Local Action
Global Change
Rights of Women and Girls

By Julie Mertus
with Nancy Flowers
and Mallika Dutt

Foreword by
Charlotte Bunch

Published by UNIFEM and
the Center for Women's
Global Leadership
Local Action
Global Change

Learning About the Human Rights of Women and Girls

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Acknowledgements

Local Action/Global Change reflects the efforts and voices of many people around the world. We are very grateful for the generous support, ideas, input, and work the book has received through the several years and drafts that have led to its publication. Above all, this work could not have been possible without the editorial, technical, financial and visionary support of UNIFEM and the Center for Women's Global Leadership (CWGL). Quite simply, if Charlotte Bunch and Roxanna Carrillo had not believed in this project and had not supported it, you would not be holding it in your hands.

We also thank UNIFEM consultants Daniella van Gennep and Jane Summer for seeing this manuscript through its publication. The Center for Women's Global Leadership at Rutgers University supported the research, rewriting and preparation of Local Action/Global Change, and we thank our indefatigable research team at CWGL: Deevy Holcomb, Shona Chakravartty, Surabhi Kukke, Lisa Clarke and Lucy Vidal.

In addition to providing direct support with this project, CWGL and UNIFEM have worked on numerous publications and projects on women's human rights that are invaluable to this work. Additional organizations supporting women's human rights, many of which are mentioned in this book, have also contributed groundbreaking work. Without all of the work that has gone before, we could not have even begun this project. Thank you.

We also give our warm thanks to:

* The Soros Yugoslavia Foundation and especially Sonja Licht who encouraged and supported Julie Mertus' initial draft.
* Krishanti Dharmaraj of Women’s Institute for Leadership Development (WILD) for bringing Mallika Dutt into collaboration with Nancy Flowers and for her continued feedback while using the various drafts for women's human rights education in the USA.
* Shulamith Koenig from the People's Decade of Human Rights Education for her inspirational and practical contributions to the 1995 draft prepared for the 4th World Conference for Women in Beijing. Through her support the authors were able to present a workshop on the manual at the NGO Forum and to distribute one hundred copies of the draft manual in English, Spanish, and Russian for field testing by women across the world.
* Those who made contributions both personal and professional to the 1995 draft: Sevdie Ahmeti, the International Working Group on Refugee Women, Tara Krause, Katrine Kremer, Mobility International USA, Zorica Mrsevic, the Older Women’s Network of London, Hitha Prabhakar, Judy Persky, Debra Robbins, and Rachel Wareham.
* For substantive contributions and editorial comments to the final draft, we would particularly like to thank Charlotte Bunch, Roxanna Carrillo and Stephanie Urdang for their close reading of the manuscript. Our thanks also to Liz Fisher, Sofia Gruskin, Lucie Lamarche, Lyn Reece, Debra Robbins, and Daniel Ravindran who all contributed information and critiques.
* Our editorial advisory board for their useful critique of the 1996 draft: Susana Fried, Leila Hessini, Janine Hicks, Vesna Kesic, Saraphina Maboso, Ali Miller, Betty Powell, Beth Richie, Ruth Selwyn, Olena Suslova, Dorothy Thomas, Mariama Williams and Felice Yaban.
* The women who worked with Julie and Nancy on the final editing marathon: Janet Lord, Jennifer Forrence and Kathy Forrence, and the women who pulled together the final index: Kathy Guemsey and Shirley Steele.
* The book would not have been possible without the assistance of the Ford Foundation, especially Larry Cox and Helen Neuborne, who generously supported the completion of the book.
* And finally, last but not least, the authors would like to acknowledge the support of Jelica Todosijevic, Ted Andersson and Daniel Sumit Ghosal.
"Women's rights are human rights" has become an important rallying cry for women around the world in the 1990s. It expresses both women's determination to claim our full birthright as one half of humanity and our exasperation that such an obvious assertion has taken so long to gain international acceptance. As the recognition of women's and girl's human rights has grown over the past decade, so too has the need for more works that explore and expound upon their meaning.

Local Action/Global Change speaks to this need through human rights educational materials that explain and give examples of issues in women's human rights, while also providing exercises that allow for exploration of the particular ways in which these questions affect the lives of any group of women or men, girls or boys.

The idea that women's rights are human rights is at once both simple and complex. Its power lies in the fact that it is simultaneously ordinary and revolutionary. On the one hand, it makes common sense to declare that as human beings, women and girls have human rights. On the other hand, it is a radical reclamation of our humanity and right to equality which has transformative potential. The full incorporation of women's and girls' lives into human rights concepts and practice exposes the failure of countries worldwide to accord females the human dignity and respect they deserve simply as human beings. A human rights framework also provides tools to define, analyze, and articulate women's experiences of violation and to demand redress in ways already recognized by the international community. Finally, it provides a common framework for bringing together women's diverse experiences and developing a wide array of strategies for change.

The language of human rights cuts to the core of women's and girls' inequality. Denial of human rights means denial of the fundamental components of being human. It is the dehumanization of women that fosters and supports discrimination and violence against women and girls, from rape in wars across cultures to economic exploitation and culturally rationalized restrictions on basic freedoms. Human rights principles demand an end to practices that treat women and girls as less than full human beings. Thus, the language of human rights assists in the task of identifying violations and violators, who should be held accountable for these abuses, and what are the remedies for them.

The Universal Declaration of Human Rights adopted by the United Nations General Assembly in 1948 outlines the world's consensus on the human rights that all people have in relation to such matters as security of person, slavery, torture, freedom of movement and speech, as well as social security, work, health, education, and citizenship. In Article 2, it clearly stipulates that these human rights apply to all equally "without distinction of any kind such as race, colour, sex, language...or other status." Nevertheless, tradition, prejudice, and social, economic and political interests have generally excluded women from prevailing definitions and interpretations of these basic human rights and relegated women to secondary and/or "special interest" status in human rights matters. Thus, how women and girls have experienced human rights abuse has been largely invisible or seen as exceptional. The "typical" human rights victim as well as human rights advocate has largely been seen as male. Only when women suffer the same violations as men do they generally evoke a response from the international community; and only recently have the gendered nature of many of these experiences, such as the sexual torture of political prisoners, begun to be recognized.

Women's peripheral status has been exacerbated and sometimes justified by the division of life into "public" and "private" spheres that prevails in so many societies. Since the "public" sphere is seen as the focus of interaction between state actors and citizens, abuses of that relationship have been the focus of human rights advocacy. However, much of the abuse of women and girls is at the hands of individual male partners and/or family members and is often overlooked by governments even when there are laws against it. Thus, many violations of women's human rights committed in the name of family, religion, and culture have been hidden by the sanctity of the so-called private sphere, and the perpetrators have enjoyed immunity from accountability for their actions.

The status of citizen has also often been exclusionary, entailing gender, racial and socio-economic bias and privileges which marginalize most women. It has been primarily men with privilege who predominate in
public and governmental realms. Therefore, the human rights issues which have been given the most attention have tended to be those to which they are most vulnerable — abuses of civil and political rights such as the right to freedom of speech, religion and assembly, or questions of arbitrary detention, political imprisonment and torture.

In the past few decades, there has been growing pressure on the international human rights community to give greater emphasis to issues of social and economic rights and the right to development as well as to issues of racial and ethnic discrimination. The demand for attention to women’s human rights both builds upon and extends this call for a more inclusive human rights agenda. Women’s ability to exercise civil and political rights and to participate in public life is often eclipsed by the ways in which their other human rights are denied. Understanding women’s rights as human rights thus involves recognizing the interconnectedness of human rights and not placing one type of right above another.

A human rights perspective also helps to illuminate the complicated relationship between gender and other aspects of identity, such as race, class, religion, age, sexual orientation, disability, culture and refugee or migrant status. The forms that discrimination and violence against women and girls take are usually shaped by how gender interfaces with such other factors. For example, if poor women of a particular ethnic group are forcibly sterilized, discrimination on the basis of class and race as well as gender contribute to this human rights violation. Or as the recent exposure of rape of women in war and conflict has demonstrated, the gender and racial/ethnic components of these violations cannot be separated out.

**Action to Protect and Promote the Human Rights of Women and Girls**

Taking action for women’s and girls’ human rights involves a shift both in thinking about human rights and in talking about female lives. It entails examining the human rights framework through a gender conscious lens, and describing women’s lives through a human rights framework. Looking at the human rights framework from women’s perspectives has revealed how much current human rights practices have failed to account for many of the ways in which already recognized human rights abuses often affect females differently than males. This approach does not deny the importance of existing human rights concepts and activities, but calls for more gender sensitivity in their application if they are to fully include the experiences of the female half of the population.

Viewing women’s and girls’ lives through a human rights framework has also brought new clarity and powerful tools to bear on “women’s issues.” For example, the movement to draw attention to violence against women as a human rights issue has built on the Universal Declaration’s fundamental premise that “No one shall be subject to torture or to cruel, inhuman or degrading treatment or punishment,” as well as on other human rights treaties. Human rights vocabulary has helped to define and articulate women’s and girls’ experiences of violations such as rape, female genital mutilation, and domestic violence in ways that raise the level of expectation about what can and should be done about them. Understanding such violence in terms of human rights establishes unequivocally that states are responsible for such abuse whether committed in the public or private sphere. It also raises questions about how to hold governments accountable when they are indifferent to such abuses and what sorts of mechanisms are needed to expedite the process of redress for violations of women.

The concept of women’s human rights has opened the way for hard questions to be posed about the official inattention and general indifference to the widespread discrimination and violence that women and girls experience around the world. Whether used in political lobbying, in legal cases, in grassroots mobilization, or in broad-based educational efforts, the idea of women’s human rights has been taken up by women across many boundaries and has facilitated international networking and the creation of collaborative strategies.

Over the past decade, a global movement has emerged to challenge limited notions of human rights that have deemed the lives of women secondary to other human rights questions. The United Nations’ World Conference on Human Rights held in Vienna in 1993 became a natural vehicle to highlight new visions of human rights thinking and practice. Its initial call did not mention women nor did it recognize any gender-specific aspects of human rights in its proposed agenda. Since the conference represented a historic reassessment of the state of human rights in the world, it became the unifying public focus of a worldwide Global Campaign for Women’s Human Rights—a broad and loose international collaborative effort which sought to integrate women into the conference agenda. The concept of women’s human rights provided a common framework for collaboration around broad and similar concerns about the status of women, while also providing a way to articulate the diverse pressing human rights issues specific to particular political, geographic, economic, and cultural contexts.
By the time the World Conference convened, the idea that "women's rights are human rights" had become the central focus of thousands of advocates all over the world and one of the most discussed "new" human rights debates. The Vienna Declaration and Programme of Action, signed by 171 governments present at the conference is intended to indicate the agreement of the international community on various aspects of human rights. It states unequivocally that:

"The human rights of women and of the girl-child are an inalienable, integral and indivisible part of universal human rights. The full and equal participation of women in the political, civil, economic, social and cultural life, at the national, regional and international levels, and the eradication of all forms of discrimination on grounds of sex, are priority objectives of the international community."

Another achievement of women growing out of the Vienna conference was the appointment by the UN Commission on Human Rights of a Special Rapporteur on Violence Against Women whose job it is to report each year to the Commission on such violence and what the UN and governments should be doing about it as a human rights issue. Women also continued to lobby for and gain wider recognition of women's human rights at subsequent United Nations Conferences. For example, at the International Conference on Population and Development in Cairo in 1994, women's reproductive rights were explicitly recognized as human rights. The Platform for Action at the IV World Conference on Women in Beijing in 1995 became an agenda outlining the human rights of women and what it will take to achieve them. Most recently, advocates for women's human rights succeeded in getting rape, forced pregnancy, and sexual slavery recognized as crimes against humanity in the statute for the creation of an International Criminal Court at its founding in Rome in 1998.

The framework of women's human rights is not only useful in efforts to lobby for legislative and policy changes but also provides an important tool for grassroots organizing. Education about the human rights of women and girls both teaches about the range of rights that governments must honour and functions as a kind of gestalt by which to organize analyses of gendered experiences. The human rights framework creates a space in which the possibility for a different account of women's lives can be developed. What is so useful about this framework is that it provides principles by which to develop alternative visions of women's and girls' lives without suggesting the substance of those visions. The fundamental principles of human rights that accord to each and every person the entitlement to human dignity give women a vocabulary for describing both violations and impediments to the exercise of their human rights. The large body of international covenants, agreements and commitments about human rights gives women political leverage and a tenable point of reference. And finally, the idea of women's human rights enables women to define and articulate the specificity of the experiences in their lives at the same time that it provides a vocabulary to share the experiences of other women around the world and work collaboratively for change.

This book seeks to demonstrate how the language of human rights can help express, examine and address the stories of women's and girl's lives and put them into a larger framework. Human rights helps us move beyond rhetoric to action. Women may have vastly different dreams and may work on different issues in different ways, but the fundamental point that brings us together is recognition that our struggle for equality is part of the broader struggle for human rights for all. Indeed the future of human rights for all depends on respect for women's human rights. For if the human rights of half of humanity can be belittled and bargained away, then the universality of human rights for all is undermined.

Human rights systems provide a way to hold governments, communities and international institutions accountable to some basic ethical standards. A crucial part of this is human rights education and the recognition of one's rights. This book aims at helping advocates to identify and recognize such claims in many aspects of women's and girls' lives. The next step is moving from rights recognition to rights empowerment. Each section of this book provides ideas for organizing for action at the community, state, regional and/or international level. When advocates for the human rights of women and girls are challenged at home, regional and international documents can help to keep one from feeling isolated and be used to demonstrate that governments have already undertaken obligations to recognize and respect these human rights. We must always work to ensure that these documents and concepts amount to more than "nice" words on paper. Together, we must find ways to turn the vision of human rights into action that leads to meaningful change in our lives and in the world. As this book seeks to demonstrate, through local action, we can bring global change.
Why Local Action/Global Change?

All human beings, female and male alike, are entitled to the same human rights. Yet women and girls have been consistently neglected in international human rights law and practice. Historically violations based on biological and gender differences have not been recognized as human rights violations. Even organizations dedicated to the protection of human rights have often failed to devote attention to abuses against women or to develop effective methods to investigate gender-based violations. Most women and girls themselves remain ignorant of their human rights and of the documents and mechanisms that define and protect them.

We use the terminology “human rights” to emphasize that we are talking about fundamental, indivisible claims that governments must protect. At the same time, we stress “women’s human rights” to underscore that the practice of human rights is not gender neutral. Women and girls often experience human rights violations in a manner different from men and boys; the resources women and girls bring to addressing human rights issues differ as well; and the solutions for bias and abuse against women and girls must reflect their needs.

A worldwide movement is working toward the recognition and protection of the human rights of women and girls. Central to that effort is education. Only women who know about their human rights can take effective action to exercise and advocate for them. Local Action/Global Change was written to be a flexible, practical tool in the service of this movement—to share information about women’s human rights with women, men, and organizations everywhere, and to initiate and develop strategies for translating these rights into action for positive social change.

Who Can Use Local Action/Global Change?

Because everyone needs to learn about the human rights of women and girls, Local Action/Global Change was designed for the broadest possible audience. It combines information on the principal topics of women’s human rights with exercises for making them meaningful and strategies for taking action to realize them. The exercises require no special materials or resources, only time to meet and talk. Every effort has been made to allow for wide differences in culture, age, religion, geography, economics and politics.

Local Action/Global Change is intended for men and women, individuals and groups, literate people and those with little or no formal education, and others such as:

- Governmental, non-governmental or inter-governmental organizations holding trainings for staff about how specific issues impact women
- Community organizations holding workshops for activists on the rights of women and girls
- Social workers, health professionals, and youth organizers seeking to educate the communities they serve
- University or senior high school students studying or researching women’s studies, political science, sociology or human rights
- Teachers of professional training courses for health workers, para-legals, law enforcement officers, social workers and teachers
- Secondary school teachers preparing classes on gender studies, contemporary issues or social studies
- Groups of friends meeting monthly to read and discuss the issues
- Discussion groups in refugee camps, shelters for battered women, hostels or prisons
- Rural women visiting a health clinic or literacy programme
- Women and men working together in collectives, cooperatives or unions
- Girls and boys working together in youth groups, camps, religious organizations, and other gatherings
- Individual women and men who want to learn more about the rights of women and girls.
HOW IS LOCAL ACTION/GLOBAL CHANGE ORGANIZED?

The Foreword by Charlotte Bunch provides a general introduction to the subject of women's human rights and establishes a foundation for the topical chapters that follow. Chapter 1, "Introductory Exercises," links personal experience to human rights concepts, introduces interactive methodologies and starts the process of critical analysis for taking action.

The topical chapters use the following general framework to address specific topics in women's human rights:

- **Objectives** for the chapter
- **A Getting Started section** introduces and defines the topic area
- **Discussion and activities** focus on the principal issues of the chapter topic
- **Boxes within the text** offer statistics and special information
- **Strategies and examples** for taking action
- **Examination of the Beijing Platform for Action** on this topic
- **A Making Your Own Law exercise** followed by excerpts from CEDAW and other relevant documents.

The Appendices contain tools for human rights education and advocacy:

- **Analytical charts** for use in workshops
- **Methodologies** for human rights educators and facilitators
- **A guide to Using Human Rights Systems and Mechanisms** that includes a listing of human rights Web sites
- **Selected human rights documents**
- **A glossary** of human rights terms.

WHAT METHODOLOGY DOES LOCAL ACTION/GLOBAL CHANGE EMPLOY?

Local Action/Global Change invites readers to engage fully in learning about the human rights of women and girls. To this end, it provides both factual information and participatory exercises. Some people may read Local Action/Global Change on their own and others may experience the book collectively with the aid of a facilitator. Some will use the whole book while others might focus on a single topic. In all cases, however, women's human rights need to be seen in a holistic context. Leaving out any one perspective can weaken advocacy or exclude some women.

The Conceptual Context

Every woman's human rights issue needs to be understood in both its theoretical and concrete particulars. The concepts of human dignity and equality inform all discussion of women's human rights. Chapter 2, "Women's Human Right to Equality and Non-Discrimination," sets forth these and other fundamental human rights concepts such as universality, interdependence and indivisibility. Even the most pragmatic activist would want to be grounded in this framework, with its principles woven into every educational effort.

Furthermore, because all human rights are interconnected and interdependent, no issue can be considered in isolation. A woman's right to education, for example, cannot be separated from her rights in the family, the workplace, the economy or public life. For this reason Local Action/Global Change provides frequent cross-references among chapters. In Chapter 3, "Women's Human Rights in the Family," the discussion of resistant authorities directs the reader to a related section on fundamentalism, and a description of the "public-private split" refers to a passage in Chapter 7, "Women's Human Right to Freedom from Violence." Facilitators should emphasize this interrelatedness of human rights whenever they use the book.

The Personal Context

Human rights begin, as Eleanor Roosevelt, chair of the UN commission on human rights from 1946-51, observed, "in small places...close to home." Each chapter of Local Action/Global Change also begins close to home, with a "Getting Started" section that draws on individual experience with a human rights topic and opportunities to tell personal stories and bring in local culture and history. The focus shifts continually...
between the objective and the subjective, with background information and data on specific subtopics followed by exercises that elicit personal reflection and discussion. To create an empowering learning environment, facilitators need to establish a similar balance between introducing external, “expert” information and honouring the first-hand knowledge of the participants.

**The Factual Context**

Each chapter of *Local Action/Global Change* provides substantive information, including background, statistics and illustrative examples of both human rights abuses and victories. Although not intended as a resource documenting human rights abuses, *Local Action/Global Change* includes factual illustrations in order to define the issues and delineate their principal subtopics. For example, Chapter 12, “Women’s Human Rights and the Environment,” includes information on environmental hazards for urban women, for rural women and for women in their workplaces. It also examines the responsibility of businesses and governments, the relation between environment and development (including land reform, fuel and deforestation, water, and pesticides) and the interface between human rights and the environment. Such material serves to inform the individual reader and also to provide facilitators with a basis for mini-lectures or handouts.

Where possible factual information is drawn from United Nations sources, as these are widely available and widely accepted. In addition the text draws extensively from the *Beijing Platform for Action*, the final document of the Fourth World Conference on Women. Although the *Platform for Action* is not a legally binding document, it does provide an indication of worldwide understanding of the human rights of women and girls. Moreover, the *Platform for Action* may impact the future development of international treaties or international customary law. Thousands of advocates for women's human rights played a role in the drafting of the *Platform for Action*, and thousands more are playing a role in its interpretation and implementation.

**The Legal Context**

Learning about women's human rights also requires grounding in local, regional and international law. Every woman, even those with little education and no experience of the law, is empowered by knowing how her human rights are recognized and protected by such documents.

Each chapter of *Local Action/Global Change* culminates with an exercise entitled “Making Your Own Law,” which emphasizes that human rights law is an evolving code made by and for people. Having examined the aspects of a particular human right, participants are invited to outline a legal document that would protect that right for women. Next they compare their ideas on how to enforce this right with those in the *Convention for the Elimination of All Forms of Discrimination Against Women* (also known as CEDAW or the Women’s Convention) and other relevant documents. (For additional information on the international legal context, see Appendix III, “Using Human Rights Systems and Mechanisms.”)

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**SEVEN PRINCIPLES FOR WOMEN’S HUMAN RIGHTS**

**Principle 1:** Dignity. The core basis of human rights is the protection and promotion of human dignity.

**Principle 2:** Universality. The universal nature of rights does not mean that they are experienced in the same manner for all people. Universality means that governments and communities should uphold certain moral and ethical values that cut across all regions of the world.

**Principle 3:** Equality and Non-Discrimination. The *Universal Declaration of Human Rights* (UDHR) and other international human rights documents affords the same rights and responsibilities equally to all women and men, all girls and boys, by virtue of their humanity regardless of any role or relationship they may have. When violations against women are not recognized as human rights abuses, women are collectively diminished as human beings and denied their inherent personhood.

**Principle 4:** Indivisibility. Women’s rights should be addressed as an indivisible body, including political, social, economic, cultural and collective rights. These cannot be “prioritized” or divided into “generations” of rights, some of which should be achieved before others.

**Principle 5:** Interconnectedness. Human rights concerns appear in all spheres of life—home, school workplace, elections, court, etc. Violations of human rights are interconnected; loss of human rights in one area may mean loss in another. At the same time, promotion of human rights in one area supports other human rights.
Principle 6: Government Responsibility. Human rights are not gifts bestowed at the pleasure of governments. Nor should governments withhold them or apply them to some people but not to others. When they do so, they must be held accountable.

Principle 7: Private Responsibility. Governments are not the only perpetrators of human rights violations against women. Corporations and private individuals should also be held accountable; cultural mores and social traditions that subordinate women should be challenged.

The Action Context
Topical chapters conclude with the question, “What would it take for your law and/or CEDAW to become a reality in your community?” The aim is to directly reinforce the ultimate goal of all human rights education: understanding and accepting individual responsibility for the human rights of all people.

Each chapter supplies inspiring examples of action strategies that women around the world have used to establish and protect their rights. Participants are asked to reflect on how government, culture, traditions, families and their own decisions limit or support this human right in their community. They are also encouraged to consider what actions they can reasonably take to foster positive change. The exercise of critical analysis and strategizing how to affect a better human rights environment is in itself a step towards improving women’s human rights.

THE BOTTOM LINE: EDUCATION FOR ACTION

Because most women experience systematic gender discrimination from an early age, diminished self-worth often becomes integral to their identity. When society treats a woman as less than fully human, learning about and claiming her human rights may be either powerfully transformative or deeply threatening. Some will embrace human rights education as a long-awaited affirmation. Others will reject it vehemently, claiming that it is destructive of religious or cultural values. More will welcome ideas that broaden their views but initially retreat from action to change society. Over time, however, participants in human rights education begin to re-examine their own lives, to identify violations of human rights and to construct strategies for their own communities. Every woman must proceed at her own pace, with adequate time to process new information and attitudes and assess options for change.

All human rights educators must appreciate the charged nature of the human rights vision and honour the differences among individual women’s needs and responses. Without such sensitivity, human rights education could become yet another form of manipulation or oppression of women.

At the same time, we do not start with a blank slate. Although an individual’s own feelings and opinions about human rights must be acknowledged and valued, the international, regional and local agreements which frame the current range of possibilities for action cannot be ignored. Women’s advocates have worked hard to ensure the adoption of specific laws and declarations pertaining to women and girls; in addition, they have striven to include women and girls in existing human rights documents. Therefore, when a participant in a training session denies the existence of a human right which has been recognized nationally, regionally and/or internationally, the facilitator has a responsibility to point out such agreements.

This book is called Local Action/Global Change to emphasize that women and men need to discuss what steps are needed in their own communities to advance human rights for all. No recipe exists for community-level change because no two communities are alike. Change in line with human rights norms, however, will improve all of our lives. Through local action, then, we see global change.
About This Chapter

This chapter provides a variety of exercises for introducing the human rights of women and girls. Section I, "Thinking About Our Lives," contains exercises introducing basic human rights concepts. The exercises in Section II, "Taking Action for Women's Human Rights" help women strategize for action. In addition, a brief section of 'energizers' provides techniques for restoring focus or energy to a group or providing a change of pace.

No group should expect to use all the exercises in any section. Select those best suited to the group and if necessary adapt them to meet the group's needs. Most exercises can be changed to accommodate illiterate or disabled women and few require photocopying or even electricity. These exercises have been used in countries around the world and no two 'performances' have ever been exactly alike.

All exercises in Section I can be combined with any of the substantive chapters that follow. Facilitators should include at least one 'taking action' exercise like those in Section II near the conclusion of any workshop. For example, after reading the chapter on education, consider how to move from analysis to action by doing Exercise 1, "From Analysis to Action" in Section II, or apply the "Effects Wheel" (Exercise 10) to think through possible solutions.

If you can do only one introductory exercise, do Exercise 9, "Wheel of Equality" which relates individual experience directly to human rights concepts. It also leads participants to examine primary human rights documents including, for example, the Universal Declaration of Human Rights (UDHR) and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).

Section I: Thinking About Our Lives

Objectives

The exercises in this section will enable participants to work towards the following objectives:

- Establish common ground among participants
- Help participants focus on themselves as women and girls and to validate their experiences
- Discuss differences among women and girls and to recognize our own fears and stereotypes about women different from ourselves
- Explore the difficulties we may face working in diverse groups
- Explore ways in which we could communicate more with other women and girls and the importance of including all women's voices in human rights discussions
- Understand the difference between sex and gender
- Identify rights that have been denied, hidden or disregarded in the daily lives of women and girls
- Discuss ways in which women and girls can support each other.
Exercise 1: Active Listening

Objective: To emphasize the importance of respectful listening to human rights discussions

Time: 30 minutes

Materials: None

1. Active Listening:
Ask participants to work in pairs: One participant speaks about herself for five minutes while the other listens carefully without interrupting or taking notes. The “listener” then has two minutes to repeat to her partner what she has heard. The partners then switch roles.

2. Discuss:
Invite participants to share their experiences with the group. Discuss:
- What was it like to be listened to intently? To hear your words repeated?
- What was it like to listen and repeat?
- In what situations in our lives do we have similar opportunities to be given full attention? In what situations would we like to be given such attention?
- Why is respectful listening essential to human rights discussions?

Exercise 2: Standing Together/Sitting Alone

Objective: To explore participants’ diverse and shared experience and relate to human rights

Time: 30 minutes

Materials: None

1. Action:
Ask participants to sit in a circle. Explain the object of the exercise and how it works: anyone may stand and name a category she belongs to; others who wish to acknowledge that they also belong to this category stand up with her. Emphasize that no one is forced to participate unless she so desires. Start by demonstrating the process with a relatively ordinary category to which you belong such as “oldest child” or “left-handed.”

Generally the categories grow more personal and sensitive as the exercise proceeds. Draw it to a close when you feel that the objective has been accomplished.

2. Discuss:
Point out the multiple identities we bring to the workshop. Discuss:
- What were the largest shared categories? What were the smallest?
- Were some of the minority categories sources of pride? Of shame or embarrassment?
- How did it feel to be in a minority category?
- What kinds of women were not represented at all in this group?
- How do the differences, similarities and omissions of the group relate to human rights?
Exercise 3: Identifying Ourselves

Objective: To explore the diversity of women

Time: 30 minutes

Materials: Chart paper and markers or blackboard and chalk
Paper and pens (optional)

1. List/Compare:
Ask each participant to list three groups with which she personally identifies. Then divide participants into pairs and ask them to explain their list to a partner.

Next ask each pair to join another pair and have each participant in the group of four to explain her partner’s list. Compare lists and consider which categories are unique and which are held in common.

2. Discuss:
In one group, ask participants to call out the categories they named. Check those that are most common. Circle those that are unique.

Did anyone include “girl” or “woman”? Ask why or why not.

3. Read/Discuss:
Read this paragraph aloud:
Women are, of course, a composite of many different identities. We may be sisters, daughters, mothers, girlfriends, and wives. We may identify as part of religious, ethnic, national, social, political, cultural and professional groups. Our refugee and/or citizenship status, age, sexual orientation, health, and/or disability may define our identity. Too often the part of us that is “woman” is submerged within other identities. People may often perceive us and treat us as woman plus something else (for example, poor woman, refugee woman, disabled woman, woman lawyer, or woman of a particular country, clan, or village). But within all of these groups and all of these imposed labels and self-definitions, we are still women.

Discuss:
• Do you think this is important? Why or why not?
• Can we recognize a group of people called “women” while also remembering that there is no single “type” of woman?
• What are the defining features of “women”?

Exercise 4: Equal Opportunity?

Objective: To explore the connection between equal opportunity and human rights

Time: 30 minutes

Materials: None

1. Action:
Stand at one side of an open space facing participants, who line up in the middle of the space and hold hands. Explain that as you call out a category, those who belong to it should step one foot-length forward or backward as instructed. They should try to keep holding hands during the whole activity.
Then call out statements that separate people. For example:

- “All those whose parents attended an institute of higher learning take one step forward.”
- “All those who live in rural areas take one step backward.”
- “All those who are healthy and fully physically able....”
- “All those who were born in this country....”
- “All those who belong to the minority [ethnic group, religion, etc.] ....”
- “All those who are single....”

When participants are scattered across the space and unable to maintain their handholds, then turn to the wall behind you and say, “This is the Wall of Success. When I say, ‘Go,’ everyone should run to the wall, touch it and stand flat against it to claim a place.” Of course, those with advantages will almost be there. Others will still be far at the back of the room and arrive too late to get a place at the wall.

2. Discuss:
Invite participants to share their experiences in this exercise.

- How did it feel to be in the front of the group? At the rear?
- How did it feel when you were forced to let go of your handhold with the rest of the group?
- Did you reach the wall? How quickly? How did it feel not to find a place at the wall?
- What can be done to provide more equal opportunities for everyone?
- What is the connection between equal opportunity and human rights?
- Can respect for human rights be achieved through equal opportunity alone?

Exercise 5: Acknowledging Unheard Voices

Objective: To recognize the importance and inherent problems of inclusiveness
Time: 30 minutes
Materials: Chart paper and markers or blackboard and chalk

1. Analyze:
Ask participants to look around the group and analyze its composition:

- Is this group representative of women in your community? In your region? In your country?
- Are some categories of women not present? For example, are women of certain ages, religions, ethnic groups, classes, professions, physical disabilities or sexual orientations absent? Make a list of women who are totally absent from the group.
- Are some women present but only as numerical minorities? If the women present who belong to this minority agree, add this group to the list.

2. List/Discuss:
Divide participants into small groups. Ask each group to choose one or two categories from the list to discuss; however, no woman belonging to one of the chosen categories should be represented in the group addressing that category.

Each small group should do the following:

- List the things they would not want anyone to say about them if they were a member of the chosen category. For example, a disabled woman would not want to be called any of the insulting names used in this society, nor would she want to be seen as helpless, unproductive or “a burden on society”
- Discuss their fears of talking to this woman and/or of working with her in a group.
- Discuss what needs or rights may be especially important to this woman.
- Optional: Dramatize some of these women’s voices. For example, role-play a dialogue with this woman or a monologue in which she expresses her needs and feelings.
3. Report/Discuss:
Ask someone from each group to report on their discussion and/or present their dramatizations.
Discuss these questions:
- Although no group can include all types of women, why is it important to include a diversity of voices?
- How do you as individuals and as members of groups communicate with other women?
- Do you already do so? Can these efforts be improved?
- What are the barriers to improving communication? Is breaking down these barriers important? Why or why not?
- What happens when the voices of some women and girls are excluded from human rights discussions?

Exercise 6: Sex and Gender

1. Read/Discuss:
Read this passage aloud:
One important concept in seeing and analyzing the role of women in society is the difference between sex and gender. "Sex" refers to the biological differences between men and women, the few differences that we can say are natural in that they are given from birth. "Gender" refers to the social relationships between men and women and the way that relationship is made by society. In other words, gender is how we are shaped after we are born into society. As some trainers explain, "We can understand gender as a set of ideas that gets attached to us through stereotyped social images of women and men. To get imprinted by these stereotypes, persons must pass through complicated socioeconomic processes related to the class and culture" [Sabala and Kranti, Na Shariram Nadhi My Body Is Mine, ed. Mira Sagdopal (Bombay, 1995), p. 33].

While biological attributes can sometimes be altered, biological sex is essentially fixed. In contrast, gender definitions are in a constant state of flux in response to changing social and economic conditions. For example, in a crisis situation women may take on traditional male roles, e.g., heads of families, industrial workers or soldiers. Because gender is constructed by society and not fixed, stereotypical notions of male and female roles can be challenged. When we say that men and women are not the same, we refer not only to differences in biology (sex differences) but also to the different roles that have been created by society (gender differences).

Because of both sex and gender differences, women and men have different needs. Human rights and development concepts that recognize gender differences seek to address these different needs in a way that promotes women’s full participation in community and political life. (See Chapter 3, “Women’s Human Rights in the Family,” for more on sex and gender.)

2. Gender Quiz:
Read the following statements to the group. Have participants stand if a question is about gender and sit if it is about sex. When disagreement occurs, ask them to justify their opinions. Add local examples if you wish.

Sex or gender?
- Women give birth to babies, men don’t.
- Little girls are gentle and timid; boys are tough and adventuresome.
- In many countries, women earn 70% of what men earn.
- Women can breast-feed babies; men use a bottle for feeding babies.
- Women are in charge of raising children.
- Men are decision makers.
- In Ancient Egypt, men stayed at home and did weaving. Women handled family business.
- Women inherited property and men did not.
- Boys’ voices break at puberty; girls’ do not.
- According to United Nations statistics, women do 67% of the world’s work, yet their earnings amount to only 10% of the world’s income.
- Women are concerned about the standard of education for their children.
- Women are forbidden from working in dangerous jobs such as underground mining; men work at their own risk.
3. Discuss:
• Did any of the statements surprise you?
• Where was there disagreement? Could you resolve the disagreement?
• How do gender roles vary across age differences, classes, races, cultures and historical periods?
• In what ways do women in different countries experience power and oppression differently?

**Exercise 7: What I Like/ What I Do**

**Objective:**
To explore general stereotypes and their effect on women's lives

**Time:**
30-60 minutes

**Materials:**
Chart paper and markers or blackboard and chalk
Paper and pens (optional)

1. **List:**
   Ask each participant to list two things in each of these categories:
   • Things that I do and like that are considered "women's activities."
   • Things I do but don't like that are considered "women's activities."
   • Things I do that are considered "men's activities," regardless of whether I like them or not.
   • Things I don't do but would like to do that are considered "men's activities."

   Go around the group asking participants what they listed in each category. Record their responses under four headings: "Women's Work I Do and Like," "Women's Work I Do and Don't Like," "Men's Work I Do," and "Men's Work I Would Like to Do."

2. **Discuss:**
   Ask the group to consider the four lists and discuss these questions:
   • What generalizations about the roles of males and females can you make from these lists?
   • To what extent are gender roles unconscious and/or internalized?
   • How have stereotypical images of women influenced your personal history?
   • How does women's internalization and acceptance of these roles affect women's lives?
   • How has your own life been affected by stereotypical images of women?
   • What experiences have you had in challenging gender roles?
   • What is needed to improve the gender-determined roles assigned to women?
Exercise 8: Remembering Gender Discrimination

Objective: To recall and analyze personal experiences of sex discrimination

Time: 30 minutes

Materials: Chart paper and markers or blackboard and chalk
Paper and pens (optional)

I. Narrate:
Divide participants into small groups. Ask participants to tell a story about a time when they were denied a right or treated unequally because of their sex.

Alternative: Encourage participants to create pictures or dramatizations to illustrate their stories.

Read aloud, post or pass out the following questions to stimulate recollections:
- When was the first time you can remember experiencing discrimination? When was the most recent time?
- How and by whom was this discrimination affirmed and/or reinforced?
- Did both the men and the women in your life approve and enforce this discrimination?
- Did anyone seek to defend or comfort you?
- Did you question or protest this treatment?
- Did anyone seek to explain it to you?

II. Report/Discuss:
Ask each small group to present one of its stories for the entire group. At the end of each story ask, “What were the human rights issues in this story?” Record the responses.

III. Analyze:
Ask questions such as these to encourage analysis of the experiences:
- Who or what is denying women’s human rights in these stories? (For example: A family member? An employer? Teacher? Doctor? The government, local or national? An international agency?)
- What was the role of the family? A source of discrimination? A refuge from discrimination? Both?
- Why did this discrimination occur? Were there both an ‘official’ reason and an unspoken reason?
- Did religion, culture and/or tradition play a role in your story? If so, how?
- Where did the violation occur? In the “public” or “private” sphere of life? Can you make a difference?
- Did the community play a role in supporting or sanctioning the discriminatory behaviour? Did the media?
- Some girls learn early on that even though they are told that they have the same human rights as boys, their society actually has a double standard of rights and discriminates based on gender difference. Was this the case for you?
**Exercise 9: Wheel of Equality**

**Objective:** To recall and analyze personal experiences of self-assertion

**Time:** 30 minutes

**Materials:** Copies of the UDHR and/or CEDAW (complete or simplified versions)
Chart paper and markers or blackboard and chalk
Paper and pens (optional)

**Step A: Telling the Stories**
Divide participants into small groups. Ask participants to tell a story about a time when they asserted their human rights or stood up for themselves as a person entitled to dignity and fairness.

*Alternative:* Encourage participants to create pictures or dramatizations to illustrate their stories.

Read aloud, post or pass out copies of “Some Points to Consider in Telling Your Story” (below).

**Step B: Analyzing the Stories**
After everyone has told a story, ask each group to analyze the conditions that make possible each set of assertions. Ask someone to serve as Recorder, writing down the factors that are mentioned.

Read aloud, post or pass out the factors that are mentioned. Read aloud, post or pass out “Some Points to Consider in Analyzing Your Story” (below).

For example, financial security often is a big factor (e.g., “I couldn’t tell him ‘no’ until I could afford to have my own place to live”). For some, the support of other women is crucial (e.g., “I knew my mother was behind me all the way” or “I don’t know what would have happened if there hadn’t been a battered women’s shelter”). For others education and/or the freedom to express themselves is the key (e.g., “Writing about my feelings gave me strength” or “I didn’t realize I had a choice until I began to read articles about other women”).

**Some Points to Consider in Telling Your Story**

- Where did this event occur? The home? The workplace? School? Was the location significant?
- Why did you assert your rights? What was your driving motivation?
- Did you make a conscious decision to do so?
- How did you feel before, during, and after?
- Was this experience in the private sphere? If so did it change your sense of your role in your home and family?
- Did this experience involve entering the public sphere of life? If so, did it change your sense of your role in the community?
- Did this experience involve having to refuse a traditional female role in order to address your needs?
- Did you have an ally in this assertion? Did you receive any encouragement or support for your action?
- How did people respond to your action?
- What were the consequences of your action?

**Some Points to Consider in Analyzing Your Story**

- Who or what helped you to stand up for yourself?
- What aspects of your own character and personality led to your action?
- Did you have the support or encouragement of other women? Of any men?
- Did you have the role models of other women?
- Did your social or economic situation enable your action?
- Did your education enable your action?
- Did community traditions or institutions support your action?
- What other factors supported or enabled your action?
- What were the consequences of your action?
- What conditions are necessary for women to recognize their needs and stand up for themselves?
- Many times when a woman or girl asserts her rights, she is daring to say “no” to others and “yes” to her own needs. Is this the case for you? How do you feel about asserting your needs?
Step C: Retelling the Stories

I. Ask each small group to select one story to retell or dramatize for the whole group. Participants might retell their own stories or someone else might tell it for them. Or members of the group might act out the central events of the story. Or the group may wish to create a composite story that contains elements of each personal story.

As each small group presents its story, represent each graphically as a wheel with spokes: on the spokes are written the acts of assertion (e.g., “demanded equal pay,” “challenged harasser”); the area between the spokes becomes the factors that helped the person in the story stand up for herself (“self-worth,” “mother,” “role model,” etc.). See the graphic below for a demonstration.

Step D: Relating the Stories to Human Rights

1. After all the stories have been told, ask the group to examine the various ‘spokes’ and ‘supports’ on this wheel and derive from them the basic human rights or needs the stories represent (e.g., “Education,” “Economic Equality,” “Freedom from Violence”). Record these rights or needs on the rim of the wheel. (Note: Say ‘rights or needs’ at this point as some of the items mentioned may not be legally enforceable rights.)

2. Ask participants to return to their small groups and use copies of the UDHR (or CEDAW) to match the needs on the wheel to particular articles. Alternative: Each group takes a different document or the facilitator presents a simplified version of the UDHR, CEDAW or another document as the basis for discussion.

3. Ask each group to report its findings. Write the relevant article(s) next to each need written on the rim of the wheel.

SECTION II. TAKING ACTION FOR WOMEN’S HUMAN RIGHTS

OBJECTIVES

The exercises in this section will enable participants to work towards achieving the following objectives:

- Identify rights gained by women through their mutual strength and support
- Think critically about the conditions that help women assert their rights
- Introduce skills for analyzing women’s human rights violations and developing strategies to take appropriate actions
- Understand the complexity of effects of violations or actions for change
- Examine our differences in moving to action
- Develop and prioritize action strategies for our community
- Discuss our fears about moving from ideas to action.

Exercise 10: From Analysis to Action

Objective: To demonstrate analysis of a human rights violation and how it can be used to strategize

Time: 60 minutes

Materials: Copies of “Analyzing Human Rights Problems” (See Appendix I, page 203) Chart paper and markers or blackboard and chalk

1. List:
   Ask participants to make a list of not more than 10 human rights problems facing women in their community. Then ask them to select one human rights violation from their list that is of particular concern. Variation: Divide participants into small groups, each of which analyzes a different violation.

2. Analyze:
   Use the charts “Analyzing Human Rights Problems” and “Implementing Human Rights Strategies” (pp. 203 to 204) to analyze the violation. Have the group consider the following, recording responses on an enlarged version of the chart:
   - What precisely is the human rights violation(s) involved in this case? State it in one or two sentences.
   - Who or what is the violator(s)?
   - How is the violator responsible? Action? Inaction?
   - Where can resources be found for solutions or remedies?
   - List all the strategies you can use under each category.

