanticide and prenatal sex selection - early marriage, including child marriage, violence against women, sexual exploitation, sexual abuse, discrimination against girls in food allocation and other practices related to health and well-being. As a result, fewer girls than boys survive into adulthood.

Girls are often treated as inferior and are socialized to put themselves last, thus undermining their self-esteem. Discrimination and neglect in childhood can initiate a lifelong downward spiral of deprivation and exclusion from the social mainstream. Initiatives should be taken to prepare girls to participate actively, effectively and equally with boys at all levels of social, economic, political and cultural leadership.

Gender-biased educational processes, including curricula, educational materials and practices, teachers’ attitudes and classroom interaction, reinforce existing gender inequalities.

Girls and adolescents may receive a variety of conflicting and confusing messages on their gender roles from their parents, teachers, peers and the media. Women and men need to work together with children and youth to break down persistent gender stereotypes, taking into account the rights of the child and the responsibilities, rights and duties of parents as stated in paragraph below.

Although the number of educated children has grown in the past 20 years in some countries, boys have proportionately fared much better than girls. In 1990, 130 million children had no access to primary school; of these, 81 million were girls. This can be attributed to such factors as customary attitudes, child labour, early marriages, lack of funds and lack of adequate schooling facilities, teenage pregnancies and gender inequalities in society at large as well as in the family as defined in paragraph 29 above. In some countries the shortage of women teachers can inhibit the enrolment of girls. In many cases, girls start to undertake heavy domestic chores at a very early age and are expected to manage both

educational and domestic responsibilities, often resulting in poor scholastic performance and an early drop-out from schooling.

The percentage of girls enrolled in secondary school remains significantly low in many countries. Girls are often not encouraged or given the opportunity to pursue scientific and technological training and education, which limits the knowledge they require for their daily lives and their employment opportunities.

Girls are less encouraged than boys to participate in and learn about the social, economic and political functioning of society, with the result that they are not offered the same opportunities as boys to take part in decision-making processes.

Existing discrimination against the girl child in her access to nutrition and physical and mental health services endangers her current and future health. An estimated 450 million adult women in developing countries are stunted as a result of childhood protein-energy malnutrition.

The International Conference on Population and Development recognized, in paragraph 7.3 of the Programme of Action, that “full attention should be given to the promotion of mutually respectful and equitable gender relations and particularly to meeting the educational and service needs of adolescents to enable them to deal in a positive and responsible way with their sexuality”, taking into account the rights of the child to access to information, privacy, confidentiality, respect and informed consent, as well as the responsibilities, rights and duties of parents and legal guardians to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognized in the Convention on the Rights of the Child, and in conformity with the Convention on the Elimination of All Forms of Discrimination against Women. In all actions concerning children, the best interests of the child shall be a primary consideration. Support should be given to integral sexual education for young people with parental support and guidance that stresses the responsibility of males for their own sexuality and fertility and that help them exercise their responsibilities.

More than 15 million girls aged 15 to 19 give birth each year. Motherhood at a very young age entails complications during pregnancy and delivery and a risk of maternal death that is much greater than average. The children of young mothers have higher levels of morbidity and mortality. Early child-bearing continues to be an impediment to improvements in the educational, economic and social status of women in all parts of the world. Overall, early marriage and early motherhood can severely curtail educational and employment opportunities and are likely to have a long-term adverse impact on their and their children’s quality of life.

Sexual violence and sexually transmitted diseases, including HIV/AIDS, have a devastating effect on children’s health, and girls are more vulnerable than boys to the consequences of

unprotected and premature sexual relations. Girls often face pressures to engage in sexual activity. Due to such factors as their youth, social pressures, lack of protective laws, or failure to enforce laws, girls are more vulnerable to all kinds of violence, particularly sexual violence, including rape, sexual abuse, sexual exploitation, trafficking, possibly the sale of their organs and tissues, and forced labour.

The girl child with disabilities faces additional barriers and needs to be ensured non-discrimination and equal enjoyment of all human rights and fundamental freedoms in accordance with the Standard Rules on the Equalization of Opportunities for Persons with Disabilities.

Some children are particularly vulnerable, especially the abandoned, homeless and displaced, street children, children in areas in conflict, and children who are discriminated against because they belong to an ethnic or racial minority group.

All barriers must therefore be eliminated to enable girls without exception to develop their full potential and skills through equal access to education and training, nutrition, physical and mental health care and related information.

In addressing issues concerning children and youth, Governments should promote an active and visible policy of mainstreaming a gender perspective into all policies and programmes so that before decisions are taken, an analysis is made of the effects on girls and boys, respectively.

8.2. Actions to be taken By Governments:

By States that have not signed or ratified the Convention on the Rights of the Child, take urgent measures towards signing and ratifying the Convention, bearing in mind the strong exhortation made at the World Conference on Human Rights to sign it before the end of 1995, and by States that have signed and ratified the Convention, ensure its full implementation through the adoption of all necessary legislative, administrative and other measures and by fostering an enabling environment that encourages full respect for the rights of children;

Consistent with article 7 of the Convention on the Rights of the Child, take measures to ensure that a child is registered immediately after birth and has the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by his or her parents;

Take steps to ensure that children receive appropriate financial support from their parents, by, among other measures, enforcing child-support laws;

Eliminate the injustice and obstacles in relation to inheritance faced by the girl child so that all children may enjoy their rights without discrimination, by, inter alia, enacting, as appropriate, and enforcing legislation that guarantees equal right to succession and ensures equal right to inherit, regardless of the sex of the child;

Enact and strictly enforce laws to ensure that marriage is only entered into with the free and full consent of the intending spouses; in addition, enact and strictly enforce laws concerning the minimum legal age of consent and the minimum age for marriage and raise the minimum age for marriage where necessary;

Develop and implement comprehensive policies, plans of action and programmes for the survival, protection, development and advancement of the girl child to promote and protect the full enjoyment of her human rights and to ensure equal opportunities for girls; these plans should form an integral part of the total development process;

Ensure the disaggregation by sex and age of all data related to children in the health, education and other sectors in order to include a gender perspective in planning, implementation and monitoring of such programmes.

8.3. Actions to be taken by Governments and international and non-governmental organizations:

Disaggregate information and data on children by sex and age, undertake research on the situation of girls and integrate, as appropriate, the results in the formulation of policies, programmes and decision-making for the advancement of the girl child;

Generate social support for the enforcement of laws on the minimum legal age for marriage, in particular by providing educational opportunities for girls.

Encourage and support, as appropriate, non-governmental organizations and community-based organizations in their efforts to promote changes in negative attitudes and practices towards girls;

Set up educational programmes and develop teaching materials and textbooks that will sensitize and inform adults about the harmful effects of certain traditional or customary practices on girl children;

Develop and adopt curricula, teaching materials and textbooks to improve the self-image, lives and work opportunities of girls, particularly in areas where women have traditionally been underrepresented, such as mathematics, science and technology;

Take steps so that tradition and religion and their expressions are not a basis for discrimination against girls.

8.4. Actions to be taken by Governments and, as appropriate, international and non-governmental organizations:

Promote an educational setting that eliminates all barriers that impede the schooling of married and/or pregnant girls and young mothers, including, as appropriate, affordable and physically accessible child-care facilities and parental education to encourage those

who have responsibilities for the care of their children and siblings during their school years to return to, or continue with, and complete schooling;

Encourage educational institutions and the media to adopt and project balanced and non-stereotyped images of girls and boys, and work to eliminate child pornography and degrading and violent portrayals of the girl child;

Eliminate all forms of discrimination against the girl child and the root causes of son preference, which result in harmful and unethical practices such as prenatal sex selection and female infanticide; this is often compounded by the increasing use of technologies to determine foetal sex, resulting in abortion of female foetuses;

Develop policies and programmes, giving priority to formal and informal education programmes that support girls and enable them to acquire knowledge, develop self-esteem and take responsibility for their own lives; and place special focus on programmes to educate women and men, especially parents, on the importance of girls' physical and mental health and well-being, including the elimination of discrimination against girls in food allocation, early marriage, violence against girls, female genital mutilation, child prostitution, sexual abuse, rape and incest.

8.5. Actions to be taken by Governments and international and non-governmental organizations:

Generate awareness of the disadvantaged situation of girls among policy makers, planners, administrators and implementers at all levels, as well as within households and communities;

Make the girl child, particularly the girl child in difficult circumstances, aware of her own potential, educate her about the rights guaranteed to her under all international human rights instruments, including the Convention on the Rights of the Child, legislation enacted for her and the various measures undertaken by both governmental and non-governmental organizations working to improve her status;

Educate women, men, girls and boys to promote girls' status and encourage them to work towards mutual respect and equal partnership between girls and boys;

Facilitate the equal provision of appropriate services and devices to girls with disabilities and provide their families with related support services, as appropriate.

Ensure universal and equal access to and completion of primary education by all children and eliminate the existing gap between girls and boys, as stipulated in article 28 of the Convention on the Rights of the Child; similarly, ensure equal access to secondary education by the year 2005 and equal access to higher education, including vocational and technical education, for all girls and boys, including the disadvantaged and gifted;

Take steps to integrate functional literacy and numeracy programmes, particularly for out-of-school girls in development programmes;

Promote human rights education in educational programmes and include in human rights education the fact that the human rights of women and the girl child are an inalienable, integral and indivisible part of universal human rights;

Increase enrolment and improve retention rates of girls by allocating appropriate budgetary resources and by enlisting the support of the community and parents through campaigns and flexible school schedules, incentives, scholarships, access programmes for out-of-school girls and other measures;

Develop training programmes and materials for teachers and educators, raising awareness about their own role in the educational process, with a view to providing them with effective strategies for gender-sensitive teaching;

Take actions to ensure that female teachers and professors have the same possibilities and status as male teachers and professors.

8.6. By Governments and international and non-governmental organizations:

Provide education and skills training to increase girls' opportunities for employment and access to decision-making processes;

Provide education to increase girls' knowledge and skills related to the functioning of economic, financial and political systems;

Ensure access to appropriate education and skills-training for girl children with disabilities for their full participation in life;

Promote the full and equal participation of girls in extracurricular activities, such as sports, drama and cultural activities.

8.7. Actions to be taken by Governments and international and non-governmental organizations:

Provide public information on the removal of discriminatory practices against girls in food allocation, nutrition and access to health services;

Sensitize the girl child, parents, teachers and society concerning good general health and nutrition and raise awareness of the health dangers and other problems connected with early pregnancies;

Strengthen and reorient health education and health services, particularly primary health care programmes, including sexual and reproductive health, and design quality health programmes that meet the physical and mental needs of girls and that attend to the needs of young, expectant and nursing mothers;

Establish peer education and outreach programmes with a view to strengthening individual and collective action to reduce the vulnerability of girls to HIV/AIDS and other sexually transmitted diseases, as agreed to in the Programme of Action of the International Conference on Population and Development and as established in the report of that Conference, recognizing the parental roles referred to in paragraph 267 of the present Platform for Action;

Ensure education and dissemination of information to girls, especially adolescent girls, regarding the physiology of reproduction, reproductive and sexual health, as agreed to in the Programme of Action of the International Conference on Population and Development and as established in the report of that Conference, responsible family planning practice, family life, reproductive health, sexually transmitted diseases, HIV infection and AIDS prevention, recognizing the parental roles referred to in paragraph 267;

Include health and nutritional training as an integral part of literacy programmes and school curricula starting at the primary level for the benefit of the girl child;

Emphasize the role and responsibility of adolescents in sexual and reproductive health and behaviour through the provision of appropriate services and counselling, as discussed in paragraph 267;

Develop information and training programmes for health planners and implementors on the special health needs of the girl child;

Take all the appropriate measures with a view to abolishing traditional practices prejudicial to the health of children, as stipulated in article 24 of the Convention on the Rights of the Child.

In conformity with article 32 of the Convention on the Rights of the Child, protect children from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development;

Define a minimum age for a child's admission to employment in national legislation, in conformity with existing international labour standards and the Convention on the Rights of the Child, including girls in all sectors of activity;

Protect young girls at work, inter alia, through:

- A minimum age or ages for admission to employment;
- Strict monitoring of work conditions (respect for work time, prohibition of work by children not provided for by national legislation, and monitoring of hygiene and health conditions at work);
- Application of social security coverage;
- Establishment of continuous training and education;

Strengthen, where necessary, legislation governing the work of children and provide for appropriate penalties or other sanctions to ensure effective enforcement of the legislation;

Use existing international labour standards, including, as appropriate, ILO standards for the protection of working children, to guide the formulation of national labour legislation and policies.

Take effective actions and measures to enact and enforce legislation to protect the safety and security of girls from all forms of violence at work, including training programmes and support programmes, and take measures to eliminate incidents of sexual harassment of girls in educational and other institutions;

Take appropriate legislative, administrative, social and educational measures to protect the girl child, in the household and in society, from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse;

Undertake gender sensitization training for those involved in healing and rehabilitation and other assistance programmes for girls who are victims of violence and promote programmes of information, support and training for such girls;

Enact and enforce legislation protecting girls from all forms of violence, including female infanticide and prenatal sex selection, genital mutilation, incest, sexual abuse, sexual exploitation, child prostitution and child pornography, and develop age-appropriate safe and confidential programmes and medical, social and psychological support services to assist girls who are subjected to violence.

Provide access for girls to training, information and the media on social, cultural, economic and political issues and enable them to articulate their views;

Support non-governmental organizations, in particular youth non-governmental organizations, in their efforts to promote the equality and participation of girls in society.

Formulate policies and programmes to help the family, as defined in paragraph 29 above, in its supporting, educating and nurturing roles, with particular emphasis on the elimination of intra-family discrimination against the girl child;

Provide an environment conducive to the strengthening of the family, as defined in paragraph 29 above, with a view to providing supportive and preventive measures which protect, respect and promote the potential of the girl child;

Educate and encourage parents and caregivers to treat girls and boys equally and to ensure shared responsibilities between girls and boys in the family, as defined in paragraph 29 above.

9. Women and Health

9.1. Introduction:

Women have the right to the enjoyment of the highest attainable standard of physical and mental health. The enjoyment of this right is vital to their life and well-being and their ability to participate in all areas of public and private life. Health is a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity. Women's health involves their emotional, social and physical well-being and is determined by the social, political and economic context of their lives, as well as by biology.

However, health and well-being elude the majority of women. A major barrier for women to the achievement of the highest attainable standard of health is inequality, both between men and women and among women in different geographical regions, social classes and indigenous and ethnic groups. In national and international forums, women have emphasized that to attain optimal health throughout the life cycle, equality, including the sharing of family responsibilities; development and peace are necessary conditions.

Women have different and unequal access to and use of basic health resources, including primary health services for the prevention and treatment of childhood diseases, malnutrition, anaemia, diarrhoeal diseases, communicable diseases, malaria and other tropical diseases and tuberculosis, among others. Women also have different and unequal opportunities for the protection, promotion and maintenance of their health. In many developing countries, the lack of emergency obstetric services is also of particular concern. Health policies and programmes often perpetuate gender stereotypes and fail to consider socio-economic disparities and other differences among women and may not fully take account of the lack of autonomy of women regarding their health. Women's health is also affected by gender bias in the health system and by the provision of inadequate and inappropriate medical services to women.

In many countries, especially developing countries, in particular the least developed countries, a decrease in public health spending and, in some cases, structural adjustment, contribute to the deterioration of public health systems. In addition, privatization of health-care systems without appropriate guarantees of universal access to affordable health care further reduces health-care availability. This situation not only directly affects the health of girls and women, but also places disproportionate responsibilities on women, whose multiple roles, including their roles within the family and the community, are often not acknowledged; hence they do not receive the necessary social, psychological and economic support.

Women's right to the enjoyment of the highest standard of health must be secured throughout the whole life cycle in equality with men. Women are affected by many of the

same health conditions as men, but women experience them differently. The prevalence among women of poverty and economic dependence, their experience of violence, negative attitudes towards women and girls, racial and other forms of discrimination, the limited power many women have over their sexual and reproductive lives and lack of influence in decision-making are social realities which have an adverse impact on their health.

Lack of food and inequitable distribution of food for girls and women in the household, inadequate access to safe water, sanitation facilities and fuel supplies, particularly in rural and poor urban areas, and deficient housing conditions, all overburden women and their families and have a negative effect on their health. Good health is essential to leading a productive and fulfilling life, and the right of all women to control all aspects of their health, in particular their own fertility, is basic to their empowerment.

Discrimination against girls, often resulting from son preference, in access to nutrition and health-care services endangers their current and future health and well-being. Conditions that force girls into early marriage, pregnancy and child-bearing and subject them to harmful practices, such as female genital mutilation pose grave health risks. Adolescent girls need, but too often do not have, access to necessary health and nutrition services as they mature. Counselling and access to sexual and reproductive health information and services for adolescents are still inadequate or lacking completely, and a young woman's right to privacy, confidentiality, respect and informed consent is often not considered.

Adolescent girls are both biologically and psychosocially more vulnerable than boys to sexual abuse, violence and prostitution, and to the consequences of unprotected and premature sexual relations. The trend towards early sexual experience, combined with a lack of information and services, increases the risk of unwanted and too early pregnancy, HIV infection and other sexually transmitted diseases, as well as unsafe abortions. Early child-bearing continues to be an impediment to improvements in the educational, economic and social status of women in all parts of the world. Overall, for young women early marriage and early motherhood can severely curtail educational and employment opportunities and are likely to have a long-term, adverse impact on the quality of their lives and the lives of their children. Young men are often not educated to respect women's self-determination and to share responsibility with women in matters of sexuality and reproduction.

Reproductive health is a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity, in all matters relating to the reproductive system and to its functions and processes. Reproductive health therefore implies that people are able to have a satisfying and safe sex life and that they have the capability to reproduce and the freedom to decide if, when and how often to do so. Implicit in this last condition are the right of men and women to be informed and to have access to safe, effective, affordable and acceptable methods of family planning of their choice, as well as other methods of their choice for regulation of fertility which are not against the law, and

the right of access to appropriate health-care services that will enable women to go safely through pregnancy and childbirth and provide couples with the best chance of having a healthy infant. In line with the above definition of reproductive health, reproductive health care is defined as the constellation of methods, techniques and services that contribute to reproductive health and well-being by preventing and solving reproductive health problems. It also includes sexual health, the purpose of which is the enhancement of life and personal relations, and not merely counselling and care related to reproduction and sexually transmitted diseases.

Bearing in mind the above definition, reproductive rights embrace certain human rights that are already recognized in national laws, international human rights documents and other consensus documents. These rights rest on the recognition of the basic right of all couples and individuals to decide freely and responsibly the number, spacing and timing of their children and to have the information and means to do so, and the right to attain the highest standard of sexual and reproductive health. It also includes their right to make decisions concerning reproduction free of discrimination, coercion and violence, as expressed in human rights documents. In the exercise of this right, they should take into account the needs of their living and future children and their responsibilities towards the community.

The promotion of the responsible exercise of these rights for all people should be the fundamental basis for government- and community-supported policies and programmes in the area of reproductive health, including family planning. As part of their commitment, full attention should be given to the promotion of mutually respectful and equitable gender relations and particularly to meeting the educational and service needs of adolescents to enable them to deal in a positive and responsible way with their sexuality. Reproductive health eludes many of the world's people because of such factors as: inadequate levels of knowledge about human sexuality and inappropriate or poor-quality reproductive health information and services; the prevalence of high-risk sexual behaviour; discriminatory social practices; negative attitudes towards women and girls; and the limited power many women and girls have over their sexual and reproductive lives.

Adolescents are particularly vulnerable because of their lack of information and access to relevant services in most countries. Older women and men have distinct reproductive and sexual health issues which are often inadequately addressed.

The human rights of women include their right to have control over and decide freely and responsibly on matters related to their sexuality, including sexual and reproductive health, free of coercion, discrimination and violence. Equal relationships between women and men in matters of sexual relations and reproduction, including full respect for the integrity of the person, require mutual respect, consent and shared responsibility for sexual behaviour and its consequences.

Further, women are subject to particular health risks due to inadequate responsiveness and lack of services to meet health needs related to sexuality and reproduction. Complications related to pregnancy and childbirth are among the leading causes of mortality and morbidity of women of reproductive age in many parts of the developing world. Similar problems exist to a certain degree in some countries with economies in transition. Unsafe abortions threaten the lives of large number of women, representing a grave public health problem as it is primarily the poorest and youngest who take the highest risk. Most of these deaths, health problems and injuries are preventable through improved access to adequate health-care services, including safe and effective family planning methods and emergency obstetric care, recognizing the right of women and men to be informed and to have access to safe, effective, affordable and acceptable methods of family planning of their choice, as well as other methods of their choice for regulation of fertility which are not against the law, and the right of access to appropriate health-care services that will enable women to go safely through pregnancy and childbirth and provide couples with the best chance of having a healthy infant.

These problems and means should be addressed on the basis of the report of the International Conference on Population and Development, with particular reference to relevant paragraphs of the Programme of Action of the Conference. In most countries, the neglect of women's reproductive rights severely limits their opportunities in public and private life, including opportunities for education and economic and political empowerment. The ability of women to control their own fertility forms an important basis for the enjoyment of other rights. Shared responsibility between women and men in matters related to sexual and reproductive behaviour is also essential to improving women's health.

HIV/AIDS and other sexually transmitted diseases, the transmission of which is sometimes a consequence of sexual violence, are having a devastating effect on women's health, particularly the health of adolescent girls and young women. They often do not have the power to insist on safe and responsible sex practices and have little access to information and services for prevention and treatment. Women, who represent half of all adults newly infected with HIV/AIDS and other sexually transmitted diseases, have emphasized that social vulnerability and the unequal power relationships between women and men are obstacles to safe sex, in their efforts to control the spread of sexually transmitted diseases. The consequences of HIV/AIDS reach beyond women's health to their role as mothers and caregivers and their contribution to the economic support of their families. The social, developmental and health consequences of HIV/AIDS and other sexually transmitted diseases need to be seen from a gender perspective.