Point out that the violator, source of responsibility (due to action or failure to act), resources and solutions or remedies may fall into one or more of the following categories. Mark the chart for all possible answers:
   - Family (e.g., people who make the decisions that promote violations within the home)
   - Religious institutions
   - Media
   - Business interests (e.g., multinational and national corporations, large or small local employers, etc.)
   - Other community actors (e.g., social institutions, such as traditions, hospitals, schools or clubs that might contribute to the violation)
   - State authorities (e.g., elected or appointed officials, civic and religious leaders, police and military)
   - Regional authorities
   - International authorities
   - Others (i.e., guerrilla and other paramilitary groups, bandits, refugee bands, etc.)

3. Brainstorm:
   Make a list of everything you think could be done to eliminate the violation. Place each idea under the appropriate categories on the chart.
4. **Report/Discuss:**
If small groups have worked on their projects separately, ask someone from each group to present their problem and summarize their strategies.

**Discuss these questions:**
- Are any women in the community already using any of these strategies? For example, is there a battered women's shelter? A refugee women's support group? Literacy training for village women? A women's health center?
- How could these efforts be made stronger or more effective?
- Does the group know of any organizations, including local, national and international groups, that work on any of these problems or work to defend, promote and protect women's human rights generally? What strategies do these groups promote? Record responses and mention any other groups of which you are aware. Ask if any women in this community are connected to these groups.

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**Exercise 11: Acknowledging Fears**

**Objective:** To acknowledge uncertainties and fear about taking action

**Time:** 30 minutes

**Materials:** Charts completed in Exercise 11

1. **React:**
Keep the lists of strategies and of groups working on women's human rights generated in Exercise 11 posted on the wall. Go around the room and have each woman tell her first emotional reaction to the lists (e.g., Is she afraid? frustrated? angry? excited to do something? exhausted by all the work that still has to be done?). Make sure that each woman has a chance to speak without interruption.

2. **Discuss:**
Explain that women can take appropriate strategies and involve themselves in efforts to promote equality only when their fears and other emotions are dealt with as an integral part of the process. Many women who are already working for their own and other women's human rights often are frustrated and exhausted. And many women who are not yet doing so are afraid, confused, intimidated by more experienced activists and unsure how they could possibly do anything. Ask the following questions:
- Do you think this is often the case?
- How can we support each other?
- How can we reach out to support other women?

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**Exercise 12: The Effects Wheel**

**Objective:** To raise awareness, clarify thinking and generate discussion about the interrelatedness and consequences of women's human rights abuses

**Time:** 30 minutes

**Materials:** Chart paper and markers
Copies of “Effects Wheel” for each small group (below)

1. **Illustrate:**
Demonstrate how the “Effects Wheel” works by starting with a general question related to a women's human rights issue phrased as “If... then what are the effects?” (ideally, base the question on an issue listed in Exercise 11). Write this statement in the centre of the “Effects Wheel.” For example:
- “If only women could own property, then...”
- “If women shared equally in decision-making in the family, then...”
- “If girls receive less food and health care than boys, then...”
- “If women held as many elected positions as men in our government, then...”
- “If women were given an equal voice in planning development projects, then...”
Ask participants to call out responses to the statement and record them in the First Order of Effects ring on the wheel. For example, in response to “if girls receive less food and health care than boys, then...,” these might be some of the First Order of Effects:

- “Girls would be more susceptible to disease.”
- “Boys would be more vigorous and energetic than girls.”
- “More baby girls would die than baby boys.”
- “Girls’ mental and physical development would be stunted.”

Take one or more of the First Order of Effects responses and follow it out to the Second Order and Third Order of Effects rings. For example, in response to the effect “Boys would be more vigorous and energetic than girls,” these might be some of the further effects:

- “Traditional gender roles of aggressive males and passive females would be reinforced.”
- “Girls would experience less academic or athletic success.”
- “Girls would be less likely to be ambitious.”

2. Complete:
Divide participants into small groups and ask each to develop a similar “if...” statement about a women’s human rights issue and write it in the centre of their chart. Each group should then develop the First, Second and Third Order of Effects as far as it can.

Alternative: Provide participants with a list of such statements and ask them to select.

3. Discuss:
Ask a spokesperson from each group to present its wheel. Discuss the results:

- Are you surprised by some of the effects?
- Which of these effects are desirable to your community? Which undesirable?
- What must be done to change the undesirable effects?

[Adapted from Sue Lewis and Anne Davies, Gender Equity in Mathematics and Science, (Canberra, Australia: Curriculum Development Center, 1988).]
Exercise 13: What Must Be Done?

Objective: To prioritize different kinds of action for change and examine the principles on which those priorities are based.

Time: 60 minutes

Materials: Three sets of color red statements (see below) for each group

I. Discuss:

Explain the procedure:
Divide participants into small groups and give each group one of three complete sets of statements cut into strips, glue or tape and a sheet of chart paper divided into three columns labeled “Essential,” “Useful,” and “Irrelevant.”

a. Someone then reads each statement without comment and the group decides where to place the statement on the sheet in answer to this question: “In order to achieve women’s human rights to ____, is this statement essential, useful or irrelevant?” No statement may be taped to a sheet unless everyone in the group is in agreement about where it belongs. When the group cannot reach consensus about a statement, it must be put aside.

b. When all the agreed-upon statements have been attached to the sheet, the group then discusses those statements that were set aside. The group tries to reach consensus. Participants may alter the wording in order to achieve consensus.

2. Analyze:

Ask each group to hang its chart and allow time for everyone to compare charts. Ask groups to identify differences in priorities. Then ask everyone to return to their own chart and note whether any pattern exists in terms of where they have placed the different colored statements. At this point, draw attention to the significance of the colours of the statements: pink = legislative change, blue = attitude change, and yellow = action for change.

3. Discuss:

Ask the participants to examine their decisions:
• In general, what principles guided you as you placed the statements under the three columns?
• Was there a pattern of bias for or against legislative change, attitude change or action? If so, why do you think your group has such a bias?
• Can the priorities generated in your group be used to build an action plan to address the human rights violation the group identified?

Sample Questions
The following are sample questions based on violence against women. Facilitators can make similar statements for any other issue in this book.

What Must Be Done to Achieve Freedom from Violence?

(Pink/legislative)
• Immigration law should be extended to grant political asylum to women fleeing violence of any kind.
• Employers who tolerate sexual harassment in the workplace should be legally liable.
• The government should recognize violence against women as a human rights violation and impose strict punishments against perpetrators.
• Survivors of rape should be required to testify in open court.
• Pornography should be made illegal.
• The government should give economic support to survivors of domestic violence.
(Blue/attitude)

• The idea that women ask or deserve to be victims of violence must be challenged.
• Children's books should address violence against women in the home.
• Advertising agencies should be challenged when they objectify women or stereotype women as victims.
• The belief that women are inferior to men should be addressed at all times.
• Police should not interfere in family problems unless a life is in danger.

(Green/action for change)

• Women should always support other women.
• Women should take action in solidarity with other oppressed groups to stop violence.
• Those who support women's right to be free from violence should lobby the government as well as religious and other institutions.
• Businesses that consistently degrade women in their products or advertising should be boycotted.
• Women should organize against stereotyping by the media.
• Battered women's shelters should place equal emphasis on violence prevention.

[Adapted from David Donahue and Meg Satterthwaite, Breaking the Classroom Silence (Amnesty International, 1995).]

ENERGIZERS AND OPENERS

These are short, often non-verbal activities that help groups to refocus energy, raise spirits, create solidarity, and have fun. They often can also teach something!

The Chain: Women stand in a circle with their eyes closed; the facilitators move them around and attach their hands to each other so that they make a knot. The women are told to open their eyes and to untangle themselves without letting go of their hands.

Fireworks: The facilitator assigns small groups to make the sounds and gestures of different fireworks. Some are bombs that hiss and explode. Others are firecrackers imitated by hand claps. Some are Catherine Wheels that spin, and so on. Each group performs separately and then the whole group makes a grand display.

The Rainforest: The facilitator stands in the center of a circle of participants, who mimic her movements as she passes, first snapping fingers, then slapping sides, clapping hands, stamping feet, waving hands silently — the sound is like a rainforest. This exercise is particularly good on cold days!

Women's Musical Chairs: With chairs arranged in a close circle, the facilitator stands in the middle and begins the game by saying, "I like women who... (e.g., are wearing earrings, have long hair, are activists, etc.). Women who fall into that group have to change places. The woman left without a chair is the next in the centre!
Women’s Human Right to Equality and Non-Discrimination

**OBJECTIVES**

The exercises and background information contained in this chapter will enable participants to work towards the following objectives:

- Learn the underlying principles of the *Universal Declaration of Human Rights* (UDHR) and explore their application
- Understand that all human beings are entitled to human rights without discrimination
- Examine the complex way in which human rights are interconnected and interrelated
- Discuss how women and girls can experience discrimination in different ways based on such factors as race, class, ethnicity, religion, culture, physical disabilities, sexuality and age
- Acknowledge that these differences can become the basis for discrimination or prejudice
- Construct an understanding of human rights that attempts to take into account all groups in a society and oppresses none of them.

**GETTING STARTED: THINKING ABOUT EQUALITY AND NON-DISCRIMINATION**

Equality and non-discrimination form the cornerstone upon which all human rights are constructed. An understanding of these concepts is central to any discussion of the human rights of women and girls.

The guiding principles for discrimination and human rights can be found in the *Universal Declaration of Human Rights* (UDHR). The UN General Assembly unanimously adopted this document in 1948, soon after the end of World War II. Although as a declaration the UDHR was not legally binding at the time of its adoption, it has since attained the status of customary international law and sets the standards that all UN Member States are legally obligated to uphold. The UDHR approaches the protection of human rights based upon the following principles: universality and inalienability, equality, non-discrimination, indivisibility and interconnectedness.

**Universality and Inalienability**

Article 1 of the UDHR proclaims the principle that "all human beings are born free and equal in dignity and rights." We call human rights "universal" because each and every one of us, wherever we are placed, has human rights which are grounded in a moral order. The universal nature of rights does not mean that they can never change or that they are experienced in the same manner for all people. Nor does universality envision one unified worldwide culture. Rather, universality means governments and communities should uphold certain moral and ethical values that cut across all regions of the world. One example of a universally held moral belief is that slavery and genocide, killing vast numbers of people because they are of a particular ethnic or religious community, is wrong everywhere and in all cases. Human rights are also inalienable, meaning that no one can take them away under any circumstances.

While many of us understand the lack of power of women in relation to men, we are often insensitive to the different kinds of power we have as women as members of a particular class, ethnic group, religion, geographic location, race or sexual orientation. These kinds of differences can often result in our oppressing or discriminating against some communities of women and men. Such imbalance of power does not occur simply at the individual level; it is systematically maintained by society, government, religious institutions and other forces and directed against particular groups. Our access to resources, work, housing, education, protection by the government and many other advantages can be determined by the power we have in society. Thus, our recognition that human rights are universal must always acknowledge how differences in power among and between groups can result in discrimination and inequality, even in the exercise of universal human rights.
The principle of the universality of human rights is controversial and is further complicated by the uneven application of human rights standards. For instance, some industrialized governments have tended to denounce violations of human rights in other countries while ignoring human rights abuses within their own borders. On the other hand, some governments may attempt to justify violating their citizens' human rights by challenging the notion that human rights belong to all people and claiming, for example, that their cultures, moral codes or level of economic development allow them to deny certain human rights that should be inalienable. While these debates on the universal nature of human rights are important for us to understand, women throughout the world share many common experiences of violations of their rights. Women everywhere may invoke the same international human rights standards to pressure for change in their own communities.

CHALLENGES TO UNIVERSALITY

The universal nature of human rights is usually questioned in the following three contexts:

- By oppressed communities to assert their own identity against the domination of a more powerful group. Often, dominant communities assume that their definitions of human rights are the only valid ones and impose these values on the religious and cultural practices of minority communities. As discussed in the earlier section, the practices and belief systems of various groups around the world differ greatly. Human rights, therefore, must be understood in the particular context within which these communities exist.

- By governments to justify political and/or economic repression against the general population or particular groups of people. Some governments argue that human rights cannot be universally applied because of the differing histories, cultures, and religions of their particular regions. While it is true that human rights should be understood in the context of people's lives, governments that contest the universal nature of human rights in the name of culture or religion almost always use such arguments to limit people's fundamental rights, not expand them.

- By governments and other authorities to justify acts of discrimination and violence against women. Often when women assert their human rights, governments raise the argument against their universality. Women demanding equal inheritance laws, changes in family law, access to political arenas and a range of other rights often face opposition in the name of culture and religion.

Equality

The notion that human rights are universal and belong to all people is centrally connected to the principles of equality. Everyone everywhere is born with the same human rights, although they may not have the same ability to enjoy those rights. Article 2 of the UDHR states that "everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status."

In the human rights context equality does not necessarily mean treating everyone in the same manner. When people are in unequal situations, treating them in the same manner invariably perpetuates injustices rather than eradicates them. Women often require different treatment than men in order to enjoy the same rights. For example, to enjoy the right to work, women may require help with child care and/or recognition of the work women traditionally do in the home. Promoting equality means taking steps to balance power between men and women and ultimately to create a truly just society. It is in this sense that we emphasize that human rights are not gender neutral. Violation of rights and their solutions cannot be addressed without recognition of the unequal positions of men and women in society.

Non-Discrimination

The UDHR states in Article 7 that "All are equal before the law and are entitled without any discrimination to equal protection of the law." The fundamental principle of non-discrimination means that all individuals have the right to live with dignity and freedom and that governments may not make arbitrary and impermissible distinctions between people. Thus, discrimination on the grounds of race, sex disability, sexual orientation, geographic location or any other status also violates human rights.
Some of the areas of non-discrimination identified in the UDHR have been further elaborated in human rights treaties. For example, the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) elaborates on discrimination based on sex. Article 1 of CEDAW defines the term "discrimination against women" as "any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on the basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field." The Convention on the Elimination of All Forms of Racial Discrimination (CERD) addresses the discrimination experienced by many communities on the basis of colour or "race."

Despite these fundamental principles of universality and inalienability, equality and non-discrimination, our ability to enjoy human rights is often defined by our particular circumstances. Thus one's race, sexual orientation, class, sex, geographic location or culture often determines not only how one understands human rights, but also how one's human rights are violated. To work for human rights means to demand that state authorities both refrain from discrimination and take positive steps to ensure the dignity of all people.

**Indivisibility and Superiority of Rights**

Human rights are also "indivisible." In other words, there is no hierarchy of rights. Civil and political rights are as important as social and economic rights. It is just as important for people to have access to food and shelter as it is for them to worship freely and express a political opinion.

Human rights are superior to all other kinds of claims. No government or other entity can justify violations of human rights. Human rights values have come to be accepted all over the world as the basis by which we govern ourselves and organize our social, political and economic interactions.

**Interrelation and Interconnection of Rights**

Another important principle of the UDHR is that human rights are interrelated and interconnected. Human rights interact in a dynamic interchange, reinforcing each other. Denial of one type of human right has an impact on the ability to exercise other human rights. At the same time, promotion of one type of human right affirmatively promotes all other rights. For example, promotion of women's economic rights has a direct impact on their ability to be free from violence. One of the main reasons women do not leave a violent situation is financial limitations.

Human rights are not a "zero sum" game in which gaining human rights in one area means losing human rights in another. One person does not gain the ability to enjoy her human rights at the expense of another person. Similarly, there are no hierarchies between different kinds of human rights. Rather, promotion of the rights of women and girls enhances the ability of all people to live in a more just society.

This interrelation and interconnection has important implications for the implementation and interpretation of human rights law and documents. Just as human rights do not exist in isolation, neither should human rights documents be interpreted in isolation from one another. Through an ongoing process, they reinforce each other. Although this book refers primarily to CEDAW and the Beijing Platform for Action, which was adopted at the Fourth World Conference on Women, Beijing, 1995, the full range of rights are found in the entirety of human rights treaties and practice.

The interconnection and interrelation of rights also has important implications for strategies we devise to make our rights real. As complex beings with many components to our identities, we can experience a multitude of human rights violations. Thus the solutions and remedies to our problems must be sought in many arenas.
**Exercise 1: Examining Connections**

**Objective:** To elicit discussion about aspects of shared identity and differences among participants

**Time:** 90 minutes (30 minutes for each part)

**Materials:** Chart paper and markers or blackboard and chalk
Paper and pens

**Activity A: Circles of Connectedness**
Guide the participants through the steps of the exercise, providing instructions step by step.

1. **Draw:**
Ask participants to work individually following these instructions: Draw a circle and write your name inside. Draw five to ten petals around the circle as if drawing a flower. In each petal write a group with which you identify.

2. **Compare:**
Pair off the participants and ask them to identify the petals they have in common and initial these. Then combine each pair with another pair and ask them to identify and initial the shared petals within this group of four.

3. **Draw/Discuss:**
Discuss the common features of the "flowers." Was race included? Class? Religion? Sexual orientation? Nationality? Family or refugee status?

Construct a web with the whole group. Write "us" in the central circle, and include all of the groups named. Place those groups to which many people belong close in the centre. Place those to which few belong or only one belongs further away. Discuss:
- What are the major areas of commonality? Of difference?
- In which circles does only one person belong?
- What does this web show us about our commonalities? Our differences?

**Activity B: The Complex Nature of Discrimination**

1. **Read/Imagine:**
Read the following story to the group:

**Elena Wants a Job**

Elena is a disabled woman who is part of the X national minority group in Borfilia. Borfilia has no laws protecting disabled people, and although it does have laws that protect national minorities, these laws are rarely enforced. On the contrary, jobs are routinely given first to the dominant national majority, and in areas in which national minorities outnumber the dominant majority, Borfilia sends in members of the majority group to fill top posts in nearly all workplaces. Borfilia is also a very patriarchal country; although women work, they hold the lowest paid positions. Elena applies for a job at Factrex, for which she is superbly qualified, but a less qualified male is hired. He is a member of the majority nation and is not disabled.

2. **Discuss:**
Lead the group through a discussion based on the following points:
- On what grounds did Factrex discriminate against Elena? Because of her gender? Disability? National group? All three added together? Or the complex interaction of all three factors?

3. **Analyze:**
Read aloud these comments on Elena's situation:
Some people think of discrimination as "additive." According to this thinking, Elena was discriminated against because she is a woman, plus a disabled person, plus a member of a national minority. However,
other people argue that discrimination is much more complex. It is not simply a matter of adding up all discriminatory factors or even of multiplying them together. On the contrary, discriminatory factors work together in a manner that makes them inseparable. Elena cannot separate out the disabled part of herself from the woman part and national part of herself. And people who discriminate against her cannot separate out these parts as well, either consciously or subconsciously.

Discuss these questions:
• Could this story have taken place in your community? Explain.
• If such a case of discrimination occurred in your community, would women respond? Which women? Why or why not?

Activity C: Picturing the Relationship of Discriminatory Factors
1. Draw:
Ask participants to look back at the flowers they drew for themselves in Activity A. Ask them to put an "x" across any of the groups that could cause someone to discriminate against them. Then ask them to draw how these different discriminatory factors interact with each other in your life.
Compare drawings and discuss:

2. Brainstorm/Discuss:
Ask participants to name all the ways they themselves could discriminate against someone or treat someone as inferior. List these ways and discuss:
• What factors enable you to discriminate against others?
• To what extent are these factors embedded in society? To what extent are these within your control?
• What would you have to do to change society and/or yourself in order to change discriminatory behaviour?

DISCRIMINATION FOCUSING ON PARTICULAR GROUPS

The rest of this chapter discusses the discrimination and equality of particular groups of people. Although the targets of oppression are often called "minorities" this is a misnomer because so-called minority groups often include a majority of the population. When the international community uses the term "minority," it is referring to numerical minorities. In contrast, human rights advocates use the term "minority" to describe groups that may need protection from a more powerful group. The words "majority" and "minority" thus refer not only to numerical proportions, but to a group with more political, military, or economic power.

In 1992 the UN General Assembly adopted the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, which asserts that all states have an obligation to allow minority groups to enjoy their culture, practise their religion and use their language. The Declaration also declares that states should adopt laws that guarantee the rights of minorities and give due regard to their legitimate interests when establishing national policies and programmes. Several other regional and international documents address the cultural and linguistic rights of minorities. In addition, as discussed below, guarantees exist which address the needs of specific groups of minorities.

DISCRIMINATION BASED ON RACE, ETHNICITY AND NATIONALITY

One of the most prevalent forms of discrimination worldwide is that based on race, ethnicity and nationality. The primary international document addressing such discrimination is the Convention for the Elimination of All Forms of Racial Discrimination (CERD). CERD defines racial discrimination broadly as "any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life" (Article 1).
Notice the following important features of CERD:

- Racial discrimination also applies to discrimination on grounds of national or ethnic origin, although not to discrimination on grounds of religion or nationality. Nationality is different from national origin. National origin concerns a person's ancestors' place of birth, not current legal nationality.
- The Convention explicitly allows states to make distinctions between those with citizen status and non-citizens.
- The definition of discrimination is broad. Intentional discrimination is covered as well as government policies that have the effect of discriminating, regardless of the intent.
- The range of issues covered is extensive. They include social and economic rights, such as access to housing, health care and employment.
- The Convention requires states to take action when either public or private persons discriminate. This clause means that states have responsibility to prevent discrimination by police, state employees, and any other state actors that discriminate. States are also obligated to take administrative and/or court actions against any private person who discriminates.
- The Convention specifically permits affirmative discrimination (such as hiring a member of one traditionally discriminated against group over a member of a group in power) under two conditions: (1) any special measures shall not be continued after the objectives for which they were taken have been achieved; and (2) as long as such measures do not lead to the maintenance of separate rights for different racial groups. This second condition means that special measures should not be used as an excuse to give a separate set of inferior rights to one group.

### Exercise 2: Rights of Racial, Ethnic and National Minorities

**Objective:** To identify the community and state's responsibility towards the rights of the groups in a community

**Time:** 30 minutes

**Materials:** Chart paper and markers or blackboard and chalk

**I. Discuss:**

Ask the participants to identify the racial, ethnic and national groups in their community and list the most pressing human rights needs and concerns of these groups. Discuss:

- What is the state's responsibility in connection with these needs?
- What is the majority community's responsibility in ensuring the human rights of minority groups?

### Human Rights of Racial, Ethnic and National Groups

Some of the demands, needs and concerns of racial, ethnic and national groups include:

- The right to equal treatment before all courts
- The right to security of person and protection by the state against violence or bodily harm
- Political rights (in particular, the right to vote and stand for election)
- The right to freedom of movement and residence within the borders of the state
- The right to leave any country, including one's own, and to return to one's country
- The right to marriage and choice of spouse
- The right to own property alone as well as in association with others
- The right to freedom of thought, conscience and religion
- The right to freedom of opinion and expression
- The right to freedom of peaceful assembly and association
- The right to work
- The right to join and form trade unions
- The right to housing
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- The right to public health, medical care, social security and social services
- The right to education and training
- The right to equal participation in cultural activities
- The right to freedom from state-sponsored racial segregation and apartheid.

All of these rights from CERD can also be found in the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Social and Economic Rights (ICSER), and the Convention on the Rights of the Child (CRC). These documents all contain provisions specifying that the rights they contain apply without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Other common concerns of racial, ethnic and national groups that may or may not be connected to or part of the rights listed above, include these rights:
- The right to speak and be educated in one’s own language
- The right to one’s own culture
- The right to wear traditional dress and the right to hold traditional ceremonies.

Exercise 3: Thinking about Racial, Ethnic, Religious and National Minorities

Objective: To personalize experiences of discrimination, both as perpetrators and victims

Time: 2 hours (approximate)

Materials: Chart paper and markers or blackboard and chalk

NOTE: Women of majority and minority groups often have difficulty communicating with each other about discrimination. Also many people might be in a majority context in some instances and in a minority context in others. Therefore, this exercise needs an experienced facilitator who can guide the group through a difficult discussion. Adapt the statements below to address the particular forms of racism or ethnic or religious discrimination that are relevant to your community. Pay attention to the mix of majority and minority participants to ensure a feeling of safety among participants. The time allocated is approximate. Allow enough time to process the emotions that might arise.

I. Act:

Explain the procedure:

Ask participants to sit in a circle. As a statement is read, participants are to stand up silently if it applies to them. At any time anyone can opt out of participation by not standing. Blend statements about dominant and minority groups. Read without inflection and ask those standing to sit before reading the next statement.

Statements about minority groups:
- Your parents or grandparents were forced to relocate from where they were living or could not live in certain areas because of their religion, race or ethnicity.
- You have heard people say that you or your people should go back to where you came from.
- You were refused employment because of your racial, ethnic or religious background.
- Violence was directed at you or your family because of your racial, ethnic or religious background.
- You were denied certain forms of employment or a specific job because of your racial, ethnic or religious background.
- You have received less than full respect, attention or response from a doctor; police officer; court official or government official because of your religion, race or ethnicity.

Statements about majority groups:
- You grew up in a household where you heard demeaning jokes about minority groups. [You might name the groups relevant to your context.]
- You were told not to play with children of a minority group when you were a child.
• You grew up in a household with domestic workers, gardeners, maids or baby-sitters from minority groups.
• You have eaten in a public place where all the customers were from a majority group and all the service workers were from minority groups.
• You have seen minority group members being mistreated by majority group members.
• You have never had a close friendship with anybody from a minority group. [Alternative: You have never invited anyone from a minority group to be a guest in your home.]
• Your friendship or relationship with someone has ended or changed because of discrimination against members of minority groups.

2. Discuss:
Have the group break into pairs to discuss the feelings generated by this exercise. Give enough time: as much as a half hour might be needed. Then bring the group together to discuss the issues raised by the exercise.

NOTE: If the participants come from both majority and minority groups, the facilitator should establish certain ground rules at the beginning to ensure that
• Members of minority groups are not expected to become spokespersons for their entire race, ethnic identity or religious group.
• Members of the majority group are able to bring up doubts, confusion, anger and other emotions and are not dismissed for being part of the "oppressor."
• Members of the majority group can support and challenge one another to continue working on this issue.

3. List:
In the full group, ask the participants to identify all of the societal and political factors that discriminate against people on the basis of their minority identity. The list might include discriminatory laws, separate schools, official languages, the nature of the political system, colonial history and social customs. Also identify the ways in which gender intersects with minority or other identities in denial of specific human rights.

4. "Speak Out":
Bring the session to closure with a discussion about what individuals can do to change societal discrimination in the various areas described above. After some general discussion, encourage each participant to identify specific actions that she will take.
• What are the actions that individuals will take at a personal, group or broader level to prevent discrimination based on minority status?
• What are the actions that the majority groups will take? What are the actions that the minority groups will take?

[Adapted from Allan Creighton, Helping Teens Stop Violence: A Practical Guide for Educators, Counsellors, and Parents (Hunter House, 1992).]

DISCRIMINATION AGAINST INDIGENOUS PEOPLE

Often discrimination against indigenous people is similar to that directed against racial groups. Indigenous people, however, raise additional human rights claims connected to struggles over land, the environment and cultural and political autonomy. These rights are most often referred to as collective people’s solidarity rights.

Indigenous women experience many interrelated violations of their human rights. For example, they are often imprisoned or abused because of their political involvement or that of family members. For their resistance to land, political, social or cultural oppression, they have been raped and sexually assaulted. Amnesty International reports that these violations also occur in prison and militarized zones in which indigenous peoples live.

Indigenous communities have been organizing to claim their human rights and these struggles have achieved increased international attention. In 1989 the International Labour Organization (ILO) adopted the Convention Concerning Indigenous and Tribal Peoples in Independent Countries, which focuses on the
responsibility of states to develop coordinated and systematic plans to protect the rights of indigenous peoples and to guarantee respect for their integrity. A UN Working Group on Indigenous Populations was established in 1982 which meets annually to review developments and standards of indigenous peoples' rights. The Organization of American States (OAS) is also addressing the rights of indigenous peoples, which includes the drafting of a treaty on the rights of indigenous peoples.

Although they came away from the conference without all of the provisions they had sought, indigenous people mobilized at the 1993 World Conference on Human Rights. During the Fourth World Conference on Women in 1995, a collaborative group of non-governmental organizations (NGOs) fought strongly against the attempts by some governments to curtail collective rights for indigenous peoples. Indigenous women's NGOs also presented a *Beijing Declaration on Indigenous Women*, during the Fourth World Conference that emphasizes indigenous women's responsibilities as well as rights, in the context of collective rights (Trask, Milelani B., "First Global Human Rights Conference—Vienna," Indigenous Woman. Vol. I, No. 4, Indigenous Woman's Network, 1993, p. 23).

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**BEIJING DECLARATION ON INDIGENOUS PEOPLE**

This Declaration calls for:

- The political and social rights of colonized Indigenous Peoples, rights which are ignored in world trade agreements such as the North American Free Trade Agreement (NAFTA) and in other "national" trade forums.
- The economic, spiritual and cultural rights associated with hunting and fishing which are threatened by regulations against "traditional" forms of hunting and threats to Indigenous spiritual practices enforced by dominant religious groups wherever indigenous peoples reside (e.g., by governmental holdings of sacred land).
- The right to be free from violence by excessive use of military and police force in communities of indigenous peoples.
- The rights to health, including reproductive health, which have been violated through years of medical experimentation, introduction of viruses, forced removal of children, and sterilization.
- The rights to political participation which are often denied by inadequate representation on governing and regulatory bodies.

(Taken from "Summary of Issues Affecting Indigenous Women: Fourth World Conference on Women in Beijing, China," Indigenous Woman, v.2:3 1995, p. 33.)

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**DISCRIMINATION BASED ON CULTURE**

Culture is not an unchanging norm but a feature of societies that is constantly renegotiated by all of the people that make up a social unit. Women are an integral part of the definition, maintenance and creation of culture. Indeed, women are often perceived as the guardians and transmitters of culture. However, because women usually lack power in society, aspects of culture often oppress women. Many calls for human rights norms to be sensitive to culture mask the interests of those who benefit from women's oppression, especially state and religious forces. For women, the challenge is to maintain the integrity and beauty of their own culture while simultaneously changing those aspects of culture that treat women or any oppressed communities as less than human.

In many parts of the world, women from marginalized communities have often used culture as a means of resistance to dominant groups by insisting on the recognition of diversity. Yet while the use of culture has been an important process of empowerment for such marginalized groups, women in these constituencies have often found themselves in a double bind. The assertion of culture or religion has often been made in such a way as to consolidate the patterns of oppression within that particular community. For example, women who raise their voices against domestic violence and rape within their communities are often silenced because their struggle is perceived as threatening to the men of the community or the entire community itself.

The issue of culture is further complicated in the context of women's organizing. The failure of many women from a dominant culture to explicitly recognize the patterns of oppression fostered by their
Women's Human Right to Equality and Non-Discrimination

own culture sometimes creates barriers to solidarity with women from minority cultures. For example, women from dominant cultures may be quick to point out the forms of violence experienced by women in minority communities but fail to recognize systematic forms of violence against women in their own communities. This difficulty is exacerbated when women members of dominant groups perceive the oppression of women in minority communities as an inevitable aspect of that culture and then label it as inferior to their own.

Those who argue that culture should have precedence over human rights call universality "Western" or "Christian." From this point of view, they would assert, for example, that universal human rights standards cannot and should not be applied to non-Christian women. However, when one examines Western/Christian culture in the same manner as non-Christian cultures, one finds that all religions have some cultural features that oppress women. As Mahnaz Afkhami observes, it is important for women to separate the notion of "universal" from "Western" by insisting that all religions have human rights as a global responsibility (Afkhami, Mahnaz, "Universality and Relativism in the Beijing Platform for Action," Association of Women in Development News, Vol. 10, No. 1, March 1996). In this way, women can build a definition of universality that takes into account the experiences of all women.

Universal human rights should not be understood as the imposition of one cultural standard. Instead, universality establishes a legal and moral standard of minimum protection for maintaining human dignity. Thus human rights must respect cultural diversity and integrity while ensuring that the assertion of cultural rights does not mean the denial of the rights of anyone or any communities. Indeed, Article 5 of CEDAW does call for the modification of "the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices." No human right can be exercised in a way that undermines the human rights of others. Therefore, the right to cultural expression cannot be an excuse for the denial of fundamental human rights for women.

THE CASE OF FEMALE GENITAL MUTILATION

The practice of female genital mutilation (FGM) affects an estimated 130 million girls and women and is mostly prevalent in Africa. The operation falls into three categories:

- Clitoridectomy: partial or total removal of the clitoris
- Excision: removal of the clitoris and the labia minora (vaginal lips)
- Infibulation: removal of all external genitals and the stitching together of the lips leaving a small opening for the passage of menstrual blood and urine; the stitches are removed when the girl is married.

FGM is a cultural practice harmful to women that violates women's human rights to life, bodily integrity, health and sexuality. Many girls and women die or develop severe health complications because of the operation. Because it is practised mostly on young girls, female genital mutilation also raises serious questions about informed consent and the human rights of girl children.

At the same time, however, the rite of FGM has important cultural and symbolic significance for some women. The practice, like plastic surgery to increase breast size, is understood to enhance women's femininity, and make them more attractive to men. It is also seen as a ritual in the process towards womanhood.

Although there have been groups working against the practice of FGM in African countries for many years, the increased visibility of the issue has partly been a result of the growth of women's movements around the world, as well as attention from the international human rights community to issues related to gender.

To build a global human rights movement, women from different parts of the world need to understand that cultural practices that deny women's human rights exist in every part of the world and that all cultures have liberating and oppressive practices. In targeting any cultural practice, whether it be domestic violence, dowry deaths, rape in conflict, plastic surgery, arranged marriage or FGM, the leadership should come from women in the regions affected and assumptions about the superiority or inferiority of any culture should be avoided. In the words of Nahid Toubia, a leading advocate against the practice of FGM, "Eradication efforts must be
empathic, not alienating. They must recognize all forms of cultural manipulation and mutilation of women’s bodies, whether physical or psychological. Both the message and the facts about FGM will be lost if they use the language of superiority — the language of colonizer and slave holder" (Toubia, Nahid, "Female Genital Mutilation: A Call for Global Action," New York: RAINBO, 1995; see also "Intersections between Health and Human Rights: The Case for Female Genital Mutilation." RAINBO, 1995).

Exercise 4: Analyzing Culture

Objective: To examine the negative and positive aspects of culture

Time: 30 minutes

Materials: Chart paper and markers or blackboard and chalk

1. List/Discuss:
Ask the group to list some cultural and religious practices in their community that are different for women and men. (For example, women must wear a veil, women can not divorce, women are allowed to perform certain rituals that men can not, women must be married when they are very young, men can beat their wives, etc.). Pick a few examples and ask the following questions:

- Who is imposing the practice (e.g., family, father, mother, government, religious authority, dominant ethnic or religious group)?
- Why is the practice being imposed (e.g., to protect women, to protect the economic interests of someone, to prevent a group from competing for jobs, housing, etc.)?
- Who is benefiting from the practice (e.g., even if the practice is being imposed by the mother, as, for example, in an arranged marriage, there may be someone else who is benefiting from the practice)?
- Who is losing from the practice (Some practices may be to the detriment of women but others may be to the detriment of other communities. For example, the institution of caste in India is to the detriment of both men and women of lower castes.)?
- If someone is losing from the practice, what are the reasons that she or he continues the practice (fear; violence, retaliation, loss of job, ostracism, because one doesn't know what else to do)?
- What human rights are being violated by the practice (e.g., FGM can violate rights to bodily integrity, health, and sexuality; inability to work can violate rights to livelihood; inability to go to school can violate rights to education, work, freedom of expression; domestic violence can violate rights to life, health and security)?

2. List:
Ask the participants to identify and list positive aspects of their culture with respect to women. Examine the list and discuss whether these aspects support or promote women’s human rights.

- Identify interpretations of culture and religion that are not oppressive to any group of people. How would women go about promoting those interpretations? List some strategies. These could include reinterpreting religious texts, increasing political participation, direct action and creating alternative rituals.
- Identify your human rights as a woman which might conflict with religious or cultural practices. Should your human rights be given more importance?
- Should there should there be universal standards of human rights that protect and promote the rights of all peoples?

3. Discuss:
Based on the lists of negative and positive cultural practices made in Steps 1 and 2, discuss who should intervene when women’s human rights are violated by cultural practices.

- The community? Which people or institutions?
- The government? Which agencies, ministries, or individuals?
- The United Nations or international organizations?

What happens when the government responsible for protecting human rights is itself discriminating against a community?
PROPOSED STRATEGIES FOR ANALYZING CULTURE

In examining a cultural practice that appears to disadvantage only women, or have a disproportionately burdensome impact on women, the cost of violating the human rights norm must be weighed against the benefit of the cultural practice. One should begin the analysis by asking the following questions:

• What is the origin of the cultural practice? What is its value?
• What is its level of significance to the culture? Within the community?
• How does the practice intrude on a protected individual right?
• How significant is the violated individual right to the international community? The inquiry must be further contextualized by addressing the following questions:
  • What is the nature of the practice being challenged?
  • Who is challenging the practice (i.e., insider versus an outsider)?
  • What are the motives for opposing the practice?
  • What are the claimed harmful outcomes of the practice?


DISCRIMINATION BASED ON DISABILITIES

Women make up a disproportionate number of the people throughout the world who have disabilities. In rural areas in particular, women with disabilities outnumber disabled men. Like other groups of women discussed in this chapter, women with disabilities tend to be invisible, and their very disabilities often prevent them from attending the meetings at which their voices should be heard.

What Do We Mean by "Women with Disabilities"?

As it is used in the international community, the term "disabilities" is a broad one. Encompassed within this term are women who have both genetic and acquired physical, mental and psychological conditions that may require accommodation in order for them to participate fully and equally in society. The terms "disability" or "differently abled" are preferred by many to the term "handicapped" because of the historic association of that word in English with begging, i.e., "cap in hand."

Post-conflict societies and, in particular, societies in which landmines have been used in civilian areas, face the greatest challenge in addressing the concerns of disabled people. The presence of landmines in countries such as Angola, Afghanistan, Cambodia and Croatia impedes the rapid and safe return of refugee women and children. Once they return, the presence of live mines on arable land, lowland grazing terrain, footpaths, roads and hilltops renders work and play extremely dangerous. The devastating injuries caused by landmines present an additional challenge to rural women attempting to become re-integrated into society.

The kind of prejudice that disabled women experience "is often a reaction to physical difference rather than a reaction to physical limitation." As with other groups of women who face a complex interaction of discriminatory factors, disabled women often cannot separate discrimination directed at their disability and discrimination due to their gender. The two factors—gender and disability—usually reinforce each other and compound prejudices.

[Morris, Jenny, Pride Against Prejudice: Transforming Attitudes to Disability, (London: The Women’s Press, 1993).]

Negative attitudes towards women with disabilities often have a gender factor. For example, some of the most common insults relate to disabled women’s reproductive capacity and mothering role, such as: "That woman shouldn't be having children!" But disabled women, like all women, have a right to make independent decisions about reproduction. Unfortunately, most disabled women lack access to adequate health care, including reproductive health care, and even when health care is available, it is often offered in a coercive manner that denies women with disabilities lives of dignity, decision-making and autonomy.
Exercise 5: Exploring Attitudes towards Disabled Women

Objective: To explore discrimination and limitations of human rights experienced by disabled women

Time: 45 minutes

Materials: Copies of scenarios

I. Imagine/Role-Play/Discuss:
Read the following situation paragraph to the whole group. Then divide into two groups and give each a scenario to read and discuss, and then plan the role-play. Participants may add roles to the scenarios and role-play more than one outcome.

Situation: Since early childhood you have had a condition that can lead to the deterioration of the muscular and nervous systems over time. When you were a girl, you walked by yourself; as a teenager, you walked with the help of crutches, and now, as a woman, you move about with the aid of a wheelchair. While you can still write with a pen and pencil, your doctor has warned you that you may soon no longer be able to hold a pencil.

Scenario A: You are an editor for a large city newspaper and a freelance journalist. Will you have to quit your job if you can no longer hold a pencil? If you can still perform your job with a specially equipped computer, should your employer be required to provide one? Can he fire you as soon as you can no longer perform in the same manner as other employees? Can he fire you now because you take too much time off for medical appointments, which you sometimes must attend during working hours? Can he fire you because the image of you in a wheelchair does not fit the image of your newspaper? Can a magazine refuse to give you a story as a freelance journalist because the editor feels that it is too difficult/dangerous/risky for you? These are some of the reasons that employers have given for firing disabled employees. Very few places have laws protecting disabled people, and even fewer require the employer to accommodate disabilities. Should laws be adopted to protect disabled people in employment?

Scenario B: You are planning to get married and start a family. You go to your gynaecologist for reproductive health care. He tells you to get sterilized. He tells you that the risk of transmitting your condition to your child is 25-75 in favour of having a healthy child. You insist on asking more questions about your chances of having a healthy child. A sonogram would have a 50% chance of detecting the disease within the first three months of gestation. Your gynaecologist tells you again that you should be sterilized. Should you be able to freely decide whether to have a child? What would be the attitude of your colleagues/family/neighbours if you decide to get married and have a child?

A Multi-Abled Society
One of the arguments used against accommodating people with disabilities is the immediate high cost associated with making the transition to a multi-abled society. However, studies have shown that in the long run, accommodation of people with disabilities pays off. When the community fails to use any human resource, such as the talents of disabled people, it loses the contribution that those people could make to productive society. If given the chance, disabled people, instead of being a burden, can be an asset. Studies have also shown that disabled people are among the most hardworking, productive employees.

The main international conventions on discrimination do not mention disabled people but they can seek protection through the Universal Declaration of Human Rights and other instruments. In 1993 the UN General Assembly adopted the Standard Rules on the Equalization of Opportunities for Persons with Disabilities which provide guidelines for Member States.
**Objective:** To plan a responsive society in which different physical and mental capabilities are viewed as an enrichment.

**Time:** 30 minutes

**Materials:** Paper and markers or pens (optional)

1. **Imagine/Draw:**
   Ask the participants to imagine a society that was designed on the premise that people have different physical and mental capabilities. In this society, there is no vision of a perfectly abled person. Instead, disabilities are accommodated as a matter of course. Ask them to explain what this society looks like. How does it differ from their own? Give concrete examples of things that might exist in this society that do not exist in theirs. Alternatively, they could draw pictures of a multi-abled world.