Sexual and gender-based violence including physical and psychological abuse, trafficking in women and girls, and other forms of abuse and sexual exploitation place girls and women at high risk of physical and mental trauma, disease and unwanted pregnancy. Such situations often deter women from using health and other services.

Mental disorders related to marginalization, powerlessness and poverty, along with overwork and stress and the growing incidence of domestic violence as well as substance abuse, are among other health issues of growing concern to women. Women throughout the world, especially young women, are increasing their use of tobacco with serious effects on their health and that of their children. Occupational health issues are also growing in importance, as a large number of women work in low-paid jobs in either the formal or the informal labour market under tedious and unhealthy conditions, and the number is rising. Cancers of the breast and cervix and other cancers of the reproductive system, as well as infertility affect growing numbers of women and may be preventable, or curable, if detected early.

With the increase in life expectancy and the growing number of older women, their health concerns require particular attention. The long-term health prospects of women are influenced by changes at menopause, which, in combination with life-long conditions and other factors, such as poor nutrition and lack of physical activity, may increase the risk of cardiovascular disease and osteoporosis. Other diseases of ageing and the interrelationships of ageing and disability among women also need particular attention.

Women, like men, particularly in rural areas and poor urban areas, are increasingly exposed to environmental health hazards owing to environmental catastrophes and degradation. Women have a different susceptibility to various environmental hazards, contaminants and substances and they suffer different consequences from exposure to them.

The quality of women's health care is often deficient in various ways, depending on local circumstances. Women are frequently not treated with respect, nor are they guaranteed privacy and confidentiality, nor do they always receive full information about the options and services available. Furthermore, in some countries, over-medicating of women's life events is common, leading to unnecessary surgical intervention and inappropriate medication.

Statistical data on health are often not systematically collected, disaggregated and analysed by age, sex and socio-economic status and by established demographic criteria used to serve the interests and solve the problems of subgroups, with particular emphasis on the vulnerable and marginalized and other relevant variables. Recent and reliable data on the mortality and morbidity of women and conditions and diseases particularly affecting women are not available in many countries. Relatively little is known about how social and economic factors affect the health of girls and women of all ages, about the provision of health services to girls and women and the patterns of their use of such services, and about the value of disease prevention and health promotion programmes for women. Subjects of importance to women's health have not been adequately researched and women's health research often lacks funding.

Medical research, on heart disease, for example, and epidemiological studies in many countries are often based solely on men; they are not gender specific. Clinical

trials involving women to establish basic information about dosage, side-effects and effectiveness of drugs, including contraceptives, are noticeably absent and do not always conform to ethical standards for research and testing. Many drug therapy protocols and other medical treatments and interventions administered to women are based on research on men without any investigation and adjustment for gender differences.

In addressing inequalities in health status and unequal access to and inadequate health-care services between women and men, Governments and other actors should promote an active and visible policy of mainstreaming a gender perspective in all policies and programmes, so that, before decisions are taken, an analysis is made of the effects for women and men, respectively.

9.2. Actions to be taken by Governments, in collaboration with non-governmental organizations and employers' and workers' organizations and with the support of international institutions:

Support and implement the commitments made in the Programme of Action of the International Conference on Population and Development, as established in the report of that Conference and the Copenhagen Declaration on Social Development and Programme of Action of the World Summit for Social Development and the obligations of States parties under the Convention on the Elimination of All Forms of Discrimination against Women and other relevant international agreements, to meet the health needs of girls and women of all ages;

Reaffirm the right to the enjoyment of the highest attainable standards of physical and mental health, protect and promote the attainment of this right for women and girls and incorporate it in national legislation, for example; review existing legislation, including health legislation, as well as policies, where necessary, to reflect a commitment to women's health and to ensure that they meet the changing roles and responsibilities of women wherever they reside;

Design and implement, in cooperation with women and community-based organizations, gender-sensitive health programmes, including decentralized health services, that address the needs of women throughout their lives and take into account their multiple roles and responsibilities, the demands on their time, the special needs of rural women and women with disabilities and the diversity of women's needs arising from age and socio-economic and cultural differences, among others; include women, especially local and indigenous women, in the identification and planning of health-care priorities and programmes; remove all barriers to women's health services and provide a broad range of health-care services;

Allow women access to social security systems in equality with men throughout the whole life cycle;

Provide more accessible, available and affordable primary health-care services of high quality, including sexual and reproductive health care, which includes family planning information and services, and giving particular attention to maternal and emergency obstetric care, as agreed to in the Programme of Action of the International Conference on Population and Development;

Redesign health information, services and training for health workers so that they are gender-sensitive and reflect the user's perspectives with regard to interpersonal and communications skills and the user's right to privacy and confidentiality; these services, information and training should be based on a holistic approach;

Ensure that all health services and workers conform to human rights and to ethical, professional and gender-sensitive standards in the delivery of women's health services aimed at ensuring responsible, voluntary and informed consent; encourage the development, implementation and dissemination of codes of ethics guided by existing international codes of medical ethics as well as ethical principles that govern other health professionals;

Take all appropriate measures to eliminate harmful, medically unnecessary or coercive medical interventions, as well as inappropriate medication and over-medication of women, and ensure that all women are fully informed of their options, including likely benefits and potential side-effects, by properly trained personnel;

Strengthen and reorient health services, particularly primary health care, in order to ensure universal access to quality health services for women and girls; reduce ill health and maternal morbidity and achieve world wide the agreed-upon goal of reducing maternal mortality by at least 50 per cent of the 1990 levels by the year 2000 and a further one half by the year 2015; ensure that the necessary services are available at each level of the health system and make reproductive health care accessible, through the primary health-care system, to all individuals of appropriate ages as soon as possible and no later than the year 2015;

Recognize and deal with the health impact of unsafe abortion as a major public health concern, as agreed in paragraph 8.25 of the Programme of Action of the International Conference on Population and Development;

In the light of paragraph 8.25 of the Programme of Action of the International Conference on Population and Development, which states: "In no case should abortion be promoted as a method of family planning? All Governments and relevant intergovernmental and non-governmental organizations are urged to strengthen their commitment to women's health, to deal with the health impact of unsafe abortion as a major public health concern and to reduce the recourse to abortion through expanded and improved family-planning services. Prevention of unwanted pregnancies must always be given the highest priority and every attempt should be made to eliminate the need for abortion. Women who have

unwanted pregnancies should have ready access to reliable information and compassionate counselling. Any measures or changes related to abortion within the health system can only be determined at the national or local level according to the national legislative process. In circumstances where abortion is not against the law, such abortion should be safe. In all cases, women should have access to quality services for the management of complications arising from abortion. Post-abortion counselling, education and family-planning services should be offered promptly, which will also help to avoid repeat abortions”, consider reviewing laws containing punitive measures against women who have undergone illegal abortions;

Give particular attention to the needs of girls, especially the promotion of healthy behaviour, including physical activities; take specific measures for closing the gender gaps in morbidity and mortality where girls are disadvantaged, while achieving internationally approved goals for the reduction of infant and child mortality - specifically, by the year 2000, the reduction of mortality rates of infants and children under five years of age by one third of the 1990 level, or 50 to 70 per 1,000 live births, whichever is less; by the year 2015 an infant mortality rate below 35 per 1,000 live births and an under-five mortality rate below 45 per 1,000;

Ensure that girls have continuing access to necessary health and nutrition information and services as they mature, to facilitate a healthful transition from childhood to adulthood;

Develop information, programmes and services to assist women to understand and adapt to changes associated with ageing and to address and treat the health needs of older women, paying particular attention to those who are physically or psychologically dependent;

Ensure that girls and women of all ages with any form of disability receive supportive services;

Formulate special policies, design programmes and enact the legislation necessary to alleviate and eliminate environmental and occupational health hazards associated with work in the home, in the workplace and elsewhere with attention to pregnant and lactating women;

Integrate mental health services into primary health-care systems or other appropriate levels, develop supportive programmes and train primary health workers to recognize and care for girls and women of all ages who have experienced any form of violence especially domestic violence, sexual abuse or other abuse resulting from armed and non-armed conflict;

Promote public information on the benefits of breast-feeding; examine ways and means of implementing fully the WHO/UNICEF International Code of Marketing of Breast-milk Substitutes, and enable mothers to breast-feed their infants by providing legal, economic, practical and emotional support;

Establish mechanisms to support and involve non-governmental organizations, particularly women's organizations, professional groups and other bodies working to improve the health of girls and women, in government policy-making, programme design, as appropriate, and implementation within the health sector and related sectors at all levels;

Support non-governmental organizations working on women's health and help develop networks aimed at improving coordination and collaboration between all sectors that affect health;

Rationalize drug procurement and ensure a reliable, continuous supply of high-quality pharmaceutical, contraceptive and other supplies and equipment, using the WHO Model List of Essential Drugs as a guide, and ensure the safety of drugs and devices through national regulatory drug approval processes;

Provide improved access to appropriate treatment and rehabilitation services for women substance abusers and their families;

Promote and ensure household and national food security, as appropriate, and implement programmes aimed at improving the nutritional status of all girls and women by implementing the commitments made in the Plan of Action on Nutrition of the International Conference on Nutrition, including a reduction world wide of severe and moderate malnutrition among children under the age of five by one half of 1990 levels by the year 2000, giving special attention to the gender gap in nutrition, and a reduction in iron deficiency anaemia in girls and women by one third of the 1990 levels by the year 2000;

Ensure the availability of and universal access to safe drinking water and sanitation and put in place effective public distribution systems as soon as possible;

Ensure full and equal access to health-care infrastructure and services for indigenous women.

Give priority to both formal and informal educational programmes that support and enable women to develop self-esteem, acquire knowledge, make decisions on and take responsibility for their own health, achieve mutual respect in matters concerning sexuality and fertility and educate men regarding the importance of women's health and well-being, placing special focus on programmes for both men and women that emphasize the elimination of harmful attitudes and practices, including female genital mutilation, son preference (which results in female infanticide and prenatal sex selection), early marriage, including child marriage, violence against women, sexual exploitation, sexual abuse, which at times is conducive to infection with HIV/AIDS and other sexually transmitted diseases, drug abuse, discrimination against girls and women in food allocation and other harmful attitudes and practices related to the life, health and well-being of women, and recognizing that some of these practices can be violations of human rights and ethical medical principles;

Pursue social, human development, education and employment policies to eliminate poverty among women in order to reduce their susceptibility to ill health and to improve their health;

Encourage men to share equally in child care and household work and to provide their share of financial support for their families, even if they do not live with them;

Reinforce laws, reform institutions and promote norms and practices that eliminate discrimination against women and encourage both women and men to take responsibility for their sexual and reproductive behaviour; ensure full respect for the integrity of the person, take action to ensure the conditions necessary for women to exercise their reproductive rights and eliminate coercive laws and practices;

Prepare and disseminate accessible information, through public health campaigns, the media, reliable counselling and the education system, designed to ensure that women and men, particularly young people, can acquire knowledge about their health, especially information on sexuality and reproduction, taking into account the rights of the child to access to information, privacy, confidentiality, respect and informed consent, as well as the responsibilities, rights and duties of parents and legal guardians to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognized in the Convention on the Rights of the Child, and in conformity with the Convention on the Elimination of All Forms of Discrimination against Women; ensure that in all actions concerning children, the best interests of the child are a primary consideration;

Create and support programmes in the educational system, in the workplace and in the community to make opportunities to participate in sport, physical activity and recreation available to girls and women of all ages on the same basis as they are made available to men and boys;

Recognize the specific needs of adolescents and implement specific appropriate programmes, such as education and information on sexual and reproductive health issues and on sexually transmitted diseases, including HIV/AIDS, taking into account the rights of the child and the responsibilities, rights and duties of parents as stated in paragraph 107 (e) above;

Develop policies that reduce the disproportionate and increasing burden on women who have multiple roles within the family and the community by providing them with adequate support and programmes from health and social services;

Adopt regulations to ensure that the working conditions, including remuneration and promotion of women at all levels of the health system, are non-discriminatory and meet fair and professional standards to enable them to work effectively;

Ensure that health and nutritional information and training form an integral part of all adult literacy programmes and school curricula from the primary level;

Develop and undertake media campaigns and information and educational programmes that inform women and girls of the health and related risks of substance abuse and addiction and pursue strategies and programmes that discourage substance abuse and addiction and promote rehabilitation and recovery;

Devise and implement comprehensive and coherent programmes for the prevention, diagnosis and treatment of osteoporosis, a condition that predominantly affects women;

Establish and/or strengthen programmes and services, including media campaigns, that address the prevention, early detection and treatment of breast, cervical and other cancers of the reproductive system;

Reduce environmental hazards that pose a growing threat to health, especially in poor regions and communities; apply a precautionary approach, as agreed to in the Rio Declaration on Environment and Development, adopted by the United Nations Conference on Environment and Development, and include reporting on women's health risks related to the environment in monitoring the implementation of Agenda 21;

Create awareness among women, health professionals, policy makers and the general public about the serious but preventable health hazards stemming from tobacco consumption and the need for regulatory and education measures to reduce smoking as important health promotion and disease prevention activities;

Ensure that medical school curricula and other health-care training include gender-sensitive, comprehensive and mandatory courses on women's health;

Adopt specific preventive measures to protect women, youth and children from any abuse - sexual abuse, exploitation, trafficking and violence, for example - including the formulation and enforcement of laws, and provide legal protection and medical and other assistance.

9.3. Actions to be taken by Governments, international bodies including relevant United Nations organizations, bilateral and multilateral donors and non-governmental organizations:

Ensure the involvement of women, especially those infected with HIV/AIDS or other sexually transmitted diseases or affected by the HIV/AIDS pandemic, in all decision-making relating to the development, implementation, monitoring and evaluation of policies and programmes on HIV/AIDS and other sexually transmitted diseases;

Review and amend laws and combat practices, as appropriate, that may contribute to women's susceptibility to HIV infection and other sexually transmitted diseases, including

enacting legislation against those socio-cultural practices that contribute to it, and implement legislation, policies and practices to protect women, adolescents and young girls from discrimination related to HIV/AIDS;

Encourage all sectors of society, including the public sector, as well as international organizations, to develop compassionate and supportive, non-discriminatory HIV/AIDS-related policies and practices that protect the rights of infected individuals;

Recognize the extent of the HIV/AIDS pandemic in their countries, taking particularly into account its impact on women, with a view to ensuring that infected women do not suffer stigmatization and discrimination, including during travel;

Develop gender-sensitive multisectoral programmes and strategies to end social subordination of women and girls and to ensure their social and economic empowerment and equality; facilitate promotion of programmes to educate and enable men to assume their responsibilities to prevent HIV/AIDS and other sexually transmitted diseases;

Facilitate the development of community strategies that will protect women of all ages from HIV and other sexually transmitted diseases; provide care and support to infected girls, women and their families and mobilize all parts of the community in response to the HIV/AIDS pandemic to exert pressure on all responsible authorities to respond in a timely, effective, sustainable and gender-sensitive manner;

Support and strengthen national capacity to create and improve gender-sensitive policies and programmes on HIV/AIDS and other sexually transmitted diseases, including the provision of resources and facilities to women who find themselves the principal caregivers or economic support for those infected with HIV/AIDS or affected by the pandemic, and the survivors, particularly children and older persons;

Provide workshops and specialized education and training to parents, decision makers and opinion leaders at all levels of the community, including religious and traditional authorities, on prevention of HIV/AIDS and other sexually transmitted diseases and on their repercussions on both women and men of all ages;

Give all women and health workers all relevant information and education about sexually transmitted diseases including HIV/AIDS and pregnancy and the implications for the baby, including breast-feeding;

Assist women and their formal and informal organizations to establish and expand effective peer education and outreach programmes and to participate in the design, implementation and monitoring of these programmes;

Give full attention to the promotion of mutually respectful and equitable gender relations and, in particular, to meeting the educational and service needs of adolescents to enable them to deal in a positive and responsible way with their sexuality;

Design specific programmes for men of all ages and male adolescents, recognizing the parental roles referred to in paragraph 107 (e) above, aimed at providing complete and accurate information on safe and responsible sexual and reproductive behaviour, including voluntary, appropriate and effective male methods for the prevention of HIV/AIDS and other sexually transmitted diseases through, inter alia, abstinence and condom use;

Ensure the provision, through the primary health-care system, of universal access of couples and individuals to appropriate and affordable preventive services with respect to sexually transmitted diseases, including HIV/AIDS, and expand the provision of counselling and voluntary and confidential diagnostic and treatment services for women; ensure that high-quality condoms as well as drugs for the treatment of sexually transmitted diseases are, where possible, supplied and distributed to health services;

Support programmes which acknowledge that the higher risk among women of contracting HIV is linked to high-risk behaviour, including intravenous substance use and substance-influenced unprotected and irresponsible sexual behaviour, and take appropriate preventive measures;

Support and expedite action-oriented research on affordable methods, controlled by women, to prevent HIV and other sexually transmitted diseases, on strategies empowering women to protect themselves from sexually transmitted diseases, including HIV/AIDS, and on methods of care, support and treatment of women, ensuring their involvement in all aspects of such research;

Support and initiate research which addresses women's needs and situations, including research on HIV infection and other sexually transmitted diseases in women, on women-controlled methods of protection, such as non-spermicidal microbicides, and on male and female risk-taking attitudes and practices.

Train researchers and introduce systems that allow for the use of data collected, analysed and disaggregated by, among other factors, sex and age, other established demographic criteria and socio-economic variables, in policy-making, as appropriate, planning, monitoring and evaluation;

Promote gender-sensitive and women-centred health research, treatment and technology and link traditional and indigenous knowledge with modern medicine, making information available to women to enable them to make informed and responsible decisions;

Increase the number of women in leadership positions in the health professions, including researchers and scientists, to achieve equality at the earliest possible date;

Increase financial and other support from all sources for preventive, appropriate biomedical, behavioural, epidemiological and health service research on women's health issues and for research on the social, economic and political causes of women's health problems, and their consequences, including the impact of gender and age inequalities, especially with

respect to chronic and non-communicable diseases, particularly cardiovascular diseases and conditions, cancers, reproductive tract infections and injuries, HIV/AIDS and other sexually transmitted diseases, domestic violence, occupational health, disabilities, environmentally related health problems, tropical diseases and health aspects of ageing;

Inform women about the factors which increase the risks of developing cancers and infections of the reproductive tract, so that they can make informed decisions about their health;

Support and fund social, economic, political and cultural research on how gender-based inequalities affect women's health, including aetiology, epidemiology, provision and utilization of services and eventual outcome of treatment;

Support health service systems and operations research to strengthen access and improve the quality of service delivery, to ensure appropriate support for women as health-care providers and to examine patterns with respect to the provision of health services to women and use of such services by women;

Provide financial and institutional support for research on safe, effective, affordable and acceptable methods and technologies for the reproductive and sexual health of women and men, including more safe, effective, affordable and acceptable methods for the regulation of fertility, including natural family planning for both sexes, methods to protect against HIV/AIDS and other sexually transmitted diseases and simple and inexpensive methods of diagnosing such diseases, among others; this research needs to be guided at all stages by users and from the perspective of gender, particularly the perspective of women, and should be carried out in strict conformity with internationally accepted legal, ethical, medical and scientific standards for biomedical research;

Since unsafe abortion is a major threat to the health and life of women, research to understand and better address the determinants and consequences of induced abortion, including its effects on subsequent fertility, reproductive and mental health and contraceptive practice, should be promoted, as well as research on treatment of complications of abortions and post-abortion care;

Acknowledge and encourage beneficial traditional health care, especially that practised by indigenous women, with a view to preserving and incorporating the value of traditional health care in the provision of health services, and support research directed towards achieving this aim;

Develop mechanisms to evaluate and disseminate available data and research findings to researchers, policy makers, health professionals and women's groups, among others;

Monitor human genome and related genetic research from the perspective of women's health and disseminate information and results of studies conducted in accordance with accepted ethical standards.

Increase budgetary allocations for primary health care and social services, with adequate support for secondary and tertiary levels, and give special attention to the reproductive and sexual health of girls and women and give priority to health programmes in rural and poor urban areas;

Develop innovative approaches to funding health services through promoting community participation and local financing; increase, where necessary, budgetary allocations for community health centres and community-based programmes and services that address women's specific health needs;

Develop local health services, promoting the incorporation of gender-sensitive community-based participation and self-care and specially designed preventive health programmes;

Develop goals and time-frames, where appropriate, for improving women's health and for planning, implementing, monitoring and evaluating programmes, based on gender-impact assessments using qualitative and quantitative data disaggregated by sex, age, other established demographic criteria and socio-economic variables;

Establish, as appropriate, ministerial and inter-ministerial mechanisms for monitoring the implementation of women's health policy and programme reforms and establish, as appropriate, high-level focal points in national planning authorities responsible for monitoring to ensure that women's health concerns are mainstreamed in all relevant government agencies and programmes.

9.4. Actions to be taken by Governments, the United Nations and its specialized agencies, international financial institutions, bilateral donors and the private sector, as appropriate:

Formulate policies favourable to investment in women's health and, where appropriate, increase allocations for such investment;

Provide appropriate material, financial and logistical assistance to youth non-governmental organizations in order to strengthen them to address youth concerns in the area of health, including sexual and reproductive health;

Give higher priority to women's health and develop mechanisms for coordinating and implementing the health objectives of the Platform for Action and relevant international agreements to ensure progress.