2. **Discuss/Analyze:**
   Discuss the accommodation of disability in the society designed above. Consider that although many countries are economically unable to provide most of these amenities, a society that was genuinely structured to accommodate disabilities would include some of the following things:
   - Ramps on every curb and leading up to every doorway.
   - Hallways and sidewalks wide enough for wheelchairs.
   - Bathrooms in all public places, including schools, government offices, theatres and restaurants, that can accommodate wheelchairs.
   - Lifts for public transportation and in every public building.
   - Buses, trains, and subways that can accommodate people in wheelchairs and people on crutches.
   - When possible, assembly lines in factories made low enough for workers to sit while performing their tasks.
   - Public and private telephones for people with hearing or visual disabilities at no extra charge.
   - Signing or captioning for people with hearing disabilities on all television programmes, videos, movies, plays and at all public events, including political meetings and educational forums.
   - Newspapers, magazines, books and other printed material available at low cost in braille, or large type, and/or available on audiotape.
   - Buzzers in buildings that include a lighted signal along with the sound.
   - Accommodation of disabled children in regular public education classes, through use of whatever means are reasonably possible.
   - Public education about the positive contributions of disabled persons to society.
   - Use of computer technology in schools, the workplace and all government buildings to ease communication for disabled people.

**DISCRIMINATION FACED BY SINGLE WOMEN, WOMEN LIVING APART FROM MEN, AND LESBIANS**

Women face discrimination, violence and other violations of their human rights because they are single, live apart from men and/or are lesbians. Just because they are not with men—for whatever reason—women may be harassed on the street, at home and in the workplace. These women often have a hard time finding housing and employment. Single mothers in particular can be isolated by their communities and are often denied opportunities for participation in public life. Women living apart from men face additional discrimination should they form intimate relationships with women. (See Chapter 3, "Women's Human Rights in the Family," for more on women who are not in marriage.)

Women in intimate relationships with other women frequently face hostility and violence not only from society at large, but also from other women. Same-sex love or lesbianism is often viewed as "abnormal," "strange" or "threatening." A common way for mainstream society to undermine femi-
nists or women's groups is to label them as "lesbian." Women who are not lesbians will often not associate with lesbians and greatly fear being called lesbians. A woman who loves another woman can face severe consequences if she is "found out":

- She can be thrown out of her job.
- She can lose her family and children.
- She can lose her house.
- She can become isolated from her friends and her community.
- She can be put in jail.
- She can be assaulted by family members, the community and the state.
- She can be forcibly separated from her lover.
- She can be forced into a marriage with a man.
- She can be thrown out of organizations, even women's groups.
- She can be "punished" by religious authorities.
- She can be thrown out of her temple, church or mosque.
- She can be killed.

Women's human rights advocates are increasingly adopting the position that in order to realize their human rights, they cannot exclude any women, including women in same-sex relationships. Some of the human rights connected with discrimination on this issue include the right to life, freedom from violence, freedom of association, privacy and the developing "right to sexuality," recognized in the Beijing Platform for Action at the Fourth World Conference on Women. The Beijing Platform for Action reaffirms that "the human rights of women include their right to have control over and decide freely and responsibly on matters relating to their sexuality, including sexual and reproductive health, free of coercion, discrimination and violence" (paragraph 97).

National laws may also include non-discrimination clauses based on sexual orientation. The Bill of Rights contained in the new constitution in South Africa, for example, provides that "the state may not unfairly discriminate directly or indirectly against anyone on one or more grounds, including...gender; sex, pregnancy, marital status [and] sexual orientation" [(South African Bill of Rights, Article 9(3))].

**Exercise 7: The Pronoun Game**

**Objective:** To explore the repercussions of same-sex relationships

**Time:** 20 minutes

**Materials:** Chart paper and markers or blackboard and chalk

1. **Act:**
   Ask three participants who are currently living with opposite-sex partners to come to the front of the group. Ask each of them to recount how they said good-bye to their partner when they left home that morning. Give them two minutes each. (For example, a story might be something like this: "When I left my husband was sleeping and I didn't want to wake him up so I left a note," or "When I left, my lover had already gone to work. Before he left, he gave me a hug and kiss good-bye and took our children to school," etc.)

   After each woman has each told her story, ask her to repeat it without using any words that can identify the sex of the partner. The story might now sound like this: "When I left my partner this morning, my partner was sleeping and I didn't want to wake my partner up so I left that person a note." Notice how much more difficult it will be for the women to tell their stories.

2. **Discuss:**
   Discuss with the whole group what it must feel like to love a person of the same sex and to always describe her relationship with guarded or neutral language.
Women's Human Right to Equality and Non-Discrimination

• What are the consequences if a person slips and starts referring to a same-sex partner as "she" and "her" or "he" and "him"? What will be the effect in the person's workplace? Community? Family? In her child's school?
• Make a list of all the human rights violations a person may experience as a result of people finding out about a same-sex relationship.
• Why does same-sex love elicit such extreme repercussions? Why is it so threatening to society? Whom does it threaten?

3. List/Discuss:
List other ways in which women asserting their sexuality can experience negative consequences (e.g., sex outside of marriage, choosing when to have a child, making decisions about whom to have sex, choosing to stay single, making decisions about what kinds of contraceptives to use, refusing to marry a man chosen by their family). These are all acts involving women's exercise of their human right to sexuality that can result in violence and oppression. Discuss.
• What are the differences and similarities between these acts and same-sex love?
• Why would one set of acts deserve human rights protection and others not?

DISCRIMINATION BASED ON CLASS

Discrimination based on class or economic status is a pervasive problem for people all over the world. Poor women often bear the most severe consequences of population control programs, welfare cuts, government austerity programmes and cuts in government subsidies. Poverty can make women more vulnerable to economic and sexual exploitation, trafficking in women and other forms of human rights violations. (See Chapter 10, "Women's Human Rights in the Economy," and Chapter 11, "Women's Human Rights and Work," for further discussion of these issues.)

Women often find it difficult to address class differences amongst themselves. After all, a professional woman who works as a lawyer will probably have different concerns as well as power over a woman she hires as a domestic worker. As part of the landowning or professional class, some women benefit from human rights abuses of poor women. The growing disparity between rich and poor all over the world only adds to the power differences that exist between women. Such economic inequalities impair the ability of advocates to create a holistic human rights movement.

Exercise 8: Acknowledging Class

Objective: To address the differences in point of view between privileged and underprivileged peoples
Time: 45 minutes
Materials: Chart paper and markers or blackboard and chalk

I. Act:
Put four chairs in the centre of the room. Ask four participants who identify themselves as coming from privileged backgrounds to come and sit in the centre. Ask them to list what it has meant for them to have class privilege. Examples might include "I had a nanny," "I knew when I was a child that I would go to college," "I never have to worry about paying the rent," or "I always had nice clothes to wear."

After the group has finished, ask four participants who identify themselves as coming from underprivileged backgrounds to sit in the chairs. Have them list what it has meant for them to not have class privilege. Examples might include "I never knew if I would be able to keep going to school because my parents weren't sure they could pay the fees," "I had to use an outside toilet," or "My mother migrated to Europe in search of work."
2. Discuss/List:
Discuss the feelings and issues raised in the listing by the two groups and compare. Note if those who have class benefits have a harder time describing their experience than those who come from poor or working class families.

List the ways institutions and resources in society benefit from or discriminate against different classes of people. How is this discrimination perpetuated?

Discuss:
• How are different classes of people separated in schools, hospitals and other public places?
• Is there a pattern of groups of certain ethnic or racial groups belonging to one class or another?
• Are there similarities or differences in the ways in which men and women have access to class benefits?
• How does class intersect with race, ethnicity or sex to define how power is exercised in your society?
• How might the principles of equality and non-discrimination be applied in the context of class?

DISCRIMINATION BASED ON AGE

In all parts of the world, women constitute the vast majority of older people, yet older women are perhaps the most overlooked group amongst women. Older women include women of all races, ethnicities, religions, sexual orientations and national status, and the problems they face may be compounded by such factors.

While in some societies older people enjoy great status and respect, in many communities older people are among those most likely to be poor, excluded from decision-making and deprived of food and health care. The Beijing Platform for Action explicitly recognized that women have human rights throughout their life-cycle. This has given new impetus to recognizing older women's human rights.

Older women may face such problems as:
• The inability to obtain full- or part-time work and inadequate pension
• A pension scheme that does not give older women credit for years spent as caregivers to family members
• Difficulty finding affordable housing in a safe environment
• Problems with using public transportation
• Lack of a voice in decision-making bodies that make plans for older people's housing, health and other care
• Lack of representation in government and in governmental and non-governmental organizations
• Inadequate health care
• Violence on the street and in the home
• Abuse in institutional settings.
Exercise 9: Responding to Concerns of Older Women

Objective: To explore the discrimination and other problems experienced by older women
Time: 45 minutes
Materials: Chart paper and markers or blackboard and chalk

1. List/Discuss:
Ask the participants to list words and phrases commonly used in your community to refer to older women.
• What qualities do these phrases stress? Which are positive qualities? Which negative?
• Which of these terms would you not want to be called if you were an older woman?
• What prejudices against older women do these words reveal?

2. Read/Discuss:
Read the following extract to the group:
A member of the Association of Greater London Older Women writes:
Sixty-five percent of older women over the age of 60 are on or below the poverty line; a majority of older women are depressed, but they are rarely given therapy — they are put on tranquillizers; older women are having to wait long periods for hip operations; women over age 64 are not called to have cancer-screening; older lesbians are discriminated against in not being allowed to have their partners with them in sheltered housing or residential homes; adult education institutes are cutting back on the courses enjoyed by older women; rape of older women is increasing and isolation is an increasing problem as well.
(Zelda Curtis, letter to Julie Mertus, April 18, 1995)

Discuss the statement above:
• Are these problems present in your community?
• Do older women in your community face additional problems?
• How do these problems relate to the human rights of older women?
• What is being done in your community to address the problems of older women?
**Objective:**
To develop a law that protects the human right to equality and non-discrimination

**Time:**
60 minutes

**Material:**
Chart paper and markers
Copies of Articles 1, 2 and 7 of the UDHR (Optional: other human rights provisions on non-discrimination, such as CEDAW, CRC, and CERD)

**Write, Read and Discuss:**

**Step 1:** Divide participants into small groups to write their own law that would protect women's human rights to equality and non-discrimination. Should the law apply to men and women together or women specifically? Try to draft a law that applies to as many types of discrimination as possible. Should this be international law? National or local law? All three?

Note: Groups could use the charts "Analyzing Human Rights Problems" and "Implementing Human Rights Strategies," pp. 203-204, to examine this issue.

**Step 2:** Distribute and read the general articles of the UDHR relating to non-discrimination and equality: Articles 1, 2 and 7.

**Step 3:** Ask the group to compare their new law to the articles of the UDHR.
- How are they the same? How do they differ?
- Would they now change their law? If so, how?
- What changes or additions would they recommend to improve these articles of the UDHR?

Optional: You may wish to compare the new law to the non-discrimination and equality provisions of other conventions as well (e.g., CEDAW, CRC, CERD).

**Step 4:** Ask groups to present their laws. They should now decide what it would take for the new law to become a reality in their community and strategize actions that might be taken by individuals and by communities to make this happen.

Write the following questions on chart paper ahead of time and present them as a guide to the participants:
- In what ways does the government currently limit the rights contained in your law? In what ways would the government need to change? How can you influence this change?
- In what ways could the government support and enforce your law?
- In what ways do religion, culture, tradition, custom, and habit currently limit the rights contained in your law? In what way would these things need to change? How can you influence that change?
- In what ways do religion, culture, tradition, custom, and habit support and enforce your law?
Women's Human Rights in the Family

OBJECTIVES

The exercises and background information in this chapter will enable participants to work towards the following objectives:
• Recognize the importance of decision-making about family matters and the diversity of choices women can make
• Recognize situations in their communities where women’s human rights in the family are violated
• Discuss the role governments, community leaders, the media and women themselves could play in protecting and promoting women's human rights in the family
• Consider if and when women's human rights in the family need to be balanced with other rights
• Define the "public/private debate" and examine women's concerns in the context of this debate
• Develop ways to promote women's human rights in the family and in the community.

GETTING STARTED: THINKING ABOUT WOMEN IN THE FAMILY

Many people assume that a family consists of a husband, wife, and children with the husband being the head of the household. In fact, most governments extend legal protection and recognition only to this definition of family. However, the reality of family life for many women does not match this view. In many communities around the world, families are made up of extended family members, different generations, same-sex couples and other variations. According to a recent United Nations survey, most people still marry, but they marry later in life, especially women. In developing regions, consensual unions and other non-formal unions are prevalent. In developed regions, marriage has become less frequent and less stable, and many marriages are preceded by periods of cohabitation. Where divorce once led to remarriage, many people postpone remarrying or never do so (United Nations Development Programme, Human Development Report 1995, New York: Oxford University Press, 1995). In many instances, individuals may have children with a number of different partners.

Men have higher rates of remarriage after divorce, tend to marry later in life and have a shorter life expectancy. As a result, most older men are married and most older women are widows. In Asia and Africa, widowhood often begins at an early age. For women over the age of 60, widowhood is significant everywhere — from 40% in Europe, North America and Latin America to 50% in Asia and Africa (United Nations, The World's Women 1995: Trends and Statistics, New York: United Nations, 1995).

Exercise 1: The Women in Your Family

Objective: To identify traditions and changes in women's roles
Time: 60 minutes
Materials: None

I. Discuss
Ask participants to discuss the following topics in small groups:
1. Describing one of your grandmothers, bear in mind:
   • What qualities do you remember about her?
   • Were these qualities typical for women of her time? What qualities were expected of women in her generation?
   • How were women of her generation treated when they did not conform to these expectations for women?
   • Would you be comfortable living with the same expectations?
   • What human rights violations against women were common in her time?
2. Describe your mother, with the same questions in mind.

3. Ask the small groups to reflect on the following:
   - Were you influenced by your grandmother and mother?
   - What are your own generation’s expectations of women’s behaviour? Are you comfortable with these? How are women treated who do not conform to these expectations?
   - Do women in your generation enjoy more of their human rights than in your grandmother’s day? Your mother’s day? What factors have brought about change?

4. Ask the full group to imagine a woman of the next generation:
   - What qualities, hopes and expectations do you wish for her?
   - What can be done to help her realize these?
   - How can older generations help her attain her human rights?

[Adapted from Felice Yeban, Philippines Normal University, 1996 (communication with authors).]

HEAD OF HOUSEHOLD STATUS AND DECISION-MAKING

Many people, including those associated with development agencies, religious institutions, governments and other entities, assume that a man is always the head of the household and is the primary wage earner. This assumption creates many problems for women. Women sometimes have difficulty in obtaining custody of their children. Immigration and nationality laws often discriminate against women by automatically according them the status of the man in their household, e.g., daughters and wives given the same status as their fathers or husbands. By adhering to this "head of household" presumption, social surveys and governments overlook and undervalue women’s role in families.

Governments may structure social security, inheritance, credit, development projects and other laws based upon the head of household presumption. For example, governments or social institutions may assume that male members of a household need more social assistance than female members because the male is the main breadwinner. It might therefore be more difficult for women to obtain social assistance.

In reality, many women are heads of households. An estimated one third of all households in the world are headed by women; in areas of armed conflict, the figure is closer to 80%. Some of the reasons for female-headed households include:
   - Being single, or living with another woman or with other family or community members
   - Being divorced
   - Being widowed
   - Being abandoned permanently or for long or indefinite periods
   - Long-term migration and/or economic or military crisis drawing the male household member away
   - Refugee or migrant status due to war or economic reasons.

There is a strong correlation between poverty and gender. Many female-headed households are poor due to a lack of social services, such as health and child care, and women’s lack of access to employment, credit and productive resources. The problems can be much worse for women of minority races and ethnicities who face additional discrimination.

Most attempts to count the number of female-headed households, such as the chart below, underestimate the phenomena. In reality, in official governmental statistics, women are rarely counted as the head as long as a male is present. Globally, the highest percentage of female-headed households is in Europe and North America (31%).

**Female-Headed Households by Region (%)**

<table>
<thead>
<tr>
<th>Region</th>
<th>1980</th>
<th>1990</th>
</tr>
</thead>
<tbody>
<tr>
<td>Africa</td>
<td>20.6</td>
<td>18.2</td>
</tr>
<tr>
<td>Asia &amp; the Pacific</td>
<td>14.9</td>
<td>17.2</td>
</tr>
<tr>
<td>Eastern Europe</td>
<td>23.0</td>
<td>1.0</td>
</tr>
<tr>
<td>Latin America</td>
<td>27.6</td>
<td>20.8</td>
</tr>
<tr>
<td>Western Europe and North America</td>
<td>23.7</td>
<td>31.2</td>
</tr>
</tbody>
</table>


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**Exercise 2: Who Decides?**

**Objective:** To identify decision-making power in the family

**Time:** 90 minutes

**Materials:**
- Copies of Article 16 (1)(d) of CEDAW
- Chart paper and markers

1. **Brainstorm:**
   - Ask the full group to call out answers to the following question: What decisions are made in a family? Participants should call out their ideas without comment. Record their responses.
   - Which decisions are usually made by women? By men? Mark each with a check using different colour markers.

2. **Discuss:**
   - Ask the group to comment on any differences in the decisions that men and women make. Add any of the following that are not included in the list:
     - Whom to live with and according to what arrangement
     - Whether to marry
     - Whom to marry
     - When to marry
     - Whether to retain one’s own nationality and citizenship upon marriage
     - Whether to bear children
     - When to begin bearing children and how many children to bear
     - Whether to adopt children and how many children to adopt
     - Whether to raise another person’s child outside of adoption
     - Whether and when to divorce, and on what conditions
     - Whether to own and control family property, alone or with other family members, and on what conditions
     - Whether to own and control personal property, to borrow money or to open businesses
     - Whether to apply for paid employment, and what type of employment to enter

   Distribute Article 16(1)(d) of CEDAW and point out that it provides for women and men to have equal rights and responsibilities in the family. In small groups or in pairs, ask participants to discuss the following questions and report back to the full group:
   - What does this article mean?
   - Should there be recognition that women might have needs different from men?
   - How is this provision followed or not followed in your community? In your family?
   - What strategies could be adopted by the community to begin the process of ensuring that men and women have equal rights as parents within the family?
DISCRIMINATION WITHIN THE FAMILY

The family is often regarded as the most important unit in society, and women are usually regarded as the "glue" that holds a family together. However, women experience some of the worst human rights violations within this structure. Domestic violence, sexual assault, psychological abuse and other forms of violence are often condoned within the family. Many women face physical violence or even death if they exercise their rights to marry or not to marry or to choose where to live or work. Women's rights to land, property and inheritance are often limited within the family. The family can also limit women's freedom of movement and ability to participate in public or political life, as well as their right to education. Women's work within the home and their work in family businesses, farms and informal enterprises are usually not valued. All of these issues are explored in greater detail in other chapters of this book.

Attempts to uphold women's human rights within various family structures have met with strong resistance from religious forces and other powerful social institutions. Attempts by women to change divorce, custody or property laws may be opposed by religious leaders, who characterize such efforts as counter to religious law and custom. In many parts of the world, women who do not act within the boundaries dictated by religious authorities may face physical violence by individuals acting in the name of religion. Culture and tradition can have greater impact on women's lives than formal law.

...Neither law nor customs (or culture) are neutral entities. Both are formulated by those in power and therefore both tend to preserve the status quo. ... Parallel legal systems exist [particularly in ex-colonial states]: the formal codified laws, customary laws and sometimes also religious laws. Sometimes these systems run parallel to each other and sometimes they are in conflict. But in many instances the internalized informal code is more powerful and binding than formal law... Where plural legal systems exist, the worst is applied to women (Shaheed, Farida, On Laws, Customs and Stereotyping, Women Living Under Muslim Laws, Dossier No. 11/12/13, May 1993, p. 4).

CEDAW specifically directs states to examine and address cultural practices that discriminate against women (See Chapter 2, "Women's Human Right to Equality and Non-Discrimination.").

WOMEN AND RELIGIOUS FUNDAMENTALISM

In the last two decades religious forces have targeted women in their efforts to consolidate their political power. In the words of the Egyptian women's rights activist, Nawal El Saadawi, "...the fundamentalist movement is a universal phenomenon. It operates under different religious slogans, but it is a political movement using God to justify injustices and discrimination between people, nations, classes, races, sexes, colours and creeds...The fundamentalist movements are a distortion of all religions, which originated as an integral part of the struggle for improvement of life... It is therefore necessary to create an enlightened religious interpretation of different religions, since it is the right of all people to believe." (El Saadawi, Nawal, "Fundamentalism: A Universal Phenomenon," Women Living Under Muslim Laws, Dossier 9/10, p.30).

Fundamentalists interpret the doctrine and scriptures of their religions in such a way as to justify actions and laws that particularly discriminate against women, especially in the family. For example, in some countries, women cannot get a divorce or are punished for adultery if they are raped, cannot get an abortion or are denied access to reproductive health services. Family law has therefore become an important arena for the movement for women's human rights.
eties and to challenge interpretations and laws that oppress them. The following strategies have been used to counter Islamic fundamentalism:

- In Algeria, women defy social pressure and continue to go to college and work despite constant threats to their lives.
- In Iran, activists used the forum of women’s magazines, including those sponsored by the government, to expose the injustices suffered by women. Stories documenting real life cases were printed, while open letters were written to religious leaders asking them to explain how the government intended to restore the respect Islam had promised women.
- During martial law in Pakistan, women defied the ban on demonstrations, pickets, posters and meetings. They used skits and plays to highlight the absurdity of laws that discriminated against women.
- In Malaysia, women successfully lobbied legislators over a period of many years to gain the passage of the Domestic Violence Act 1994, which allows courts to expel the batterer from the household for one year.
- In the Maghreb, the Collectif’95 (an organisation women and men in Morocco, Algeria and Tunisia) is working to create an alternative code of family laws that uses international human rights instruments. Each country is formulating its own strategy for lobbying and implementation.


Exercise 3: Religion, Culture and the Family

Objective: To identify aspects of religion and culture that support the violation of women’s human rights within the family

Time: 60 minutes

Materials: Case Study: The Stoning of Nurjahan

1. Read:

Case Study: The Stoning of Nurjahan

Nurjahan, a young Muslim woman, was abandoned and finally divorced by the husband to whom her father married her at a very young age. She got a job as a day labourer and joined a local credit union. A local Imam (religious leader) wanted to marry her, but her father chose another man. Because he was upset, the Imam declared the second marriage illegal, claiming she had not been divorced properly from her first marriage. Nurjahan was sentenced to death by stoning in public for the crime of bigamy. At no point was she given the opportunity to defend herself. At the intervention of other leaders in the community, the sentence was reduced to 101 stones. A pit was dug in front of Nurjahan’s house, she was buried in it up to her waist and publicly stoned. Nurjahan then committed suicide because of the public humiliation. Women’s organizations filed a case against the perpetrators who were then sentenced to seven years rigorous imprisonment.

(Testimony of Sultanah Kamal in Without Reservation: The Beijing Tribunal on Accountability for Women’s Human Rights, Niamh Reilly, ed, Center for Women’s Global Leadership, New Jersey, 1996.)

2. Discuss:

Divide the participants into small groups to discuss the following points:

- What groups could or should have defended her? At what point should they have intervened?
- What is the relationship of culture and religion to women’s human rights in the family as reflected in the case? Are differences between culture and religion reflected in the case?
- Use the chart “Analyzing Human Rights Problems,” page 203, to identify the violations of Nurjahan’s human rights and the perpetrators. Are any of the following to be considered perpetrators? The people who stoned Nurjahan? The people who organized the stoning? Those who sentenced Nurjahan? Those who made the laws under which she was punished?
- What is the role of village members, religious authorities and the government in protecting rights? Can the actions described in the case study be characterized as political persecution of women?
- Given that customary law and religious law are often applied to women even when alternative formal laws exist, what are some strategies to enforce women’s human rights in the family?
WOMEN AND MARRIAGE

Although women are entitled to human rights as individuals, women have traditionally been considered objects of international law in relation to their roles as wives and mothers. Thus, the first international document pertaining to women concerned marriage. The Universal Declaration of Human Rights (UDHR), Article 16, requires equality of men and women to enter a marriage, to dissolve a marriage and to be treated as equals during a marriage. Article 25 (2) of the UDHR states “Motherhood is entitled to special care and assistance.” The special protections given women as wives or mothers often prove to do more harm than good. Confining women to these limited roles in the family overlooks women’s lives as separate individuals and effectively excludes them from the workplace and public life.

The rest of this section discusses human rights, norms and treatment of women in and out of marriage.

The Age of Marriage

Societies that permit or even encourage early engagements or early marriages of girls may violate girls’ human rights. Early marriage can pose significant health risks for girls and young women. Teenage mothers are particularly vulnerable to complications from childbirth, such as the tearing of the intestine or bladder. The maternal mortality rate for girls between the ages of 11 and 13 is three times greater than that for women between 20 and 24.

In recognition of the widespread practice of child marriages and marriages without the woman’s consent, the United Nations adopted in 1962 the Convention on Consent to Marriage, Minimum Age for Marriage and the Registration of Marriages. This convention, which has been ratified by only 35 countries, states in its preamble: All States...should take all appropriate measures with a view toward abolishing such customs, ancient laws and practices by ensuring...complete freedom in the choice of a spouse, eliminating completely child marriages and the betrothal of young girls before the age of puberty, establishing appropriate penalties where necessary and establishing civil or other registers in which all marriages will be recorded.

While the convention does not specify a minimum age for marriage, it provides that the countries signing the convention agree to make and enforce a minimum age. (See the Convention on Consent to Marriage, Minimum Age for Marriage and the Registration of Marriages, Article 2.) The internationally accepted minimum age of marriage can be found in a non-binding but influential recommendation which calls on all states to specify a minimum age not less than 15 years of age (General Assembly Resolution 10/2018 of 1 November 1965).

Exercise 4: Marriage Customs

Objective: To identify the relation of religion and culture to the violation of human rights in the family

Time: 60 minutes

Materials: Case Study: Marriage in Mattlandia

I. Read: Case Study: Marriage in Mattlandia

Some small villages in Mattlandia still practise arranged marriages as they have for hundreds of years. The actual tradition varies from village to village but in most, a girl’s father or oldest adult brother or uncle chooses her husband for her by the time she is 10 years old. The marriage will take place after puberty. The male relatives will discuss and come to agreement about the size of her dowry, which would include jewelry, household items and other valuables that will accompany her on her wedding night.
2. Analyze:
Ask participants in small groups to respond to the following questions in light of the case and report back its findings to the full group:
• Do any of the practices in this scenario violate the girl's rights? If so, list them.
• Can these practices be justified in the name of tradition?
• Does it make a difference if the villages never marry girls until they have reached the minimum age for marriage in Mattlandia?

3. Discuss:
• What are some of the customs relating to marriage, the family and property in your community that discriminate against women?
• Does government seek to modify or abolish these customs? How are women responding to the customs?
• What are some customs relating to marriage that are supportive of women?

The Role of Authorities in Restricting Rights in Marriage
Many national, regional and international laws protect the rights of women in the family. In practice, however, many social institutions, including the family, the media, religious and cultural groups, as well as governments, place direct and indirect restrictions on women's choices. In different contexts and to varying degrees, many states have used the institution of marriage and family to mould the role of women to suit state needs (Mertus, Julie, "State Discriminatory Family Law and Customary Abuses," Women's Rights, Human Rights: International Feminist Perspectives. Julie Peters and Andrea Wolper, New York: Routledge, 1995, pp. 135-43).

Some governments encourage women to have more children by increasing benefits to large families; by contrast, other governments may encourage women to have smaller families by limiting such benefits. Governments may exert control over the family size by promoting or inhibiting the provision of birth control, abortion and sex education.

Governments may also restrict women's rights in marriage and the family through the use of nationality laws. In many countries, residents with official status as "nationals" are entitled to extra benefits, such as free education, health care and other social services. Some countries have laws that make a woman's status contingent upon her father's or husband's status. These laws are contrary to international conventions, including Article 9 of CEDAW, which declares that women and men should be treated equally with respect to nationality. These provisions often become important when women refugees or migrants are seeking to change their national status.

DIRECT AND INDIRECT RESTRICTIONS ON MARRIAGE

Direct restrictions include:
• Laws or customs that prohibit women from marrying someone of a different race, ethnicity, social group or someone of the same sex.
• Restrictions on family size or requirements that women be sterilized after they bear a certain number of children.
• Marriage and divorce practices that restrict women's ability to own, control and inherit land.
• Prohibitions against women buying or selling property, obtaining credit, opening a bank account or applying for employment without a male guardian to sign for them.
• Laws that strip women of their nationality when they marry a foreign national.
• Laws that specify that a father's nationality (and not a mother's) determines citizenship of children, and regulations or customs prohibiting certain kinds of women such as lesbians, single women or women not attached to men, from adopting and/or raising children.

Indirect restrictions include:
• Incentives that benefit women who make certain choices the government deems most desirable, such as tax benefits for families of a certain size.
Women's Human Rights in the Family

Day care, welfare, maternity leave, pension benefits and other support that is conditioned on marrying or not marrying and on bearing or not bearing children.

In some other places, married women pay lower taxes and/or have better access to government-sponsored housing than single women (and in other places exactly the opposite incentives apply).

Condoning violence against people who form families contrary to social norms by failing to prosecute perpetrators and stop the violence.

Exercise 5: Nationality Laws

Objective: To identify the impact of nationality laws on women

Time: 75 minutes

Materials: Case Study: Stateless in the Land of Their Birth

Case Study: Stateless in the Land of Their Birth

Manju, a young woman living in Hoda, married a foreigner, Joseph, from Tarikstan. They have three children and have lived continuously as a family in Hoda. The laws of Hoda provide that a child's nationality is determined by that of the father. The family plans to live in Hoda forever and wants their children to have the benefits of Hoda citizenship, which include free or low-cost education and health care and the ability to participate in national politics.

On the other hand, the laws of Tarikstan state that children born overseas cannot gain citizenship unless they live in the country for five consecutive years. Manju and Joseph do not wish to send their children to live in Tarikstan for so long a time. Hence, the children are without any nationality.

1. Mini Role-Play:

Divide the participants into small groups. Each group chooses someone to play the role of Manju's lawyer. Groups may wish to assign other participants with a role as an official, a child, a parent or a lawyer. In preparation for the role-play, the small groups address the following:

- Can it be argued that this law violates Manju's human right to equality in the family?
- Does Hoda place direct or indirect restrictions on Manju's human rights?

Ask each group to present its role-play.

2. Discuss:

Discuss the following questions with the whole group:

- Which role-plays made the strongest arguments?
- Why should this case be of concern to all women in Hoda?
- Why is nationality such an important issue?
- What other rights are related to nationality?
- How could women in Manju's community support her?


The Role of Authorities in Promoting Rights in Marriage

It has been argued that women have equality in marriage and in the family when they have the same rights as men. In other words, authorities can place restrictions on marriage and the family as long as these restrictions apply in the same way to both men and women. A broader interpretation of equality is that "sameness" is not enough: Women can have equality in marriage and the family only when institutions, laws and practices that disempower women in the family are changed. According to this viewpoint it is not sufficient to establish whether men and women are treated the same. Rather it is necessary to look at the broader context whereby the structures and rules perpetuate power imbalances in the family. Accordingly, the government can adopt policies that apply only to women if they serve to
combat women's low status in the family. Such policies could include state compensation for household work or reimbursement of day care costs for women workers.

CEDAW includes a broad version of equality for women:

> The term "discrimination against women" shall mean any distinction, exclusion, or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.

Some key attributes of this definition are:
- It applies to both intentional and unintentional discrimination.
- It seeks more than the same treatment for women and men. It forbids anything that has the purpose or effect of interfering with women's human rights.
- It applies to all spheres of life and draws no distinction between the private and public spheres.
- It emphasizes that all women should have rights irrespective of marital status.
- It applies to all human rights and fundamental freedoms, not just the civil and political.

**Women Who Are Not in Legal Marriage**

In communities in which women are expected to live with men, single women, lesbians, divorced women and others living apart from men may face open street harassment and discrimination in education, employment, politics, and social services, including housing and health care. The state may lead the attack on these women, at times decrying them as enemies of the nation because they refuse to live by the community's rules and/or to bear offspring for the nation. (In reality, many single women, lesbians, divorced women and others living apart from men do bear children, a fact that is often not recognized.) In other cases, the state fails to respond when private individuals attack such women. (See Chapter 2, "Women's Human Right to Equality and Non-Discrimination.")

Single women without children are frequently the last women to be hired and the first to be fired; it is assumed that they do not have a family to support. And because it is often believed that single women have more time to spare, they are often given a heavier workload. Lesbians or women who do not identify themselves as lesbians but who live with a woman may face additional problems, such as difficulties with child custody, verbal or physical violence, employment and housing discrimination, and lack of access to health care.

While international conventions do not explicitly mention the rights of single women, lesbians or women living apart from men, the broad language of the *Universal Declaration of Human Rights* and other human rights treaties can be read to include them in the provisions granted to "all people." Further, the *Beijing Platform for Action* advanced the concept of sexual rights by affirming that "the human rights of women include the 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" (paragraph 97, *Platform for Action*).

Women's organizations and human rights groups in countries throughout the world—the Philippines, Brazil, Mexico, the Netherlands, Romania, Russia, South Africa, and the United States, for example—continue advocating for the inclusion of the word "lesbians" or "sexual minorities" into international documents and conventions. Yet even in some international women's meetings, participants are often reluctant to mention single women, lesbians, divorced women and others living apart from men. Until more groups speak out on these matters of human rights, there may continue to be fear that those who do advocate these rights will be excluded and suffer discrimination as a result.
THE PUBLIC/PRIVATE SPLIT AND HUMAN RIGHTS IN THE FAMILY

The primary focus of human rights practices has been on what governments can or cannot do. However, individuals can also be challenged to meet human rights standards. Sometimes governments try to make a distinction between a public and private sphere, reasoning that everything within the public sphere—such as in government and in state-operated workplaces—falls under human rights protections, while everything within the "private" sphere—such as family and home—does not.

Activists and scholars have challenged the distinction between public and private domain, arguing that there is an interrelationship between the two. For example, women's low status in that family serves to institutionalize women's subservient position in other aspects of life. Moreover, the state does influence the private domain through laws and regulations that impact on family life depending on the perceived needs of the state. What many women want is assistance from authorities in combating violence and discrimination in the family.

Gradually, through local and national activism and through a series of international documents, conferences and agreements, the public/private split in human rights discourse has begun to be questioned. The 171 government representatives at the 1993 United Nations World Conference on Human Rights in Vienna specifically recognized that violence against women raises human rights questions—regardless of where such acts occur. In 1993, the UN General Assembly adopted a Declaration on the Elimination of Violence Against Women that similarly recognizes both public and private violence. Also, the Convention on the Rights of the Child has been applied to protect children from violence in the home. Although parents may have some control over their children, they may not violate their human rights. An abusive parent—just like an abusive husband—cannot hide under the cloak of privacy. (See Chapter 7, "Women's Human Right to Freedom from Violence").

The 1995 Beijing Platform for Action reaffirms this principle by strongly condemning the range of physical, sexual and psychological violence that women face in the so-called "private" or family sphere, 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" (paragraph 113a).

Despite growing recognition that human rights apply to both public and private acts, in practice women often have great difficulty enforcing their human rights in the family. Further; since many women fear retribution and/or social ostracism, they may be reluctant to complain about family matters that are often regarded as a part of culture, or a fact of life. As women and girls begin to learn about their rights, however, they are increasingly challenging human rights abuses in the family.

Exercise 6: Private Circles

Objective: To understand that human rights violations need to be addressed within both the private and the public spheres

Time: 60 minutes

Materials: None

1. Discuss:
Divide participants into two equal groups and arrange them in two concentric circles. Those in the inner circle face outward towards those in the outer circle. Explain the procedure:
   a. You will read aloud a statement about human rights in the public and private spheres.
   b. Participants discuss this statement with the facing person for about five minutes.
   c. When you announce "shift," everyone in the outer circle moves one place to the right to face a new person and discuss a new statement. Continue in this manner through several statements. Then ask if participants would like to offer a statement of their own and continue the process.
Sample Statements:
- A husband should decide whether his wife should be allowed to work for wages or outside the home.
- Parents should decide about education for their children.
- It is the right of parents to discipline their children.
- It is the right of husbands to discipline their wives.
- Police officers shouldn't interfere with private disputes.
- Families have their own rules.
- Family rules are above the rule of any government.
- Tradition!
- Like father, like son.
- Schools can play a role in teaching children about human rights in the family.
- Governments may have to sometimes intervene in family matters.

2. Discuss:
Divide participants into small groups to discuss these questions:
- Are there circumstances under which the government should be required to involve itself in what appear to be private decisions made between individuals in a family?
- Why is it important to address the public/private split?
Ask participants to report on their discussions. Point out similarities and differences in their conclusions.

PROPERTY OWNERSHIP

Property laws often work in conjunction with family laws to place both direct and indirect obstacles in the path of women. Most women suffer dual discrimination when it comes to owning property: first as women and second as married women. In some countries, women lose their rights to inherit, own and control property to their husbands once they marry. Or if women don’t lose all property rights, in practice (and, in some cases, under law) their husband is presumed to be the owner of the home, land, credit and so forth. The divorce laws in many countries provide greater advantages to men, again presuming that they own all household property. Following a struggle at the 1995 Fourth World Conference for Women in Beijing between women’s NGOs and some governments, the Beijing Platform for Action has written to guarantee girl children and women the “equal right to inherit” (paragraph 274d.).

Unmarried women also face disadvantages in property ownership. In some countries, unmarried women’s property is controlled by their fathers or brothers, due either to specific legal provisions or to traditional practice. In nearly all countries, banks and other lending institutions favour dealing with men over married or unmarried women. As a result, women are far more likely than men to be denied credit, loans, approval on leases, contracts and other commercial transactions. (See Chapter 10, “Women’s Human Rights in the Economy,” for more on the importance of property ownership.)

WORK IN THE HOME

Advocates for women’s human rights are also pressing for greater recognition of the positive contribution women make within families. Women who work solely inside the home not only work without pay, but they also do not receive any of the benefits of other workers, such as a paid vacation, sick leave and a safe working environment.

The Beijing Platform for Action recognizes the “double burden” borne by women who work outside the home and calls for governments, the private sector and NGOs to “promote harmonization of work and family responsibilities for women and men” (Strategic Objective F.6.).

Among the specific recommendations are flexible work environments, including part-time work, parental leave policies and facilitation of breast-feeding for working mothers. The platform also calls for
innovative school, community and media programmes to raise awareness of gender equality and challenge stereotyped gender roles. (See Chapter 11, "Women's Human Rights and Work," for more on work in the home.)

**DEFINING WOMEN'S HUMAN RIGHTS IN THE FAMILY**

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**Write, Read and Discuss:**

**Step 1:** Divide the participants into small groups to write their own law that would protect women's human rights in the family. The law should be as specific as possible. Should this be an international law? National or local law? All three?

(Note: Groups could use the charts "Analyzing Human Rights Problems" and "Implementing Human Rights Strategies", pp. 203-204 to examine this issue.)

**Step 2:** Distribute and read the articles on family and nationality in the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW): Articles 9, 15(4) and 16.

**Step 3:** Ask the groups to compare their new law to the provisions of CEDAW.
- How are they the same? How do they differ?
- Would they now change their law? If so, how?
- What changes or additions would they recommend to improve CEDAW?

**Step 4:** Ask groups to present their laws. Discuss:
- In what ways does the government currently limit the rights contained in your law? In what ways would the government need to change? How can women influence this change?
- In what ways could the government support and enforce your law?
- In what ways do religion, culture, tradition, custom and habit currently limit the right contained in your law? In what way would these things need to change? How can you influence that change?
- In what ways do religion, culture, tradition, custom and habit currently support and enforce your law?
- In what ways do you and/or your family limit the rights contained in your law?
- In what ways would you and/or your family need to change? Are such changes possible?

**Step 5:** Discuss what it would really take for these new laws and/or CEDAW to become a reality in this community. Strategize actions that individuals and groups might take to make this happen. List the strategies that the majority can agree upon.
Women’s Human Right to Health

OBJECTIVES

The exercises and background information contained in this chapter will enable participants to work towards the following objectives:

• Define the right to health
• Explain the importance of women’s health for women’s equality
• Understand the interrelationship between the right to health and other human rights
• Identify ways in which women’s right to health has been promoted or denied
• Explain women’s double work burden arising from their multiple roles and its effect on their health
• Identify ways to balance respect for culture and tradition with respect for women’s health
• Describe the provisions regarding health in the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).

GETTING STARTED: THINKING ABOUT WOMEN’S HEALTH

Women’s de facto second class status in society creates both direct and indirect threats to their health. Since women are far more likely than men to be poor, they often receive less nourishment and are more vulnerable to disease. Many women who suffer poor health lack information, skills, purchasing power and access to health services. Socially constructed gender roles and the relations that arise out of these often lead to family and societal pressures that may push women to take care of others first and neglect themselves. In addition, violence against women, substandard working conditions and a poor living environment also wear down women’s health.

Women may experience some or all of these health-related problems:

• Lack of clean drinking water
• Insufficient vaccination programs for girls
• Failure to treat anaemia in women and girls
• Lack of general gynaecologic care
• Lack of birth control and sex education
• Lack of safe abortion services
• Lack of prenatal and postnatal care
• Unsanitary and otherwise inadequate birthing facilities
• Being given unsafe drugs
• Inadequate government attention to diseases mainly affecting women, such as breast cancer
• Government-sponsored research on health that is based on all male samples, preventing women from receiving appropriate treatment
• Lack of therapy for women victims/survivors of rape, incest and other forms of violence
• Lack of women as trained counsellors, physicians and health care researchers
• Lack of education for women about child care, hygiene, nutrition and other family health matters
• Lack of appropriate, responsive health care for women living in rural areas; migrant, refugee and displaced women; older women; disabled women; lesbians; women of ethnic and racial minorities; and women in prison.

Poor health can prevent a woman from realizing other human rights. Women and girls who are ill often cannot participate fully in society; for example, they may not be able to attend school, work outside the home or organize and participate in groups.
Exercise 1: Defining Women's Health

Objective: To write a broad definition of women's health

Time: 60 minutes

Materials: Chart paper and markers or blackboard and chalk

1. Brainstorm:
Draw the outline of a woman on chart paper or a blackboard. As a group brainstorm the qualities that characterize a healthy woman and list these inside the outline. Consider emotional and psychological aspects of health as well as physical.

Brainstorm the factors that are necessary for women to achieve these qualities of good health and list them in the margins outside the outline. For example, if the group included "energetic" as a quality of a healthy woman, "adequate food" or "rest and leisure" might be listed as necessary factors.

2. Analyze:
Circle the items on the list of factors necessary for health that most women in your community do not have. Discuss what happens when women lack these factors:

- What are the effects on the woman herself?
- What are the effects on her children? On other members of her family?
- What are the effects on the community, especially if many women lack good health?

3. Discuss:
The figure of the woman in Step 1 (above) represented women generally. Make a list of three or four subgroups of women who might have special health care concerns different from most women (e.g., young, disabled, refugee, older or lesbian women).