10. Violence against Women

10.1. Introduction:

Violence against women is an obstacle to the achievement of the objectives of equality, development and peace. Violence against women both violates and impairs or nullifies the enjoyment by women of their human rights and fundamental freedoms. The long-standing failure to protect and promote those rights and freedoms in the case of violence against women is a matter of concern to all States and should be addressed. Knowledge about its causes and consequences, as well as its incidence and measures to combat it, have been greatly expanded since the Nairobi Conference. In all societies, to a greater or lesser degree, women and girls are subjected to physical, sexual and psychological abuse that cuts across lines of income, class and culture. The low social and economic status of women can be both a cause and a consequence of violence against women.

The term “violence against women” means any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life. Accordingly, violence against women encompasses but is not limited to the following:

- Physical, sexual and psychological violence occurring in the family, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation;
- Physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution;
- Physical, sexual and psychological violence perpetrated or condoned by the State, wherever it occurs.

Other acts of violence against women include violation of the human rights of women in situations of armed conflict, in particular murder, systematic rape, sexual slavery and forced pregnancy.

Acts of violence against women also include forced sterilization and forced abortion, coercive/forced use of contraceptives, female infanticide and prenatal sex selection.

Some groups of women, such as women belonging to minority groups, indigenous women, refugee women, women migrants, including women migrant workers, women in poverty living in rural or remote communities, destitute women, women in institutions or

in detention, female children, women with disabilities, elderly women, displaced women, repatriated women, women living in poverty and women in situations of armed conflict, foreign occupation, wars of aggression, civil wars, terrorism, including hostage-taking, are also particularly vulnerable to violence.

Acts or threats of violence, whether occurring within the home or in the community, or perpetrated or condoned by the State, instil fear and insecurity in women's lives and are obstacles to the achievement of equality and for development and peace. The fear of violence, including harassment, is a permanent constraint on the mobility of women and limits their access to resources and basic activities. High social, health and economic costs to the individual and society are associated with violence against women. Violence against women is one of the crucial social mechanisms by which women are forced into a subordinate position compared with men. In many cases, violence against women and girls occurs in the family or within the home, where violence is often tolerated. The neglect, physical and sexual abuse, and rape of girl children and women by family members and other members of the household, as well as incidences of spousal and non-spousal abuse, often go unreported and are thus difficult to detect. Even when such violence is reported, there is often a failure to protect victims or punish perpetrators.

Violence against women is a manifestation of the historically unequal power relations between men and women, which have led to domination over and discrimination against women by men and to the prevention of women's full advancement. Violence against women throughout the life cycle derives essentially from cultural patterns, in particular the harmful effects of certain traditional or customary practices and all acts of extremism linked to race, sex, language or religion that perpetuate the lower status accorded to women in the family, the workplace, the community and society. Violence against women is exacerbated by social pressures, notably the shame of denouncing certain acts that have been perpetrated against women; women's lack of access to legal information, aid or protection; the lack of laws that effectively prohibit violence against women; failure to reform existing laws; inadequate efforts on the part of public authorities to promote awareness of and enforce existing laws; and the absence of educational and other means to address the causes and consequences of violence. Images in the media, of violence against women, in particular, those that depict rape or sexual slavery as well as the use of women and girls as sex objects, including pornography, are factors contributing to the continued prevalence of such violence, adversely influencing the community at large, in particular children and young people.

Developing a holistic and multidisciplinary approach to the challenging task of promoting families, communities and States that are free of violence against women is necessary and achievable. Equality, partnership between women and men and respect for human dignity must permeate all stages of the socialization process. Educational systems should promote self-respect, mutual respect, and cooperation between women and men.

The absence of adequate gender-disaggregated data and statistics on the incidence of violence makes the elaboration of programmes and monitoring of changes difficult. Lack of or inadequate documentation and research on domestic violence, sexual harassment and violence against women and girls in private and in public, including the workplace, impede efforts to design specific intervention strategies. Experience in a number of countries shows that women and men can be mobilized to overcome violence in all its forms and that effective public measures can be taken to address both the causes and the consequences of violence. Men's groups mobilizing against gender violence are necessary allies for change.

Women may be vulnerable to violence perpetrated by persons in positions of authority in both conflict and non-conflict situations. Training of all officials in humanitarian and human rights law and the punishment of perpetrators of violent acts against women would help to ensure that such violence does not take place at the hands of public officials in whom women should be able to place trust, including police and prison officials and security forces.

The effective suppression of trafficking in women and girls for the sex trade is a matter of pressing international concern. Implementation of the 1949 Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, as well as other relevant instruments, needs to be reviewed and strengthened. The use of women in international prostitution and trafficking networks has become a major focus of international organized crime. The Special Rapporteur of the Commission on Human Rights on violence against women, who has explored these acts as an additional cause of the violation of the human rights and fundamental freedoms of women and girls, is invited to address, within her mandate and as a matter of urgency, the issue of international trafficking for the purposes of the sex trade, as well as the issues of forced prostitution, rape, sexual abuse and sex tourism. Women and girls who are victims of this international trade are at an increased risk of further violence, as well as unwanted pregnancy and sexually transmitted infection, including infection with HIV/AIDS.

In addressing violence against women, Governments and other actors should promote an active and visible policy of mainstreaming a gender perspective in all policies and programmes so that before decisions are taken an analysis may be made of their effects on women and men, respectively.

10.2. Actions to be taken by Governments:

Condemn violence against women and refrain from invoking any custom, tradition or religious consideration to avoid their obligations with respect to its elimination as set out in the Declaration on the Elimination of Violence against Women;

Refrain from engaging in violence against women and exercise due diligence to prevent, investigate and, in accordance with national legislation, punish acts of violence against women, whether those acts are perpetrated by the State or by private persons;

Enact and/or reinforce penal, civil, labour and administrative sanctions in domestic legislation to punish and redress the wrongs done to women and girls who are subjected to any form of violence, whether in the home, the workplace, the community or society;

Adopt and/or implement and periodically review and analyse legislation to ensure its effectiveness in eliminating violence against women, emphasizing the prevention of violence and the prosecution of offenders; take measures to ensure the protection of women subjected to violence, access to just and effective remedies, including compensation and indemnification and healing of victims, and rehabilitation of perpetrators;

Work actively to ratify and/or implement international human rights norms and instruments as they relate to violence against women, including those contained in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

Implement the Convention on the Elimination of All Forms of Discrimination against Women, taking into account general recommendation 19, adopted by the Committee on the Elimination of Discrimination against Women at its eleventh session;

Promote an active and visible policy of mainstreaming a gender perspective in all policies and programmes related to violence against women; actively encourage, support and implement measures and programmes aimed at increasing the knowledge and understanding of the causes, consequences and mechanisms of violence against women among those responsible for implementing these policies, such as law enforcement officers, police personnel and judicial, medical and social workers, as well as those who deal with minority, migration and refugee issues, and develop strategies to ensure that the revictimization of women victims of violence does not occur because of gender-insensitive laws or judicial or enforcement practices;

Provide women who are subjected to violence with access to the mechanisms of justice and, as provided for by national legislation, to just and effective remedies for the harm they have suffered and inform women of their rights in seeking redress through such mechanisms;

Enact and enforce legislation against the perpetrators of practices and acts of violence against women, such as female genital mutilation, female infanticide, prenatal sex selection and dowry-related violence, and give vigorous support to the efforts of non-governmental and community organizations to eliminate such practices;

Formulate and implement, at all appropriate levels, plans of action to eliminate violence against women;

Adopt all appropriate measures, especially in the field of education, to modify the social and cultural patterns of conduct of men and women, and to eliminate prejudices, customary practices and all other practices based on the idea of the inferiority or superiority of either of the sexes and on stereotyped roles for men and women;

Create or strengthen institutional mechanisms so that women and girls can report acts of violence against them in a safe and confidential environment, free from the fear of penalties or retaliation, and file charges;

Ensure that women with disabilities have access to information and services in the field of violence against women;

Create, improve or develop as appropriate, and fund the training programmes for judicial, legal, medical, social, educational and police and immigrant personnel, in order to avoid the abuse of power leading to violence against women and sensitize such personnel to the nature of gender-based acts and threats of violence so that fair treatment of female victims can be assured;

Adopt laws, where necessary, and reinforce existing laws that punish police, security forces or any other agents of the State who engage in acts of violence against women in the course of the performance of their duties; review existing legislation and take effective measures against the perpetrators of such violence;

Allocate adequate resources within the government budget and mobilize community resources for activities related to the elimination of violence against women, including resources for the implementation of plans of action at all appropriate levels;

Include in reports submitted in accordance with the provisions of relevant United Nations human rights instruments, information pertaining to violence against women and measures taken to implement the Declaration on the Elimination of Violence against Women;

Cooperate with and assist the Special Rapporteur of the Commission on Human Rights on violence against women in the performance of her mandate and furnish all information requested; cooperate also with other competent mechanisms, such as the Special Rapporteur of the Commission on Human Rights on torture and the Special Rapporteur of the Commission on Human Rights on summary, extra judiciary and arbitrary executions, in relation to violence against women;

Recommend that the Commission on Human Rights renew the mandate of the Special Rapporteur on violence against women when her term ends in 1997 and, if warranted, to update and strengthen it.

10.3. Action to be taken by Governments, including local governments, community organizations, non-governmental organizations, educational institutions, the public and private sectors, particularly enterprises, and the mass media, as appropriate:

Provide well-funded shelters and relief support for girls and women subjected to violence, as well as medical, psychological and other counselling services and free or low-cost legal aid, where it is needed, as well as appropriate assistance to enable them to find a means of subsistence;

Establish linguistically and culturally accessible services for migrant women and girls, including women migrant workers, who are victims of gender-based violence;

Recognize the vulnerability to violence and other forms of abuse of women migrants, including women migrant workers, whose legal status in the host country depends on employers who may exploit their situation;

Support initiatives of women's organizations and non-governmental organizations all over the world to raise awareness on the issue of violence against women and to contribute to its elimination;

Organize, support and fund community-based education and training campaigns to raise awareness about violence against women as a violation of women's enjoyment of their human rights and mobilize local communities to use appropriate gender-sensitive traditional and innovative methods of conflict resolution;

Recognize, support and promote the fundamental role of intermediate institutions, such as primary health-care centres, family-planning centres, existing school health services, mother and baby protection services, centres for migrant families and so forth in the field of information and education related to abuse;

Organize and fund information campaigns and educational and training programmes in order to sensitize girls and boys and women and men to the personal and social detrimental effects of violence in the family, community and society; teach them how to communicate without violence and promote training for victims and potential victims so that they can protect themselves and others against such violence;

Disseminate information on the assistance available to women and families who are victims of violence;

Provide, fund and encourage counselling and rehabilitation programmes for the perpetrators of violence and promote research to further efforts concerning such counselling and rehabilitation so as to prevent the recurrence of such violence;

Raise awareness of the responsibility of the media in promoting non-stereotyped images of women and men, as well as in eliminating patterns of media presentation that generate

violence, and encourage those responsible for media content to establish professional guidelines and codes of conduct; also raise awareness of the important role of the media in informing and educating people about the causes and effects of violence against women and in stimulating public debate on the topic.

10.4. Actions to be taken by Governments, employers, trade unions, community and youth organizations and non-governmental organizations, as appropriate:

Develop programmes and procedures to eliminate sexual harassment and other forms of violence against women in all educational institutions, workplaces and elsewhere;

Develop programmes and procedures to educate and raise awareness of acts of violence against women that constitute a crime and a violation of the human rights of women;

Develop counselling, healing and support programmes for girls, adolescents and young women who have been or are involved in abusive relationships, particularly those who live in homes or institutions where abuse occurs;

Take special measures to eliminate violence against women, particularly those in vulnerable situations, such as young women, refugee, displaced and internally displaced women, women with disabilities and women migrant workers, including enforcing any existing legislation and developing, as appropriate, new legislation for women migrant workers in both sending and receiving countries.

10.5. Actions to be taken by the Secretary-General of the United Nations:

Provide the Special Rapporteur of the Commission on Human Rights on violence against women with all necessary assistance, in particular the staff and resources required to perform all mandated functions, especially in carrying out and following up on missions undertaken either separately or jointly with other special rapporteurs and working groups, and adequate assistance for periodic consultations with the Committee on the Elimination of Discrimination against Women and all treaty bodies.

10.6. Actions to be taken by Governments, international organizations and non-governmental organizations:

Encourage the dissemination and implementation of the UNHCR Guidelines on the Protection of Refugee Women and the UNHCR Guidelines on the Prevention of and Response to Sexual Violence against Refugees.

10.7. Action to be taken by Governments, regional organizations, the United Nations, other international organizations, research institutions, women's and youth organizations and non-governmental organizations, as appropriate:

Promote research, collect data and compile statistics, especially concerning domestic violence relating to the prevalence of different forms of violence against women, and

encourage research into the causes, nature, seriousness and consequences of violence against women and the effectiveness of measures implemented to prevent and redress violence against women;

Disseminate findings of research and studies widely;

Support and initiate research on the impact of violence, such as rape, on women and girl children, and make the resulting information and statistics available to the public;

Encourage the media to examine the impact of gender role stereotypes, including those perpetuated by commercial advertisements which foster gender-based violence and inequalities, and how they are transmitted during the life cycle, and take measures to eliminate these negative images with a view to promoting a violence-free society.

Consider the ratification and enforcement of international conventions on trafficking in persons and on slavery;

Take appropriate measures to address the root factors, including external factors, that encourage trafficking in women and girls for prostitution and other forms of commercialized sex, forced marriages and forced labour in order to eliminate trafficking in women, including by strengthening existing legislation with a view to providing better protection of the rights of women and girls and to punishing the perpetrators, through both criminal and civil measures;

Step up cooperation and concerted action by all relevant law enforcement authorities and institutions with a view to dismantling national, regional and international networks in trafficking;

Allocate resources to provide comprehensive programmes designed to heal and rehabilitate into society victims of trafficking, including through job training, legal assistance and confidential health care, and take measures to cooperate with non-governmental organizations to provide for the social, medical and psychological care of the victims of trafficking;

Develop educational and training programmes and policies and consider enacting legislation aimed at preventing sex tourism and trafficking, giving special emphasis to the protection of young women and children.

11. Women in Power and Decision-making

11.1. Introduction:

The Universal Declaration of Human Rights states that everyone has the right to take part in the Government of his/her country. The empowerment and autonomy of women and the improvement of women's social, economic and political status is essential for the achievement of both transparent and accountable government and administration and sustainable development in all areas of life. The power relations that prevent women from leading fulfilling lives operate at many levels of society, from the most personal to the highly public. Achieving the goal of equal participation of women and men in decision-making will provide a balance that more accurately reflects the composition of society and is needed in order to strengthen democracy and promote its proper functioning. Equality in political decision-making performs a leverage function without which it is highly unlikely that a real integration of the equality dimension in government policy-making is feasible. In this respect, women's equal participation in political life plays a pivotal role in the general process of the advancement of women. Women's equal participation in decision-making is not only a demand for simple justice or democracy but can also be seen as a necessary condition for women's interests to be taken into account. Without the active participation of women and the incorporation of women's perspective at all levels of decision-making, the goals of equality, development and peace cannot be achieved.

Despite the widespread movement towards democratization in most countries, women are largely underrepresented at most levels of government, especially in ministerial and other executive bodies, and have made little progress in attaining political power in legislative bodies or in achieving the target endorsed by the Economic and Social Council of having 30 per cent women in positions at decision-making levels by 1995. Globally, only 10 per cent of the members of legislative bodies and a lower percentage of ministerial positions are now held by women. Indeed, some countries, including those that are undergoing fundamental political, economic and social changes, have seen a significant decrease in the number of women represented in legislative bodies.

Although women make up at least half of the electorate in almost all countries and have attained the right to vote and hold office in almost all States Members of the United Nations, women continue to be seriously underrepresented as candidates for public office. The traditional working patterns of many political parties and government structures continue to be barriers to women's participation in public life. Women may be discouraged from seeking political office by discriminatory attitudes and practices, family and child-care responsibilities, and the high cost of seeking and holding public office. Women in politics and decision-making positions in Governments and legislative bodies contribute to redefining political priorities, placing new items on the political agenda that reflect and

address women's gender-specific concerns, values and experiences, and providing new perspectives on mainstream political issues.

Women have demonstrated considerable leadership in community and informal organizations, as well as in public office. However, socialization and negative stereotyping of women and men, including stereotyping through the media, reinforces the tendency for political decision-making to remain the domain of men. Likewise, the underrepresentation of women in decision-making positions in the areas of art, culture, sports, the media, education, religion and the law have prevented women from having a significant impact on many key institutions.

Owing to their limited access to the traditional avenues to power, such as the decision-making bodies of political parties, employer organizations and trade unions, women have gained access to power through alternative structures, particularly in the non-governmental organization sector. Through non-governmental organizations and grass-roots organizations, women have been able to articulate their interests and concerns and have placed women's issues on the national, regional and international agendas.

Inequality in the public arena can often start with discriminatory attitudes and practices and unequal power relations between women and men within the family, as defined in paragraph 29 above. The unequal division of labour and responsibilities within households based on unequal power relations also limits women's potential to find the time and develop the skills required for participation in decision-making in wider public forums. A more equal sharing of those responsibilities between women and men not only provides a better quality of life for women and their daughters but also enhances their opportunities to shape and design public policy, practice and expenditure so that their interests may be recognized and addressed. Non-formal networks and patterns of decision-making at the local community level that reflect a dominant male ethos restrict women's ability to participate equally in political, economic and social life.

The low proportion of women among economic and political decision makers at the local, national, regional and international levels reflects structural and attitudinal barriers that need to be addressed through positive measures. Governments, transnational and national corporations, the mass media, banks, academic and scientific institutions, and regional and international organizations, including those in the United Nations system, do not make full use of women's talents as top-level managers, policy makers, diplomats and negotiators.

The equitable distribution of power and decision-making at all levels is dependent on Governments and other actors undertaking statistical gender analysis and mainstreaming a gender perspective in policy development and the implementation of programmes. Equality in decision-making is essential to the empowerment of women. In some countries, affirmative action has led to 33.3 per cent or larger representation in local and national Governments.

National, regional and international statistical institutions still have insufficient knowledge of how to present the issues related to the equal treatment of women and men in the economic and social spheres. In particular, there is insufficient use of existing databases and methodologies in the important sphere of decision-making.

In addressing the inequality between men and women in the sharing of power and decision-making at all levels, Governments and other actors should promote an active and visible policy of mainstreaming a gender perspective in all policies and programmes so that before decisions are taken, an analysis is made of the effects on women and men, respectively.

11.2. Actions required to be taken:

Commit themselves to establishing the goal of gender balance in governmental bodies and committees, as well as in public administrative entities, and in the judiciary, including, inter alia, setting specific targets and implementing measures to substantially increase the number of women with a view to achieving equal representation of women and men, if necessary through positive action, in all governmental and public administration positions;

Take measures, including, where appropriate, in electoral systems that encourage political parties to integrate women in elective and non-elective public positions in the same proportion and at the same levels as men;

Protect and promote the equal rights of women and men to engage in political activities and to freedom of association, including membership in political parties and trade unions;

Review the differential impact of electoral systems on the political representation of women in elected bodies and consider, where appropriate, the adjustment or reform of those systems;

Monitor and evaluate progress in the representation of women through the regular collection, analysis and dissemination of quantitative and qualitative data on women and men at all levels in various decision-making positions in the public and private sectors, and disseminate data on the number of women and men employed at various levels in Governments on a yearly basis; ensure that women and men have equal access to the full range of public appointments and set up mechanisms within governmental structures for monitoring progress in this field;

Support non-governmental organizations and research institutes that conduct studies on women's participation in and impact on decision-making and the decision-making environment;

Encourage greater involvement of indigenous women in decision-making at all levels;

Encourage and, where appropriate, ensure that government-funded organizations adopt non-discriminatory policies and practices in order to increase the number and raise the position of women in their organizations;

Recognize that shared work and parental responsibilities between women and men promote women's increased participation in public life, and take appropriate measures to achieve this, including measures to reconcile family and professional life;

Aim at gender balance in the lists of national candidates nominated for election or appointment to United Nations bodies, specialized agencies and other autonomous organizations of the United Nations system, particularly for posts at the senior level.

11.3 Action to be taken political parties:

Consider examining party structures and procedures to remove all barriers that directly or indirectly discriminate against the participation of women;

Consider developing initiatives that allow women to participate fully in all internal policy-making structures and appointive and electoral nominating processes;

Consider incorporating gender issues in their political agenda, taking measures to ensure that women can participate in the leadership of political parties on an equal basis with men.

11.4. Actions to be taken by Governments, national bodies, the private sector, political parties, trade unions, employers' organizations, research and academic institutions, sub-regional and regional bodies and non-governmental and international organizations:

Take positive action to build a critical mass of women leaders, executives and managers in strategic decision-making positions;

Create or strengthen, as appropriate, mechanisms to monitor women's access to senior levels of decision-making;

Review the criteria for recruitment and appointment to advisory and decision-making bodies and promotion to senior positions to ensure that such criteria are relevant and do not discriminate against women;

Encourage efforts by non-governmental organizations, trade unions and the private sector to achieve equality between women and men in their ranks, including equal participation in their decision-making bodies and in negotiations in all areas and at all levels;

Develop communications strategies to promote public debate on the new roles of men and women in society, and in the family as defined in paragraph 29 above;

Restructure recruitment and career-development programmes to ensure that all women, especially young women, have equal access to managerial, entrepreneurial, technical and leadership training, including on-the-job training;

Develop career advancement programmes for women of all ages that include career planning, tracking, mentoring, coaching, training and retraining;

Encourage and support the participation of women's non-governmental organizations in United Nations conferences and their preparatory processes;

Aim at and support gender balance in the composition of delegations to the United Nations and other international forums.