Divide into small groups and pick one of these subgroups to discuss. Look at the list of factors necessary for health written outside the figure in Step 1:

- Are there additional factors necessary for health among this subgroup?
- Are there additional factors necessary for health that this group generally lacks?
- What are the obstacles to this group's enjoyment of good health?

In plenary, compare the findings of the small groups and discuss:

- What are some of the main obstacles to these subgroups' enjoyment of good health?
- Do these obstacles prevent them from exercising their human rights?
- Is good health a human right?

Defining the Right to Health

Building on the Programme of Action of the 1994 International Conference on Population and Development in Cairo, the Beijing Platform for Action reaffirms that "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 [United Nations, The World's Women 1995: Trends and Statistics, (New York: United Nations, 1995)].

As one group of activists explains, the right to health must be seen within a framework of women's comprehensive development. For women to be healthy, their basic needs must be fulfilled. These include assured income, safe working and living conditions, adequate and clean food and water, education and health care. In addition, women need equal status in society, equitable division of labour...
Women’s Human Right to Health

Often poor health can be traced to oppression and human rights violations. As the Beijing Platform for Action noted: 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 (paragraph 92).

One important aspect of health is reproductive and sexual health, which the Beijing Platform defines as a “state of complete physical, mental and social well-being...in all matters relating to the reproductive system” (paragraph 94). But women have a wide range of health care needs. This chapter focuses on the totalit
ty of women’s health needs, leaving the right to reproductive and sexual health to Chapter 5, "Women’s Human Right to Reproduction and Sexuality."

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**Exercise 2: Health Pyramid**

**Objective:** To identify the health needs of women at the community level

**Time:** 60 minutes

**Materials:** Small pieces of paper and pens, adhesive tape or tacks

Chart paper or surface on which to attach paper

1. **List/Prioritize/Compare:**

   Divide participants into small groups and ask them to do the following:

   - Write or draw the health needs of women and girls in your community. Use a separate piece of paper for each need.
   - Arrange the needs in a triangle, according to their importance. Put the most pressing needs at the top.
   - Circle those needs in the triangle that are poorly met or not at all. Star those needs that are special to women and girls.
   - Post your chart and compare with others.

2. **Discuss:**

   In the full group discuss the following points:

   - What were the principle differences among the triangles?
   - Why is each item in the triangle important to the health of women and girls?
   - What happens if any of these health needs are denied? Give examples.
   - Why are those needs that are circled not met?
   - Is there any relationship between the needs you have starred and those you have circled? Discuss.
   - What steps are being taken in your community to improve women’s health? What further might be done?

---

**Health for All**

Many women live with ill health. Countless women and girl children suffer from nutritional deficiencies and anaemia that make them prone to infections such as tuberculosis, malaria, diarrhea and pneumonia. Many withstand constant stress and injuries from abuse and violence, from work responsibilities and from social restrictions (Na Shariram Nadhi, p. 42). Within industrialized countries, women of colour and women from minority ethnic or racial groups often have more health-related problems.
Great disparities in health needs exist between regions and between different socio-economic, ethnic and age groups within a country. While many countries have made significant advances in primary health care, women's general and maternal health care and treatment for complications from pregnancy and child birth are still often inadequate in developing countries. In industrialized countries the average lifetime risk of women dying from pregnancy-related causes is between 1 in 4,000 and 1 in 10,000. By contrast, for women in developing countries the average risk is between 1 in 15 and 1 in 50, and the maternity mortality rates 200 times higher than those of Europe and North America. No matter what the country, women from rural areas, refugee, displaced and migrant women, poor women and women heads of households (who are likely to be of lower economic status) usually face great obstacles in exercising their human right to health.

Women's multiple work responsibilities often endanger their health. In many societies women bear a double burden; expected to work outside the home for pay as well as being responsible for work inside the home, taking care of the needs of their husband and children, and often those of other relatives as well. Even when women do not work outside the home, their work inside the home may be difficult and never ending. In many homes around the world, women are the first to rise in the morning and the last to go to bed at night. Overworked and exhausted, such women become conditioned to think of their own health needs last. In some societies, women can only go to the doctor if escorted by a husband or father. As a result, women are more likely to delay or not receive treatment. In addition, in some families boys are more likely to receive proper medical care than girls. When the family resources are limited, money for proper nutrition and medicines may go first to boys, leaving the girls with little or none.

**FACTS ON WOMEN’S HEALTH**

- In developing countries, approximately 450 million adult women of reproductive age are disabled as a result of childhood diet deficiencies (Sivard, Ruth L., Women: A World Survey, Washington, DC: World Priorities, 1995, p. 27).
- An estimated 60% of South Asian women are anaemic; in sub-Saharan Africa the rate is 44% (Ibid.).
- In Africa, women account for 55% of all new cases of HIV; in the US cases of women with HIV have increased 15% a year. The World Health Organization (WHO) estimates that by the year 2000, more than 13 million women worldwide will have been infected, and 4 million will have died due to AIDS (Ibid., p. 29).
- Violence against women is the leading cause of injury for women of reproductive age, reportedly higher than injury from automobile accidents, muggings and rapes combined (Ibid., p. 29).
- Countries where women’s life expectancy is not increasing include: Russia, Thailand, Uganda, Hungary, Cote D’Ivoire, Kenya and the United States (Ibid., p. 68).
- Before age 65, cancer is the leading killer of women in developed countries, but after age 65 women become “more vulnerable” to heart disease, and women are twice as likely as men to die after a heart attack. Despite these facts, research on preventing heart disease, especially in developed countries, has focused largely on male subjects and heart disease in women has been largely ignored (Ibid., pp. 72-3).
- Although women and men are equally infected by tropical diseases, sex differences in clinical treatment for diseases have only recently been explored. For example, malaria infects both sexes equally, but in one district only 16% of patients attending malaria clinics were women. Introducing a mobile malaria clinic increased women’s participation by 33% (Ibid., p. 73).
- Women spend a longer proportion of their old age affected by disability than men because they live longer; commonly elderly women will care for their disabled husbands, who die earlier, and then spend their remaining years coping with their own disabilities alone (Ibid., p. 82).
RESPECTING CULTURE AND TRADITION

Many societies practise customs, often justified in the name of religion or culture, that endanger women's health. For example, custom may prevent a woman from travelling to see a doctor or permit male family members to punish women with violence. In some societies, early marriage and pregnancy have a grave effect on the health of women and girls. Because of their lower status, women and girls often eat only after all male family members have taken as much they wish and suffer higher rates of malnutrition as a result. In addition, women who are expected to have many children but not allowed to go to hospitals often die during childbirth. Other customs that require women and girls to fit certain notions of female beauty often result in severe eating disorders, such as unhealthy dieting, anorexia or bulimia. In some countries, women's genitals are cut or sewn together in order to ensure chastity, fertility, and an "appropriate feminine appearance." (See Chapter 6, "The Human Rights of Young Women and Girls," and Chapter 2, "Women's Human Right to Equality and Non-Discrimination," for more on the impact of culture and tradition on health and human rights.)

Exercise 3: A Woman's Life Story

Objective: To identify the impact of health on the life cycle of a woman

Time: 45 minutes

Materials: None

1. Create a Story:
Explain that the group as a whole will construct a story of a woman's life from the point of view of health, covering her life cycle from birth to old age. Start with the sentence "A baby girl was born in this community..." and let the story pass from one participant to another, with each telling about a different period of this woman's life. Give the baby a typical name for the community and a typical life and health experience. Include traditional health practices, access to health care, education, leisure, birth control, child bearing, media influences and other factors that affect women's health in your community, both positively and negatively.

2. Discuss:
Ask participants to consider these questions about their story:
• How would this story be different if this baby girl was born to a poor and/or rural family?
• A well-to-do urban family?
• A religious or ethnic minority family?

You may wish to tell separate stories with contrasting lives and health histories. Conclude with discussion of questions like these:
• Which illnesses and practices most affect poor women? Privileged women?
• How does poor childhood health care and nutrition affect a person's life cycle?
• What factors contribute to a lifetime of good health?
• Is it possible to justify any custom if it has a negative effect on women's health?
• How can women's bodily integrity be protected while at the same time respecting culture and religion?
**Exercise 4: Remembering Girls**

**Objective:**
To recognize ways in which girls may be deprived of good health.

**Time:**
45 minutes

**Materials:**
Case Study: Fraternal Twins

**1. Read**

**Case Study: Fraternal Twins**

A woman doctor in country H remembered the following case:

"I was treating a young mother who was bringing her newborn son in for a series of inoculations and other treatments. I saw her at least once a month over a six-month period. At the end of this time, I asked her how many children she had and she replied 'two.' I asked her how old the other child was and she answered, 'the same age as this one, they are twins.' I was amazed, and asked her how come I had never seen the other child. 'It's a girl,' she replied. I then made up a story in order to compel her to bring her daughter in for inoculations. I told her that twins are very attached to each other and if the girl gets sick the boy will as well, so for the boy's sake, I should see the girl as well. She brought me the girl the next day, and she was half the size of her brother. It appeared that the boy had been breast fed longer and given more food." [Name of doctor and country withheld at request of doctor. Told to Julie Mertus.]

**2. Discuss:**

Lead a discussion based on the following points:

- How did you feel when you read this story?
- How does such childhood deprivation affect a girl's later life?
- Do similar cases of discrimination against girls exist in your country? If so, list examples.
- What steps are needed to ensure girls' human right to health at the family, community and government level?
- Why did the mother fail to bring her girl child for treatment? How can parents be encouraged to give proper nutrition and medical care to their girl children? How does lack of nutrition have an impact on girls' ability to enjoy other human rights?

(See Chapter 5, "The Human Rights of Young Women and Girls," for more on the health care of girls.)

**Women and the Medical Establishment**

Health has become medicalized. Today's world has little space for natural cures and other health practices created and used by women, in particular the practices of indigenous women and women of "minority" cultures and traditions. State-sponsored health plans, where they exist, often refuse to pay midwives and other traditional healers. At the same time, economic restructuring has cut back on social services in many countries. Furthermore, privatization of health services has pushed the cost of health care beyond the reach of the poor. Women and girls are most adversely affected by these rising costs.

The state medical system and medical researchers generally overlook women's health care needs. Both privately funded and governmental research on health care usually involve male subjects and sample populations. In many case, where reports on women's health are available, they rarely include the specific health care needs of older women, disabled women, lesbians and women of ethnic and racial minority groups. For example, although women constitute nearly one half of all HIV cases globally, little research has been done on HIV transmission to women. Most of the studies that have included women have focused on how infected women transmit HIV to men and fetuses.

New medical technologies often unwittingly perpetuate oppressive practices against women. Urged on by doctors and media images of ideal beauty, women may undergo high risk, expensive cosmetic...
surgery. Technologies that are designed to help women can be diverted from their original purpose, and used against the interests of women. For example, amniocentesis (See Chapter 6, "The Human Rights of Young Women and Girls") can be used selectively to abort female fetuses. Studies show, for example, that parents will abort a healthy female and keep a male fetus even when the males have congenital diseases or deformities (The Girl Child: An Investment in the Future, UNICEF Toronto, 1994).

**Exercise 5: Prenatal Sex Selection**

**Objective:** To explore the implications of prenatal sex selection through amniocentesis

**Time:** 45 minutes

**Materials:** Slips of paper with amniocentesis "results"

1. **Role-Play:**
   Divide participants into pairs (with odd-numbered groups, let the remaining person represent a single mother). Explain they represent couples expecting a baby who have had an amniocentesis, and learned the sex and health of their unborn child. Assign each "couple" a different role such as these:
   - A couple with three sons
   - A couple with two daughters
   - A couple with one son and one daughter
   - A couple with no children
   - A couple with four sons and three daughters

   Each "couple" draws from a basket a slip that tells them the results of the amniocentesis, such as these:
   - healthy male
   - healthy female
   - male with Down's syndrome (mental retardation)
   - female with a heart valve defect
   - male with a congenital disease causing death in early adulthood
   - twin girls

2. **Discuss:**
   Ask each "couple" to discuss together how they feel about their new child and report their response.
   - If abortion were safe and legal, would they choose to abort this child?
   - How does the current size of the family affect their attitude?

**THE ROLE OF AUTHORITIES IN WOMEN’S HEALTH**

Human rights documents have consistently recognized health as a human rights issue at the national, regional and international levels:

- The founding document of the United Nations, the United Nations Charter, calls on the UN to promote solutions for international health problems (Article 55b).
- The Universal Declaration of Human Rights (UDHR) states that everyone has the "right to a standard of living adequate for the health and well-being of his [sic] family, including food, clothing, housing and medical care and necessary social services" [Article 25(1)]. Although the UDHR was not intended to be a binding treaty, it has over time gained the status of customary law. This means that all Member States of the United Nations have an obligation to create the conditions for health and well-being for everyone.
- The 1976 International Covenant on Economic, Social and Cultural Rights (ICESR) is more explicit about a right to health: "The State Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health" [Article 12(1)].

Governments have obligations both to refrain from interfering with health and to affirmatively promote health. Governments acting as officials directly and through surrogates such as hospitals and doctors cannot negatively discriminate between men and women and girls and boys.


**AFFIRMATIVE STATE OBLIGATIONS TO PROMOTE HEALTH**

Under the ICESCR, states are specifically obligated to take the steps necessary for:

- Reducing the stillbirth and infant mortality rate for the healthy development of the child
- Improving all aspects of environmental and industrial hygiene
- Preventing, treating and controlling epidemic, endemic, occupational and other diseases
- Creating conditions which would assure for all medical service and medical attention in the event of sickness (ICESCR, Article 12, a-d).

The Convention on the Rights of the Child requires states to take measures to:

- Diminish infant and child mortality
- Ensure the provision of medical assistance and health care to all children with emphasis on the development of primary health care
- Combat disease and malnutrition including within the framework of primary health care, through, among others, the application of readily available technology and the provision of adequate nutritious foods and clean drinking water, taking into consideration the dangers and risks of environmental pollution
- Ensure appropriate pre- and post-natal care for expectant mothers
- Ensure that all segments of society, in particular parents and children, are informed, have access to education and are supported in the use of basic knowledge of child health and nutrition, the advantages of breast-feeding, hygiene and environmental sanitation, and the prevention of accidents
- Develop preventive health care, guidance for parents, and family planning education and services (Convention on the Rights of the Child, Article 24, a-f).

The Beijing Platform for Action urges governments, in collaboration with the UN system, the medical community, research institutions, NGOs, media and others to:

- Design and implement gender-sensitive programmes
- Provide affordable primary health care that emphasizes health promotion and disease prevention
- Give particular attention to the needs of girls
- Ensure women's involvement in decision-making relating to HIV/AIDS and other sexually transmitted diseases and ensure the provision of affordable preventive services for sexually transmitted diseases
- Encourage and support research on prevention, treatment and health care systems related to diseases that have specific effects on women (Beijing Platform for Action, Chapter 4, Section C).

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**Exercise 6: Advocating for a Healthy World**

**Objective:** To develop potential actions to promote the health of women and girls

**Time:** 60 minutes

**Materials:** Chart paper and markers

1. **Read:**
   Read aloud or pass out copies of the box below, "Health Care and Equality between Men and Women."

2. **Discuss/List:**
   Divide participants into small groups and ask them to discuss these questions:
   - What can national and local authorities do to promote the health of women and girls?
   - What can the media do to promote the health of women and girls?
   - What can women themselves do to promote the health of women and girls?

3. **Role-Play:**
   Ask each small group to select a spokesperson, who will make a five-minute presentation to the whole group and a "panel of government leaders." The spokesperson will present the small group's main ideas for improving women's health.
Ask for one participant from each group to form a "panel of government leaders," who will listen and respond to the presentations. They may ask questions and offer comments, objections or suggestions.

4. Discuss:
After the speech and response, discuss the role-play:
• How did the spokesperson feel when presented ideas?
• How did the "panel of government leaders" and members of the audience feel?
• Did any spokesperson discuss women’s health as a human right? Would putting women’s health in this context strengthen the argument?
• Are these ideas for improving women’s health feasible in your community? Why or why not?

HEALTH CARE AND EQUALITY BETWEEN MEN AND WOMEN

What does it mean to provide health care on the basis of equality between men and women? It is more than providing identical facilities. It means recognizing and addressing the differing health needs of men and women. A prenatal health service does not discriminate against men because they do not need it. Similarly screening for prostate cancer does not discriminate against women as long as other programmes exist that address women’s cancer concerns such as breast cancer. Adequate health services for women address their particular health care needs.

For example, women may suffer from forms of cancer and other illness that are rare or unknown in men. Women may also be particularly susceptible to the effects of chronic fatigue, malnutrition and anaemia as well as health consequences related to these conditions. The treatment women need to become healthy and the conditions they need to stay that way may be unique. Simply opening a hospital or clinic may not be enough to address women’s health care needs. Governments may have to take steps to make health care more accessible to women, such as ensuring that clinics:

• Keep working hours that correspond to times in which women are available
• Are conveniently located, because women are less likely than men to be able to travel distances on available transport
• Require low fees and, if possible, offer free services to people in need
• Employ culturally appropriate staff (if possible, local health professionals who speak the same languages and in some cases female staff, particularly for gynaecological exams)
• Design services in consultation with women to fit their needs, including the particular needs of rural, refugee, migrant, displaced, older, lesbian, and disabled women
• Offer a welcoming atmosphere, not one that is cold or frightening.
DEFINING WOMEN'S HUMAN RIGHT TO HEALTH

Exercise 7: Making Your Own Law

Objective: To develop a law to protect women's human right to health
Time: 60 minutes
Materials: Article 12, CEDAW

Step 1: Divide the participants into small groups to write their own law that would protect women's human right to health. The law should be as specific as possible. Should this be international law? National or local law? All three?

Note: Groups could use the charts "Analyzing Human Rights" and "Implementing Human Rights Strategies," pp. 203-204, to examine this issue.

Step 2: Distribute and read Article 12 of CEDAW.

Step 3: Ask the groups to compare their new law to the provision of CEDAW.
• How are they the same? How do they differ?
• Would they now change their law? If so, how?
• What changes or additions would they recommend to improve CEDAW?

Step 4: Ask groups to present their laws. Discuss:
• In what ways does the government currently limit the rights contained in your law? In what ways would the government need to change? How can people influence this change?
• In what ways could the government support and enforce your law?
• In what ways do religion, culture, tradition, custom and habit currently limit the rights contained in your law? In what way would these things need to change?
• How can you influence that change?
• In what ways do religion, culture, tradition, custom and habit currently support and enforce your law?
• In what ways do you and/or your family limit the rights contained in your law?
• In what ways would you and/or your family need to change? Are such changes possible?

Step 5: Discuss what it would really take for these new laws and/or the provision of CEDAW to become a reality in this community. Strategize actions that individuals and groups might take to make this happen. List the strategies that the majority can agree upon.
OBJECTIVES

The exercises and background information contained in this chapter will enable participants to work towards the following objectives:

- Define reproductive and sexual rights
- Recognize the importance of reproductive and sexual rights for women and their interconnection with other human rights
- Identify ways in which women's reproductive and sexual rights are threatened
- Define the role of government, community leaders, the media and women themselves in protecting and advocating for women's reproductive and sexual rights
- Critically analyze the relation between population policies and reproductive and sexual rights
- Debate the issue of reproductive and sexual health education from the perspective of women's human rights
- Design your own law for promoting women's reproductive and sexual rights and compare it with the provisions of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).

GETTING STARTED: THINKING ABOUT REPRODUCTIVE AND SEXUAL RIGHTS

About half the world's female population is of reproductive age (15-49). Over the next 20 years, this group will increase by 30%. The lives and health of women of reproductive age is greatly influenced by their potential reproductive roles. In the past two decades, great progress has been made throughout the world in reducing the mortality and morbidity (ill health) related to reproductive health. Despite such progress, the Beijing Platform for Action points out:

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 (paragraph 95).

FACING THE FACTS ON WOMEN'S REPRODUCTIVE HEALTH

- Approximately 500,000 women die annually from pregnancy-related causes; 1,500 each day. [United Nations Population Fund, Women, Population and the Environment (New York: United Nations, 1992)]
- An African woman's lifetime risk of dying from causes relating to pregnancy and childbirth is 1 in 23, compared to 1 in 4,000 for women in North America.
- In developing countries 55% of births are attended by trained health personnel, compared to 99% in industrialized countries.
- Fifty-nine percent of women in developing countries receive prenatal care, compared to 98% in industrialized countries.
- At least 100 million women—one in six married women in developing countries outside China—want to use family planning but lack contraception. In those countries, one in four births are unwanted. (Unless otherwise noted, statistics from UNICEF, Education of the Girl Child, Her Right, Society's Gain; Report of the NGO Conference, Educational Working Group, NGO Committee on UNICEF, New York, April 21-22, 1992.)
Exercise 1: Discussion Circle on Reproductive Rights

Objectives: To get started discussing reproductive rights and to relate them to personal experience.

Time: 45 minutes

Materials: None

Arrange the group in two concentric circles, with each participant on the inside circle facing a participant on the outside circle. Explain that as you read out a question, each pair should speak to each other about the question for four minutes. For the next question, those on the outer circle rotate one place to the right to face a new partner. Repeat this process for every question.

Note to Facilitator: Some of the questions below would be inappropriate in some cultural settings. Develop a set of five or six questions appropriate to a particular group and its culture. Some questions may need to be rephrased from the personal to the general (e.g., not "How did your mother protect herself from unwilling pregnancy?" but "How did women of your mother’s generation protect themselves?"). Others may need to be omitted altogether. Also clarify that everyone is free to decline to discuss a question.

Suggested Questions:
- What is the first thing you think of when you think of reproductive and sexual rights? The next thing?
- What major decisions in your life have been related to reproduction and sexuality (e.g., choosing a partner, taking a job, finishing education or training)?
- Has anyone tried to make decisions about reproduction and sexuality for you?
- What are the main controversies in your community about reproduction and sexual rights?
- What are the main incentives in your community for large families? For small families? Which arguments are most influential to you?
- How many children did your mother have? How did women of her generation protect themselves from unwanted pregnancy?
- What kind of decisions have you made about having or not having children? Did you make these yourself? Did your partner pressure you in any way? Your family? Your community?
- Which is the main contraceptive method used in your community, if any? What method, if any, do you use? Did you or most women in your community always choose contraceptive methods freely or did someone do it for you? How did you and/or women in your community learn about them?
- What is the general attitude in your community towards abortion? Is safe, legal and affordable abortion available? If not, do abortions still take place? What is the result of having or not having safe abortions?

Defining Reproductive and Sexual Rights

Debate on reproductive rights reached a pinnacle at the 1994 UN International Conference on Population and Development (ICPD) in Cairo, Egypt. For the first time, 180 countries agreed that population growth can be stabilized and development efforts enhanced by the advancement of women. The reproductive and sexual health of women was linked directly to considerations of sustainable population growth and economic development. The ICPD Programme for Action, the main document resulting from the conference, recognized the need of women and men to be informed about and have access to safe, effective and affordable means of contraceptives and other health care services.

The ICPD also advanced the rights of the girl child. The Programme for Action condoned harmful practices such as prenatal sex selection, female infanticide, female genital mutilation, trafficking of girl children and the use of girls in prostitution and pornography. In a major breakthrough, the ICPD also called on men to take responsibility for their sexual behaviour.
Advocates at the World Conference at Beijing in 1995 pushed world leaders to agree on definitions on women's sexual and reproductive rights. The resulting Beijing Platform for Action provides the following definitions:

- **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" (paragraph 94).

- **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" (paragraph 94).

- **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." (paragraph 95).

This positive language says women have the human right to sexual health, not just that they have the right to freedom from all forms of sexual violence. In fact, the Beijing Platform for Action is the first international declaration where "women are acknowledged as sexual as well as reproductive beings, with human rights to decide freely about their sexuality without any express qualification regarding age, marital status or sexual orientation" (Petchesky Rosalind P. "Sexual Rights: Inventing a Concept, Mapping an International Practice," paper presented at Conference on Reconceiving Sexuality, Rio de Janeiro. April 14, 1996). This affirmation, along with the holistic definition of reproductive health given above, has brought the realm of women's sexuality full force into the human rights debate.

### Exercise 2: Naming the Struggle

**Objective:** To strategize about promotion of women's reproductive rights  
**Time:** 60 minutes  
**Materials:** Chart paper and markers or blackboard and chalk  
Old magazines and glue (optional)

1. **Imagine/Discuss:**  
   Ask participants to imagine that they are a group that wants to organize to advance women's reproductive and sexual rights, and to promote women's reproductive health. Ask them to make up a slogan for the campaign.  
   Ask and record responses to these questions:  
   - What do you call your struggle?  
   - What do you say women want?  
   - Some activists refer to reproductive freedom as "the right to choose." What do you think about using this slogan? Can you think of a better call to action?  

2. **Create Gallery Walk:**  
   In small groups, make posters or collages illustrating different aspects of your campaign themes and strategy. Hang the posters around the room and have a "gallery walk" to view all posters and discuss informally.
REPRODUCTION AND SEXUALITY AS HUMAN RIGHTS

Reproductive and sexual rights are founded on many principles common to human rights that governments are obligated to respect, such as:

• human dignity
• equality and non-discrimination
• bodily integrity
• self-determination (the ability to make decisions for one's self)
• privacy
• liberty and security of person
• the right of access to health care, including reproductive health care
• the rights of the child.

Another way of thinking about reproductive and sexual rights focuses on the ultimate goal of equality. Since control over reproductive and sexual life is central to women's existence, women need to have these rights in order to be able to participate fully in society, not just in a manner equal to or identical with men but in a fair manner that addresses women's needs. Equality for women in their reproductive and sexual lives improves the conditions of men and children as well; when these human rights are more respected in society, the standard of living is higher; birth rates lower and health care better.

Reproductive Decision-Making

Women and girls make many decisions about their reproduction and sexuality, including:

• whether to obtain information regarding sex
• whether to engage in sexual activity and with whom
• which contraceptive methods to use, if any
• whether to require a male sexual partner, including a spouse, to use a condom
• whether to have children
• whether to seek medical attention during pregnancy
• with whom to have children
• when to have children
• how many children to have
• spacing of children
• with whom to bring up children
• whether to abort an unwanted pregnancy.

However, women's choices are often imposed or limited by direct or indirect social, economic and cultural factors. For example, in some countries where women are allowed little participation or where governments impose strict population policies women may feel forced to decide between abortion of the female fetus, infanticide of the female newborn baby or neglecting a female child until she dies. In many countries an unmarried pregnant girl is told to have the baby quietly and then give the child away to a married couple. Otherwise, her only other option is to raise the child alone in poverty with few prospects for the future.

THE LEGAL FOUNDATIONS OF REPRODUCTIVE HUMAN RIGHTS

• The right to liberty and security of the person: Universal Declaration of Human Rights (UDHR), Article 3; International Covenant on Civil and Political Rights (ICCPR), Article 9(1).
• The right to health: International Covenant on Economic, Social and Cultural Rights (ICESCR), Article 12.
• The right to non-discrimination in the provision of health care and in the family: Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), Articles 12(1), 16(1).
• The right to marry and to found a family: UDHR, Article 16(1); CEDAW, Article 16(1); ICCPR, Article 23(2).
• The right to freedom from arbitrary or unlawful interference with privacy, family and home: ICCPR, Article 17(1).
• The right to enjoy scientific progress and consent to experimentation: ICESCR, Article 15(1).
• The right of sexual non-discrimination: CEDAW, Articles 1-2; UDHR, Article 2; ICCPR, Article 2(1); ICESCR, Article 2(2).
• The right of men and women to have on a basis of equality access to family planning: CEDAW, Article 12(1).
• The right of rural women to family planning: CEDAW, Article 14(2)(b).
Exercise 3: Who Decides?

Objective: To identify decision makers over reproduction and sexuality

Time: 60 minutes

Materials: Chart paper and markers or blackboard and chalk
Slips of paper, string or blackboard, tape. Copies (or a chart) of "Reproductive Decision-Making" (above)

1. List/Discuss:
   Hand out copies of "Reproductive Decision-Making" or post this list on a prepared chart or blackboard. Discuss:
   Is the list comprehensive?
   - What is left out?
   - What would you add to the list if needed?

2. Analyze:
   Ask participants which of these decisions women in their community make and mark them with a "W." Mark with an "M" decisions made by men. Write both "M" and "W" only when the decision-making is shared equally. Discuss:
   - Do all members of the group agree?
   - Did your mother make the decisions marked with W? Your grandmother? You?
   - If there has been a change over time, discuss what explains this change.

3. Create/Gallery Walk:
   Draw a long horizontal line on a blackboard or chart paper or hang a string across the room. Explain that this represents women's life line. Mark 10 equal units along the line to represent each decade of life.

   Divide participants into small groups and ask them to write or draw on slips of paper decisions about reproduction and sexuality that women are likely to make or have made for them at different periods of their lives. Then attach these slips to the line in the appropriate decade. When all the slips are attached, everyone examines the lines.

3. Discuss:
   Ask these questions about the "reproductive lifelines":
   - At what stages in life do most of these decisions occur? Least occur?
   - Are there any decisions on the lifeline that women in your community may not or cannot make?
   - Remove those from the line. What percentage remains? What percentage was removed? What conclusions can you draw from these percentages?
   - How would your time line change if you had more or less access to economic resources? To education?
   - How would your time line change if you were from a different racial, ethnic or social group in your community?
   - What happens when women cannot make decisions about their reproduction and sexuality?
   - How are women's human rights affected when they cannot make these decisions?
   - What other factors would alter these lifelines?

The Role of Authorities

As with other human rights, government has both an affirmative duty to promote reproductive and sexual rights and a negative duty not to interfere with these rights. In order for women to have full reproductive rights, for example, governments should provide a wide range of information and health services to all women and girls and provide access to the legal system when necessary to safeguard women's ability to make their own decisions. This is why women's rights advocates must continue to push for the principles of sexual health found in the Cairo Programme for Action and the Beijing Platform for Action. In order for human rights to be universal in practice, including the right to sexual freedom and health, governments and communities need to provide basic tools so that those rights can flourish in daily life.
For full reproductive health, all people need:

- Information, education and communication on reproductive health and reproductive freedom, sexually transmitted diseases (STDs), human sexuality, responsible parenthood, gender power relations, sexual abuse and incest, sexual differences and the reproductive health effects of toxic substances
- Safe, appropriate, available means of birth control, including a broad range of methods
- Promotion of responsible sexual behaviour, including increased condom use
- Access to adequate medical care, including but not limited to gynaecological care and maternal pre-, peri- and post-natal care
- Access to safe and legal abortion and pre- and post-abortion services
- Prevention and treatment of STDs, including but not limited to HIV/AIDS
- Prevention of infertility and appropriate treatment
- Recognition and support of all parenting arrangements
- Elimination of the reproductive hazards in our lives, such as environmental and workplace hazards
- The inclusion of women's perspectives and women's organizations in the planning, implementation, research and development of new reproductive methods and forms of birth control, and in programmes and policies for the provision of reproductive health care and sex education
- Access to adequate employment, housing, health care and education.

The last item on the list above is rarely included, yet too often reproductive health is conditioned upon women's economic and social status. Without education, access to information, health care and financial resources, women and girls cannot fully make their own decisions regarding reproduction and sexuality. In particular, reproductive and sexual rights are denied to women who live in violent intimate relationships or in violent societies that prevent them from making decisions or seeking health care. In this way, reproductive and sexual rights are directly related to and contingent upon the other rights discussed in this book.

Women's reproductive health care needs and the steps necessary for their achievement vary from society to society, depending on social, cultural and economic factors. Care must be taken not to generalize solutions to health issues. For example, the diaphragm may not be effective for many because to use a diaphragm properly a woman must have running water, spermicidal jelly and access to clinics and information of certain types.

**Exercise 4: Taking Action**

**Objective:** To define what women need for their reproductive health and strategies to achieve it

**Time:** 60 minutes

**Materials:** Chart paper and markers or blackboard and chalk

1. **Brainstorm:**
   Ask participants to list all the factors a woman needs in order to achieve full reproductive health. List these and when finished read the full list aloud. Ask participants which items women in their community have access to and circle these. Discuss the uncircled items:
   - What is the reason that each of these is not available?
   - What happens to a woman when these needs are not met?

2. **Prioritize:**
   Consider the uncircled items in Step 1 (i.e., the unmet needs). Read this list aloud and ask participants to rank each item on a scale of 1 to 5, giving the highest score to the most urgent needs.

3. **Discuss:**
   Keeping in mind the priorities from Step 2, ask these questions:
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- What could women’s groups and other NGOs do to meet these needs for full reproductive health?
- Could you conduct campaigns and demonstrations against unsafe contraceptive and coercive reproductive technology?
- Can you undertake research projects to document medical practices that abuse the rights of women with respect to reproduction and sexuality?
- Can you begin a public education project or discuss family planning?
- Can you set up counselling and birth control services?
- Which two approaches are most likely to be feasible and successful in your community?

**ABORTION**

Many women’s attempts to assert their claims to reproductive and sexual rights have centred around access to safe abortion. Around the world the importance of abortion for women’s health largely depends on whether other birth control methods are available. However, one statistic remains relatively constant: Where women are denied access to abortion, the death rate from illegal and self-induced abortions soars. Lacking resources to pay for higher quality care, poor and “minority” women die from illegal abortions at a far higher rate than other women.

The World Health Organization (WHO) estimates that illegal and unsafe abortion is the leading cause of maternal mortality. In all parts of the world, each day approximately 500 women die from the effects of unsafe and often illegally performed abortions. In developed regions, where abortion is generally legal and safe health services are more likely to be accessible, the risk of death from abortion is 1 in 3,700. In the developing regions it is on average 1 in 250. Health care providers have found that the best way to reduce deaths from illegal abortion is to legalize the procedure and to increase access to contraceptives and family planning information.

**CLINIC VIOLENCE AND CHRISTIAN FUNDAMENTALISM IN THE U.S.A.**

In the United States, Christian fundamentalists have mounted a 20 year campaign to prevent women from obtaining abortions. Although abortion has been constitutionally protected in the United States since 1973, there have been more than 6,000 clinic blockades, over 300 clinic invasions, nearly 200 attempted or completed arsons, firebombings and bombings of abortion-related facilities, and over 70 chemical attacks. There have also been over 100 physical assaults on abortion providers, two kidnappings, 250 death threats, 11 attempted murders, and five murders.

As Dr. Pablo Rodriguez, Medical Director of Planned Parenthood of Rhode Island, testified before the United States Senate:

“In the beginning the harassment was the usual nasty letter and graphic pictures of dismembered fetuses, but slowly, it became more aggressive. I began receiving strange packets with dolls inside, as well as subscriptions to gun magazines and hunting lodges, showing pictures of dead animals hanging by their extremities. Then the “Wanted” posters began to appear...Then the doors and locks to our clinics were glued on multiple occasions, culminating with episodes of forceful blockading of our clinic...One [day]...as I was driving my mother to the bus station, I realized that my car was steering poorly. Once I had dropped her off, I examined my tires and found that there were 45 nails deeply embedded in them—a fortunate finding since I was driving over 50 miles an hour on the highway. That evening when I returned home still unaware of the location of this act of vandalism, my wife painfully discovered, with her foot, that my driveway was booby trapped with roofing nails concealed under the snow. An image of my young children running and skinning their knees on that same section of driveway has filled my heart with a fear that until this day I have not been able to shake off...”


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6 Women's Human Right to Reproduction and Sexuality
Abortion was one of the central issues of heated debate at the UN International Conference on Population and Development (ICPD) in Cairo in 1994. Ultimately the discussion focused on questions of power and control. Some government and religious authorities did not accept that women could decide to terminate an unwanted pregnancy. Others believed that everyone, including the government, the medical doctor, the husband, the religious official—but excluding the woman herself—had the right to make this decision. Governments usually seek to control abortion through punitive measures, some punishing only the doctor who performs the abortion and others both the doctor and the woman who has the abortion. While the conference in Cairo reconfirmed a commitment to women’s health, the right of a woman’s self-determination to her own body alarmed many of the world’s religious and political establishments, including lobbying groups for population control. As a result, although the Programme of Action does recognize a right to health care generally and acknowledges reproductive health as a necessary part of women’s equality, it fails to include a specific right to abortion or to a woman’s self-determination over her body.

The disagreement at the Cairo conference evolved in part around whether or not abortion should be treated from a perspective of women’s health. The draft document prepared before the meeting made a limited plea for safe and legal abortion facilities, emphasizing a woman’s health and well-being rather than criminal codes and punitive measures. The final document produced by delegates to the conference, however, provides only that in circumstances in which abortion is not against the law, abortion should be safe. The emphasis in the document was on reducing “recourse to abortion through expanded and improved family planning services.” [UN International Conference on Population and Development (ICPD) in Cairo, September 1994, paragraph 8(24) A/CONF.171/13/Rev.1]. Nowhere does the document consider abortion the right of women.

**PRESUMING HETEROSEXUAL NORMS**

The 1995 World Conference on Women in Beijing recognized a woman’s right to decision-making in a broad range of areas, including choice of partner. In many societies, however, this right may be limited by a variety of factors including heterosexual norms, fear and prejudice against women who break traditional social codes. Heterosexual norms include certain ideals of what a woman is supposed to be (for example, a mother; caretaker of the house, dutiful wife). This vision of women is limiting for all women.

As participants at a preparatory meeting for Beijing in Malaysia, organized by the Institute for Women, Law & Development (IWLD), recognized: “Construction of heterosexual norms limits sexual, reproductive and life options for women and men, irrespective of their sexual orientation.” They also “limit women’s ability to express and enjoy their sexuality both within and outside marriage, to choose their partners, to make decisions about whether and when to have children, to protect themselves from disease and violence, and to participate equally in all aspects of economic and social life.” Because of such norms, “women are frequently unaware that they can view experiences, especially those affecting their bodies, in ways other than the ones into which they have been socialized. This constructed ignorance has serious ramifications for the exercise of choice in sexual and reproductive matters.” (IWLD, Outcome of Strategy Meeting held 24-28 October 1994). Heterosexual norms, although limiting to all women, have a particularly harsh impact on lesbians and women not married to men. These women face violence, harassment, and discrimination in all spheres of life, including family and work. (See Chapter 2, “Women’s Human Right to Equality and Non-Discrimination.”)
Women's Human Right to Reproduction and Sexuality

Exercise 5: Enforcing Heterosexuality

Objective: To examine some human rights issues facing lesbians

Time: 60 minutes

Materials: Copies of "Case Study: A Young Woman's Story". Cards labeled "enemy" (90%) or "friend" (10%)
Chart paper and markers or blackboard and chalk

Case Study: A Young Woman's Story

T.M., a young woman from southern Africa, tells her story about what happened after her parents discovered she was a lesbian:

"My parents decided to look for a husband on my behalf, so they brought several boys home to meet me but I was not interested, so in the end they forced an old man on me. They locked me in a room and brought him everyday to rape me so I would fall pregnant and be forced to marry him. They did this to me until I was pregnant after which they told me I was free to do whatever I wanted but that I must stay with this man or else they would throw me out of the house. They did throw me out eventually thinking that, as I was not employed, I would end up going to this man's house. Instead, I went to stay with friends.

"I went for an abortion and I was in the hospital for a month. After that, I used to hide whenever I saw my relatives. I did not contact them for six months. The police were looking for me so I used to move during the night only. In the end, the police found me and took me home where I was locked up and beaten until I could not even lift my arms or get up.

"I stayed in that room for months pretending I was sick so they would not bring the horrible man again but they did and I fell pregnant again. I ran away and went to stay with my girlfriend. I did not go for an abortion because I was scared it would kill me. The first time had been really painful. I kept the pregnancy until I had a miscarriage and the baby died. Now I am always on the run. As soon as my parents have found out where I am staying, I move on to another place. They are still after me. I have not seen my family in about seven months. I am scared this time they will put chains on me so I am in hiding."

1. Read/Discuss:
Read aloud "Case Study: A Young Woman's Story." Alternative: Choose another story from your community about a traditional practice that harms girls. Discuss:
• Is this a difficult problem in your community? Why or why not?
• What should the state do about it?
• What human rights are at stake here? List these.

2. Role-Play:
Divide participants into three small groups. Ask one group to choose and prepare a participant to play T.M. Ask another group to choose and prepare two people to play T.M.'s parents. Ask the third group to choose and prepare a person to play the policeman.

When the actors are prepared, ask them to stand in the centre of the circle of participants, who represent the community. Give each "member of the community" a card on which is written "friend" or "enemy" (only 10% of the cards are designated "friend"). These cards will determine how the members of the community will act towards T.M. No one should show anyone else her card. Set ground rules for the drama, including an agreement that T.M. can stop the drama at any time and that no one should physically touch T.M.

Explain that the drama should begin with T.M. attempting to tell her case to the police. The other participants should respond to T.M. as "friend" or "enemy," offering her support and/or challenging her. End the drama after an agreed upon time period or whenever you feel it has reached its peak. The facilitator should act as T.M.'s "friend" if the designated "friends" in the audience fail to help her.
When the role-play is complete, ask the main characters how they experienced it. Then ask the same of the audience.

3. Discuss:
Ask these questions to conclude the activity:

- What are the heterosexual norms in your society?
- What happens to women who fall outside those norms? To women who have children outside of marriage? To women who choose not to get married? To women who choose not to become mothers?
- What human rights are involved in T.M.'s story?
- Who should have defended T.M.'s human rights?

POPULATION CONTROL

The issue of women's reproduction first emerged on the world stage as part of what is called the "world population problem." Population growth has been described as a time bomb ready to go off. As Amartya Sen notes, "These catastrophic images have encouraged a tendency to search for emergency solutions which treat the people involved not as reasonable beings, allies facing a common problem, but as impulsive and uncontrolled sources of great social harm, in need of strong social discipline" (Sen, Amartya, "Population: Delusion and Reality," The New York Review of Books, 22 September 1994, p. 62).

There are legitimate reasons to be concerned about population growth. High fertility rates are detrimental for the quality of life, especially of women. Moreover, high fertility rates are usually a sign that something else is wrong:

- That infant and child mortality rates are so high that families feel they must have many children to guarantee at least one child's survival
- That state programmes for old age and caring for the sick are inadequate so that families feel that they must have many children to take care of the sick and elderly.
- That educational standards are low and that information about family planning is nonexistent so that women do not know how they can safely regulate their own pregnancy and men do not learn about their reproductive roles and responsibilities.

High fertility rates deprive women of the freedom to participate fully in public and private life, while reductions in birth rates most often leads to the improvement of the overall status of women.

Many attempts to address population growth were not formulated with the interests of women in mind. Typically aid agencies, especially those from industrialized countries working in less developed countries, have advanced an agenda of population control which increases government domination over sexuality and fertility at the expense of women's rights. These policies often seek to reduce birth rates among the entire population or just among poor or minority women or those considered "undesirable" by the group in power.

Discrimination and Population Control

At the same time, however, women in industrialized countries who enjoy a high standard of living may be pressured to have more children. The doctrines of their communities may make them feel incomplete unless they fulfill their duty of motherhood. But this doctrine applies only to the well-off or dominant ethnic group. In some countries, the state tries to restrict the fertility of women of colour, disabled women and lower-class women. Thus the purpose of population control seems not to remove poverty but to remove the poor, the handicapped and the unwanted.