11.5. Initiative taken by the By the United Nations:

Implement existing and adopt new employment policies and measures in order to achieve overall gender equality, particularly at the Professional level and above, by the year 2000, with due regard to the importance of recruiting staff on as wide a geographical basis as possible, in conformity with Article 101, paragraph 3, of the Charter of the United Nations;

Develop mechanisms to nominate women candidates for appointment to senior posts in the United Nations, the specialized agencies and other organizations and bodies of the United Nations system;

Continue to collect and disseminate quantitative and qualitative data on women and men in decision-making and analyse their differential impact on decision-making and monitor progress towards achieving the Secretary-General's target of having women hold 50 per cent of managerial and decision-making positions by the year 2000.

11.6. Actions to be taken by women's organizations, non-governmental organizations, trade unions, social partners, producers, and industrial and professional organizations:

Build and strengthen solidarity among women through information, education and sensitization activities;

Advocate at all levels to enable women to influence political, economic and social decisions, processes and systems, and work towards seeking accountability from elected representatives on their commitment to gender concerns;

Establish, consistent with data protection legislation, databases on women and their qualification for use in appointing women to senior decision-making and advisory positions, for dissemination to Governments, regional and international organizations and private enterprise, political parties and other relevant bodies.

11.7. Actions to be taken by Governments, national bodies, the private sector, political parties, trade unions, employers' organizations, sub-regional and regional bodies, non-governmental and international organizations and educational institutions:

Provide leadership and self-esteem training to assist women and girls, particularly those with special needs, women with disabilities and women belonging to racial and ethnic minorities to strengthen their self-esteem and to encourage them to take decision-making positions;

Have transparent criteria for decision-making positions and ensure that the selecting bodies have a gender-balanced composition;

Create a system of mentoring for inexperienced women and, in particular, offer training, including training in leadership and decision-making, public speaking and self-assertion, as well as in political campaigning;

Provide gender-sensitive training for women and men to promote non-discriminatory working relationships and respect for diversity in work and management styles;

Develop mechanisms and training to encourage women to participate in the electoral process, political activities and other leadership areas.

12. Women and the Economy

12.1. Introduction:

There are considerable differences in women's and men's access to and opportunities to exert power over economic structures in their societies. In most parts of the world, women are virtually absent from or are poorly represented in economic decision-making, including the formulation of financial, monetary, commercial and other economic policies, as well as tax systems and rules governing pay. Since it is often within the framework of such policies that individual men and women make their decisions, inter alia, on how to divide their time between remunerated and unremunerated work, the actual development of these economic structures and policies has a direct impact on women's and men's access to economic resources, their economic power and consequently the extent of equality between them at the individual and family levels as well as in society as a whole.

In many regions, women's participation in remunerated work in the formal and non-formal labour market has increased significantly and has changed during the past decade. While women continue to work in agriculture and fisheries, they have also become increasingly involved in micro, small and medium-sized enterprises and, in some cases, have become more dominant in the expanding informal sector. Due to, inter alia, difficult economic situations and a lack of bargaining power resulting from gender inequality, many women have been forced to accept low pay and poor working conditions and thus have often become preferred workers. On the other hand, women have entered the workforce increasingly by choice when they have become aware of and demanded their rights. Some have succeeded in entering and advancing in the workplace and improving their pay and working conditions. However, women have been particularly affected by the economic situation and restructuring processes, which have changed the nature of employment and, in some cases, have led to a loss of jobs, even for professional and skilled women. In addition, many women have entered the informal sector owing to the lack of other opportunities.

Women's participation and gender concerns are still largely absent from and should be integrated in the policy formulation process of the multilateral institutions that define the terms and, in cooperation with Governments, set the goals of structural adjustment programmes, loans and grants.

Discrimination in education and training, hiring and remuneration, promotion and horizontal mobility practices, as well as inflexible working conditions, lack of access to productive resources and inadequate sharing of family responsibilities, combined with a lack of or insufficient services such as child care, continue to restrict employment, economic, professional and other opportunities and mobility for women and make their involvement stressful. Moreover, attitudinal obstacles inhibit women's participation in

developing economic policy and in some regions restrict the access of women and girls to education and training for economic management.

Women's share in the labour force continues to rise and almost everywhere women are working more outside the household, although there has not been a parallel lightening of responsibility for unremunerated work in the household and community. Women's income is becoming increasingly necessary to households of all types. In some regions, there has been a growth in women's entrepreneurship and other self-reliant activities, particularly in the informal sector. In many countries, women are the majority of workers in non-standard work, such as temporary, casual, multiple part-time, contract and home-based employment.

Women migrant workers, including domestic workers, contribute to the economy of the sending country through their remittances and also to the economy of the receiving country through their participation in the labour force. However, in many receiving countries, migrant women experience higher levels of unemployment compared with both non-migrant workers and male migrant workers.

Insufficient attention to gender analysis has meant that women's contributions and concerns remain too often ignored in economic structures, such as financial markets and institutions, labour markets, economics as an academic discipline, economic and social infrastructure, taxation and social security systems, as well as in families and households. As a result, many policies and programmes may continue to contribute to inequalities between women and men. Where progress has been made in integrating gender perspectives, programme and policy effectiveness has also been enhanced.

Although many women have advanced in economic structures, for the majority of women, particularly those who face additional barriers, continuing obstacles have hindered their ability to achieve economic autonomy and to ensure sustainable livelihoods for themselves and their dependants. Women are active in a variety of economic areas, which they often combine, ranging from wage labour and subsistence farming and fishing to the informal sector. However, legal and customary barriers to ownership of or access to land, natural resources, capital, credit, technology and other means of production, as well as wage differentials, contribute to impeding the economic progress of women. Women contribute to development not only through remunerated work but also through a great deal of unremunerated work. On the one hand, women participate in the production of goods and services for the market and household consumption, in agriculture, food production or family enterprises.

Though included in the United Nations System of National Accounts and therefore in international standards for labour statistics, this unremunerated work - particularly that related to agriculture - is often undervalued and under-recorded. On the other hand, women still also perform the great majority of unremunerated domestic work and community work, such as caring for children and older persons, preparing food for the

family, protecting the environment and providing voluntary assistance to vulnerable and disadvantaged individuals and groups. This work is often not measured in quantitative terms and is not valued in national accounts. Women's contribution to development is seriously underestimated, and thus its social recognition is limited. The full visibility of the type, extent and distribution of this unremunerated work will also contribute to a better sharing of responsibilities.

Although some new employment opportunities have been created for women as a result of the globalization of the economy, there are also trends that have exacerbated inequalities between women and men. At the same time, globalization, including economic integration, can create pressures on the employment situation of women to adjust to new circumstances and to find new sources of employment as patterns of trade change. More analysis needs to be done of the impact of globalization on women's economic status.

These trends have been characterized by low wages, little or no labour standards protection, poor working conditions, particularly with regard to women's occupational health and safety, low skill levels, and a lack of job security and social security, in both the formal and informal sectors. Women's unemployment is a serious and increasing problem in many countries and sectors. Young workers in the informal and rural sectors and migrant female workers remain the least protected by labour and immigration laws.

Women particularly those who are heads of households with young children, are limited in their employment opportunities for reasons that include inflexible working conditions and inadequate sharing, by men and by society, of family responsibilities.

In countries that are undergoing fundamental political, economic and social transformation, the skills of women, if better utilized, could constitute a major contribution to the economic life of their respective countries. Their input should continue to be developed and supported and their potential further realized.

Lack of employment in the private sector and reductions in public services and public service jobs have affected women disproportionately. In some countries, women take on more unpaid work, such as the care of children and those who are ill or elderly, compensating for lost household income, particularly when public services are not available. In many cases, employment creation strategies have not paid sufficient attention to occupations and sectors where women predominate; nor have they adequately promoted the access of women to those occupations and sectors that are traditionally male.

For those women in paid work, many experience obstacles that prevent them from achieving their potential. While some are increasingly found in lower levels of management, attitudinal discrimination often prevents them from being promoted further. The experience of sexual harassment is an affront to a worker's dignity and prevents women from making a contribution commensurate with their abilities. The lack of a family-friendly work environment, including a lack of appropriate and affordable child care, and inflexible working hours further prevent women from achieving their full potential.

In the private sector, including transnational and national enterprises, women are largely absent from management and policy levels, denoting discriminatory hiring and promotion policies and practices. The unfavourable work environment as well as the limited number of employment opportunities available has led many women to seek alternatives. Women have increasingly become self-employed and owners and managers of micro, small and medium-scale enterprises. The expansion of the informal sector, in many countries, and of self-organized and independent enterprises is in large part due to women, whose collaborative, self-help and traditional practices and initiatives in production and trade represent a vital economic resource. When they gain access to and control over capital, credit and other resources, technology and training, women can increase production, marketing and income for sustainable development.

Taking into account the fact that continuing inequalities and noticeable progress coexist, rethinking employment policies is necessary in order to integrate the gender perspective and to draw attention to a wider range of opportunities as well as to address any negative gender implications of current patterns of work and employment. To realize fully equality between women and men in their contribution to the economy, active efforts are required for equal recognition and appreciation of the influence that the work, experience, knowledge and values of both women and men have in society.

In addressing the economic potential and independence of women, Governments and other actors should promote an active and visible policy of mainstreaming a gender perspective in all policies and programmes so that before decisions are taken, an analysis is made of the effects on women and men, respectively.

12.2. Actions to be taken by Governments:

Enact and enforce legislation to guarantee the rights of women and men to equal pay for equal work or work of equal value;

Adopt and implement laws against discrimination based on sex in the labour market, especially considering older women workers, hiring and promotion, the extension of employment benefits and social security, and working conditions;

Eliminate discriminatory practices by employers and take appropriate measures in consideration of women's reproductive role and functions, such as the denial of employment and dismissal due to pregnancy or breast-feeding, or requiring proof of contraceptive use, and take effective measures to ensure that pregnant women, women on maternity leave or women re-entering the labour market after childbearing are not discriminated against;

Devise mechanisms and take positive action to enable women to gain access to full and equal participation in the formulation of policies and definition of structures through such bodies as ministries of finance and trade, national economic commissions, economic

research institutes and other key agencies, as well as through their participation in appropriate international bodies;

Undertake legislation and administrative reforms to give women equal rights with men to economic resources, including access to ownership and control over land and other forms of property, credit, inheritance, natural resources and appropriate new technology;

Conduct reviews of national income and inheritance tax and social security systems to eliminate any existing bias against women;

Seek to develop a more comprehensive knowledge of work and employment through, inter alia, efforts to measure and better understand the type, extent and distribution of unremunerated work, particularly work in caring for dependants and unremunerated work done for family farms or businesses, and encourage the sharing and dissemination of information on studies and experience in this field, including the development of methods for assessing its value in quantitative terms, for possible reflection in accounts that may be produced separately from, but consistent with, core national accounts;

Review and amend laws governing the operation of financial institutions to ensure that they provide services to women and men on an equal basis;

Facilitate, at appropriate levels, more open and transparent budget processes;

Revise and implement national policies that support the traditional savings, credit and lending mechanisms for women;

Seek to ensure that national policies related to international and regional trade agreements do not have an adverse impact on women's new and traditional economic activities;

Ensure that all corporations, including transnational corporations, comply with national laws and codes, social security regulations, applicable international agreements, instruments and conventions, including those related to the environment, and other relevant laws;

Adjust employment policies to facilitate the restructuring of work patterns in order to promote the sharing of family responsibilities;

Establish mechanisms and other forums to enable women entrepreneurs and women workers to contribute to the formulation of policies and programmes being developed by economic ministries and financial institutions;

Enact and enforce equal opportunity laws, take positive action and ensure compliance by the public and private sectors through various means;

Use gender-impact analyses in the development of macro and micro- economic and social policies in order to monitor such impact and restructure policies in cases where harmful impact occurs;

Promote gender-sensitive policies and measures to empower women as equal partners with men in technical, managerial and entrepreneurial fields;

Reform laws or enact national policies that support the establishment of labour laws to ensure the protection of all women workers, including safe work practices, the right to organize and access to justice

Promote and support women's self-employment and the development of small enterprises, and strengthen women's access to credit and capital on appropriate terms equal to those of men through the scaling-up of institutions dedicated to promoting women's entrepreneurship, including, as appropriate, non-traditional and mutual credit schemes, as well as innovative linkages with financial institutions;

Strengthen the incentive role of the State as employer to develop a policy of equal opportunities for women and men;

Enhance, at the national and local levels, rural women's income- generating potential by facilitating their equal access to and control over productive resources, land, credit, capital, property rights, development programmes and cooperative structures;

Promote and strengthen micro-enterprises, new small businesses, cooperative enterprises, expanded markets and other employment opportunities and, where appropriate, facilitate the transition from the informal to the formal sector, especially in rural areas;

Create and modify programmes and policies that recognize and strengthen women's vital role in food security and provide paid and unpaid women producers, especially those involved in food production, such as farming, fishing and aquaculture, as well as urban enterprises, with equal access to appropriate technologies, transportation, extension services, marketing and credit facilities at the local and community levels;

Establish appropriate mechanisms and encourage intersectoral institutions that enable women's cooperatives to optimize access to necessary services;

Increase the proportion of women extension workers and other government personnel who provide technical assistance or administer economic programmes;

Review, reformulate, if necessary, and implement policies, including business, commercial and contract law and government regulations, to ensure that they do not discriminate against micro, small and medium-scale enterprises owned by women in rural and urban areas;

Analyse; advise on, coordinate and implement policies that integrate the needs and interests of employed, self-employed and entrepreneurial women into sectoral and inter-ministerial policies, programmes and budgets;

Ensure equal access for women to effective job training, retraining, counselling and placement services that are not limited to traditional employment areas;

Remove policy and regulatory obstacles faced by women in social and development programmes that discourage private and individual initiative;

Safeguard and promote respect for basic workers' rights, including the prohibition of forced labour and child labour, freedom of association and the right to organize and bargain collectively, equal remuneration for men and women for work of equal value and non-discrimination in employment, fully implementing the conventions of the International Labour Organization in the case of States Parties to those conventions and, taking into account the principles embodied in the case of those countries that are not parties to those conventions in order to achieve truly sustained economic growth and sustainable development.

12.3. Actions to be taken by Governments, central banks and national development banks, and private banking institutions, as appropriate:

Increase the participation of women, including women entrepreneurs, in advisory boards and other forums to enable women entrepreneurs from all sectors and their organizations to contribute to the formulation and review of policies and programmes being developed by economic ministries and banking institutions;

Mobilize the banking sector to increase lending and refinancing through incentives and the development of intermediaries that serve the needs of women entrepreneurs and producers in both rural and urban areas, and include women in their leadership, planning and decision-making;

Structure services to reach rural and urban women involved in micro, small and medium-scale enterprises, with special attention to young women, low-income women, those belonging to ethnic and racial minorities, and indigenous women who lack access to capital and assets; and expand women's access to financial markets by identifying and encouraging financial supervisory and regulatory reforms that support financial institutions' direct and indirect efforts to better meet the credit and other financial needs of the micro, small and medium-scale enterprises of women;

Ensure that women's priorities are included in public investment programmes for economic infrastructure, such as water and sanitation, electrification and energy conservation, transport and road construction; promote greater involvement of women beneficiaries at the project planning and implementation stages to ensure access to jobs and contracts.

12.4. Actions to be taken by Governments and non-governmental organizations:

Pay special attention to women's needs when disseminating market, trade and resource information and provide appropriate training in these fields;

Encourage community economic development strategies that build on partnerships among Governments, and encourage members of civil society to create jobs and address the social circumstances of individuals, families and communities.

12.5. Actions to be taken by multilateral funders and regional development banks, as well as bilateral and private funding agencies, at the international, regional and sub-regional levels:

Review, where necessary reformulate, and implement policies, programmes and projects, to ensure that a higher proportion of resources reach women in rural and remote areas;

Develop flexible funding arrangements to finance intermediary institutions that target women's economic activities, and promote self-sufficiency and increased capacity in and profitability of women's economic enterprises;

Develop strategies to consolidate and strengthen their assistance to the micro, small and medium-scale enterprise sector, in order to enhance the opportunities for women to participate fully and equally and work together to coordinate and enhance the effectiveness of this sector, drawing upon expertise and financial resources from within their own organizations as well as from bilateral agencies, Governments and non-governmental organizations.

12.6. Actions to be taken by international, multilateral and bilateral development cooperation organizations:

Support, through the provision of capital and/or resources, financial institutions that serve low-income, small and micro-scale women entrepreneurs and producers in both the formal and informal sectors;

12.7. Action to be taken by Governments and/or multilateral financial institutions:

Review rules and procedures of formal national and international financial institutions that obstruct replication of the Grameen Bank prototype, which provides credit facilities to rural women.

12.8. Action to be taken by international organizations:

Provide adequate support for programmes and projects designed to promote sustainable and productive entrepreneurial activities among women, in particular the disadvantaged.

12.9. Actions to be taken by Governments in cooperation with non-governmental organizations and the private sector:

Provide public infrastructure to ensure equal market access for women and men entrepreneurs;

Develop programmes that provide training and retraining, particularly in new technologies, and affordable services to women in business management, product development, financing, production and quality control, marketing and the legal aspects of business;

Provide outreach programmes to inform low-income and poor women, particularly in rural and remote areas, of opportunities for market and technology access, and provide assistance in taking advantage of such opportunities;

Create non-discriminatory support services, including investment funds for women's businesses, and target women, particularly low-income women, in trade promotion programmes;

Disseminate information about successful women entrepreneurs in both traditional and non-traditional economic activities and the skills necessary to achieve success, and facilitate networking and the exchange of information;

Take measures to ensure equal access of women to ongoing training in the workplace, including unemployed women, single parents, women re-entering the labour market after an extended temporary exit from employment owing to family responsibilities and other causes, and women displaced by new forms of production or by retrenchment, and increase incentives to enterprises to expand the number of vocational and training centres that provide training for women in non-traditional areas;

Provide affordable support services, such as high-quality, flexible and affordable child-care services, that take into account the needs of working men and women.

12.10. Actions to be taken by local, national, regional and international business organizations and non-governmental organizations concerned with women's issues:

Advocate, at all levels, for the promotion and support of women's businesses and enterprises, including those in the informal sector, and the equal access of women to productive resources.

13. Honour killing in India

To be young and in love has proved fatal for many young girls and boys in parts of north India as an intolerant and bigoted society refuses to accept any violation of its rigid code of decorum, especially when it comes to women. The two teenage girls who were shot dead last week by a cousin in Noida for daring to run away to meet their boyfriends are the latest victims of honour killings, a euphemism for doing away with anyone seen as spoiling the family's reputation.

Many such killings are happening with regularity in Punjab, Haryana and western Uttar Pradesh. These are socially sanctioned by caste panchayats and carried out by mobs with the connivance of family members. The usual remedy to such murders is to suggest that society must be prevailed upon to be more gender-sensitive and shed prejudices of caste and class. Efforts should be made to sensitize people on the need to do away with social biases. But equally, it should be made clear that there is no escape for those who take justice into their own hands.

So far, there is no specific law to deal with honour killings. The murders come under the general categories of homicide or manslaughter. When a mob has carried out such attacks, it becomes difficult to pinpoint a culprit. The collection of evidence becomes tricky and eyewitnesses are never forthcoming. Like the case of Sati and dowry where there are specific laws with maximum and minimum terms of punishment, honour killings, too, merit a second look under the law.

In many cases, the victims who run away with 'unsuitable' partners are lured back home after FIRs are filed by their families. The police cannot be unaware that in many cases they are coming back to certain death at the hands of their relatives and fellow villagers. Yet, pre-emptive action to protect them is never taken. Undoubtedly, the virus of caste and class that affects those carrying out such crimes affects the police in the area too. But that can be no excuse to sanction murder.

More than 1,000 young people in India have been done to death every year owing to 'Honour Killings' linked to forced marriages and the country needs to introduce stringent legislation to deal firmly with the heinous crime, two legal experts have claimed. In traditional societies, honour killings are basically 'justified' as a sanction for 'dishonourable' behaviour. Forced marriages and honour killings are often intertwined. Marriage can be forced to save honour, and women can be murdered for rejecting a forced marriage and marrying a partner of their own choice who is not acceptable for the family of the girl.

In India, honour killings happen with regularity in Punjab, Haryana and western Uttar Pradesh. Though there was no nationwide data on the prevalent of honour killings in India, they quoted figures compiled by the India Democratic Women's Association, according to which Haryana, Punjab and U P account for about 900 honour killings and another 100 to 300 in the rest of the country. The total figure for India would be about the same as estimated for Pakistan, which researchers suggest has the highest per capita incidence of honour killings in the world."

The demand for a special law was made repeatedly with the objective of stamping out this social evil.



Confederation of Indian Industry

The Confederation of Indian Industry (CII) works to create and sustain an environment conducive to the development of India, partnering industry, Government, and civil society, through advisory and consultative processes.

CII is a non-government, not-for-profit, industry-led and industry-managed organization, playing a proactive role in India's development process. Founded over 118 years ago, India's premier business association has over 7100 members, from the private as well as public sectors, including SMEs and MNCs, and an indirect membership of over 90,000 enterprises from around 257 national and regional sectoral industry bodies.

CII charts change by working closely with Government on policy issues, interfacing with thought leaders, and enhancing efficiency, competitiveness and business opportunities for industry through a range of specialized services and strategic global linkages. It also provides a platform for consensus-building and networking on key issues.

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The CII Theme for 2013-14 is Accelerating Economic Growth through Innovation, Transformation, Inclusion and Governance. Towards this, CII advocacy will accord top priority to stepping up the growth trajectory of the nation, while retaining a strong focus on accountability, transparency and measurement in the corporate and social eco-system, building a knowledge economy, and broad-basing development to help deliver the fruits of progress to all.

With 63 offices, including 10 Centres of Excellence, in India, and 7 overseas offices in Australia, China, France, Singapore, South Africa, UK, and USA, as well as institutional partnerships with 224 counterpart organizations in 90 countries, CII serves as a reference point for Indian industry and the international business community.

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