Reproductive Rights vs. Population Control

Promoting reproductive and sexual rights implicitly includes promoting the means for regulation of fertility. However, this is not the same as advocating population control. Reproductive and sexual rights assume that individuals have the capacity to make decisions about their lives and that denying them this capacity erodes their human dignity. Population control assumes that women cannot make such deci-
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Another difference between reproductive rights and population control concerns the focus of government programmes. Population policies have traditionally viewed women in the limited role of procreators of children, devoted spouses, and mothers within the context of marriage. All other women were ignored, including divorced, widowed or abandoned women, as well as single women, lesbians and women living apart from men. However, all women have needs related to their reproductive and sexual health, and the concepts of reproductive and sexual rights applies to all women regardless of their status.

Policies based on reproductive and sexual rights prohibit coercive government laws, population politics and social customs. At the same time, reproductive and sexual rights policies promote affirmative efforts by governments and the international community to adopt social, economic and cultural conditions which will protect women's self-determination, health and livelihood. "With greater opportunities for education (especially female education), reduction of mortality rates (especially among children), improvement in economic security (especially in old age), and greater participation of women in employment and in political action, fast reductions in birth rates can be expected to result through the decisions and actions of those whose lives depend on them" (Sen, Amartya, "Population: Delusion and Reality," The New York Review of Books, 22 September 1994, p. 71).

THE POLITICS OF POPULATION CONTROL

Exercise 6: Blaming the Poor

Objective: To examine common attitudes towards the poor and over-population

Time: 30 minutes

Materials: None

1. Take a Position/Discuss:
Draw or indicate a line at the front of the room. Explain that the left side indicates strong disagreement, the centre indicates neutrality and the right side indicates strong agreement; when you read a statement, participants should take a position along the line according to whether they disagree or agree. After participants have taken their positions on a statement, ask those at opposite ends to discuss their differences. At the end of the discussion, invite anyone who wishes to change position and explain why.

Sample Statements:
• Overpopulation is the cause of poverty.
• Poor people have too many children. As a result, they need too much food and too many resources.
• The poor have too many children because they are illiterate.
• The world's problems arise because poor people are too many, and they multiply at an alarming and uncontrolled rate.
• Poor people stay poor because they mindlessly have children that they cannot afford.

2. Discuss:
Ask these questions about attitudes towards the poor and overpopulation:
• What other factors contribute to overpopulation?
• Why would authorities want to blame the poor? Why would ordinary people?
• What kinds of policies are authorities who blame the poor likely to support?
• Who or what do you think is responsible for overpopulation?

Exercise 7: The Uterus Wars

Objective: To illustrate the pressure and conflicting messages women receive about reproduction

Time: 30 minutes

Materials: None

1. Role-Play:
Ask one volunteer to be the representative "woman." She can circulate and listen in on any of the groups while they plan their arguments. Divide the rest of the participants into six groups, which will prepare the arguments for each of the following roles:

- Government health official encouraging a large number of children
- Government health official advocating restricting the number of children
- A traditional authority opposing any form of family planning
- A feminist health worker encouraging family planning
- Government official offering food and medical support in return for sterilization
- A family elder encouraging many children as security for old age, a necessity for economic survival, and/or a major component of a woman’s social status.

Ask the woman to sit in the centre while a representative from each group tries to persuade her about how to use her fertility. She may ask questions at the end of each argument, but should not express any opinion.

2. Discuss:
Discuss the role-play, considering some of these questions:

- How did it feel to be the “woman”? Do many women get such conflicting messages?
- What are some of the coercions or incitements offered the woman?
- What advice or support would the group like to give this woman?
- What might motivate the government actors?
- Imagine these arguments were made to persuade a man to have a vasectomy: Would they be persuasive? Why are so few population control programmes directed towards men?
- Which argument is most likely to persuade a woman in your society? Why?
- Do women really get to make choices about their reproduction? Why or why not? What factors interfere with choice? Do women have the right to choose?
- Are women responsible for overpopulation? If not, to whom should population control programmes be addressed?

THE NEEDS OF YOUNG PEOPLE

One of the main points of debate at the 1994 International Conference on Population and Development in Cairo concerned adolescents. Some governments simply refused to recognize that adolescents engage in sexual relationships and have their own reproductive and sexual health care needs. The conference recognized that male behaviour and attitudes must change if the reproductive needs of all people are to be met.

One of the principal barriers to the promotion of good adolescent health is a lack of effective sex education, particularly a scarcity of information about birth control and sexually transmitted diseases for girls and boys. One of the consequences is that young people are often not treated for sexually transmitted diseases, some of which can lead to infertility. Another consequence is that HIV is spreading among young people. Also many girls do not understand the dangers of early pregnancy to their health, and often girls are not in the position to refuse sexual advances, particularly those of older men.

Lack of information on sexual health can have a particularly devastating impact on gay and lesbian ado-
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lescents. Suicide rates and severe depression are highest among this population, frequently because the boy or girl feels all alone with no way out.

When sex education exists, too often it is limited to information on the physiology of reproduction. Birth control is seldom mentioned or boys are excluded from responsibility for preventing pregnancy. HIV is avoided altogether or treated as a disease of some other people, yet HIV infection is rising in all parts of the world. The primary concern of young people themselves is not pregnancy, but love, courting, and sexuality. Health care experts have found that to be effective, sex education programmes should address young people's real concerns and anxieties and promote a positive and healthy sexual life, one that emphasizes self-determination, equal communication between partners and shared responsibility for birth control. (See also Chapter 6, "The Human Rights of Young Women and Girls.")

### Exercise 8: Sex Education for Whom?

**Objective:** To examine the need for information about sexuality and reproduction and evaluate the quality of information available to girls

**Time:** 60 minutes

**Materials:** Slips of paper; 3 baskets or bags

1. **Remember:**
   Give each participant three slips of paper. Ask participants to write on the first a question or misunderstanding they had about sexuality or reproduction as a child. On the second, write a similar question from adolescence. On the third, from the present. Explain that all questions are anonymous. Collect the finished slips in three different baskets or bags.

   Then invite a participant to draw a slip from the "childhood" basket and read it aloud. The participants describe how they learned the information as a child. List these sources of information. Read at least three slips from each basket or bag.

   Ask these questions about the sources of information about sex:
   - What was the source?
   - Was it accurate and complete?
   - What if any values did the information source emphasize?
   - Was the information related to women's human rights? Could it be? Should it be?

2. **Discuss:**
   Ask these questions about sex education:
   - How do young people in your community learn about reproduction and sexuality?
   - Do they receive any information from schools, health care centres and/or other social institutions?
   - Is the information from these sources accurate and complete?
   - What values do each source of information emphasize?
   - Does the information they receive mention women's human rights? Should it?
   - How would you revise the current information and material available about sexuality?
   - If no educational materials exist in your community on reproductive and sexual rights, would you want to create some?
   - How would you evaluate the information on sexuality and reproduction available in your youth? Today?
   - Where improved information is needed, who is or could be acting for change? Who opposes change?
   - If you had the resources to publish anything for girls on reproduction and sexuality, what would you do?
   - Where would you distribute the material? How?
   - Would you also offer courses to teach information in your publication?
   - Would parents be permitted to forbid their children from receiving materials?
**Actions to Promote Reproductive and Sexual Rights**

- **Zimbabwe.** The Zimbabwe National Family Planning Council (ZNFPC) launched a public information and media campaign in 1995 to promote awareness on contraceptive use.

- **Costa Rica.** Following the 1994 International Conference on Population and Development, government officials redesigned the country's population and development programme to take more account of gender issues and the needs of adolescents.

- **Uganda.** The Association of Uganda Women Lawyers and other NGOs monitor abuses by family-planning officers and providers.

- **Poland.** The Women's Rights Center, Planned Parenthood, and other NGOs have launched media campaigns on the dangers of Poland's restrictive abortion law and intensified national, regional and international lobbying to change the provisions.

- **Romania.** The Society in Education and Contraception (SEC) and other NGOs have opened outreach centres and designed educational materials on HIV, contraception and other reproductive and sexual health issues.


**Defining Women's Human Right to Reproductive and Sexual Rights**

**Exercise 9: Making Your Own Law**

**Objective:** To develop a law that protects women's human rights to reproduction and sexuality

**Time:** 60 minutes

**Materials:** Chart paper and markers. Copies of Article 16(1)(e) of CEDAW

**Write, Read, Review:**

**Step 1:** Divide the participants into small groups to write their own law that would protect reproductive and sexual rights. The law should be as specific as possible. Should this be international law? National or local law? All three?

Note: Groups could use the charts "Analyzing Human Rights Problems" and "Implementing Human Rights Strategies," pp. 203-204 to examine this issue.

**Step 2:** Distribute and read Article 16(1)(e) of CEDAW, which lacks any other specific provision on reproductive and sexual freedom, apart from this.

**Step 3:** Ask the groups to compare their new law to the provisions of CEDAW.

- How are they the same? How do they differ?
- Would they now change their law? If so, how?
- What changes or additions would they recommend to improve CEDAW?

**Step 4:** Ask groups to present their laws. Discuss:

- In what ways does the government currently limit the rights contained in your law? In what ways would the government need to change? How can women influence this change?
- In what ways could the government support and enforce your law?
- In what ways do religion, culture, tradition, custom and habit currently limit the rights contained in your law? In what way would these things need to change? How can you influence that change?
- In what ways do religion, culture, tradition, custom and habit currently support and enforce your law?
- In what ways do you and/or your family limit the rights contained in your law?
- In what ways would you and/or your family need to change? Are such changes possible?

**Step 5:** Discuss what it would really take for these new laws and/or the provisions in CEDAW to become a reality in this community. Strategize actions that individuals and groups might take to make this happen. List the strategies that the majority can agree upon.
The Human Rights of Young Women and Girls

OBJECTIVES

The exercises and background information contained in this chapter will enable participants to work towards the following objectives:

• Distinguish between biological and socially constructed differences between boys and girls
• Identify and discuss the impact of "son preference" on girls
• Recognize traditional practices that can have a harmful impact on young women and girls
• Identify forms of violence against young women and girls and appreciate the impact on the victims
• Gain information about adolescent sexuality and ways to promote the human rights of young women and girls to health care, privacy and equality
• Understand the ways in which girls' labour can be exploited, at home and in both the formal and informal work sectors
• Debate the role of authorities in both perpetuating and combating human rights abuses against young women and girls
• Strategize ways in which individuals, organizations and authorities can improve the human rights of young women and girls.

GETTING STARTED: THINKING ABOUT CHILDHOOD SOCIALIZATION OF GIRLS

In many cultures, girls are taught at an early age to be silent, passive and accepting. The Harvard Project on Women's Psychology has charted stages in girls' development. By the age of 10, girls begin to shape themselves into the "Perfect Girl," a collective image of the attributes they see being rewarded by parents and teachers: being ladylike, quiet, obedient, good in school, and always nice and pleasant (Ms. Foundation for Women report, citing Lyn Brown, "Narratives of Relationship: The Development of the Care Voice in Girls Age 7-16." Ph.D. diss., Harvard, 1989; eds. Gilligan, C., A. Rogers, and D. Jolman, Women, Girls, and Psychotherapy: Reframing Resistance, New York: Hayworth Press, 1991).

Parents and teachers tend to reinforce this image of the "Perfect Girl," which varies from culture to culture but exists in some form nearly everywhere. This socialization process has a long-lasting impact on girls' ability to fulfill their potential and realize their human rights. The Beijing Platform for Action notes: "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" (paragraph 260). (See also Chapter 13, "Women's Human Right to Education," for more information on the socialization of girls.)

The difference in the status of boys and girls in families and communities thus can largely be attributed to attitudinal differences, not biological differences. These differences are often further perpetuated by formal and informal education systems which favour boys over girls. As Neera Kuckreja Sohoni, an academic who has studied the burden of girlhood in many countries, observes: "The real gender differential is attitudinal and, as with racism, its damage is immeasurable. Like colour, [sex] is an accident of birth, but entitlements are man-made. A different and discriminatory set of values and expectations are applied to the girl, and to her preservation and development. Boys, like men, command greater space and value: that differential is sustained through a process of covert or overt neglect of the girl" (Kuckreja Sohoni, Neera, The Burden of Childhood: A Global Inquiry into the Status of Girls, Oakland, CA: Third Party Publishers, 1995, p. 13). (See also Exercise 6, Chapter 1, "Introductory Exercises," for more on gender roles.)
Exercise 1: Act-Like-A-Lady Flower

Objective: To define socially acceptable behaviour of girls

Time: 40 minutes

Materials: 3 sheets of chart paper per small group and markers. Copies of questions (below) (optional)

1. Draw/List:
   Ahead of the exercise, hang three sheets horizontally on the walls or stands per group. Divide the participants into small groups. (If participants include men, create same-sex groups and adapt questions to include men and boys.) Ask them to write their responses to the following questions on the three sheets, beginning with the middle sheet.

   **Middle sheet:**
   - What comments do people make to indicate how you are supposed to act as a woman or girl?
   - While growing up what did you learn about how to act to be considered a "good girl"?
   - What messages does society convey to indicate how to act like a "lady"?

   Write these on the middle sheet and draw petals around the list and label it "Act Like a Lady." Explain that this is the "Act-Like-A Lady" Flower. Girls whose behaviour does not fit into this flower get called names that pressure them into conforming.

   **Right Sheet**
   - What are some of the names girls get called when they step out of the flower? Write these names on the sheet. (Note: Many of these names will refer to appearance or sexual behaviour)

   **Left Sheet**
   - What are some of the repercussions—both social and physical—against girls who step out of the flower? Write these on the left sheet.

2. Discuss:
   Discuss the following:
   - How are the two lists related to the flower?
   - How do the messages in the "Act-Like-A-Lady" Flower lead to discrimination against girls?
   - How do the messages lead to violence against girls?
   - If rape is named as one of the physical acts, note that any woman can be raped regardless of whether she is "in the flower" or not.

[Adapted from Allan Creighton with Paul Kiver; Helping Teens Stop Violence: A Practical Guide for Educators, Counsellors, and Parents (Hunter House, 1992).]
Exercise 2: Childhood Myths

Objective: To understand the subtle way in which society perpetuates gender roles
Time: 60 minutes
Materials: Chart paper and markers

1. Perform:
Divide the participants into small groups and ask them to draw up a list of traditional and modern stories, songs, games, sayings or rhymes from their childhood that show men’s and women’s roles and respond to the following questions:
• Which of these examples were the most important to you as a child? Were there any that you especially liked or disliked?
• What message do they impart about male and female roles? Do any of them convey a preference for boys and/or a more restricted or lesser role in the family for girls?

Ask each group to choose the most striking example to present to the full group.

2. Discuss:
Ask the following questions and list the responses on the chart paper (adapt the questions for same-sex groups):
• How do these stories and songs reinforce myths about boys and girls, men and women?
• Were you praised for being a girl? Who said what? How did you feel?
• How do they reinforce the ways boys and girls are treated in a family?
• Were boys preferred in your family or community? If so, in what ways? How was their preference made known? How did you feel?
• Did you say or do anything at the time to protest a preference for boys? What do you wish you had said?
• Have conditions changed for girls since your childhood?
• If you have children, do you treat your girls and boys differently?

To conclude, ask participants the following question:
• What can women do to confront this discrimination in their own families and communities?

Son Preference and the Right to Survival

One of the most basic human rights is the right to survival. Many girls face a fight for survival right from the moment they are born, and this struggle continues throughout their life cycle.

Over 60 million female children are simply missing (UNICEF, Progress of Nations, New York, 1997). In populations where females are treated more equally, there are about 106 females for every 100 males. Gender discrimination occurs where the male-to-female sex ratio is reversed, as in China and South and West Asia, where there are 94 females for every 100 males (United Nations Development Programme, Human Development Report 1995, New York: Oxford University Press, 1995, p. 35).

Misuse of Amniocentesis and Selective Abortions

Where are all the missing women and girls? Some female fetuses were aborted once their sex was ascertained. In both developed and developing countries, parents practice sex selection through use of amniocentesis and other techniques. Amniocentesis allows doctors to analyze the fluid of the amniotic sac surrounding the fetus. This procedure was developed to detect fetal abnormalities or other problems with pregnancy, but it can also detect the sex of the child. Studies show that women rarely abort male fetuses, even if the amniocentesis discovers a fetal abnormality. For example, a hospital-based study of the use of amniocentesis in India found that of the parents who knew the gender of the fetus, only one of eight thousand aborted fetuses was male (The Girl Child: An Investment in the Future, Toronto: UNICEF, 1994). (See Chapter 4, "Women's Human Right to Health," for discussion and an activity on prenatal sex selection.)
Son preference is more evident when a couple already has daughters. A couple that already has a daughter is less likely to accept another (United Nations, The World's Women 1995: Trends and Statistics, New York United Nations, 1995). In Korea, for example, 114 male babies are born per 100 female babies. By the woman's fourth birth, this number increases to 200 males for every 100 females (Chai Bin Park and Nam-Hoon Cho, "Consequences of Son Preference in a Low-Fertility Society: Imbalance of Sex Ratio at Birth in Korea," Population and Development Review, Vol.21, No.1, March 1995).

**Female Infanticide**

Infanticide is believed to account for the low proportion of female babies in some developing countries. As Radhika Coomaraswamy, the United Nations Special Rapporteur on Violence Against Women, has observed: "Within cultures with a high level of son preference, female infanticide provides a disturbing alternative for women who do not have access to amniocentesis, sonograms and abortion" (Report for the United Nations Special Rapporteur on Violence Against Women, 5 February 1996, E/CN.4/1996/53, p. 26). One study in a remote area of southern India, for example, found that 58 percent of all deaths of female infants were due to infanticide, usually within seven days of their birth. (See UNICEF/UNIFEM press kit on CEDAW, fact sheet on Girls’ Rights.) In China, female babies are drowned and abandoned at such a high rate that social scientists anticipate that in 20 years Chinese men may have trouble finding women to marry [Amnesty International, Women in China, AI Index ASA 172/95, London, 1995, p.2; UNICEF. “Education of the Girl Child, Her Right, Society's Gain,” Report of the NGO Conference, Educational Working Group, NGO Committee on UNICEF, New York, 21-22 April 1992].

**Mortality and Morbidity**

Once born female infants and girls die at a much higher rate than boys in many parts of the world. For example, in Columbia, only 75 deaths of boys occur for every 100 deaths of girls; in Haiti, of 1,000 children aged 2-5, 61 girls and 48 boys die. [Looking Back Moving Forward Second Review and Appraisal of the Implementation Strategies of the Nairobi Forward-Looking Strategies for the Advancement of Women (13 February 1995).]

These higher rates of mortality among girls can be explained by neglect of girl children. Boys are more likely to receive immunizations, better nutrition and medical care, whereas parents frequently wait longer to bring girls to the doctor than boys. According to UNICEF, more than one million girls die each year from malnutrition, neglect and abuse who would not have died had they been male (UNICEF; Girls and Women: A UNICEF Development Priority, 1993). An estimated 450 million adult women in developing countries are stunted as a result of childhood protein-energy malnutrition. (See Exercise 4, Remembering Girls, Chapter 4, “Women’s Human Right to Health,” p. 55, for more on neglect of girls.)

Mortality among girls can also be related to high rates of physical and sexual abuse of girls. Studies in many countries show girls suffer greater stress than boys. While boys engage in fights, girls turn their anger inward, "self-destructing." In one study in the USA, it was shown that girls in the state of Minnesota appear to be under more stress than boys and to deal with the problems they face by turning them inward. The rate of suicide attempts is higher for girls (National Girls’ Institute, Programmed Neglect Not Seen, Not Heard Report on Girl Programming in the United States, Ms. Foundation for Women, p. 9).

**Examining Son Preference**

Economic considerations partially explain the preference for sons. Although girls usually work longer and harder than boys, girls are more likely to work within the family for free, while boys work outside the family for a wage. Families may thus value boys' contribution more than girls' non-waged contribution. This is particularly true in agricultural and trading economies, but less true in urbanized and industrialized societies where more women and girls work in the waged labour force. Nevertheless, in both rural and urban settings, families usually prefer boys. Some of the many explanations include the importance of religious rites, inheritance law which grants benefits to males, the male role in the paid workforce and a tradition in which girls "marry out" of the family, leaving it forever and, in effect, becoming the property of the husband's family.

Son preference relates to the violation of many human rights issues. In the most severe cases, son preference can violate the right to life [International Covenant on Economic, Social and Cultural Rights (ICESR) in Human Rights: A Compilation of International Instruments (ST/HR/1/Rev.5, Vol. I. Pt. 1)].
addition, as the Beijing Platform for Action notes, when "girls suffer discrimination in the allocation of eco-
nomic and social resources... this directly violates their economic, social and cultural rights" (paragraph
220; see also ICESCR). And in many cases, preferential treatment of boys over girls can violate the pro-
visions of CEDAW and the Convention on the Rights of the Child (see below).

THE CONVENTION ON THE RIGHTS OF THE CHILD

In 1959 the United Nations issued the Declaration on the Rights of Children, proclaiming the entitlement
of young people to adequate nutrition, free education, and medical care, as well as rights against
exploitation and discriminatory practices. Support for children's rights grew in the 1980s, culminating in
the 1989 signing of a legally binding treaty, the Convention on the Rights of the Child (CRC). (See
Appendix IV for summary.) More UN Member States have ratified this treaty than any other; agreeing
to submit periodic reports on their progress in implementing the convention. Only two have not:
Somalia and the United States.

All rights apply to all children "without discrimination of any kind irrespective of his or her parent's or
legal guardian's race, colour; sex, language, religion, political or other opinion, national, ethnic or social ori-
gin; property, disability or other status" (Article 2). It is the State's obligation to protect children from
any form of "discrimination or punishment on the basis of the status, activities, expressed opinions, or
beliefs of the child's parents, legal guardians or family members" (Article 2).

The Convention on the Rights of the Child establishes what is known as the "best interest of the child"
standard:

In all actions concerning children, whether undertaken by private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interest of the child shall be a primary consideration. [Article 3(1)]

This means that whenever official decisions are made that affect children, their interests should be seen as paramount. Furthermore, the views of the child are to be respected. When is a child capable of forming his or her own view? Most communities recognize division in the life cycle into childhood and adulthood. The age at which one ends and the other begins, however, differs from community to community.

Children are not, in fact, always dependent on adults. Sometimes, adults depend upon them. For exam-
ple, children, and in particular girl children, may take care of a disabled, ill, or elderly adult family member and/or make a substantial contribution to family income.

The bottom line is that the interests of the child should be heard and respected. The convention clearly establishes that all children have human rights. In considering the human rights of girls, governments are obligated to listen to their concerns and to act in their best interests. The CRC must be read in conjunc-
tion CEDAW and other regional and international agreements protecting the rights of young
women and girls.

Besides the recent CRC, other international agreements affirm children's rights. The Universal Declaration
of Human Rights, for example, considers that children are entitled to special care and assistance. Both
the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic,
Social and Cultural Rights (ICESCR) provide special protection to children as part of family rights. The
Declaration Concerning the Aims and Purposes of the International Labour Organization (ILO) instructs the
ILO to develop international programmes to make, among other goals, "provision for child welfare." Regional documents such as the African Charter on Human and Peoples' Rights, the American Convention on Human Rights and the European Social Charter encourage the protection of minors in their working
and living conditions.
The Human Rights of Young Women and Girls

Chapter 6

The Status of Girls: Facing the Facts


- Forty percent or more of the world's children are born in poverty and face the consequences of limited nutritional intake. In many countries the distribution of food within the family is skewed in favour of men and boys, with women and girls getting the lesser share, both in terms of quality and quantity (Kuckreja Sohoni, Neera, The Burden of Childhood: A Global Inquiry into the Status of Girls, Oakland, CA: Third Party Publishers, 1995, pp. 9-12).

- While the age of marriage has increased worldwide, girls married by age 15 are estimated to account for 18 percent of marriages in Asia, 16 percent in Africa and 8 percent in Latin America. Boys, on the other hand, marry when they are considerably older. The percentage of girls 15-19 who marry varies widely even within regions: from 10% in Eastern Europe, 3% in Western Europe and North America, 3% in Eastern Asia, 40% in Southern Asia; 10% in Northern Africa to 29% in Sub-Saharan Africa (Ibid.).


- Although more educated today, in 1993 girls made up approximately 60% of the 130 million children aged 6-11 who were not in school. However, regional differences exist, with Africa and South Asia being less responsive to the needs of girls for education (UNICEF, "Education of the Girl Child, Her Right, Society's Gain," Report of the NGO Conference, Educational Working Group, NGO Committee on UNICEF, New York, April 21-22, 1992).

- In Latin America and the Caribbean 56% of girls attended secondary school, compared with only 52% of boys (The Progress of Nations 1998, UNICEF, New York, 1998).


Harmful Traditional Practices

Parents and community leaders may subject girls to traditional practices that harm their health and violate their human rights. Often girls have no choice in the matter or literally would not survive without society's approval and support. Girls who refuse to "agree" to such practices are stigmatized and, in some cases, imprisoned or even killed.

When women's advocates speak of "traditional practices," they mean practices of a culture or tradition other than their own. Women advocates often point to female genital mutilation (FGM) as one traditional practice that harms girls. Indeed, FGM can cause great physical and psychological injury; the United Nations estimates that at least 2 million girls undergo FGM each year. However, FGM is only one example of traditional practices which can harms girls. (See Chapter 2, "Women's Right to Equality and Non-Discrimination," for more on FGM.)

Different societies have their own ways of punishing girls who fail to act in a "gender appropriate" manner. In particular, the traditions connected with engagement and marriage, which appear in some form in most cultures, can be forced upon girls. Girls who rebel against such traditions or who refuse to pair off with a male partner can face extreme penalties. Girls from such diverse countries as the United States, Brazil, Russia, India and Zimbabwe have been institutionalized and "treated" with electro-shock therapy and drugs in attempts to force them to adopt gender-appropriate roles or to enter into marriage with a prescribed partner.

The cultural requirement that women be beautiful and "desirable" has led to many forms of behaviour that threaten good health, from foot-binding to applying unsafe eye-shadow or carcinogenic skin lighteners. Where womanly beauty and desirability are measured by full-bodied voluptuousness, overfeeding and forced feeding of young girls may result. In industrialized countries where the norm for beautiful women is to be pencil thin, dangerous dieting and even anorexia and bulimia appear among young...
women (Smyke, Patricia, Women and Health, London: Zed Books, Ltd., 1991, p. 52). One out of roughly 100 to 200 young women in these societies suffers from anorexia, a psychological disorder characterized by self-starvation, that sometimes leads to death (UNICEF/UNIFEM Information Kit on CEDAW; Fact sheet on Girls’ Rights).

Early marriages compromise the health and autonomy of millions of young girls. Although national laws may prohibit early marriage, traditions may nonetheless persist as authorities turn a blind eye to the practice. Early marriage almost always ends education and leads to early maternity. According to the World Health Organization (WHO), maternal mortality is five times higher among girls aged 10 to 14 than among women aged 20 to 24 (Ibid.).

Such traditional practices violate many human rights, such as the rights to life, privacy, freedom of association, expression and non-discrimination, as well as freedom from violence and torture. Harmful traditions may be prohibited under national, regional and international laws, such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Convention on the Rights of the Child. Indeed, one of CEDAW’s most powerful mandates calls on states: “To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or superiority of either of the sexes or on stereotyped roles for men and women” (Article 5a).

Exercise 3: Traditional Practices

Objective: Identify the human rights relevant to harmful traditional practices and strategize how a girl might use to resist such harmful practices

Time: 60 minutes

Materials: Copies of “Harmful Traditional Practices” (above)

1. Role-Play:
   Divide participants into small groups. Ask each group to choose one of the traditional practices from the handout (e.g., early marriage and its consequences, beauty standards and anorexia), or use another example from their community to develop a role-play.

   Assume that the girl in the role-play wants to go against tradition. Ask each group to act out the scenario by assigning the roles of the girl and important figures in her life, such as parents, family elder, sister, friend, schoolteacher or religious leader. Have the girl approach each role-player to discuss her wish to break with tradition.

2. Discuss:
   After each group has presented its role-play, discuss:
   • How did each of the role-players feel? Describe these feelings.
   • What human rights are violated in this problem? Who is the violator in this case?
   • What are some strategies to resolve this situation? What can be done in the family? In the community? Nationally?
   • Could protection of these rights be enforced?

   If helpful, use the chart “Analyzing Human Rights Problems”, p. 203, to work through strategies for action on these issues.

VIOLENCE AGAINST GIRLS

Some traditions and customs—such as female circumcision, early marriage and forced marriage—can be a form of violence against girls. In addition, “[d]ue 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” (Beijing Platform for Action, paragraph 269).
The Human Rights of Young Women and Girls

Sexual Violence

Girls around the world face sexual harassment and violence at home, in school and on the street, and most justice systems lack the authority or political will to prevent such abuses. The harassment of girls by boys in school ranges from rude or insulting comments to being pinched and grabbed to more physical assaults and rape. A recent survey by the American Association of University Women (AAUW), for example, found that 85% of girls report incidents of sexual harassment in schools in the US. This figure is approximately the same for girls of all ethnic and racial backgrounds ("Hostile Hallways. The AAUW Survey on Sexual Harassment in America’s Schools," AAUW, Washington D.C., June 1993).

Girls everywhere are also subjected to rape, especially in societies where penalties are weak or not enforced for this violence and where the burden of proof and public shame is placed on the victim.

Rape of girls has increased especially in areas where HIV infection is widespread due to the belief among many adult men that sex with young women, especially virgins, reduces the risk of HIV exposure. For the same reason, the demand for ever-younger child prostitutes is growing, as is the number of girls contracting HIV and transmitting the virus to their children.

Child Prostitution

Although the sexual exploitation of children has existed for a long time, it has become increasingly globalized and organized. Modern communication, trade and travel have transformed child prostitution into a transnational business. Using stratagems such as abduction, false documents and sham marriages, both children and sex clients are easily transported across frontiers, not only to neighbouring countries but across the globe. Increasingly organized criminal elements are profiting from child prostitution as procurers, pimps and intermediaries.

Children from poor families and developing countries are especially vulnerable for recruitment into the sex trade. According to the 1994 Human Development Report, conservative estimates put the number of child prostitutes in the Philippines, Sri Lanka and Thailand at half a million. Some girls are sold into prostitution by their own families; others are lured from home with promises of good-paying jobs in the cities. The problem is compounded by social upheaval and economic crises that cause parents to migrate from rural to urban areas or one country to another in search of a livelihood.

In some societies traditional practices may involve the sexual use of children. For example, children may be sent to temples to become cult prostitutes or forced into relationships with older men in the belief that contact with children will rejuvenate their masculinity.

Many children become entrapped in prostitution when escaping abuse at home. A study conducted in Bolivia found that 79% of girls said they became prostitutes after running away from homes where they were victims of rape or incest (Muntarbhorn, Vitt, "International Perspectives on Child Prostitution in Asia," in Forced Labor: The Prostitution of Children, US Dept. of Labor, 1996, p. 9, 10-11). Child prostitution can also lead to other forms of exploitation and violation of human rights, such as torture and even death. While most countries have laws to protect children from sexual exploitation, they are rarely enforced (Ibid., p. 13).

Domestic Violence and Incest

Girls also face violence in their homes. The United Nations Special Rapporteur on Violence Against Women has found links between witnessing and directly experiencing domestic violence as a child and violent behaviour as an adult (Report of the Special Rapporteur on Violence Against Women, 5 February 1996, E/CN.4/1996/53, p. 26, citing D.G. Fischer, "Family Relationship Variables and Programs Influencing Juvenile Delinquency," Ottawa, 1985, p. 4). Although general or specific criminal laws may be applied to domestic violence, they are rarely enforced (See Chapter 7, "Women’s Human Right to Freedom from Violence.").

Incest, intra-family sexual abuse of children, is one particular form of domestic violence against children. Incest victims suffer both severe psychological trauma and physical ailments, such as anal and vaginal lacerations, lack of bladder control, sexually transmitted diseases and early childhood pregnancy. The psychological effects may manifest themselves in long-term behaviour problems and acute depression. Few, if any, social services exist for incest victims.

Local Action, Global Change
The Convention on the Rights of the Child (Article 19) requires governments that have ratified the convention to "take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation including sexual abuse." Nearly every country has laws criminalizing incest, yet few cases are ever prosecuted. Families in which incest occurs usually attempt to keep it secret. The adult abuser threatens the child to keep quiet, and children who do tell are rarely believed. Often police and prosecutors are reluctant to press charges, claiming that they cannot "interfere" with the privacy of the family. If charges are brought, children's rights are rarely protected in the justice system. A child may be re-traumatized by being forced to testify at length during trial, without any counselling or support before or after the testimony. Due to the shortcomings of the justice system and social services, incest remains one of the most invisible and difficult-to-document forms of domestic violence.

DEFINING MALTREATMENT OF CHILDREN

The maltreatment of children falls into four general categories:

**Emotional Abuse:** (This can take the forms of verbal abuse, mental abuse and psychological maltreatment.) Includes acts or failures to act by parents or caretakers that have caused or could cause serious behavioural, cognitive, emotional or mental disorders.

**Neglect:** The failure to provide for the child's basic needs. Neglect can be physical, educational or emotional. Physical neglect can include failure to provide adequate food or clothing, appropriate medical care, supervision or proper protection from the elements. It may include abandonment. Educational neglect includes failing to provide appropriate schooling or special educational needs and allowing excessive truancies. Psychological neglect includes the lack of love and emotional support and failure to protect the child from abuse including allowing the child to participate in drug and alcohol use.

**Physical Abuse:** The inflicting of physical injury upon a child. This may include burning, hitting, punching, shaking, kicking, beating or otherwise harming a child. Such injuries are abuse whether the adult intended to do harm or not. For example, an injury may result from over-discipline or physical punishment that is inappropriate to the child's age.

**Sexual Abuse:** Inappropriate sexual behaviour with a child includes fondling a child's genitals, making the child fondle the adult's genitals, intercourse, incest, rape, sodomy, exhibitionism and sexual exploitation. It involves forcing, tricking, bribing, threatening or pressuring a child into sexual awareness or activity. Sexual abuse occurs when an older or more knowledgeable child or an adult uses a child for sexual pleasure. Sexual abuse is an abuse of power over a child and a violation of a child's right to normal, healthy, trusting relationships.

Vulnerable Groups of Girls

Disabled children are often the targets of sexual violence, yet child protection services rarely address their needs. Social services may in fact perpetuate the abuse of disabled children by stigmatizing them as "special" or "in need." As Margaret Kennedy observes:

"Legislative perceptions that disabled children are less capable and require placing in a distinctive category ("children in need"), transmits negative messages to society, parents and children; even to abusers. It does not say "these children are powerful and valuable" but suggests they are weak and incapable of independence; children automatically become "in need" on diagnosis of impairment. Disabled children are taught to be good victims (Margaret Kennedy, "Rights for Children Who Are Disabled," in The Handbook of Children's Rights, ed. Bob Franklin, London: Routledge, 1995, p. 149)."

Other girls that are particularly vulnerable to abuse include "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" (Beijing Platform for Action, paragraph 171).
Exercise 4: Taking Action

Objective: To advocate against sexual harassment and/or violence

Time: 60 minutes

Materials: If available: brochures, advertisements, posters, public service announcements (PSAs) etc., on sexual harassment and/or violence

Paper and drawing materials

1. Design:
Divide the participants into small groups and ask them to design a radio or TV advertisement or a brochure advocating for an end to harassment or violence against a particular age group of girls in the community.

Present the following guidelines for the group work:
• Keep it short and simple.
• Identify the main points to emphasize: What is appropriate for the publication/advertisement to tell the public? What is inappropriate?
• How would the brochures be distributed? Is this realistic?

2. Critique:
In the full group, ask each group to present its ideas. Invite participants to question and comment on each other’s products.

If any samples of such brochures or radio/TV commercials or advertisements already exist, pass them around. Critique their content and effectiveness.

Alternative: Follow the same instructions to create a brochure for law enforcement officers on violence against girls.

Street Children

Homeless urban children, or "street children," face a host of different problems. Conservatively estimated at 80 million globally, street children are found in almost every country. In the United States, the number of homeless children is estimated to be over one million (50% of the women and children on the streets there are fleeing violence in the home). Homeless children may be less noticeable in the US, where authorities place most of them in temporary homes or shelters. All children on the street face a high risk of sexual exploitation and drug abuse. To survive, they must work the worst jobs: drug pushing, pornography, prostitution, begging, stealing, rag picking and petty trading.

Street children are often blamed for the majority of street crime despite statistical evidence to the contrary. As one researcher notes, "With very few exceptions, state provision for street children is undertaken less in their best interests and more in the interest of cleansing the streets of their presence" (Ennew, Judith, "Outside Childhood: Street Children’s Rights." in The Handbook of Children’s Rights, ed. Bob Franklin, London: Routledge, 1995, p. 206).

Adolescent Sexuality and Human Rights

In many parts of the world, adolescent girls are sexually active at younger and younger ages. Most girls have little information about how to protect themselves from unwanted pregnancy or sexually transmitted diseases. In addition, many girls have sexual relationships with older boys and men, and the power differences between the partners can prevent girls from making decisions “freely” with the information they do have.
Teen pregnancy has been explained by a number of factors including early marriages and the lack of sex education and contraception services for young women. Economically disadvantaged girls and young women are hurt most by the lack of public information and free or low-cost gynaecological health care. Studies by health care professionals have consistently shown that the best way to decrease the rate of teen abortions and births is to legalize abortion and contraception and to make sex education, contraception and abortion widely available for girls and women. Countries with the lowest rates of abortion and teen births, such as the Nordic countries, have followed this strategy. (See Chapter 5, "Women's Human Right to Reproduction and Sexuality," for more on adolescent sexuality and reproduction.)

Another reason for teen pregnancy stems from the way in which societies devalue girls. Girls who seek many sexual partners may be searching for acceptance, approval, and love that they do not find elsewhere in their lives. Girls who learn that they are valued only as an object may act like an object. A society that values girls for their unique personality, intelligence, creativity and skills and promotes their human rights encourages different behaviour:

The CRC specifically recognizes the right of children to have access to health care. Many young girls have no access to gynaecological care, including prenatal care, contraception, and abortion. Girls who choose to carry their pregnancies to term suffer additional pregnancy-related complications, such as toxemia, anemia, premature delivery and prolonged labour ("The World’s Youth 1994: A Special Focus on Reproductive Health," Population Reference Bureau and Center for Population Options, Washington D.C., March 1994). Moreover, babies born to teenage mothers are at least twice as likely to die in their first year of life ("Adolescent Reproductive Behaviour: Evidence from Developing Countries," Population Studies, No. 19. United Nations, Sales No. E.89.xiii.10 92-1151184-4 Vol.11, 1989, p. 99).

For many young women and girls, early pregnancy results in an end to their formal education and limited employment prospects. In some countries and communities, pregnant girls are expelled from school; in others, unmarried adolescent mothers suffer social and legal penalties ("The Health of Youth, Facts for Action:Youth and Reproductive Health," A42/Technical Discussions/5, World Health Organization, Geneva, 1989). (See Chapter 13, "Women’s Human Right to Education," for more on girls’ education.)

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**YOUNG WOMEN AND GIRLS AT RISK**

- In some countries, 60% of all women hospitalized for abortion complications are adolescents ("The World’s Youth 1994: A Special Focus on Reproductive Health," Population Reference Bureau and Center for Population Options, Washington, D.C., March 1994).
- In many developing countries, more than 60% of all new HIV infections are among 15- to 24-year olds ("Bridging the Gaps: The WHO World Health Report," World Health Organization, Geneva, 1995).
- In a number of countries, 40% to 47% of reported rapes are against girls under 16 years of age and under; 18% involve girls aged nine and under. (Senderowitz J., "Adolescent Health: Reassessing the Passage to Adulthood," World Bank Discussion Paper 272, January 1995).
- Two thirds of a sample of 535 young women who had become pregnant as adolescents in Washington, D.C., had been sexually abused; 55% had been molested; 42% had been victims of attempted rape and 44% had been raped. (Debra Boyer and David Fine, "Sexual Abuse as a Factor in Adolescent Pregnancy and Child Maltreatment," *Family Planning Perspectives* 24, Jan/Feb 1992, pp. 4-12).
- An International Labour Organization (ILO) survey of domestic workers in Uruguay found that 34% had begun working by age 14. Typically paid little or nothing beyond room and board, these workers were often deprived of their education and social activity and were vulnerable to physical and sexual abuse.
Girls' labour is often exploited, both at home and in the workplace. UNICEF and UNIFEM have observed that "child labour is often veiled in industrialized countries where, as elsewhere, it is subsumed into basic culture. For example, girls are being enlisted as almost full-time caretakers for younger siblings while their mothers work outside the home to support the family or attend classes in an attempt to improve their learning power" (UNICEF/UNIFEM Information Kit on CEDAW, Fact sheet on Girls’ Rights). Worldwide, families and communities deny girls the right to leisure; at every age and in every culture, boys have more time for play, education, sports, thinking and developing of their personalities.

Poverty and custom in some countries have created a class of child domestics—girls who are sent to urban households to work as servants. UNICEF estimates that 400,000 children, most of them girls, are part of the domestic workforce in New Delhi alone (Ibid.).

**SOME FACTS ABOUT CHILD LABOUR**

- Among children who attend school, 33% of boys and 42% of girls are involved part-time in economic activities (Ibid.).
- On the average girls work longer hours and are paid less than boys for the same work (Ibid.).
- Girls are the first to drop out of school to go to work and support their families; when education becomes privatized and the choice is between education of a son or a daughter, usually the son remains in school (Ibid.).
- The highest rates for girls’ participation in the labour force are in sub-Saharan Africa, eastern Asia and Oceania at 20%, followed by Southern Asia at 12%. However, female economic activity is more likely to be under-counted due to the nature of the work girls do: child care, fetching fuel and water and preparing food are not considered “work” but a typical female task. Girls are concentrated in sectors such as agriculture, fishing and forestry, manufacturing (such as carpet-weaving) and social and personal services (such as domestic work) (United Nations, The World’s Women 1995: Trends and Statistics, New York: United Nations, 1995, p. 117).
- Many young girls who are lured into prostitution began their working lives in factories, sweatshops, as bar girls or domestic help which serve as natural recruitment pools for pimps and procurers; these girls are also the most vulnerable and are often refugees or migrants.

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**Exercise 5: A Girl’s Story**

**Objective:**
To identify measures to be taken to educate around the issue of child labour

**Time:**
60 minutes

**Materials:**
- Copies of “Case Study: The Harassment of Cristina”
- Questions written on chart paper or newsprint
- Copies of “Analyzing Human Rights,” p. 203 (optional)

**Case Study: The Harassment of Cristina**

Cristina is an 18-year-old Costa Rican who lives in a suburban zone of San Jose. She is the youngest daughter of a family of 12 children: seven girls and five boys. The boys are mainly involved in agricultural labour, the girls in domestic chores and some of them also work in factories. Cristina was sexually abused at the ages of five and seven, first by an uncle and then by two older relatives. When she started school at nine years old, she had already learned to do the housework and gather coffee beans. At 15 she finished primary school and started her secondary education, but soon she was "bored." Since then she has been working.

Her first job was in a clothes factory. “I was made an apprentice. I had never touched a sewing machine...I couldn’t meet the output expected of me.” This work lasted 15 days. Then she worked for a year in another...
factory until it went bankrupt. By then she already had a bit of experience and "knew the ropes." She went to work in a leather-producing factory, but was fired within a month, "because I had to run an important personal errand...and as I hadn't completed my three month probationary period, I couldn't miss one day."

Afterwards she worked packing goods as an operator in a clothes factory. "I soon figured out what they were doing with us...we were all under age. They made us do a lot of sanding. You end up looking as though you've covered yourself in talcum powder. It's in your hair, on your face, up your nose...just talc in the mouth and all over your body. I could see the dirty work the people were doing. We sanded without a mask, but once the Ministry [of Labour] inspectors came, we had to put masks on, and once the Ministry supervisors left, we had to return them." Cristina also added, "It was illogical to work like that...I had problems with my boss...he sent me to do the dirtiest work because I wouldn't let him touch me. As the other girl let him, she got all the nicer jobs." Cristina finally left due to the harassment she was suffering.

Later she worked in a wine factory. The foreman tried to abuse her, but because she refused, she was accused in front of the owner of having taken off her clothes. She was fired immediately. Cristina's average monthly salary has been around US $111.00. She is currently looking for a new job.

[Adapted from Our Words, Our Voices: Young Women for Change! A report from the project "A Young Woman's Portrait Beyond Beijing '95." UNICEF, UNFPA, WEDO, 1996, p. 24].

1. **Read/Discuss:**
   Divide the participants into small groups and distribute the case study. Ask participants to read it with the following questions in mind and discuss these in the full group:
   - What are the human rights at issue in Cristina's situation? How can they be safeguarded?
   - How are the following concerns reflected in Cristina's situation?
     - Sexual harassment and abuse as systematic practices within the power structures of working relations.
     - Deterioration in working conditions.
     - Roles attributed to women in the workplace.
   - How can Cristina and her family be helped in both the short-term and the long-term?
   - What can be done to educate parents, employers and government agencies to prevent child labour and assist girls like Cristina?

2. **Role-Play:**
   Ask the members of the groups to assign the roles in the case and act it out, referring to the questions posed in Step 1.

3. **Analyze:**
   Use the chart, "Analyzing Human Rights Problems," p. 203, to analyze Cristina's story and strategize action to protect girls from abusive labour practices.

**The Role of Authorities**

Since all but two UN Member States have ratified the CRC, the first obligation of governments should be to uphold their commitment to implementing its provisions. Government and community authorities and the media can play both an indirect and direct role in supporting or hindering the human rights of girls. Governments may be responsible in these cases due to its action or inaction.

Where private parties (non-state actors) interfere with the human rights of girls, states must demonstrate "due diligence" in addressing the problem. In other words, the state must take active steps under local laws to protect, prosecute and punish private actors who commit abuses.

In order to support the rights of girls, governments should take steps to eliminate female genital mutilation (FGM), forced marriage and other traditional practices that injure girls. Governments can also assess the content of their education system and begin campaigns for nonsexist education, opening opportuni-
ties for girls to play sports and to take technical classes of their choosing. At the same time, governments can take steps to ensure safety in the streets and eliminate the sexual harassment of girls in schools and other institutions. Community leaders and the media can play a leading role in encouraging such actions.

### Exercise 6: Bringing Meena to Your Community

**Objective:** To develop strategies for a campaign to promote positive images for girls

**Time:** 60 minutes

**Materials:** Chart paper and markers

**1. Design/Draw**

Read aloud the following description of a UNICEF campaign:

> Throughout southern Asia, UNICEF has initiated a multimedia campaign project featuring positive stories about a little girl named Meena. There are videos, comic books, and posters of Meena's adventures, each of which illustrates an important right for girls. This project works to change negative images of girls and advocates for their equality. Meena teaches girls and boys as well as men and women about positive roles for girls. In doing so, Meena provides lessons in girls' human rights.

Divide the participants into small groups to design a strategy for bringing a campaign like UNICEF's Meena to their own community.

In making their media strategy the groups should consider:

- What would Meena be doing in their community?
- If they could convey one message through Meena, what would it be?
- Who would be the first target audience?
- How would the audience best be reached?

**2. Report Back/Perform:**

Ask each group to display a sample of their media strategy by pinning graphics on the wall and/or acting out television or radio announcements designed for Meena. The participants should critique and comment on the primary message of the campaign.

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### Positive Programmes for Girls' Human Rights

- Genetic testing for sex selection has been banned officially in India under the 1994 Regulation and Prevention of Misuse Bill and in China since January 1995.
- The seven-member South Asian Association for Regional Cooperation has declared 1991-2000 the Decade of the Girl Child and created programs to raise the age of marriage and provide girls with health care and other services.
- In 1996 "ANA," a Romanian women's group, began a campaign for nonsexist education in state-issued textbooks.
- "New Moon," an international magazine by and about girls, began publication in 1992, sparking a "New Moon" movement promoting positive images of girls.
- To correspond with the UN Decade for Women, Nordic countries funded a three-year project to research and develop model sexual equality projects in schools.

(Unless otherwise noted, taken from "The Girl Child," Fact Sheet B, United Nations Press Kit for the Fourth World Conference on Women, Beijing, China, 1995.)
Exercise 7: Making Your Own Law

Objective: To develop a law to protect the human rights of girls. To become familiar with the provisions of the Convention on the Rights of the Child especially relating to girls.

Time: 60 minutes

Materials: Chart paper and markers
Copies of Articles 2 and 6 of the Convention on the Rights of the Child

Write, Read, Discuss:

Step 1: Divide the participants into small groups to write their own law that would protect the human rights of girls. The law should be as specific as possible. Should this be international law? National or local law? All three?

Note: Groups could use the charts "Analyzing Human Rights Problems" and "Implementing Human Rights Strategies," pp. 203-204, to examine this issue.

Step 2: Distribute and read the articles of the Convention on the Rights of the Child (CRC) especially relating to girls: Articles 2 and 6.

Step 3: Ask the groups to compare their new law to the provisions of the CRC.
   • How are they the same? How do they differ?
   • Would they now change their law? If so, how?
   • What changes or additions would they recommend to improve the CRC?

Step 4: Ask groups to present their laws. Discuss:
   • In what ways does the government currently limit the rights contained in your law? In what ways would the government need to change? How can women influence this change?
   • In what ways could the government support and enforce your law?
   • In what ways do religion, culture, tradition, custom and habit currently limit the rights contained in your law? In what way would these things need to change? How can you influence that change?
   • In what ways do religion, culture, tradition, custom and habit currently support and enforce your law?
   • In what ways do you yourself and/or your family limit the rights contained in your law?
   • In what ways would you and/or your family need to change? Are such changes possible?

Step 5: Discuss what it would really take for these new laws and/or the CRC to become a reality in this community. Strategize actions that individuals and groups might take to make this happen. List the strategies that the majority can agree upon.
OBJECTIVES

The exercises and background information contained in this chapter will enable participants to work towards the following objectives:

- Define and identify various forms of violence against women
- Recognize that all forms of violence against women are human rights violations whether they occur in armed conflict, on the streets, in the home, in the workplace or in custody, prison or other institutional settings
- Identify the role of governments, United Nations human rights bodies, community leaders, the media and women themselves in addressing and eliminating violence against women
- Utilize or understand the provisions of the UN Declaration on the Elimination of Violence Against Women
- Explore the effect of armed conflict on women and identify ways to respond to violence against women in conflict situations
- Develop ways to prevent violence against women in your community.

GETTING STARTED: RECOGNIZING VIOLENCE AGAINST WOMEN

Women experience different forms of violence throughout their life cycle. As babies, they may be killed or malnourished because the society in which they were born does not value girls as much as boys. As girls, they may be sexually abused. In many communities girls are forced into marriage and childbearing before their bodies are fully developed, and as a result they can suffer severe physical injury. As women and girls, they may experience rape, domestic violence and sexual harassment. Violence during pregnancy has been identified as a major reason for miscarriage and low-birth-weight children. (See Chapter 6, "The Human Rights of Young Women and Girls," for specific information on violence against girls.)

Not only do women experience violence at different life stages, women also experience violence differently according to their class, occupation, race, religion or other status. For example, prostitutes are exposed to violence on a daily basis due to their low position in society. Migrant women are more vulnerable to violence by partners or employers because of their marginal status. Poor women and indigenous women experience violence at the hands of police, government officials or men from more dominant communities. Disabled and older women, as well as lesbians, can also be particular targets for violence.

Traditional practices may also constitute violence against women. Women's human rights to health are violated by practices such as female genital mutilation (FGM), a traditional practice of some communities, which may cause severe damage to the health of women and girls. (See Chapter 2, "Women's Human Right to Equality and Non-Discrimination" and Chapter 4, "Women's Human Right to Health.") Dowry-related abuse is also common in some countries (a woman may be harmed or even killed when her family cannot meet her husband's demands for money and goods). (See Chapter 3, "Women's Human Rights in the Family").

Poverty is a form of structural violence. In other words, the conditions of poverty—including the lack of health care and adequate food and nutrition—perpetuate an oppressive system. Since women and children are more likely to be poor, they too are more likely to be victims of such structural violence.

Women, no matter where they live or what their status, are subject to violence. For example, women from all backgrounds can experience violence by male relatives in the home. And in conflict situations, women are often raped, beaten or otherwise sexually assaulted by men on all sides. Women may also...
be victims of violence in places where the controlling government or party harasses, arrests, beats or tortures members of opposition or minority groups. (See Chapter 8, "Women's Human Rights in Politics, Public Life and the Media.") In prison or in other custodial or institutional settings such as hospitals, women confront particular forms of mistreatment based at least in part on their sex.

As the Beijing Platform for Action (paragraph 112) acknowledges, "Violence against women both violates and impairs or nullifies the enjoyment by women of their human rights and fundamental freedoms." All these forms of violence provide obstacles to women's full participation in society, in employment or other income-generating activities; in political and electoral activities; and thus to exercise of citizenship rights; to using family planning and exercising reproductive rights; to education and fully developing their own talents and personality.

FORMS OF VIOLENCE AROUND THE WORLD

• Battering is the greatest single cause of injury among US women, accounting for more emergency room visits (over one million per year) than auto accidents, muggings and rape combined.
• In Papua, New Guinea, 67% of rural women and 56% of urban women have been victims of domestic violence.
• A three-month surveillance survey in Alexandria, Egypt, indicated that domestic violence was the leading cause of injury to women, accounting for 27.9% of all visits by women to trauma units.
• A random sample of 150 women in Trondheim, Norway, found that 25% had been physically or sexually abused by their male partners.
• In a maternity hospital in Lima, Peru, 90% of mothers aged 12 to 16 had been raped by their fathers, stepfathers or close male relatives.
• A survey in Barbados revealed that one in three women was sexually abused during childhood or adolescence.
• In India, 6,200 dowry deaths were reported in 1994, or an average of 17 married women were killed daily when their families failed to make dowry payments to the husband's family (Moore, M., "Consumerism Fuels Dowry Death Wave," The Washington Post, 17 March 1995).
• In Canada, 62% of women murdered died at the hands of an intimate male partner.
• In Costa Rica, 49% of a group of 80 battered women reported being battered during pregnancy; 7.9% reported miscarriages.
• Women are much more likely than men to be victims of elder abuse. More than a million women in the U.S. aged 65 and over are victims of abuse each year (Policy Research Inc., calculated from National Center on Elder Abuse, 1994).


THE UNITED NATIONS DECLARATION ON THE ELIMINATION OF VIOLENCE AGAINST WOMEN

In 1993, the UN General Assembly adopted the Declaration on the Elimination of Violence Against Women (General Assembly Resolution 48/104 of 20 December 1993). This document defines violence against women broadly as follows:

Article 1: ... 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.
Article 2: Violence against women shall be understood to encompass, but not be limited to, the following: a) 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 related to exploitation; b) 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; c) Physical, sexual and psychological violence perpetrated or condoned by the State, wherever it occurs. [In other words, the State can be responsible for violence both due to its actions and its failure to act.] [Emphasis added.]

a) The Declaration outlines:
• a clear and comprehensive definition of violence against women
• human rights principles addressing the elimination of all forms of violence against women
• the commitment of states concerning their responsibilities
• the commitment of the international community to eliminate violence against women.

b) The Declaration defines violence broadly, including threats of violence, and outlines forms of violence that occur in both the public and private spheres.

c) The Declaration specifically holds governments responsible for using all possible and adequate means to eliminate all acts of violence against women. It mentions two types of state responsibility: (1) responsibility for violence committed by state authorities and (2) responsibility for violence committed by anyone to whom the state authorities do not react properly.

d) Governments are cautioned not to be reluctant to act because of tradition, or religious and other beliefs.

e) The Declaration specifically provides that governments should include in their budgets adequate sums of money for activities directed to eliminating violence against women.

f) The Declaration also recommends that Member States consider developing national plans of action to protect women from violence or to put these provisions in already existing plans. In doing so, states should consider the experiences of non-governmental organizations (NGOs), especially those in the field of violence against women. In developing preventive measures, states are cautioned to take care that they do not further victimize women by adopting laws and practices that are not gender sensitive.

g) State authorities are encouraged to adopt gender-sensitive training conducted by experienced women in the field of violence against women for all officials responsible for prevention, investigation, criminal procedures and punishment of violence against women.

h) The Declaration calls on governments to establish programmes in public schools at all levels that are designed to challenge patterns in men’s and women’s behaviour, and of violence at home and in the streets.
Exercise 1: Defining Violence Against Women

Objectives: To identify the elements that constitute violence against women and apply the UN definition of violence against women to women’s real-life experience.

Time: 60 minutes

Materials: Chart paper and markers or blackboard and chalk. Copies or prepared chart of Article 1 (extract) and Article 2 (extract) of the United Nations Declaration on the Elimination of Violence Against Women (see text above). Stories from the media about violence against women (optional).

1. List: Divide participants into small groups and ask them to list on chart paper different types of violence against women. Star those examples that occur in their community.

2. Define: Ask groups to use their list of examples as a basis for the following:
   • Next to each example on the list write the principal human rights that are violated by this act of violence.
   • Make a definition of violence against women. Write it at the bottom of the list.

Ask each small group to present its chart and definition.

3. Compare: Post a chart or pass out the text of Article 1 and 2 (extracts) of the UN Declaration on the Elimination of Violence Against Women, underlined as shown above. Ask participants to compare this definition with the types of violence against women listed in Step 1. Do their examples include the following:
   • physical harm or suffering?
   • sexual harm or suffering?
   • psychological harm of suffering?
   • threats of physical, sexual or psychological harm or suffering?
   • coercion?
   • arbitrary deprivation of liberty?
   • acts in both public and private life?
   • violence occurring within the family?
   • violence occurring within the general community?
   • violence perpetrated or condoned by the State?

4. Discuss: Is this definition adequate?
   • Are there parts of the participants’ definition they would wish to see added to the UN definition?
   • Based on this definition, are there further examples of violence to add to the original list?
   • Are there types of violence against women that are not covered in this definition?
   • How do you personally define freedom from violence?

5. Gallery Walk: Ahead of time, put up on the walls accounts of violence against women collected from newspapers, magazines and other sources. Ask the participants to walk around and read the stories, thinking about whether the UN definition applies and whether the women in the stories could or could not expect justice if that incident occurred in their community. Discuss reactions to the stories.
Women’s Human Right to Freedom from Violence

Chapter 7

Women and Conflict Situations

Gross violations of human rights and obstacles in war include "torture and cruel, inhumane and degrading treatment or punishment, summary or arbitrary executions, disappearances, arbitrary detentions, all forms of racism and racial discrimination, foreign occupation and alien domination, xenophobia, poverty, hunger and other denials of economic, social and cultural rights, religious intolerance, terrorism, discrimination against women and lack of the rule of law" (Beijing Platform for Action, paragraph 113). Civilians, especially women and children, the elderly and the disabled are often victims of violence in situations of conflict, ranging from armed international or civil wars to state-sponsored or state-condoned human rights violations against political, racial, ethnic, national or religious minorities.

Government, paramilitary and other opponents usually target women due to their ethnic, national, religious, racial and/or political affiliation. But there is a gender component as well. Women in conflict often suffer abuses and consequences different from those visited upon their male counterparts. For example, throughout history soldiers have raped women as part of war. Mass rapes of women have been documented in recent years in such diverse countries as Bosnia, Cambodia, Haiti, Peru, Somalia and Uganda. While men sometimes also experience rape and sexual violence in conflict situations, women are targeted in particular, often as a way to humiliate and defeat the men in the community. In addition to acts of individual soldiers that are not necessarily planned though usually condoned, rape and sexual violence may also be part of a planned strategy to terrorize a population. Furthermore, when women are tortured during interrogation or imprisonment both in times of war and peace, the torture may be of a sexual nature.

In addition to direct violence against themselves, women must deal with the violence committed against their loved ones, husbands, parents and children. When men are attacked or imprisoned, women are frequently left alone to take care of their families and to work for the release of male family members. Fear of violence also has a direct and particular impact upon women. Fear of rape and fear of being caught in the crossfire, for example, may cause women to stay at home or to go into hiding. Fear of violence limits women's ability to go to their workplaces, to work in the fields, to shop in the market or to stand in line for humanitarian aid. For women with children, fear of violence entails the constant stress of looking after their children's movements, at times restricting them indoors or even taking them into hiding.

Conflict situations may also increase the levels of domestic violence against women. Regimes that exercise power by undermining people's self-esteem and self-expression usually encourage domination based on gender as well as on class and ethnic differences (Judy El Bushra and Eugenia Pia Lopes, "The Gender Dimensions of Armed Conflict" in Development and Conflict: The Gender Dimension, Oxford, 1994, pp. 18-28). Domestic violence is always difficult for women to report, but in conflict situations women may be particularly unwilling to report it because of additional social taboos. Societies in conflict may be more willing to overlook domestic violence when the male perpetrator is himself a victim of ethnic violence.

The rights of women in conflict, including the right to be free from sexual violence, should be enforced through national, regional and international laws, such as:

- The Geneva Conventions of 1949 (Protection of Civilian Persons in Time of War) and its additional protocols
- The International Convention on the Elimination of Torture and Cruel and Unusual Punishment
- Customary international law and the jurisdictional mandates of the International War Crimes Tribunal for the former Yugoslavia and Rwanda, which recognize "crimes against humanity"
- The United Nations High Commissioner for Refugees (UNHCR) has issued guidelines on the treatment of refugee women and, specifically, on violence against women.

"Comfort Women"

During World II, anywhere from 100,000 to 200,000 women were systematically recruited or kidnapped, brutalized and forced to sexually service the Japanese soldiers as "comfort women." While 80% of "comfort women" were from Korea, a Japanese colony at that time, they also included Japanese, Filipino, Chinese, Indonesian and European women. Each woman was expected to serve approximately 30 soldiers per day, for which she was paid little or nothing.

The powerful testimonies and organizing strength of former "comfort women" and their supporters
provided a catalyst for their own communities and governments in Korea, the Philippines, China and Indonesia to demand an apology and compensation from Japan to former "comfort women."

In 1993, after more than 50 years of denial, the Japanese government issued an official apology along with compensation in the form of research and exchange facilities with the countries from which former "comfort women" were taken and funds for medical and social assistance. Though international demand for individual compensation continues, the Japanese response is a tribute to the strength and tenacity of former "comfort women" survivors and the power of international collaboration among women and human rights groups (Asian Women's Human Rights Council, Primer on Filipino "Comfort Women: Questions and Answers, Philippines: 1992).

One manifestation of the attention that women have drawn to this issue was the Special Rapporteur on Violence Against Women's country visit to Japan in 1995, and her subsequent issuing of a report to the UN Commission on Human Rights condemning the "comfort women" tragedy.

**Exercise 2: The Impact of Armed Conflict on Women's Lives**

**Objective:** To identify the impact of armed conflict on women's lives and the inherent violation of women's human rights

**Time:** 45 minutes

**Materials:** Case Study: Women and War in Country X

**Case Study: Women and War in Country X**

Country X has just emerged from a series of civil wars and totalitarian regimes spanning a 20-year period. Before the period of conflict began, gender relations in X were characterized by a clear division between men's and women's tasks and the resources needed to perform them such as livestock, grain, farm equipment and money. In general, men had control of most resources.

A large percentage of the male population and a smaller but significant percentage of the female population died during the wars, and many of the surviving males are now migrant workers in neighbouring countries. The surviving women have a greater share of the work in their communities, yet still limited control over resources.

Some of the surviving women were raped by soldiers during the wars. Many of these women have suffered long-term health effects from self-induced and unsterile abortions. Those who have given birth to children born from rape are scorned by their communities.

Violence has increased in X since the end of conflict. Thieves prey on women walking alone; male family members abuse the females in their household at an alarmingly high rate; guns from the wars can be bought and sold on the streets; and mothers now worry about their children becoming involved in increasingly popular youth gangs. In some areas, women have become "camp followers" women who have no means of support apart from attaching themselves to the remaining military camps where they provide sexual favours.

Still, peacetime has brought some positive changes for women. Women have become increasingly involved in community affairs. Stepping in to fill roles previously occupied by men, women are now more influential in local government and women's groups play increasingly important community roles.

1. **Read/Discuss:**

   Distribute the case study, or read it aloud. Lead a discussion based on the following questions:
   - Can you identify human rights abuses in this story?
   - Can you identify the abuses against women due to war, custom and lack of health care?
   - Which of these abuses are directly related to war? Incidentally related? Might have happened regardless of war?
   - What effect will these abuses have on the future of this society?
   - What could women in your community do to help women victims and survivors of conflict?
   - What motivates women to provide such help? What blocks such efforts?

[Adapted from Activity 60, Oxfam Gender Training Manual, Oxford, UK: Oxfam, 1994.]
WOMEN AND PEACE

Since 1945, more than 25 million people have died from war-related causes. Civilians account for 90% of the casualties in today’s wars; over 70% of those are women and children (Fetherston, A.B., “UN Peacekeepers and Cultures of Violence,” Cultural Survival, Spring 1995). Although men may more likely be fighting the wars, women and children make up the majority of refugees, and they are more likely to be displaced or killed as a result. (See Chapter 9, “Human Rights of Refugee, Displaced and Migrant Women.”)

Despite vulnerability to murder, rape, torture, sexual abuse, deprivation, displacement and psychological trauma in times of conflict, women are usually absent from decision-making positions in the national, regional and international bodies that make war or negotiate peace. Women can rarely be found in high positions in armies or peace-keeping forces; few women ever sit on the UN Security Council or on regional defence organizations such as NATO. Nonetheless, “[d]uring times of armed conflict and the collapse of communities, the role of women is crucial... Women make an important but often unrecognized contribution as peace educators both in their families and their societies” (Beijing Platform for Action, paragraph 140).

Exercise 3: Women as Agents for Peace

Objective: To examine the impact of excluding women from decision-making about war and peace

Time: 45 minutes

Materials: None

1. Discuss:
   Lead a discussion on women and conflict, focused around the following questions:
   • What is the impact of excluding women from decision-making about war? Would women make a difference? Why or why not? What kind of difference?
   • Have women in your community reacted to war, to weapons of mass destruction or to state violence against women?

2. Imagine

Read aloud the following scenario:
It is the year 2090. Half the countries in the world are headed by women; half the cabinet members and leaders are women. Half the elected officials are women. Gender equality has been achieved in education and health.
   • What is the state of the world? Is it necessarily more peaceful?
   • Is the situation regarding peace and conflict the same in the societies headed by men as those headed by women? If yes, why? If no, what are the differences?
   • What contribution can leadership, whether male or female, make to peace in the world?

WOMEN IN PRISON

International human rights law has long devoted attention to the treatment of prisoners. In the view of both human rights groups and prison authorities, the typical prisoner is male. Nearly everywhere men are incarcerated at a far higher rate than women. However, women prisoners do exist, often in substantial numbers, and in most parts of the world women are the fastest growing category of the prison population. The narrow focus on the male prisoner ignores and neglects the specific concerns of women prisoners.

Most women in prison are poor or working class and/or members of a caste, ethnic or racial group that has less power in society. Research has shown that a disproportionately large percentage of women in prison have been victims of sexual abuse and/or other forms of violence in the family. Some women are in prison precisely because they attempted to stop their partner, boyfriend or husband from continuing to harm them or their children.
No matter what brings them to prison, female prisoners, like male prisoners, have human rights which must be respected. International standards require states to treat prisoners humanely: to ensure that they are free from torture or other cruel, inhumane and degrading treatment or punishment; to provide them with adequate living conditions; and not to discriminate against prisoners on the basis of sex or any other ground.

INTERNATIONAL STANDARDS ON PRISONS

International standards on the rights of prisoners can be found in these documents:

- The Universal Declaration of Human Rights. 1949.
- The International Covenant on Civil and Political Rights. 1966.
- The Convention Against Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment. 1984.
- UN Basic Principles for the Treatment of Prisoners. 1990.

Regional conventions on human rights also provide for the rights of prisoners, and various international documents address specific issues facing prisoners, such as the spread of HIV/AIDS in prisons, the treatment of youth offenders and the protection of prisoners with mental illnesses and in hunger strikes. However, none of these international documents deals specifically with the rights of imprisoned women.

The rights of prisoners have not received adequate attention from the international women's community. The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) does not include women prisoners, and former prisoners or their advocates are rarely invited to speak at women's meetings. As a result, women prisoners remain nearly invisible and their voices remain largely unheard.

Thea DuBow, a woman from the United States who was imprisoned for killing her battering husband, facilitates a support group in prison for women who have been victims of intimate violence. In her testimony before the Beijing Tribunal on Accountability for Women's Human Rights, DuBow brought a message from these women:

We are mothers, sisters, lovers, daughters. We are women, not just people who committed a crime and are now inmates. We are not born criminal. And we are not certainly who you think we are—we are not cold-blooded, we are not vicious.

We are you, and you are everything you think we are. We are sensitive, caring, softhearted, sweet (sometimes). We have a heart, a conscience, and we are as scared of society as it is of us. But we desperately need you to see us as individuals—not collectively, not stereotypically.

The way we grew up, we were in prison in our homes and all of our lives. No one listened and when we spoke up, it was turned against us. There was never anyone to trust, no confidentiality, no one cared. We are human beings who, in spite of it all, survived. We survived beatings with iron cords, belts, fists and worse. We survived being sexually assaulted and ripped to pieces at ages two, three, four, five, six, seven, eight, twenty-eight. We survived living in terror all the time... (Reilly, N. ed., Without Reservation: The Beijing Tribunal on Accountability for Women’s Human Rights, NJ: Center for Women’s Global Leadership, 1996, p. 57).
Exercise 4: Women in Prison

Objective: To illustrate the vulnerability of women in prison to human rights abuses

Time: 30 minutes

Materials: Chart paper and markers or blackboard and chalk
Copies of "Case Study: Zeeda and Laron in Prison" (below)

I. Read/Analyze:
Read aloud or pass out copies of the case study below. Ask participants to list the human rights issues found by Zeeda and Laron.

The list should include most of these issues:
• Sexual abuse by guards and fellow inmates and the failure of prison officials to take women's complaints of abuse and threats of abuse seriously.
• The prison's inability to deal with motherhood although some prisons do allow women to have infants with them in prison.
• Discrimination against women prisoners compared to men prisoners, such as the inadequacy of woman's facilities compared with men's (e.g., lack of exercise outdoors, lack of access to library and educational facilities).
• Imprisonment of a woman for crime for which a man is not imprisoned for his role (e.g., in the case of prostitution).
• Inadequate mental and physical health care for women—whether the prison provides female patients with adequate gynaecological care, sanitary pads, treatment for sexually transmitted diseases and other women-specific care.
• Mistreatment, such as torture and abuses by prison guards and others, of a sexual nature.

Case Study: Zeeda and Laron in Prison
Zeeda was raped by her uncle when she was young and then sexually molested by her father. To escape from them, she ran away from home before finishing school. In order to support herself, she began working as a prostitute. Police arrested her several times for prostitution, and after the fifth arrest, she now faces a mandatory jail term (although the "pimp" who solicited customers for her could not be sentenced under law to a jail term, and only received a fine). Zeeda is thrown in the "women's section" of Wantox prison, a line of 10 cells in the back of a men's maximum security prison, which holds all kinds of women prisoners, from mass murderers to shoplifters. At Wantox, the women prisoners, unlike the men, are not allowed out into the prison yard because the yard is used constantly by men. "Besides, there are so few women here," the head of the prison says after someone complains. Because of her reputation as a prostitute, prison guards constantly taunt Zeeda, threatening to rape her, and on one occasion a guard actually does rape her. When Zeeda complains, she is thrown into solitary confinement.

Laron was arrested for organizing a demonstration. She too is sent to Wantox. Like Zeeda, she is constantly harassed, because of both her gender and her political beliefs. Laron has an infant child whom she is not allowed to see during the entire three years that she is in prison. She pleads with the guards to let her nurse her daughter, but her requests are refused.

Domestic Violence
Women suffer from many forms of violence outside the home including sexual harassment at their places of work (See Chapter 11, "Women's Human Rights and Work"); abuse by prison guards; attacks in public places, streets and buses; nasty remarks on the street which make it unpleasant or impossible for a woman to visit certain places by herself or without men; attacks on women travellers; beatings, rapes and murders of prostitutes; attacks against disabled and older women, both at home and in public places. But the most frequent attacks against women occur in the home, by a known perpetrator: partners, boyfriends or husbands; former partners, boyfriends or husbands; fathers, stepfathers, father-in-laws, brothers, or sons, or other relatives.
Violence among members of a family or members of the same household is called domestic violence. In these cases, one person gains power through use of physical or emotional coercion. Any person in a household could be the target of domestic violence, but it is most frequently experienced by women. The criminal law in some countries explicitly prohibits domestic violence, but in many others it is not even mentioned.

Domestic violence involves physical and sexual violence as well as the breaching of reproductive rights. Research has shown that women who live with physically abusive partners face a high risk of marital rape, which can occur even in the absence of a violent relationship. Domestic violence also includes psychological abuse, such as forced isolation, humiliation, denial of support and threats of violence or injury. Those working with survivors of domestic abuse often report that women consider psychological abuse to be even more devastating than physical assault.

Surveys on violence against women, although important measures of reported abuse, tend to underestimate the number of incidents and minimize the level of abuse. Nowhere is this more true than in the area of domestic violence. "Women are frequently reluctant to disclose abuse because of feelings of self-blame, shame, loyalty to the abuser or fear. Moreover, women in many cultures are socialized to accept physical and emotional chastisement as part of the husband's marital prerogative, making them less likely to self-identify as abused" (Heise, L. et. al. 1994, pp. 1165, 1168).

### Exercise 5: Myths and Facts about Domestic Violence

**Objective:** To demonstrate misunderstandings about domestic violence

**Time:** 45 minutes

**Materials:** Copies of "Myths and Facts about Domestic Violence" (below)

#### Discuss:
Ask a volunteer to read a "myth" regarding domestic violence, which the full group will discuss for three minutes. Then ask another volunteer to read the accompanying "fact." The group then considers whether the set of "myth" and "fact" holds true for their communities.

When you have read all the myths and facts, discuss:
- Does this categorization of myths and facts hold true for your community?
- Are some of the myths ambiguous or misleading? Why or why not?
- Can you add to this list of myths and facts?

### Myths and Facts about Domestic Violence

#### Myth 1:
Domestic quarrels, beatings and fights are characteristics of the lives of uneducated and poor people, members of lower social classes, people of minority races and ethnicities, and the inhabitants of slums. For people of higher economic, cultural or educational classes, such occurrences are more rare.

#### Fact 1:
Violence against women has no any economic, ethnic or class distinctions. It happens everywhere in all social classes and groups.

#### Myth 2:
Domestic violence is a new phenomenon caused by the economic and social changes of modern life, our speedy way of living and new social stresses.
Fact 2: The custom of wife-beating is as old as marriage itself and in some cases has been openly encouraged and sanctioned by the law. Similarly, most forms of violence against women have a long history.

Myth 3: Domestic violence is now rare. It is an occurrence of the past when people were more violent and women were considered the property of men.

Fact 3: The incidence of domestic violence is very frequent in our time. Legal experts and women's human rights advocates in many countries consider it to be one of the most under-reported crimes.

Myth 4: Women provoke the beatings by their attitudes or action. They deserve to be beaten because they have disobeyed their husbands or have done something "wrong."

Fact 4: This common belief illustrates that the problem of battered women is a social one which is deeply rooted in the way men and women are socialized. Also, this kind of thinking shows how society draws connections between marriage and property, ownership, sex and violence. The reality is that no human being deserves to be beaten, and that batters will find any excuse for their actions, no matter what their target does or does not do.

Myth 5: If women wanted to, they would leave. If they stay, they must find some masochistic pleasure in the beatings.

Fact 5: Women don't leave for many reasons, including the shame of admission, fear of future beatings or escalation of violence, economic dependence, lack of financial or emotional assistance, and lack of a place to go—or, more likely, a combination of all of these factors.

Myth 6: The law provides adequate protection for women involved in domestic violence.

Fact 6: The law is traditionally weak in this area. Police around the world hesitate to interfere in what they term "domestic disputes" or "private relationships." Criminal codes of many countries don't include special protections for women against domestic violence. Most legal systems view the problem as a competition between two sides with equal power when, in fact, this is not the case—the male perpetrator usually has more power in many respects, socially, economically, physically and even legally. Marital rape in many countries is not considered to be a crime at all. Many judges view wife-beating as a natural part of family life.

Myth 7: Battered women are uneducated and have few job skills.

Fact 7: Battered women are successful career women as well as factory workers and fulltime homemakers. Their profession does not determine their partner's violent behaviour.

Myth 8: Violent men are mentally ill or are alcoholics.

Fact 8: Few violent men are mentally ill. They are just asserting what they see as their right to dominate women. Alcohol can exacerbate violence against women but it does not cause it. Abusive men with alcohol problems abuse their partners both when they are drunk and when they are sober.
PREVENTING DOMESTIC VIOLENCE

Violence against women and girls "is a manifestation of the historically unequal power relations between men and women, which have led to the domination over and discrimination against women by men and to the prevention of women's full advancement" (Beijing Platform for Action, paragraph I 18). Any strategy to address violence against women and promote women's human rights must thus confront the underlying power imbalances, cultural beliefs and social structures that perpetuate it.

Four factors predict violence against women in the home: (1) Economic inequality between men and women; (2) A pattern of using physical violence to resolve conflict; (3) Male authority and control over decision-making in the home; and (4) A socially accepted masculine ideal of dominance and toughness.

On the other hand, four factors tend to diminish violence against women: (1) Female power outside the home, including economic and political power; (2) Active community involvement in the issue of violence; (3) The presence of all-female networks or solidarity groups; and (4) The availability of sanctuary from violence, such as shelters and the homes of friends or family.

Many women do leave but more remain in violent situations for years. The reasons for this are complex. First, people often react adversely to victims of violence of any kind and tend to blame the victim. She may make people feel uncomfortable, guilty, afraid, confused and unsure. Furthermore, most women lack the means to support themselves and their children economically or socially. Where shelters exist, the space is frequently full or inadequate. Often families and authorities also prefer to avoid such problems.

FACTORS THAT PERPETUATE GENDER-BASED VIOLENCE

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<tr>
<th>Cultural</th>
<th>Gender-specific socialization</th>
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<td>Cultural definitions of appropriate sex roles</td>
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<td>Expectations of roles within relationships</td>
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<td>Belief in the inherent superiority of males</td>
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<td>Values that give men proprietary rights over women and girls</td>
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<td>Notion of the family as the private sphere and under male control</td>
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<td>Customs of marriage (bride price/dowry)</td>
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<td>Acceptability of violence as a means to resolve conflict</td>
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<th>Economic</th>
<th>Women's economic dependence on men</th>
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<td>Limited access to cash and credit</td>
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<td></td>
<td>Discriminatory laws regarding inheritance, property rights, use of communal lands, and maintenance after divorce or widowhood</td>
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<td>Limited access to employment in formal and informal sector</td>
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<td>Limited access to education and training for women</td>
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<th>Legal</th>
<th>Lesser legal status of women either by written law and/or by practice</th>
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<td>Laws regarding divorce, child custody, maintenance and inheritance</td>
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<td>Legal definitions of rape and domestic abuse</td>
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<td>Low levels of legal literacy among women</td>
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<td>Insensitive treatment of women and girls by police and judiciary</td>
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<th>Political</th>
<th>Under-representation of women in power, politics, the media and in the legal and medical professions</th>
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<td>Domestic violence not taken seriously</td>
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<td>Notions of family being private and beyond control of the state</td>
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<td>Risk of challenge to status quo/religious laws</td>
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<td>Limited organization of women as a political force</td>
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<td>Limited participation of women in organized political system</td>
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Exercise 6: Violence and Inability to Flee

Objective: To identify constraints that prevent women from leaving a situation of domestic violence and opportunities that might support their leaving.

Time: 75 minutes

Materials:
- Copies of "Factors that Perpetuate Gender-Based Violence" (above)
- Pieces of paper (A4 or letter size), markers, tape

I. Present:
Hand out the "Factors that Perpetuate Gender-Based Violence." Go over the headings and choose some factors to highlight. Invite comments.

II. Role-Play:
Describe the following scenario:
Your friend keeps leaving her husband because he beats her, but she also keeps returning.
• Why does she keep returning?
• What do you think of this pattern?

Ask for a volunteer to sit in the centre of the floor to represent "your friend." Ask participants to call out reasons the friend cannot leave the violent situation. Each reason the whole group agrees to is written on a piece of paper and taped to the volunteer's body (e.g., one paper could symbolize economic dependency, another community attitudes, another lack of independent housing opportunities, and so on).

When the reasons are exhausted, ask participants to name factors that would enable the woman to leave the situation (e.g., a shelter, child care, supportive friends and family). Remove the relevant sheets of paper until they are all or almost gone, then ask the volunteer to stand up, symbolizing her ability to choose.

III. Discuss:
Lead a discussion:
• How can we confront our own fears?
• How can we avoid blaming the victim?
• What can be done to remove the factors that keep women in violent situations?
• What can you do to help?

SEXUAL ASSAULT

Sexual assault includes rape and other forms of physical attack of a sexual nature. As with other forms of violence against women, the perpetrators of sexual assault are most likely to be known to the victim. For example, a multi-country study of the World Bank, drawing from justice system statistics and data from rape crisis centres, found that in 60 to 70 percent of rape cases the victim knows the perpetrator (Heise, L. et al., Violence Against Women: The Hidden Health Burden, Washington, DC.: World Bank, 1994, p. 29).

Nearly every country has laws against sexual assault, but disputes often arise about the following issues:
• The scope of the offence, i.e., the range of behaviours included. Many laws include only a narrow definition of rape as forced penetration of the penis into the vagina. This narrow definition excludes other forms of sexual assault, such as insertion of objects, forced fellatio and anal intercourse.
• Whether sexual assault in marriage is a crime. Under many criminal codes married women cannot charge their husbands with rape.
• Whether the burden must be placed on the victim to prove she did not consent. Most rape and sexual assault laws require the woman to prove she did not consent, but in some cases force can be inferred from the circumstances. Rape is the only criminal offence in which the complicity of the victim becomes a relevant consideration in the trial of the offender. Sri Lankan lawyer (now UN Special Rapporteur on Violence
Women's Human Right to Freedom from Violence


- Whether rape should be a crime of sex or violence, or both. Some women advocates argue that the perception of rape as a sexual crime is responsible for mitigating its seriousness to a great extent. Rape is a crime of violence that is one of the worst forms of physical and mental injury that can be inflicted upon women (Jilani, Hina. "Whose Laws? Human Rights and Violence," in Freedom from Violence: Women's Strategies from Around the World, ed. Margaret Schuler, UNIFEM, 1992, p. 71).

Women human rights advocates have pressed for reform in criminal justice systems to ensure that women are dealt with fairly in court and that police, prosecutors, and courts treat rape complaints in a serious manner. In some localities, prosecutors can no longer blame a victim for being raped by bringing up her past sexual history (for example, by trying to show that she was a promiscuous woman who deserved it or provoked sexual assault). However, rape and other forms of sexual assault remain among the least reported crimes throughout the world, largely because given the precedents many women believe that facing the police and the judicial process would be worse than not seeking justice at all.

Exercise 7: Violence Against Women and Human Rights

Objective: To identify the relationship between violence against women and human rights

Time: 60 minutes

Materials: Chart paper and markers or blackboard and chalk

1. Brainstorm/List:
   Post four sheets of chart paper labelled:
   a. Effect on Women's Lives
   b. Loss of Right Due to Violence
   c. Gains When Free from Violence
   d. How to Become Free from Violence.

   Ask the participants to brainstorm items to list under these categories:
   a. Ways in which women's lives are affected by the threat of violence, both public and domestic
   b. Rights women lose when they are not free from violence
   c. Rights women gain when they are free from violence
   d. Ways to help women become free from violence.

   Lead a discussion about the connections between and among the four lists.
   • Do you see a circle?
   • Do you see interwoven lines?

2. Discuss:
   Post a chart listing the following human rights and ask how they can help women to free themselves and others from violence:
   • Right to life
   • Right to equality
   • Right to personal freedom and security
   • Right to equal legal protection
   • Right to protection against all forms of discrimination
   • Right to health
   • Right to equality in the workplace
   • Right not to be tortured, or to be exposed to other inhumane, cruel, or degrading treatments or punishments.

   Choose two of the rights from the above list and explain their relationship to violence against women.

   Alternative: If some participants have knowledge of the law, ask them to circle on the four sheets of paper the rights that are enforceable in their country. Discuss why and how they are enforceable and what this enforcement means for women.
Women's Human Right to Freedom From Violence

Chapter 7

THE ROLE OF AUTHORITIES: GOVERNMENT

There continues to be some resistance to viewing the question of violence against women as a human rights issue. Opponents who hold this view argue that human rights concerns relations between the state and the individual and therefore excludes what people do in their private lives. While protection against violence in armed conflict or in state custody may be considered a human right, they would argue that domestic violence is not and that a battered woman's claim is against her batterer, not the state.

Those who see domestic violence as a human rights violation point out that the government and other authorities do have a responsibility to intervene in private forms of violence. By fostering the conditions that allow male batterers to go unpunished, by failing to respond seriously to women's complaints of sexual assault and by sponsoring institutions that do not take women's needs into account the state becomes implicitly responsible for violence, both in its actions and its failures to act.

Some governments have assumed responsibility to stop gender-based violence and take steps to prevent future violence. Such actions entail changes in the training for police officers, prosecutors and judges in order to improve their understanding of domestic violence and their willingness to take the issue of violence against women seriously. Prevention includes education in schools to combat the belief that men have a right to abuse women. Preventive steps could also include state-sponsorship of battered women's shelters and counselling services, as well as cooperation between law enforcement officers, social service agencies, health workers, and groups that counsel survivors of violence.

A number of governments have recently passed legislation concerning different forms of violence against women. While legislation is an important step towards combatting violence, it must be understood as more than a purely legal issue. The law in most countries does not specifically mention domestic violence or other forms of violence against women, apart from perhaps sexual abuse. This means that women have to look to general provisions of law that were never meant to cover their situation. When the law does address the various manifestations of violence against women, it often does so separately, with no suggestion that they are structurally related. In other words, laws do not usually address the relationship between violence against women and discrimination and subordination of women generally and, as a result legislation on violence against women has developed in a fragmented way (Connors, Jane, "Government Measures to Confront Violence Against Women," Women and Violence, ed. Miranda Davies, London: Zed Books, Ltd, 1994, 182-3).

Where specific laws on domestic abuse exist, they ordinarily involve some kind of protective order. This involves a procedure in which a woman can go to court and argue that the court should order the abuser to stop his behaviour and stay away from her. Police can then arrest the abuser should he violate the protection order. Even where such legal remedies are available, however, police, prosecutors and judges can fail to take women's complaints seriously and block and/or intimidate women from obtaining relief.

THE ROLE OF AUTHORITIES: MEDIA AND COMMUNITY LEADERS

While efforts to criminalize domestic violence and reform the legal system are indeed important, they are not sufficient to bring about systemic change. Strategies for changing the underlying beliefs and attitudes that undergird male violence must also be devised. Relying on incarceration for abusers does not address situations where women do not want or cannot afford to have their husbands go to jail.

While religious and community leaders, teachers and the media may play a negative role in perpetuating violence against women, they can also be a valuable resource for addressing and reducing the problem. After all, women tend to go first to family members, community leaders, health care professionals and social workers in times of crisis. The legal system is often the last resort.

Women in many parts of the world have initiated education campaigns, workshops, petition drives,
"speak outs" and other actions to help change the kind of social attitudes that lead to violence. In addition, women activists have been at the forefront of providing counseling, shelter and other services to women survivors of violence.

\section*{Strategies to Combat Violence Against Women: Beyond the Legal System}

- In India, women have organized to press for new legislation to address sexual violence and dowry harassment and to educate young people about the problems. Women in India have also humiliated male abusers by picketing their site of employment.
- In Croatia and Serbia, women organized SOS Hotlines for women victims of violence and opened shelters for women; in order to support itself, the shelter in Serbia runs its own second-hand clothes store and a chicken farm.
- Mexico's Red Nacional contra la Violencia hacia la Mujer (National Network Against Violence Against Women) held a National Forum on Sex Crimes which presented 88 papers and testimonials about rape and domestic violence to the Mexican House of Deputies.
- In Germany, a museum opened an exhibition on women's labour migration and its relationship to gender violence as part of the international "16 Days of Activism Against Gender Violence" campaign.
- In Zimbabwe, the Musassa project works with local police and prosecutors to sensitize them to issues of domestic violence and rape.
- In Jamaica, the artistic collective Sistren uses interactive workshops and street theatre to prompt discussion on issues of domestic violence and rape. The Women's Media Watch protests objectionable portrayals of women in the media, and Teens in Action performs drama to encourage discussions among young people on issues of male-female relationships and violence.
- In Peru, women in Lima have organized themselves into neighbourhood watch committees; women wear whistles that they can blow to call other women for assistance.
- In the Philippines, women have established a rape crisis centre which gives feminist counselling designed to empower the victim.
- Two international women's organizations, Asian Women's Human Rights Council and Women Living Under Muslim Laws, organized a "Women's Mission for Sarah," to free from jail a young Filipino domestic worker, Sarah Balabagon, who was raped and then imprisoned in the United Arab Emirates (UAE) for the premeditated killing of her rapist-employer. The international coverage the "Women's Mission" helped to build was a factor in Balabagon's sentence reduction and passage out of the UAE.


\section*{International Recognition}

The United Nations first began addressing the problem of violence against women at its world conferences on women sponsored in Copenhagen (1980) and Nairobi (1985). All UN recognition of violence against women as a human rights concern has come as a consequence of significant pressure exerted by women's NGOs on governments and on international and regional human rights systems.

- In 1992, the Committee on the Elimination of All Forms of Discrimination Against Women, the body responsible for monitoring the implementation of CEDAW, reaffirmed that both public and private violence against women is indeed a human rights violation. What is known as "Recommendation 19" establishes the links between violence against women and gender discrimination: Violence against women is both a consequence of systematic discrimination against women in public and private life, and a means by which constraints on women's rights are reinforced. Women are vulnerable because of disabilities imposed on them in economic, social, cultural, civil and political life and violence impairs the extent to which they are able to exercise de jure rights.
- The inclusion of public and private violence against women in the Vienna Declaration and Programme of Action of the 1993 World Conference on Human Rights in Vienna was a result of a global campaign.
women's groups worldwide. While this declaration is not a binding treaty, it was recognized by the 171 countries in attendance and reflects the verbal commitment of countries around the world to recognize and address violence against women as a human rights violation.

- In 1993, the United Nations General Assembly adopted a Declaration on the Elimination of Violence Against Women. While this instrument is not legally binding on states it does, however, indicate the recognition by the United Nations of violence against women as an important human rights issue and spells out areas of violence that governments should address.

- In 1994 a United Nations Special Rapporteur (special investigator) on Violence Against Women was appointed by the Commission on Human Rights. Radhika Coomaraswamy, a Sri Lankan lawyer, began this post in March 1994 and has the authority to investigate the underlying causes and consequences of abuse in addition to looking into individual cases. The reports of this special investigator are presented to the Commission on Human Rights each year.

- The establishment of an International Criminal Tribunal for the Former Yugoslavia in 1994, which was specifically empowered to investigate and prosecute rape as a crime against humanity, broke new ground in recognizing war crimes against women. Trials were begun in 1995 and 1996 and included the charge of rape and other forms of sexual violence.

- In 1995 the Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women went into effect allowing women victims of violence in the Americas to have recourse to the existing regional mechanisms in the Americas’ system: the Inter-American Court, the Inter-American Commission on Human Rights, as well as an Inter-American Commission for Women. An earlier declaration of the Council of Europe—the 1991 Solemn Declaration on the Elimination of Sexual Violence—similarly saw violence against women as a human rights violation.

- And, in 1995 the Beijing Platform for Action addressed violence against women as one of its strategic areas of concern:

"Recognition of violence as a human rights issue places power in women’s hands, puts responsibilities on governments and international bodies and takes excuses and power away from those committing the abuse. Women can now say that they have a right to freedom from violence, and now their words are more likely to spur government action. Governments are obligated to respond to women’s demands to be free from violence, to take steps to prevent violence, and to adopt measures to punish perpetrators when women’s human rights are violated. Neither the state nor the batterers can argue anymore that violence against women is just a private issue. The United Nations and its components and other regional and international bodies are also obligated to treat violence against women seriously and as a human rights issue" (paragraph 112).

The Beijing Platform for Action calls on governments to "cooperate with and assist the Special Rapporteur on Violence Against Women in the performance of her mandate and furnish all information requested" [paragraph 124(r)]. This means that women can encourage and assist their governments to give information about violence against women to the Special Rapporteur as well as request her to investigate violations in their countries. In the years since Beijing many countries around the world have taken positive measures to address the problem of violence against women.

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**Exercise 8: Writing the Special Rapporteur on Violence Against Women**

**Objective:** To explore one action strategy for addressing violence against women; to create letters to mail to the Special Rapporteur

**Time:** 60 minutes

**Materials:** Paper and pens


**1. Letter writing:**

Ask participants working individually, in pairs or small groups, to draft letters to the United Nations Special Rapporteur on Violence Against Women. Ask participants to describe problems in their own community, being as specific as possible. Consult the chart "Analyzing Human Rights," p.203 for analysis of the problems.
2. Discuss:
Participants discuss the content of their letters in the full group. Ask them to decide on the following points:

- If you and/or your organization were to have a meeting with the Special Rapporteur when she came to speak to your government, what would you tell her about violence against women in your community?
- List three actions you would want her to recommend that your government take to prevent violence against women. How might you and other members of your community or organization get together to make such a recommendation to the Special Rapporteur?
- Would you want to send all, some or none of the letters to the Special Rapporteur? Would you want to revise the letter based on the discussion or further information before sending it? What kind of information would you need? Devise a strategy for finding it. (For address of the Special Rapporteur on Violence Against Women, see Appendix III of this book.)

ACTIVISM AGAINST GENDER VIOLENCE
The 16 Days of Activism Against Gender Violence Campaign is an annual campaign which runs between the days of 25 November, International Day Against Violence Against Women—declared in 1981 to commemorate the brutal murder of the Mirabal sisters by the Trujillo dictatorship in the Dominican Republic—and 10 December, International Human Rights Day. It also links these two days to the anniversary of the Montreal Massacre, 6 December, when 14 engineering students were gunned down by a man reportedly because they were "feminists," and to World AIDS Day, 1 December.

This international campaign, which is coordinated by the Center for Women's Global Leadership with a network of women's human rights organizations, continues to grow. Throughout the world, participating groups organize a wide variety of events to raise awareness in their communities about violence against women and women's human rights. Some activities have included petition drives, tribunals, demonstrations, radio and television programmes, street theatre, cultural festivals, panels, and the production of buttons, T-shirts and posters.

A petition drive launched during the 16 Days of Activism Against Gender Violence in 1991 is one model of how women used the occasions of the 1993 World Conference on Human Rights in Vienna, and the 1995 Fourth World Conference on Women in Beijing to move women's human rights to centre stage.

The petition first called on the UN to include women's rights as human rights on the agenda of the Vienna Conference and specifically to recognize violence against women as a violation of human rights. Women in 124 countries gathered hundreds of thousands of signatures, which were delivered to the floor of the official proceedings of the World Conference on Human Rights in Vienna. A follow-up petition during the Fourth World Conference on Women in Beijing in 1995 called on the UN to report on its enforcement of commitments made in Vienna. This final petition was delivered to the former UN High Commissioner for Human Rights, José Ayala-Lasso, at the World Conference on Women in Beijing. Women human rights advocates are exploring ways to use future petition drives and other actions to promote women's human right to freedom from violence.

USE THE VIENNA TRIBUNAL VIDEO TO EDUCATE YOUR COMMUNITY ABOUT VIOLENCE AGAINST WOMEN!

The Vienna Tribunal: Women's Rights Are Human Rights video highlights the personal accounts from women around the world who testified before a panel of eminent judges at the Global Tribunal on Violations of Women's Human Rights at the NGO Forum of the World Conference on Human Rights, Vienna 1993. This video introduces the Global Campaign for Women's Human Rights in Vienna and raises issues of what are women's human rights.

- Organize a workshop to view and discuss the video as a way to initiate conversation about violations of women's human rights in your community.
- Encourage teachers to show the video in classrooms and discuss its connection with the Universal Declaration of Human Rights.
- Organize film festivals—show the Vienna Tribunal and other films/videos about women's human rights—publicize the event, come up with a catchy phrase, and charge a minimal admission which can then be donated to a women's organization.
Exercise 9: Making Your Own Laws

Objective: To design a law that addresses women's human right to freedom from violence.

Time: 60 minutes


Write, Read, Discuss:

Step 1: Divide the participants into small groups to write their own law that would protect women's human right to freedom from violence. The law should be as specific as possible. Should this be international law? National or local law? All three?

Note: Groups could use the charts "Analyzing Human Rights" and "Implementing Human Rights Strategies," pp. 203-204, to examine this issue.

Step 2: Distribute and read the Declaration on the Elimination of Violence Against Women, which was adopted by the UN General Assembly in 1993.

Step 3: Ask the groups to compare their new law to the provisions of the Declaration.

- How are they the same? How do they differ?
- Would they now change their law? If so, how?
- What changes or additions would they recommend to improve the Declaration?

Step 4: Ask groups to present their laws. Discuss:

- In what ways does the government currently limit the rights contained in your law? In what ways would the government need to change? How can people influence this change?
- In what ways could the government support and enforce your law?
- In what ways do religion, culture, tradition, custom, and habit currently limit the rights contained in your law? In what way would these things need to change?
- How can you influence that change?
- In what ways do religion, culture, tradition, custom, and habit support and enforce your law?

Step 5: Discuss what it would really take for these new laws and/or the Declaration on the Elimination of Violence Against Women to become a reality in this community. Strategize actions that individuals and groups might take to make this happen. List the strategies that the majority can agree upon.
OBJECTIVES

The exercises and background information contained in this chapter will enable participants to work towards the following objectives:

• Identify the advantages of participating in political and public life and the different forms that such participation takes
• Understand the various human rights linked to political participation
• Provide examples of the barriers women face to participating in political life at the community level
• Explore what governments, community leaders, the media and women themselves can do to improve women’s participation in public life
• Understand the role of the media in reinforcing gender stereotypes
• Explain the provisions of the Convention on the Elimination of Discrimination Against Women (CEDAW) regarding women’s participation in politics and public life.

GETTING STARTED: THINKING ABOUT WOMEN’S PARTICIPATION IN POLITICS, PUBLIC LIFE AND THE MEDIA

Women’s participation in politics, public life and the media is critical to ensuring that policies and legislation that protect and promote women’s human rights are passed and enforced. During this century, women have gained the right to vote and run for political office in almost every country with elected institutions. However, women remain extremely under-represented in elected and other government positions.

The lack of women’s participation in political decision-making has important consequences for society:

• It deprives women of important rights as well as responsibilities as citizens
• It excludes their perspectives from policies and legislation
• It prevents their input into national budgets and resource allocation
• It deprives society of women’s skills, knowledge and perspectives.

Although the Economic and Social Council (ECOSOC) of the United Nations set a goal of 30% participation of women at decision-making levels of government by 1995, in reality that figure remains below 10%. In only a few countries—mainly those of Scandinavia—are the proportion of women and men in decision-making more or less equal (United Nations, Department of Public Information, The Advancement of Women: Notes for Speakers, January 1995). Indeed some countries, including those undergoing fundamental political, economic and social change, have experienced a significant decline in the number of women in legislative bodies (United Nations, The Impact of Economic and Political Reform on the Status of Women in Eastern Europe: Proceedings of a United Nations Regional Seminar: United Nations, E/92/IV/4; Centre for Social Development and Humanitarian Affairs, Women in Politics and Decision-Making in the Late Twentieth Century, New York: United Nations 1992).

Women’s ability to run for political office is closely linked to their presence and power in political parties. In the recent democratic changes in South African electoral politics, for example, women candidates in the 1995 local government elections gained 27.8% of seats won by political parties who then allocated individual representatives, while only 10.9% of ward seats went to women who contested the elections as individual candidates (Harvey Chan, “Women at the Periphery of Power: A Brief Look at Why Women are Underrepresented in South Africa’s Premier Democratic Local Elections,” Johannesburg IDASA/LOGIC, 1996). These figures indicate that women are more likely to win seats as party members, making gender sensitization within political parties a priority for women’s formal political empowerment.

One South African women’s advocate says that in order to undergo real transformation of women’s
human right to political participation on equal terms with men, the following must occur: (1) women must be elected to government structures; (2) women must be employed (as civil servants) in government; (3) a general understanding of women’s equality and gender roles must exist throughout governmental structures; and (4) women in civil society must be empowered to participate in formal structures of government as individuals, NGO members and other civic lobbying organizations (“Women in Local Government: Breaking Barriers,” Proceedings of the Women in Local Government: Breaking Barriers Conference, IDASA/LOGIC, Johannesburg, South Africa, June 17-18, 1996).

WOMEN IN POLITICAL LIFE: THE BAD NEWS

- In 1998, only 10 of the world’s heads of state were women (Contemporary Women Leaders @http://web.jett.es/ziaorarr/00women.htm, 7/19/98).
- As of 1994 only 24 women had been elected heads of state in the 20th century, half of them in the 1990s alone.
- In 1998 only 12.7% of the world’s cabinet ministers were women (Women in Parliaments from the Inter-Parliamentary Union Web site http://www.ipu.org/wmn-e/world.htm, 7/15/98).
- As of March 1998, the number of women in senior management at the United Nations Secretariat was 28.7% (Focal Point for Women in the Secretariat, “Gender Distribution of Staff in the United Nations Secretariat,” New York United Nations, March 1998).
- Women occupy less than 5% of the top positions in international organizations, including the United Nations and the European Community.
- At the end of 1993 the number of women in senior management at the United Nations Secretariat was only 13%.
- Even when women are appointed to high positions, they are predominantly assigned to jobs related to “women’s issues” such as education, health and social welfare.
- Although women have contributed to many political revolutions throughout the world, they have rarely been appointed to political office in the new governments born of their struggles (All above from United Nations Fact Sheets, Press Kit for the Fourth World Conference on Women, Beijing, China, 1995).
- In 1993 the Dutch right-wing Protestant party SGP banned women from membership because the members believe the Bible forbids women to be politically active (Newsheet, Women Living Under Muslim Laws, Vol. VI, No. 2, 1994, p. 28, France, Women Living Under Muslim Laws).
- In Eastern Europe women’s participation in parliament has dropped sharply—from 22% in 1987 to 6.5% in 1993 (United Nations, Department of Public Information, The Advancement of Women: Notes for Speakers, January 1995).

Exercise 1: A Recipe for Political Success

Objective: To consider the qualities a woman needs to become an effective leader
Time: 45 minutes
Materials: Charts prepared with quotations from the two leaders
Chart paper and markers or blackboard and chalk

I. Read:
Ask for volunteers to read out the quotations below, which are also displayed on chart paper.

If you’re not completely sure of yourself and you’re not completely sure of the direction you are taking you give up very quickly. You have to be completely unconcerned with other people’s opinion.... You don’t get into being a leader in a country unless you go through the nasty role of politics. And it can be nasty. Oh, it’s vicious.

Eugenia Charles, (former) Prime Minister, Dominica

We all know women have to do everything a little better than men.... We’re all so tolerant when men make mistakes but I don’t know of any society that is tolerant when women make mistakes.... there is a tendency to say: Well, she’s a woman. You’d never say: Well he’s a man; it’s natural that he makes mistakes....

Vigdis Finnbogadottir, (former) President, Iceland

(Liswood, Laura A, Women World Leaders. New York: Pandora, September 1995.)
2. List:
Ask participants to list and discuss the following:
• The qualities a woman needs to succeed in politics
• Women who hold elected or appointed office in your community, region or country
• Do these women office holders share any similarities of background, experience or character?
  Add any additional qualities you observe to the list.

3. Discuss:
Go down your list of qualities for success and check every woman on your list of officials who has
these qualities. Which qualities occur most?

Using this information, develop the profile of a typical woman engaged in politics in your community.
When complete, discuss this profile.
• Does the profile differ among women at the regional and national levels?
• Ideally, what other qualities would you like to have in a woman political leader? Describe the
  kind of leadership such a woman could provide.
• What are some of the advantages and disadvantages of participation in the political life of your
  community? For women in particular?
• Is it ever possible for a woman lacking the qualities in your profile to become a political leader?
  What kind of leadership might such a woman provide? What can women do to bring more
  women from diverse backgrounds and experience into politics?

BARRIERS TO WOMEN'S POLITICAL AND PUBLIC PARTICIPATION

Women face many barriers to political and public participation. These may include:
• Discriminatory attitudes and practices
• Unequal power relations between women and men in the family
• Household and child care responsibilities
• Exclusion of women's concerns from the political agenda
• Lack of education
• Lack of experience in public affairs
• Lack of role models of and support from women in power
• Fear of violence, harassment, criticism and of being divorced by one's husband
• Poverty
• High cost of seeking and holding public office
• Discrimination against minority women of all kinds
• Culture of political confrontation, creating “winners” and “losers”
• Designation of male as “head of household” for all social, economic, and political purposes
• Low self-esteem.

FAMILY, CULTURE AND RELIGION: BARRIERS TO WOMEN'S PARTICIPATION

Many of the barriers to women's participation in political and public life can be found in women's role in
the family. Male members of a family may determine a woman's ability to leave the house, get an educa-
tion, find a job, attend meetings or even meet people. In many instances, women have to vote for candi-
dates supported by their husbands or fathers or are not allowed to vote at all. Women can be thrown
out, abandoned, abused or ridiculed for attempting to have a public role. (For further information on these
aspects of women's political participation, see Chapter 3, "Women's Human Rights in the Family"; Chapter
11, "Women's Human Rights and Work"; and Chapter 13, "Women's Human Right to Education.")

Cultural and religious beliefs are closely connected to gender roles within the family and can act as bar-
rriers to women's public and political participation. While some cultural and religious factors have always
reinforced women's principal roles as that of wife and mother, in recent years the rise of religious funda-
mentalism has further constrained women's public participation.
Religious fundamentalism also constitutes a political movement that seeks to impose strict notions of identity, culture and religion to enhance the political power of certain communities of men in a particular society. Most religious fundamentalist movements regard women as the guardians and symbols of their cultural and religious heritage. Thus controlling women and limiting them to narrowly defined traditional roles is essential to fundamentalist politics.

Fundamentalist forces condemn women who fail to conform to their imposed definitions of gender roles and often use violence and coercion to force their compliance. As a result of this intimidation, women in some societies face additional barriers to political participation including the threat of death. (See Chapter 2, "Women's Human Right to Equality and Non-Discrimination," for more on culture and discrimination.)

**Exercise 2: Obstacles to Public Participation**

**Objectives:** Identifying the obstacles to women’s participation in public life

**Time:** 60 minutes

**Materials:** Copies of “Barriers to Women’s Political and Public Participation” (above)
Chart paper and markers or blackboard and chalk

1. **Discuss:**
   Divide the participants into small groups, and ask them to consider the following:
   - Do women participate in decision-making in the public life of your community? If not, why not?
   - What are the obstacles to participating equally with men in public life? You may wish to draw or dramatize the experiences of a woman who wants to affect change in your community, showing some of the obstacles she might encounter.

2. **Analyze:**
   Read or hand out the list “Barriers to Women’s Political and Public Participation” (above). Ask participants to add any other barriers they feel are relevant to this list and circle those barriers that apply to their community.

   Consider in small groups:
   - What can be done to overcome these obstacles?
   - Are women in your community already working on these obstacles?
   - What are some of the alternative paths women take to affect decision-making?
   - Are there grassroots movements that promote women’s interests?
   - What non-governmental organizations support women’s issues?

3. **Evaluate:**
   Ask each group to report three responses they have to the above points and list these ideas.
   Sum up the positive steps that the community can take to support women in leadership.

**STATE VIOLENCE AGAINST WOMEN**

The government itself often prevents or hinders women’s political participation through the violent acts of agents or officials. Women have been imprisoned, tortured, raped or killed for protesting government policies, writing political articles, being a member of a political party, teaching certain topics, providing legal representation, organizing women or other communities of people or participating in national movements for change. (See Chapter 7, "Women’s Human Right to Freedom from Violence.")

Abuses of women in custody or in prison are severe human rights problems around the world. Women can be put in prison for many reasons, including discriminatory laws or the discriminatory application of laws (especially in cases like adultery or rape), or for membership in particular ethnic or social groups that are targeted by the dominant group. Women are often held hostage, imprisoned or tortured because state authorities are seeking a male relative for his political involvement.
Although both male and female prisoners experience violence in prison, women are often abused in ways connected to their sex. For example, rape, gang rape and other forms of sexual assault are common in prisons. Women may be publicly stripped or placed naked in rooms with male prisoners to humiliate them. Pregnant women can be kicked or punched in the stomach and denied basic health care.

**WOMEN, VIOLENCE AND POLITICAL PARTICIPATION**

Since the early 1980s Algerian fundamentalists have murdered many women because they chose non-traditional professions such as architect, doctor, principal, professor, journalist or athlete. In particular, fundamentalists targeted those who attempted to organize against laws that discriminated against women.

In Argentina, the actions of the Madres de Plaza Mayo led to public pressure on the government to account for thousands of people who had disappeared during military rule. These women, mothers of those who had vanished, stood silently in a public square week after week demanding a government response.

Tahani Sulayman Abu Daqqa was held in administrative detention by Israeli authorities because of her involvement in the Palestinian Federation of Women’s Action Committees, an association which offers medical and other assistance to Palestinian women and children.

Afghan women are restricted from employment, education and hospital care. They are severely beaten if they are not wearing the “burka” (all-concealing cloaks) in public. Women are beaten, raped and killed by Taliban guards in detention centres and public places for defying Taliban edicts.

Tribal women in India organizing against the building of the Narmada Dam, which will destroy their homes and villages, are routinely raped, beaten and harassed by local police. *(Indian NGO’s Report on The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), Coordination Unit for the World Conference on Women – Beijing ‘95, New Delhi, India, pp.27-28, (1995).)*

Exercise 3: Political Persecution of Women

Objective: To identify the women's human rights issues in political persecution

Time: 75 minutes

Materials: Copies of Case Studies A & B (below)
Copies of “Analyzing Human Rights Problems,” p. 203

Case Study A:
The Story of Guıdem Ange Tekam
Guıdem Ange Tekam from Cameroon was editor of her university’s student newspaper. The government had a history of banning issues or harassing newspaper staff whenever the paper printed anything critical of it. Ange was also a leader in student and national politics, for which she was frequently physically attacked, even in class. Finally soldiers surrounded her one day on campus, stripped her naked and beat her brutally, firing guns and tear gas at crowds of students who ran to her defence. The soldiers ultimately arrested and tortured over 1,300 students during the three days of rioting that followed.

After a night of torture in a shed, Ange was thrown into a windowless jail cell 2 by 3 meters with more than 15 males. There she was kept for two weeks without access to visitors. Fortunately Ange’s cell mates gave her protection and clothes to cover herself. Ange was released two weeks later without comment or explanation, except from the gatekeeper who told her if she made trouble at the university again, “There will be nothing to save you.” She was immediately expelled from the university. However, she remains active in public life, continuing to oppose government oppression. (Reilly, N. ed., Without Reservation: The Beijing Tribunal on Accountability for Women’s Human Rights, NJ: Center for Women’s Global Leadership, 1996, p. 116).

Case Study B:
The Story of Eliane Potiguara Lima dos Santos
When Eliane Potiguara Lima dos Santos first visited her indigenous family’s homeland in the state of Paraiba in northeast Brazil, she learned about how her grandparents’ generation had been forced either to leave their village or become forced labour on foreign-owned plantations and in factories. She became active in the indigenous movement and in 1986 founded GRUMIN (Indigenous Women Education Group).

As she became more visible as a activist on the national and international level, a campaign of persecution and defamation began against her. Landowners and right-wing politicians who did not want Indian problems exposed, especially conflicts over control and management of land, attacked her in the press. Some claimed she was only passing as an Indian; others accused her of being a thief and prostitute. Police began to call her in for questioning. Anonymous callers frightened her and her children, and strangers followed them and disturbed their home.

For a long time, no one took her complaints seriously, but through the support of the Attorney General of Paraiba, international NGOs and indigenous women’s groups, the persecution finally ended. Today Eliana is working on national legislation to enable indigenous women to demand that the government assume responsibility for their human rights under both national and international law (Ibid., pp. 122-125).

1. List:
Distribute cases to be read in small groups. Ask participants to list the ways in which these women’s public participation was discouraged. Who or what tried to stop them? Why?

2. Discuss:
Ask each group to report on its case. Using the chart “Analyzing Human Rights Problems,” p. 203 discuss the following:
- What human rights were violated?
- What aspects of their persecution are especially related to gender?
- Who or what were their allies? What aspects of their support are especially related to being women?
- Are there examples of similar attacks on women active in the public life of your community? Are tactics and motives similar? Do these women also find allies?
STRATEGIES TO INCREASE WOMEN’S POLITICAL PARTICIPATION

Women’s participation and leadership in the political sphere can be increased in several ways. Through education and information campaigns women can be encouraged to vote. Women’s skills in the areas of politics, public speaking and leadership can be developed through training programmes. Funding and campaign assistance can be made available to women candidates who are running for political office.

A commonly used strategy to increase women’s political participation is affirmative action. Affirmative action refers to the steps taken by governments, educational institutions, businesses and other bodies to eliminate existing discrimination, provide an immediate remedy for past discrimination and prevent discrimination from taking place in the future. The goal of affirmative action is to enable both women and men to have an equal opportunity to compete for political office or other decision-making positions.

In some instances, governments have imposed specific quotas for women in certain political categories. For example, India has constitutionally mandated reserving one third of positions for women at the rural government level. Concerns differ, however, as to the effectiveness of this strategy to increase women’s power in politics. Many argue that despite having quotas before the current transitions to capitalism and democracy, women in Eastern Europe had no more impact on policies than their counterparts in countries without quota systems. However, others argue that a critical mass of at least 30% female representation would influence decision-making bodies to integrate the needs and views of women. Quotas can, therefore, either have the effect of segregating women as tokens in marginal positions or of creating a critical mass that actually expand women’s access to political power.

Proportional gender representation in electoral systems seems to have been more effective in increasing women’s presence in state legislatures. In this model, political parties are encouraged to have a certain percentage of female representatives in their executive bodies as well as list of candidates. Sweden, Denmark, France, Norway and Bosnia (for 1998 elections) all have such quotas for women (United Nations, Department of Public Information, The Advancement of Women: Notes for Speakers, January 1995).

AFFIRMATIVE ACTION AT THE NATIONAL LEVEL

- The Sudan has established a 10% minimum quota level for women’s representation in all positions of local, municipal and state government.
- In 1992, the United Republic of Tanzania passed a law requiring that at least 15% of all members of Parliament be female.
- Antigua and Barbuda have set goals of electing a minimum of seven women in Parliament by 1999.
- In March 1993, Argentina implemented a law establishing quotas in the lists of political parties to guarantee a minimum of 30% participation by women.
- Bangladesh attributes the increase of women in the civil services to the success of introducing quotas. Women’s participation rose from 17% of officers in the Secretariat in 1987 to 26% in 1991 and from 7% of officers in the Directorates in 1987 to 20% in 1991.

(All of the above references are from United Nations, Department of Public Information, Women and Power: Where Women Stand Today. The Advancement of Women: Notes for Speakers, January 1995).

- Hungary had affirmative action for 40 years. It was abolished in 1990 and consequently the number of women occupying seats has gone from 30% to 7%. (Inter-Parliamentary Union, Men and Women in Politics: Democracy Still in the Making—A Comparative Study, Geneva: IPU, 1997.)

BEYOND TRADITIONAL POLITICS

Women’s empowerment rests on women’s ability to participate in decision-making at all levels: formal decision-making fora like the United Nations and local governments, religious structures, community groups, non-governmental organizations, the formal economy and the informal workforce. In the words of the Beijing Platform for Action, “Women’s empowerment and their full participation on the basis of equality in all spheres of society, including participation in the decision-making process and access to
Women’s Human Rights in Politics, Public Life and the Media

power; are fundamental for the achievement of equality, development and peace” (paragraph 13).

Faced with systematic exclusion from traditional avenues of power, women continue to empower themselves and their communities through alternative structures. Particularly through non-governmental organisations (NGOs) and grassroots organizations, women have been able to bring their issues and concerns to the public arena and influence policy-making bodies from which they are otherwise excluded. Women’s groups—including literacy programmes, battered women’s hotlines, health care groups, child-care advocates, law groups, agricultural collectives—all take an active role in the public sphere.

For example, in South Africa, under pressure from a Working Group on Women made up of local NGOs, the first democratically elected Parliament (with an unprecedented 25% of members women) ratified CEDAW in 1995. South African women’s NGOs are now making an innovative impact on the official report the government will make on its human rights situation, as well as an alternative NGO report-writing process required under CEDAW.

Among the Working Group on Women’s strategies for impacting important national and public policy were:

- Compiling a document that identifies each government department responsible for issues concerning the status of women.
- Creating a questionnaire that challenges all government departments about how they plan to meet the mandates of the convention. Though some departments never returned the questionnaire, many took substantial effort to prepare answers.
- Forming a collaborative information network among women’s NGOs to utilize the collective knowledge and expertise about the real status of South African women.

(Correspondence between Boogie Khutsa, National Institute for Public Interest Law and Research, Pretoria, South Africa, and Deevy Holcomb, IDASA-Gender Unit, Johannesburg, South Africa, 1996.)

Exercise 4: Becoming a Public Person

Objective: To identify ways of taking a public stand to bring about change at the community level and acknowledging the importance of women’s representation in public life

Time: 60 minutes

Materials: Copies of “Case Study: Part One” and “Case Study: Part Two” (below)

Case Study: Part One

Anna lives in a small village with her three children. Since her husband died two years ago, she has been quarreling with relatives over control of her house and land. Her late husband’s brothers argue that they are entitled to the property, but Anna contends that she should own the land. The written law supports Anna’s claim, but custom and habit support the brothers’ arguments. Anna tries to find a lawyer to represent her case in court, but no one will take her seriously. Then Anna tries to get a bank loan to buy a tractor for her land. The bank refuses to give her any money without the co-signature of a male relative.

I. Read/Discuss:

Distribute or read aloud “Case Study: Part One.” Ask participants to discuss the following in small groups:

- Is Anna considered a public person in this story?
- What would it take for Anna to be recognized as a public person?
- Where could she look for support?
- Why did the lawyers fail to take Anna’s case seriously? Do lawyers, judges and other court personnel take women seriously in your community? In cases in which women report rape or violence in the family?
- Why is property ownership important to Anna? To women in your community?
2. Read:
Distribute or read aloud “Case Study: Part Two.”

Case Study: Part Two
When her brothers-in-law continue their attempts to take over her land, Anna first seeks the advice of her family elders: her grandmother, great aunts, mother and aunts. They advise her to speak to her deceased husband’s family elders as well, but when Anna speaks to the women of his family, she sees that they favour their sons and grandsons over her.

When the brothers-in-law grow impatient and make threats to Anna and her children, Anna goes to the Chief of Police, who assures Anna that her officers will provide her with extra surveillance.

Anna then decides to consult a lawyer, a woman well-known in the community for her astuteness in property cases. With her help Anna files a case against her brothers-in-law, but she and her lawyer also decide to try to make the local laws clearer about inheritance rights.

Because they first must gain support from the village council, they call on many of these women to discuss their concerns. Some actively support their efforts. One agrees to submit the new regulations Anna’s lawyer has drafted to the next council meeting, and the mayor indicates that she will approve the measure.

To Anna’s surprise, when the new proposal comes before the village council, every woman votes for it, and the new law goes into effect. When Anna’s case comes before the local court, the judge announces that according to her interpretation of the new law, Anna’s right to the property is beyond question.

Word about this new law soon spreads to neighbouring villages, which also adopt legislation to secure women’s inherited property. Through news stories about Anna and her lawyer, the governor of the state hears about the movement, and she sends her private secretary to meet with them. She asks them to serve on a committee to draft such a law for the whole state.

Through serving on this committee Anna gets to know many of the state legislators. She is inspired by the role model these women provide and now dreams of taking a greater part in her community.

3. Discuss:
As a full group, consider these questions:
• At which points did you experience any kind of emotional response to this story? How did you feel?
• Of course, this is a fictional story, but could any parts be true in your community? Which could not?
• Is a society like the one in this story desirable for women? Why or why not? What circumstances in this fiction encouraged Anna’s increased participation in community life?
(See Chapter 3, “Women’s Human Rights in the Family,” for more on women’s right to inheritance.)

WOMEN’S POLITICAL STYLE

Would it change the way we live if women shared political power equally with men? Some people feel that power is wielded in the same way by women and by men while others feel that women would exercise power in different ways. Many feel that women bring fresh and creative ways to address old problems and promote agendas that help societies to move forward.

Mary Robinson, former President of Ireland and current High Commissioner for Human Rights, has observed: “As women lead, they are changing leadership; as they organize, they are changing organization…. When women lead and articulate their purposes, it seems to me that they work together not only as individuals but with a great sense of community and networking in a healthy way. Women have fresh and imaginative skills of dialogue and are setting a more open, flexible and compassionate style of leadership” (Mary Robinson in a speech at the Global Forum of Women, 1992).
Exercise 5: Making Decisions without Women

Objective: To analyze the impact on women of decisions made in the community

Time: 60 minutes

Materials: Chart paper and markers

1. List:
Ask participants to list five or six important decisions affecting the whole population that were made in their community, region or nation in the last few years (e.g., building a new school or new roads, increasing bus fares, decreasing social services).

2. Analyze:
Divide participants into small groups and assign each small group one or more of the decisions to analyze:
- What are the gender implications of these decisions? Do they have special impact on women? Different impact on men?
- Next to each decision, write the name of the group that made the decision and the approximate percentage of women in that group.
- How might the decision been affected if 30% of those who made it were women?

3. Discuss:
Ask a reporter from each small group to describe its findings. Discuss what strategies the group can suggest for influencing future decisions in the community.

WOMEN IN POLITICAL LIFE: THE GOOD NEWS

- India passed a constitutional amendment reserving one third of the seats of local government bodies for women. In the Indian state of Karnataka, which was the first to implement the amendment, several thousand women have been elected to local government. A Women's Watch Voter Awareness Campaign was formally launched in April 1995 to make women across the state aware of the importance of their vote (“Women Towards Beijing: Voices from India,” Lokayan Bulletin 12,1/2, July-October ’95, Coordination Unit for the World Conference on Women – New Delhi, India, p. 57).
- Hlomelikusasa, a women's human rights organization in South Africa, encourages rural women to participate in decision-making at every level, especially in local government. Hlomelikusasa supported a group of women to become a registered political party and secured the election of eight members to local government (Hicks, Janine, “From the Ballot Box to the Global Village,” Women and Local Democracies: Logical Steps, IDASA/LOGIC, July 1996, p. 5).
- In Norway, one of the first countries to grant women's right to vote, 40% of the cabinet consists of women. Although not perfect, Norway has among the best legislation promoting and protecting women's human rights (United Nations Development Programme, Human Development Report 1995, New York: Oxford University Press, 1995, p. 35).
- In Sweden, women working both within and outside government prevented their country from entering the nuclear arms race and blocked efforts to continue use of nuclear power (Kelber, Mim, “Women and Government: New Ways to Political Power;” Women USA Fund Study, 1994).

THE ROLE OF THE MEDIA

Advances in information technology have facilitated a global communications network that transcends national boundaries and affects public policy and private attitudes, especially of children. However, “[p]rint and electronic media in most countries do not provide a balanced picture of women’s diverse lives and contributions to society (Beijing Platform for Action, paragraph 236). Instead the media often trivialize women's experience, reinforce women's traditional roles and create a “climate in which advertisements and commercial messages often portray women primarily as consumers” (Ibid).
Women's Human Rights in Politics, Public Life and the Media

Seen through the lens of the media, social and occupational roles are almost completely divided along gender lines. When women appear at all—and numerous studies around the world document their dramatic under-representation in almost all kinds of media content—they tend to be depicted within the home and are rarely portrayed as rational, active or decisive. As the Beijing Platform for Action recognizes, such stereotyping through the media only “reinforces the tendency for political decision-making to remain the domain of men” (paragraph 183) (Gallagher; Margaret, in collaboration with My von Evler, An Unfinished Story: Gender Perspectives on Media Employment, Paris: UNESCO, 1995).

Violence is often portrayed on television as a normal way of life, reinforcing misconceptions about violence against women. In TV soap operas, images may be found of husbands and boyfriends beating and raping their wives. Commercials for products from motorcycles to liquor often use women and women's bodies to sell products. Popular songs and music videos portray women as ever-willing sexual objects to be used and abused.

The kind of programming that demeans women seems motivated by the desire of sponsors to sell their products to men, rather than to reflect women's interest in media. Women themselves are enthusiastic users of the media, but their preferences differ from those of men. A recent United States Educational, Scientific and Cultural Organization (UNESCO) study of television viewing patterns in nine countries found that women spend on average 12% more time watching television than men. While men like sports, news and action-oriented programmes, women tend to choose drama, music, dance and other entertainment programmes, a contrast that seems to mirror a preference for programming that gives visibility to their own gender; both in terms of the situations, characters or issues presented.

THE BEIJING PLATFORM FOR ACTION AND THE MEDIA

The Beijing Platform for Action addresses the negative impact of the media on women's lives, as well as its potential for empowerment. The Platform calls for “increased participation and access of women to expression and decision-making in and through the media and new communication technologies” (Strategic Objective J.1). Governments committed themselves to review media policies and increase the number of programmes for and by women and to “promote balanced and diverse portrayals of women in the media” (Ibid.).

In addition, governments are urged to create legislation against the projection of violence against women and children in the media and to encourage training for women in using the media. The media are encouraged to establish professional guidelines and methods of self-regulation for the way women are presented, as well as to support and finance alternative media and all forms of communication that support the needs of women.

WOMEN IN THE MEDIA: The Bad News

- On average women's share of media jobs is well below 30%. In highly paid technical areas women average between 4% and 9%.
- In radio and television women are concentrated in certain occupations (announcers, presenters, production assistants) but seldom advance to management positions.
- Despite the increase in women journalists globally, the number of women interviewees is still only 17%.
- “Slipping from the Scene,” an annual survey of news coverage of and by females conducted by Women, Men and Media reported that front-page references to and photos of females have shown a significant drop since the survey began in 1989.
- Out of more than 200 media organizations studied in 30 countries, only seven were headed by women, and a further seven had women deputy directors. Most of these media groups are small radio companies or news magazines.

Exercise 6: Examining the Media

Objective: To analyze the portrayal of women in the media

Time: 75 minutes

Method: Small group work

Materials: A wide variety of old magazines
Chart paper and markers

PART I: Analysis

Choose one of the following options, or assign a different activity to several small groups.

Activity A: Magazines

1. Look through several magazines for images of women in advertising.
2. Analyze the advertisements:
   • Try to determine whether the advertisements are aimed at a male or female audience. How do the images seem to differ according to the intended audience?
   • Make a list of the activities in which women are engaged. How does this factor contribute to the media image of women?
   • What are the conventions of female beauty that the advertisements embody? How might these images be different if they came from a different culture?
   • Is there more than one woman in an ad? How do they seem to relate to each other? Are there also men in the ads? How do the women seem to relate to them?

Activity B: Television

1. List the most popular television shows of all kinds in the community.
2. Analyze and list the roles given to women in these programmes. What qualities do the media value in women?

Alternate:
Show a recording of a TV show to the full group. Discuss the same questions in small groups.

Activity C: Television News Programmes, Newspapers and News Magazines

1. Consider the following:
   • What kinds of women appear most often in these media? What qualities make these women ‘newsworthy’?
   • Can you think of any of these women admired for qualities other than their beauty or relationship to an important man? In what qualities other than physical appearance do the media seem interested?
2. Look through copies of the week’s daily newspapers and consider the following:
   • How much attention is given to women in sports? Politics? Business? The arts?
   • Do any women appear on the front page or opening segment? Are there any bylines or editorials by women?

Activity D: Public Art Works

1. List all the statues or artistic representations of people that appear in public places in your town.
2. Consider the following:
   • How many of these representations portray men? Women?
   • Of the male statues, how many represent real men? Idealized men who represent some value (e.g., courage, the unknown soldier)? How many male statues are wearing clothes?
   • Ask the same questions about the statues of women. How do you explain the differences?

PART II: Discussion

Discuss these questions about the analysis in Part I:
• How do these images affect these aspects of women’s lives?
• Their participation in public life?
• Their ideas about how they should look?
• Their desire for consumer products?
• Their experience of violence?
• Sexual expectations placed upon them?
• What can women do locally to counteract or stop the negative images of women in the media? Regionally? Nationally?
• How can decision-makers be persuaded to present images of women that reflect respect for women’s human rights, talents, skills and multifaceted individualities?
ACCESS TO MEDIA

Access to the media involves issues of power; decision-making over what information and images appear in the media, and the way these are presented. In a 1994 survey in Great Britain most women said they would like to see more women journalists and female experts on television because they would "act as significant role models for other women, stimulate female interest in public issues and—perhaps—speak in the interests of and for women."

Data from UNESCO shows that in recent years more and more women have been educated as communication professionals. Yet the gap between men and women employed in the media continues, with males being hired in more than 70% of administrative, production and editorial posts. Women reporters and presenters are judged by a different standard than their male colleagues. "What the major networks want is a front line account from a (preferably pretty) woman in a flakjacket," (Miller; Peter, The Times (of London), 21 August 1992 quoted in Gallagher; Margaret, "Women and the Media" UN International Authors Series: Focus on Women, DPI/1656/WOM New York: United Nations, March 1995).

In the technical area, where many jobs are highly skilled and highly paid and often lead to careers in programme production or senior management, women are almost non-existent (averaging 4-8%). Print journalism offers better prospects, but there are seldom women in bureau chief categories. In radio and television women tend to be concentrated in occupations such as announcers, presenters, or production assistants that may not lead to further career development.

ALTERNATIVE MEDIA

On the other hand, electronic media, especially electronic mail (e-mail) has permitted women to transcend usual barriers to access. As the technology becomes increasingly affordable, e-mail has strengthened more women's abilities to access informational resources, distribute news about their organizations, and work to create a cross-cultural, virtual community among regions that are not only remote and technically underdeveloped, but also sometimes in direct conflict with each other.

Women have also shown ingenuity in developing other forms of alternative media. Women in many places have adapted "comic book" style publications to educate women with low literacy about their rights. A women's group in India continues the tradition of street theatre to build support against dowry deaths or bride burnings. They stage their plays in open spaces, once before a police station as a way of pressurizing the police to take action. Without a formal script, the story develops from group discussion, personal experience, and real life stories (Chhachhi, Amrita, "Media as a Political Statement," in Women and Media: Analysis, Alternatives and Action, eds. K. Bhasin and Bina Agarwal, ISIS International and PAWF, 1984, pp. 95-98).

Another form of popular media used in Pakistan by the Women's Action Forum are "jalsas," celebratory happenings incorporating speeches, skits, poems, songs, and a final resolution. Humour plays an important role, especially in the skits which highlight the absurdity of many laws restraining women. "The use of the informal structure of the skits and poems, both rooted in South Asian culture and hence familiar, ensured a high degree of rapport and understanding" (Shaheed, Farida, "Creating One's Own Media," in Women and Media: Analysis, Alternatives and Action, eds. K. Bhasin and Bina Agarwal, ISIS International and PAWF, 1984, pp. 82-88).
Exercise 7: Alternative Media for Women

Objective: To develop strategies for organizing women through use of alternative media

Time: 60 minutes

Materials: Paper and colored pens (optional)

1. Discuss:
Divide participants into small groups and ask them to brainstorm ways to organize women in their community using traditional means of expression such as songs, dance drama, puppet shows, comedy routines or whatever is appropriate in their culture.

Decide on the messages that could be conveyed by using these techniques. Would the audience be receptive? Would the message reach women?

2. Create:
Ask each small group to develop a short alternative presentation using forms of expression and issues appropriate to their community. Especially consider effective ways to reach women excluded from mainstream media such as illiterate, disabled, rural or homeless women.

Ask each group to deliver its presentation then pose the following questions for further discussion:
How could you use these techniques:
• To reach women in your community?
• To teach women about their rights?
• To mobilize women to act on an issue?

MEDIA FOR WOMEN’S HUMAN RIGHTS EDUCATION

- UNICEF has developed a cartoon character called “Meena,” a playful six-year-old South Asian girl who is featured on strips, posters, BBC radio spots, and soon an animated TV show (See p. 87). Meena is used in classrooms globally to raise awareness about the status of girls (“Children of the Future,” 75 Percent Global Newsletter, Geneva: Women’s World Summit Foundation, No. 4, Fall 95/Spring 96, p. 17).
- During the 1990s, many women’s groups all over the world from Tanzania to Costa Rica to the Philippines have organized hearings and tribunals about violations of women’s human rights to attract media attention to these issues. The Center for Women’s Global Leadership organized four such hearings at the UN World Conferences in Vienna, Cairo, Copenhagen and Beijing. The video “The Vienna Tribunal: Women’s Rights Are Human Rights” is used by many groups to initiate discussion of this topic (see Center for Women’s Global Leadership information in Bibliography).
- “Teach Me My Rights” was a five-segment television series broadcast in 1990 on the weekly UN Hour produced by the UN Information Centre specifically for the Philippines with the cooperation of the Ateneo Human Rights Center. It examined human rights instruments in the context of the Philippines using case studies.
- A weekly family drama sponsored by the United Nations Fund for Women (UNIFEM) in Pakistan informs women in remote areas about available technologies and where to get help, and includes staffed listening centres. This project uses media to reach the large population of illiterate women and to provide access to technology that can strengthen women’s position in their communities (“UNIFEM in Beijing & Beyond: Celebrating the IV World Conference on Women,” New York: UNIFEM, 1996, p. 49).
- Since 1992 New Moon, a magazine published in the United States by and for girls worldwide, has promoted positive images of young women and discusses their human rights.
Exercise 8: Making Your Own Law

Objectives: To develop a law that protects women's human rights in public life and the media. To critique the articles on political participation in CEDAW.

Time: 90 minutes

Materials: Chart paper and markers
Copies of Articles 7, 13 and 14 of CEDAW
Copies of "Observations on International Human Rights Provisions on Political Participation" (below)

Write, Read, Discuss:

Step 1: Divide the participants into small groups to write their own law that would protect women's human rights in public life and the media. The law should be as specific as possible. Should this be international law? National or local law? All three?

Note: Groups could use the charts "Analyzing Human Rights" and "Implementing Human Rights Strategies," pp. 203-204, to examine this issue.

Step 2: Distribute and read Articles 7, 13 and 14 of CEDAW and "Observations on International Human Rights Provisions on Political Participation."

Step 3: Ask the groups to compare their new law to the provisions of CEDAW and the International Covenant on Civil and Political Rights (ICCPR).

- How are they the same? How do they differ?
- Would they now change their law? If so, how?
- What changes or additions would they recommend to improve CEDAW?

Step 4: Ask groups to present their laws. Discuss:

- In what ways does the government currently limit the rights contained in your law? In what ways would the government need to change? How can women influence this change?
- In what ways could the government support and enforce your law?
- In what ways do religion, culture, tradition, custom and habit currently limit the rights contained in your law? In what way would these things need to change?
- How can you influence that change?
- In what ways do religion, culture, tradition, custom and habit currently support and enforce your law?
- In what ways do you and/or your family limit the rights contained in your law?
- In what ways would you and/or your family need to change? Are such changes possible?

Step 5: Discuss what it would take for these new laws and/or CEDAW to become a reality in this community. Strategize actions that individuals and groups might take to make this happen. List the strategies that the majority can agree upon.
**OBSERVATIONS ON INTERNATIONAL HUMAN RIGHTS PROVISIONS ON POLITICAL PARTICIPATION**

- These provisions only grant formal equality. They say women can vote but they do not say that the government should do anything to ensure that women do vote (e.g., voter education) nor do they require the government to take any actions to correct historical discrimination against women in the political sphere.

- Article 7 of CEDAW specifically mentions women's right to participate in non-governmental organizations, thus recognizing this work as meaningful political participation. Still, the measures suggested in Article 7 are only suggestions: Governments may find other measures are necessary to eliminate discrimination in political and public life.

- Article 13 of CEDAW also provides that “States Parties shall take all appropriate measures to eliminate discrimination against women in other areas of economic and social life in order to ensure, on a basis of equality of men and women, the same rights, in particular (a) the right to family benefits; (b) the right to bank loans, mortgages and other forms of credit.”

- Article 14 of CEDAW specifically guarantees the human right of rural women to have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes.

- The *International Covenant on Civil and Political Rights* spells out the political and civil rights of all people. This important document specifically provides that men and women shall be provided political rights on an equal basis, and that each citizen shall have the right and the opportunity without unreasonable restrictions:
  - To take part in the conduct of public affairs, directly or through freely chosen representatives.
  - To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage.
Chapter 9

Human Rights of Refugee, Displaced and Migrant Women

OBJECTIVES

The exercises and background information contained in this chapter will enable participants to work towards the following objectives:

• Understand the distinction between “refugees,” “displaced people” and “migrants”
• Explain why women and children are more likely to become displaced and why refugee, displaced and migrant women may be particularly vulnerable to human rights abuses
• Identify the rights of refugees, displaced and migrant women and understand the importance of international protection of these rights and the regulations of obligations of receiving countries, as well as of countries of origin
• Develop ways in which non-governmental organizations and other social institutions could better assist women refugees, migrants and other uprooted women
• Recognize the importance of including refugee and displaced women in the design and implementation of humanitarian aid programs
• Describe the connections between economic forces and the exploitation of migrant women.

GETTING STARTED: THINKING ABOUT UPROOTED WOMEN

Anyone can become uprooted, but women are especially vulnerable. People leave their homes for a variety of reasons:

• War and other forms of violence, political unrest and instability: For example, since civil war began in Somalia in 1991, approximately a quarter of the population has fled; 300,000 of these refugees sought safety in Kenya, where hundreds of women have been raped in camps in the northeastern provinces (Human Rights Watch Global Report on Women’s Human Rights, New York: Human Rights Watch, 1995, p. 120).
• Human rights violations: Women who experience abuse or are human rights activists face threats and violence which forces them to flee to save their lives. For example, women may attempt to leave their countries to escape battering in the home that goes unaddressed by their governments or to avoid community practices dangerous to their lives and health, such as female genital mutilation (FGM), the practice of child brides, shock treatment or abuse of women in same-sex relationships.
• Poor economic conditions and/or lack of good jobs: Globally, women are now the majority of migrant workers, who must look for employment outside their country.
• The failure of the market to provide for sustainable development: When Central and Eastern Europe and the newly independent states in the region radically shifted from a controlled communist system, where employment was guaranteed, to a free market, deregulated economy, many skilled and educated women workers were unable to find jobs providing a living wage and faced state-condoned discrimination against women in the workplace.
• Severe forms of discrimination or persecution of family members: For example, women human rights activists may flee so that their government does not arrest and harass their family members, or women in flight may themselves face violence due to their relationship with political activists.
• Persecution due to religion, race, ethnic group, or political opinion: Examples include growing violence and anti-Semitism against Jews in the former Soviet Union, against the Roma or “gypsies” in Central and Eastern Europe, against Muslims in Burma and against Christians in Sudan. Women who leave their countries in which women are discriminated against and abused as a matter of government policy may state as their reason for flight their different political opinion.
• Natural disasters: For example, floods, earthquakes and other disasters that force millions to relocate in search of shelter, safety and work.
DEFINING TERMS

International law and international organizations make a distinction between migrants, refugees and internally displaced people.

**Refugees** are people who are forced to leave their home country because of fear of persecution based on certain limited grounds. These grounds are examined in more detail below.

**Displaced people** are people who leave their homes to flee persecution, but who stay within their home country.

**Migrants** are people who leave for economic reasons or for reasons not covered under the limited definition of "refugee."

Women in all three categories face common problems, such as discrimination and lack of legal autonomy. However, their status differs in several significant ways. Migrant women may be legally protected in their home country whereas refugee and displaced women are not. In addition, international conventions, however inadequate, exist to protect refugees; but the international convention on migrants has been signed by few countries, and no conventions exist to protect displaced persons. Moreover, in the case of internally displaced people, the very government that has caused their displacement often has the primary responsibility for their protection.

This chapter discusses human rights issues affecting first refugee and displaced women and then migrant women. (For more on women in conflict generally, see Chapter 7, "Women's Human Right to Freedom from Violence," and for more on migrant women in a globalized economy, see Chapter 10, "Women's Human Rights in the Economy")

ADDRESSING THE HUMAN RIGHTS OF REFUGEE WOMEN

Over 80% of the world's refugees are women and children. Current estimates of the global population of refugees who flee to another country range from 15 million to 20 million, with an additional 20 million people displaced from their homes within their own countries. In 1985, over 106 million immigrants were recorded in the census of countries to which they had migrated, with women comprising half the immigrants to developed countries and 44% of migrants to developing countries. However, the actual number of uprooted is considerably underestimated (United Nations. The World's Women 1995: Trends and Statistics, UN. DOC.ST/ESA/STAT/SEI5/12, New York: United Nations, 1995, p. 45).

The Beijing Platform for Action calls for international attention to the particular concerns of refugee women. Women refugees face increased burdens in their families "as a result of conflict, unexpectedly cast as sole manager of household, sole parent, and caretaker of elder relatives" (paragraph 133). Women are vulnerable to gender-specific violations of human rights while fleeing, or relocating across borders, including rape and systematic rape; that is, use of rape by enemy forces as a calculated campaign of terror and destruction (paragraph 135). Women often experience difficulty in countries of asylum in being recognized as refugees when the claim is based on gender-related persecution (paragraph 136).

The strength and resilience that women refugees display in the face of displacement is not acknowledged. Women's voices need to be represented in policy-making that affects them, including in processes to prevent conflicts before they result in the need for communities to flee (paragraph 137).
Objective: To think about the conditions of flight; to understand criteria for granting political asylum

Time: 30 minutes

Materials: Chart paper and markers or blackboard and chalk (optional)

1. Read:
Read the following to the group:
You are a teacher in the country of L. Your partner “disappears,” probably because of his attempts to form a trade union. During the next months you receive several threatening phone calls, and your name appears in a newspaper article listing suspected subversives. When you arrive home from school tonight, you find an anonymous letter threatening your life. You decide you must flee at once and seek political asylum elsewhere.

2. List:
Ask participants to “pack their bags” by listing what they would take with them when they flee. They may take only what is in their house at the moment and what they can carry, and only eight categories of things.

3. Discuss:
Ask each individual to read her list aloud. At the end of each reading, declare either “Asylum denied” or “Asylum granted,” based on what they’ve chosen to pack. Ask participants how they think those judgments were made.

Then read the definition of a refugee from the 1951 Refugee Convention (below) or write it on a piece of chart paper. Explain that according to this definition, only those who included either the newspaper clipping or the letter would be likely to prove the “well-founded fear of persecution” required to obtain refugee status.

THE REFUGEE CONVENTION

A government’s obligations to refugees are found in the main international refugee convention, the 1951 Convention Concerning the Status of Refugees and its 1967 Protocol. This convention defines a refugee as a person who:
• is outside the country of origin
• has a well-founded fear of persecution
• fears persecution for reasons of race, religion, nationality, membership of a particular social group or political opinion.

This definition is very important because it guides the way many countries and organizations treat refugees. Refugees who can show they meet these three criteria—commonly called “Convention Refugees”—are often entitled to more benefits and greater protection under international law. Although the convention does not explicitly list gender as a reason, women advocates are developing ways to apply it to cases involving violence against women and other forms of gender-based persecution.

The United Nations High Commissioner for Refugees (UNHCR) is the lead UN body protecting and promoting the rights of refugees. Although the UNHCR’s original mandate is limited to Convention Refugees, in practice UNHCR has increasingly aided all people who are war affected, regardless of whether they qualify as a refugee under the Refugee Convention.
THE REFUGEE DEFINITION, STEP BY STEP

Step One: Outside Country of Origin
This is the easiest step. The person applying for refugee status must show that he or she has fled across national borders. If she left her home but remained in her country, she is not considered a refugee, but a "displaced person." Because no international conventions exist to protect the rights of displaced people, those who cross national borders are in a much better position under international law.

Step Two: Well-Founded Fear of Persecution

Part A: Showing "Persecution"
There is no universal definition of what constitutes "persecution." The individual applying for refugee status must argue that she herself faces persecution or that she has a legitimate fear of persecution because of the experiences of other people in similar situations. The refugee officer or adjudicator must decide when bad treatment is sufficient to be deemed "persecution."

Defining persecution is not simple. Torture definitely is considered persecution. The Convention Against Torture and Other Cruel, Inhumane or Degrading Treatment prohibits torture committed by state actors or their agents. Rape in conflict situations may be defined as torture and therefore a form of persecution. Similarly, forced pregnancy can be considered persecution or even a form of slavery. Severe sex discrimination may also be considered persecution. According to the United Nations High Commissioner for Refugees handbook on refugees, discrimination may constitute persecution if it leads to "consequences of a substantially prejudicial nature for the person concerned." This definition opens the door for arguing that systematic sex discrimination can constitute persecution.

Part B: Showing Relation to the State
Persecution must be an act committed by the state or by someone acting as an agent of the state. If a private person commits the harmful act, this will only constitute "persecution" under the refugee definition if you can show a strong connection between the private person and the state. For example, when a mob of private civilians stones a woman for living apart from men, this violence would constitute "persecution" under the refugee definition only if the mob was carrying out government orders or if the government knew of the plan and did nothing to prevent it. According to the UNHCR, state action may exist where one section of the population inflicts serious harm on another part of the population and the authorities are unwilling or unable to prevent it.

Step Three: Persecution Grounds
It is not enough to show a fear of persecution; the fear must be based on specified "persecution grounds." This means that the persecution must be connected to reasons of race, religion, nationality, membership in a particular social group or political opinion. No other reasons are included under the statute.

Note that gender is excluded. Some activists are seeking to add gender explicitly as a grounds for persecution. Others oppose this move as unnecessary because women usually can claim refugee status based on other grounds that are already listed. Another argument is that gender can be read into the existing refugee definition, for example, fitting women into the category "social group."

WOMEN FLEEING VIOLENCE

When she experienced severe domestic violence, Maria Olea left Chile in 1988 with her two young children and fled to the US because the dictatorial government did not support or protect battered women. However, as an undocumented immigrant, she was unable or afraid to access the services critical to the survival of a domestic violence survivor and her children. In her testimony to the Global Tribunal on Violations of Women's Human Rights during the UN Conference on Human Rights held in Vienna in 1993, she urged that the United Nations recommend that domestic violence be accepted as grounds for asylum. "In that way," she stated, "we will save the lives of many women and children."

(Reilly Niamh, ed., Without Reservation: The Beijing Tribunal on Accountability for Women's Human Rights. New Brunswick Center for Women's Global Leadership, 1994, p. 68)
In October 1990, Aminata Diop, a 22-year old woman from Bamako, Mali, fled to France to escape undergoing female genital mutilation, a painful and dangerous circumcision practised in many communities in Africa and the Middle East. She described the ostracism she felt: "I could not return to the village because I did not obey my parents. No person would dare look at me. I went to the house of my friend. Her sister, touched by my plight, helped me to go to France. [There] I felt very alone. I was rejected by everyone" (Ibid., p. 23).

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### Exercise 2: Is She a Refugee?

**Objective:** To clarify qualifications for refugee status

**Time:** 60 minutes

**Materials:** Chart paper and markers or blackboard and chalk
Copies of “Case Study: Persecution in Marlandia”

**Case Study: Persecution in Marlandia**

There is no war in Marlandia, but women face severe discrimination. Women who choose to live apart from men are stoned. By law women are forced to wear long black veils in public and are forbidden to drive a car. By custom, they cannot travel or appear in public without the presence of a man. Women who break this rule risk being sexually attacked, and once they are raped or molested, the women are charged with adultery and imprisoned. Employers seldom hire women and often fire them to make room for men. A rape of a woman by her husband is not a crime under Marlandia law.

A woman from Marlandia who has been raped and battered by her husband has fled her country and is seeking asylum elsewhere.

1. **Role-Play:**
   Read the role-play aloud or hand out copies. Assign one participant the role of a woman and another the role of the asylum officer. At any point, another participant can relieve either of the actors by tapping them on the shoulder and taking over the role. In this way several participants can play.

   Ask a third participant to take notes on each claim for refugee status that is identified during the course of the exercise, preferably on a large sheet of paper posted in front of the group.

   The woman presents her case to the officer:

2. **Discuss:**
   Using the list of points made by the woman, go over each of her grounds for receiving refugee status. The discussion should include most of the following points:
   - **Women stoned to death for living apart from men.** What evidence is needed to show persecution? Must the woman show that she herself was stoned? Must she wait to be stoned? What are the grounds for persecution? Gender? Yes, if women are considered a social group. Political opinion? Maybe, if you can call wanting to live apart from men a political opinion. But what if she is stoned by her family or members of her religious group, and not by state authorities? Would it make a difference if the authorities knew about the practice and did nothing to stop it?
   - **Forced to wear long black veils and forbidden to drive, vote or own property.** Here, since the law mandates this practice, the connection to the state is clear. But the practices may not be grave enough to constitute persecution. Do you think the practices are persecution? If so, what are the reasons for persecution? Gender? Political opinion?
   - **By custom women can’t walk on the streets and those who do are attacked by mobs. The women are then charged with adultery and harshly punished.** Is there “state action”? How is the state involved here? The fact that women cannot walk on the streets is regulated by practice and not by law, so there is no state action. But there is state action once the women are charged with adultery. Court proceedings are always state action. Will the woman succeed on her refugee claim here? Some fac-
tors that the adjudicator of this case might consider are whether there is a pattern of such abuse, whether the woman has experienced it herself, and whether gender is seen as a social group or whether gender can be read into political opinion.

- **Employers not hiring women.** Is employment discrimination "bad enough" to constitute persecution? This may be seen as a "purely economic issue" and not sufficient to constitute discrimination.

- **Attack by her husband.** Can rape and other forms of attack by husbands constitute persecution? Can you argue that there is "state action?" How? What additional information would you need? States may view marital rape and abuses in the home as "private," not public matters, over which the state has no jurisdiction. Refugee law, like many other types of law, has difficulty with applying a public/private distinction. Of course, when women are raped by their husbands at home, precisely what many women want is state interference, not state neglect. State inaction in cases of marital rape may be considered action. (See Chapter 3, "Women's Human Rights in the Family").

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**ASYLUM CLAIMS IN CANADA**

The following are criteria used by the Immigration and Refugee Board (IRB) of Canada to determine whether asylum should be granted in gender-based claims:

- What are the particular circumstances that give rise to the claimant's fear of persecution?
- What are the general conditions in her country of origin, including the nature of oppressive laws imposed upon women?
- What is the seriousness of the treatment feared by the claimant upon her return?
- Does she fear persecution for one or more of the grounds in the Convention Concerning the Status of Refugees' refugee definition?
- If she returned home, would she be adequately protected?
- Is her fear of persecution well-founded based on the above circumstances?

Based on these criteria, the IRB granted asylum in 1993 to a Bulgarian woman who suffered sustained and severe abuse from her estranged husband, who had worked for the Ministry of Interior and currently worked for the police. The IRB also granted refugee status to a young Pakistani woman who was raped and impregnated by a political worker from a rival party, on the grounds that if she remained in Pakistan she would either likely be killed by her father to preserve the family honour, or prosecuted by the police for adultery as sexual assault claims are only accepted with a full confession from the perpetrator.

However, a Hindu Tamil woman from Malaysia who claimed harassment and fled because she couldn’t freely choose her own husband was denied asylum because the IRB ruled that while she faced discrimination and harassment, it did not amount to persecution.

(From a speech delivered by Nurjehan Mawani, Chair, Immigration and Refugee Board of Canada, March 9, 1994.)

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**WOMEN'S EXPERIENCES AS REFUGEES**

Some of the concerns of refugee and displaced women include:

- **Depression, despondency, and feelings of hopelessness.** Women who flee their homes for whatever reason do not usually expect to be gone for long. As the days and months drag on, many women become increasingly depressed, and few have social services or counselling to help them (Mertus, Julie, et al, The Suitcase: Refugees' Voices from Bosnia and Croatia, University of California Press, 1997).

- **Breaks in human contact.** Uprooted women often lose contact with their communities and family members, particularly males. They may be unable to find or contact those closest to them. They may have male relatives who have “disappeared” while in combat or in flight. They might know where some of their friends and family members are but are unable to contact them due to practical or financial reasons.

- **Hostility, violence and discrimination in host country or host region.** This may take the form of racism,
economic discrimination, sexual harassment or sexual violence and other forms of abuse. It can limit women's ability to move outside their temporary homes, to provide for their families, or to find work. Burmese refugees in Thailand, for example, are not allowed to send their children to school, and Thai homeowners are not willing to rent them rooms or houses (Marin, Leni and Blandina Lansang-de Mesa, eds., Women on the Move: Proceedings of Workshop on Human Rights Abuses Against Immigrant & Refugee Women, Family Violence Prevention Fund, 1993, p. 12).

• Lack of protection from violence and other forms of abuse and exploitation. Uprooted women are particularly vulnerable to intimidation, sexual abuse and other forms of physical exploitation. They are vulnerable at all stages: in flight, in their country of refuge, and upon return to their home country. Unaccompanied women and girls are particularly at risk for sexual assault, often from the forces which are supposed to protect them. Long-term inhabitants of refugee camps are often lured into prostitution rings or made to perform sexual acts in return for food or favours such as an asylum hearing. Human rights groups have documented cases of women refugees or migrants being raped or sexually assaulted by border guards or security forces (Human Rights Are Women's Right, London: Amnesty International, 1995, pp. 25-6; Human Rights Watch Global Report on Women's Human Rights, New York: Human Rights Watch, 1995, p. 183).

• Inability to find meaningful work. Some countries do not allow refugees to work legally and women often do not have legal papers. Other countries discourage employment or provide opportunities that do not fully utilize women's skills. As a result, refugee and displaced women often work in low-paid, exploitative jobs where employers take advantage of their illegal status. For example, in Croatia, where 80% of the 380,000 refugees are women, they are not allowed to work, "thus confining refugee women to absolute dependency on inadequate humanitarian assistance" ("Status of Women's Rights in Croatia," Zagreb: B.4.B.e., Autumn 1994, p. 2).

• Changes in family relationships due to the uprooting. Frequently, women refugees are separated from the adult men in their families. Even when the family is intact and a man is present, women must often deal with changes in male and female roles. Often the man, who used to work outside the home, is now left without, which leads to a decline in his traditional roles in the family. Yet women continue to cook, clean, take care of children, and at times must provide for all basic needs of the family. Many times the burden for women increases as their elderly relatives become more dependent on them. Parent-child relationships may also change. Because children often possess better language skills in the new country, they may take on adult roles, such as negotiating with government agencies, humanitarian aid groups and asylum officials. Parents may feel a loss of control and inadequacy when this happens.

• Lack of access to basic items needed for daily life. Women usually have the burden of feeding and clothing their families. Also, humanitarian aid packages often do not provide for women's needs, such as gynaecological care, stockings, and cosmetics. Groups who work with refugee women argue that such items are not a luxury: If given the choice, women refugees may ask for them before other things ("Meeting the Health Care Needs of Women Survivors of the Balkan Conflict," The Center for Reproductive Law and Policy, 1993).

• Lack of access to health care and other services. Access to reproductive health care and contraception is crucial to a woman's well-being. However, such services are scarce or non-existent in most refugee camps. For example, members on a fact-finding mission to Sarajevo in October 1993 found that as "women of Sarajevo have been used to family planning programmes and the Pill, but neither [were] available," a very high rate of abortions were being performed in unsafe conditions by unqualified practitioners (Pippa Scott and May Anne Schwalbe, "A Living Wall: Former Yugoslavia: Zagreb, Slavonski Brod & Sarajevo, October 3-18, 1993," Report to the Women's Commission for Refugee Women & Children, New York, p. 8).

• Inability to prove refugee status and insensitive asylum hearings. Women who are persecuted because of their gender may have difficulty proving refugee status. In addition, women who are victims of military attack may have a hard time proving they are victims of persecution rather than random violence. Since some asylum officers still see rape and sexual violence as random offences, a soldier's rape of a woman, for example, may be discounted even though rape in war is accepted as a violation of established international humanitarian law. Asylum officers often discount women's experiences of conflict as being "not severe enough" to constitute persecution. For example, some states give priority to survivors of con-
centrations camps and to victims of state torture, categories that include more males. For this reason, although the majority of refugees are women, the vast majority of people who receive asylum are men.

- Lack of recognition as independent beings with full legal capacity. Sometimes a male head of household may migrate or receive asylum first. Women who join their husbands then become dependent on them for their immigration or refugee status. Should the family break up, the woman could face deportation. This policy often places battered women in especially difficult situations. They may refrain from seeking help from law enforcement officials for fear of being deported or because of language or other cultural barriers.

**FORCED REPATRIATION**

The decade of repatriation was inaugurated in 1992 by the UNHCR, during which period 10 million refugees, mostly women and children, were to be returned to their country of origin. The implications of this for women refugees was described by Sima Wali at the Human Rights Conference in Vienna: “Refugee women...are ill-prepared to bear the daunting task of not only remaking their shattered lives, but participating in rebuilding their war-torn societies.”

Many repatriated women have faced torture and persecution upon their return, or are stigmatized if they have been raped by enemy soldiers. Additionally, if they are widowed, their children may be taken away by the husband’s family in order to ensure that any property or land remain with the male line. Returning to countries where security is uncertain, women have no guarantees of protection and are often left out of policy-making decisions by the new government (Afkhami, Mahnaz, *Women in Exile*, Charlottesville, VA: University of Virginia Press, 1994).

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**Exercise 3: Possible Intervention for Women Refugees**

**Objective:** To develop interventions and actions that could be taken to support women refugees

**Time:** 60 minutes

**Materials:** Chart paper and markers; Copies of “Scenarios of Hope” (below)

1. **Imagine/Draw:**
   Ask participants to make up a story of a refugee woman starting from her crossing the border of her home country. This might be one group story or several stories prepared by small groups. For example: A young woman refugee arrives at a camp without her family. In order to get enough food, she accepts an offer made by a guard to get her a “good job.” Instead of a good job, she finds herself working in a brothel where she isn’t allowed to keep her wages. She can’t complain to the police because they are part of the racket. Most customers refuse to wear condoms. Ultimately, she contracts a sexually transmitted disease.

   Once the story outline has been agreed upon, members of the group draw the different scenes of the story on the chart paper. Ask each group to present its story.

2. **Discuss:**
   Ask the groups to list the action or service that could have helped the woman in the stories escape the spiral at different points in the story. For example: “When the woman arrived in the refugee camp, she could either join a micro-enterprise to earn money for food or work with other refugee women to create one.” Or “In the brothel, an NGO conducting public health training workshops could educate her on how to protect herself or help her escape prostitution.”

   Conclude the discussion with a summary presentation of each group’s story and suggested interventions. Evaluate. What can women do to help themselves and each other? You might want to supplement the discussion with some of the suggested interventions in the box below.
SCENARIOS OF HOPE

Governments can advance the human rights of refugee women if they:
- Involve refugee women in the design and implementation of all programmes dealing with refugees.
- Employ female protection officers and female community social workers to work with all women, to provide safe places for women to talk to one another, and to provide remedies for women who are victims of violence.
- Offer gender-sensitive and culturally appropriate counselling to women victims. This counselling should be conducted by trained, experienced counsellors, preferably from the refugees' culture and/or community.
- Support the operation of SOS hotlines and “safe houses” for women refugees, staffed where possible by women refugees and/or women counsellors from the refugees’ same culture and/or community.
- Provide emergency resettlement to refugee women who may be particularly exposed to abuse.
- Establish effective mechanisms for law enforcement to ensure that abusers are identified and prosecuted.
- Ensure that refugee women are not forced to stay for long periods in closed camps or detention centres where they are more likely to be the victims of violence.
- Include information about refugee women, preferably written by and with refugee women, in all educational activities carried out in refugee programmes; include information about uprooted women in public media campaigns to combat abuse and discrimination against refugee women.
- Provide gender-sensitive training for host country border guards, police, military units, asylum officers, aid personnel and others who come in contact with refugees and displaced persons.
- Improve the design of refugee camps to promote greater security according to the needs voiced by refugee women. Such measures could include better lighting, security patrols and special accommodations for single women, women heads of household and unaccompanied minors.
- Place international staff that has received gender-sensitive training in border areas which refugee women must cross to enter countries of asylum as well as in reception centres, refugee camps and settlements.

ADDRESSING THE HUMAN RIGHTS OF MIGRANT WOMEN

The typical migrant woman is age 20-40, married with children who remain behind in her home country. She goes abroad in order to seek a better life for her family. Studies have found that she tends to be better educated than women who remain, but is unable to find a job matching her skills or education level ("Young and Older Women Migrate," Popline, vol. 18, May-June, 1996).

The migration of workers in search of better jobs and higher income is attracting greater attention as the increasingly globalized economy facilitates the movement of capital, goods and people. Powerful economic forces pull migrants to settle or go to work in a particular country. Many countries actively recruit a cheap and unskilled labour force to perform tasks that their own citizens consider dirty, dangerous or degrading. Until recently, men accounted for the majority of migrant workers, but women now outnumber men.

The majority of women workers either perform "traditional" women's work such as housekeeping and child care, or end up in the burgeoning and lucrative trade in women and girls for the sex and pornography industry. Many also work in low-paid, unskilled jobs in manufacturing, the garment industry, or agriculture. According to Dr. Patricia Licuanan, Chair of the National Commission on the role of Filipino Women, who has studied the impact of domestic worker migration upon both receiving and sending countries, "domestic worker migration seems to be more beneficial to the host country than to the sending country, and benefits tend to be more economic in nature, while the costs are primarily social" (Licuanan, Patricia, The Trade in Domestic Workers: Causes, Mechanisms, and Consequences of International Migration, Atlantic Highlands, NJ: Zed Books, 1994, pp. 103-15). (See Chapter 10, "Women’s Human Rights in the Economy," for more discussion of migrant workers.)

Why do women leave home to work?
Some of the pressures that force women to leave their homes and countries to search for means to support themselves and their families include:
- Low status of women’s work: Women continue to be discriminated against and relegated to low-paid employment with low status such as domestic work, prostitution, pornography, "mail order" brides, and "comfort women."
• **Globalization of labour markets**: A multi-tier system of labour has developed, where more highly industrialized countries shift their manufacturing base to countries which offer lower labour costs or import that unskilled, low-wage labour to perform tasks which their own workers scorn.

• **Gender roles in culture and in family**: Studies show that migrant women gain new influence and status in their families as the primary breadwinner, but they also have little power over how that money is spent. The stereotype of “subservient” and “exotic” Asian women makes them attractive to foreign employers, as mail-order brides, and to sex traders and clients. In Eastern Europe, many women who have found themselves the first fired from newly privatized enterprises in the former communist states, have no option but to go abroad as traders, migrant workers and prostitutes. Russian and Ukrainian women—“Natashas”—travel back and forth to Turkey to work as prostitutes.

Sending and receiving governments play a role in encouraging migration. Some sending governments actively target, recruit and encourage their workers to go abroad; they regulate and benefit from fees and taxes collected as well as the remittances sent home, which save them from serving the needs of their citizens. For example, the Philippine government, in order to earn much-needed hard currency and service foreign debt has, since the 1970s, explicitly encouraged and facilitated the export of labour to the Middle East, Europe, Japan and the US. At present, approximately half a million Filipinos working abroad send home $2 billion annually. These workers are the largest export earner in their country’s economy. As further incentive, the government offers a one-year tax break on money sent home. Private and government agencies benefit from the exorbitant and usually illegal payments demanded from women seeking to go abroad.

Receiving governments benefit from the influx of cheap labour, which in some cases frees their educated women to join the workforce (in countries where that is allowed), absolves them from building a child care system, and brings in revenue, as in the case of Singapore, where employers must pay a monthly fee of $300 to the government for a foreign household worker (Villalba, May-an, “Understanding Asian Women in Migration: Towards a Theoretical Framework,” *Women in Action, Isis International*, vol. 2 & 3, 1993, Manila, Philippines, pp. 9-23; see also United Nations, *Internal Migration of Women in Developing Countries, Sales No. E.94.xiii.392-1*). 1260-3).

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**Exercise 4: Push-Pull Factors**

**Objective:** To identify the reasons that contribute to migration

**Time:** 30 minutes

**Materials:** Chart paper and markers

1. **List:**

   Divide a sheet of paper in half, heading one “**Pull Factors**,” the other “**Push Factors**.” Ask the participants to call out the reasons women might need to seek employment in another country and why a receiving country might need their labour: These might include:

   **PUSH**
   - high rate of unemployment
   - lack of good jobs for educated women
   - family needing support
   - desire to buy consumer goods
   - government needs foreign exchange
   - glamorization of living abroad/travelling

   **PULL**
   - foreign government needing cheap labour
   - demand for English-speaking workers
   - status symbol to have a “maid”
   - recruiters offering incentives
   - persuasive recruiters promising well-paid jobs

2. **Discuss:**

   - Why are there more women migrant workers than men?
   - What are the underlying economic policies and assumptions of the sending and receiving countries? Do they rely on women’s labour because it is cheap?
   - Do any of these factors violate women’s human rights?
FROM VICTIM TO ADVOCATE:
A MIGRANT WORKER’S STORY

Teresita Cuizon, a widowed single mother, worked as a seamstress in the Philippines and supported her two children. Because she could not make ends meet on her income she migrated and took a job working as a chambermaid in a Gulf state which promised a salary of $400 per month. When she got there, she was paid only $108. She was held captive by her employers, who took away her passport so she was unable to go anywhere without them. She had to work long hours with no time off and was given only leftovers to eat. Her male employer continually harassed her. When she complained to their daughter and asked to go home, she was sent to work for the daughter instead. Conditions did not improve.

When the Gulf War broke out, her employers moved to London and took her with them. She was not paid for six months even though her employers continued to shop. She finally escaped from her employers with help from a woman she met in a park and from the police. She then joined Walin-Waling, an organization that helps undocumented domestic workers in the UK (Testimony of Teresita Cuizon in Without Reservation: The Beijing Tribunal on Accountability for Women’s Human Rights, Reilly, Niamh ed., Center for Women’s Global Leadership, NJ, 1996).

Domestic Workers
Many women upon arrival in a foreign country find that they are treated inhumanely. Domestic workers are seldom covered by the laws protecting citizens, yet they are expected to conform to the culture of their host country or suffer the consequences. For example, many Christians are forbidden to attend church in the Middle East; in Singapore, foreign household workers (FHWs) are forbidden to marry locals and must undergo a medical check-up every three months; if the woman is pregnant or has a sexually transmitted disease, she is deported. There are numerous cases of domestic workers being killed by employers, committing suicide in desperation or, in extremely rare cases, killing their employer or “enslaver.”

Factors Affecting the Violation of Human Rights of Migrant Women
All migrant women are vulnerable to violations of their human rights due to the following factors:
• Increasing xenophobia and racism
• Violence at home, at work or in the streets
• Inability to access local laws or law enforcement for protection from domestic violence
• Immigration laws that enable batterers or abusive employers to threaten women with deportation
• No control over living and working conditions
• Discriminatory laws that prevent family reunification
• Lower pay, long and irregular hours, inadequate food, no privacy, little time off or no paid vacation and no medical coverage
• Illegal seizure of passports and inability to leave country without an exit visa or employer’s permission
• Debt bondage to employer or agent or local moneylender at home in order to pay off travel expenses
• Ignorance of the country’s language, customs and laws
• Little opportunity to improve employment opportunities
• Limited or no access to existing government benefits such as welfare, housing or health care
• Lack of solidarity from other women’s groups or social change groups
• Exploitative economic policies of both receiving and sending countries.

These factors illustrate the interconnectedness of human rights. Promotion of the human rights of migrant women necessarily entails addressing a variety of human rights problems.

The Beijing Platform and Migrant Women
Migrant women organized and lobbied to influence the Beijing Platform for Action to address their human rights. As a result of these efforts, the Platform does include references to some important issues faced by migrant women, even though it ignores others.

The Platform calls on governments to ensure “the full realization of the human rights of women
migrants, including migrant workers, and their protection against violence and exploitation.” However, the Platform only calls for measures to empower documented women migrants and not undocumented workers (paragraph 58k).

The Platform acknowledges that migrant women are particularly vulnerable to violence and recommends that migrant, displaced and refugee women be made aware of their human rights and the mechanisms available to them (paragraph 116). It also recognizes that women migrant workers are dependent on employers for their legal status, which can make them more vulnerable to exploitation (paragraph 55c).

**Exercise 5: Taking Action**

**Objective:** To develop strategies to promote the human rights of migrant women

**Time:** 60 minutes

**Materials:** Chart paper and markers or blackboard and chalk. Copies of “Strategies to Promote the Human Rights of Migrant Women” (below)(optional)

1. **List:**
   Divide participants into small groups to develop strategies for migrant worker organizations and advocates to lobby their government to improve conditions for women going abroad to work. Each group writes the strategies on chart paper under three headings: “Internationally,” “In Sending Country” and “In Receiving Country.” Participants may wish to break these categories down further into strategies for migrant and non-migrant groups.

2. **Discuss:**
   Ask small groups to present their lists and the reasons for choosing their strategies. Circle those that the group considers most effective. Read the strategies from the list below and add those the group approves to the lists.

**Strategies to Promote the Human Rights of Migrant Women**

**Internationally:**

- **Create an International Union of Domestic Workers:** What goals and strategies would such a union employ to protect and advance the status of all domestic workers? What impact would such a union have on your country (as a receiving or sending nation)? What role would it play internationally? What are some of the obstacles in establishing such a body?

- **Urge more nations to ratify and enforce the UN Convention to Protect the Rights of Migrant Workers.** This convention was passed in 1975 and includes comprehensive protections, though based on a model of male migrant workers. However, few governments have ratified it.

- **Expand the Migrant Worker’s Convention to consider women migrant workers.** What are some of the strategies NGOs can use to make this convention enforceable and get more nations to ratify it? How can it be implemented?

- **Ask the International Labour Organization (ILO) to track data on and act as a clearinghouse for information on women migrant workers.**

**In Sending Country:**

- **Standardize and monitor recruitment process** that includes government oversight.

- **Provide training and counselling** for the worker; ensure that her family is notified as to where and for whom she will be working.

- **Lobby government** to protect and assist their citizens abroad through bilateral negotiations with receiving governments, and demand they set up a Labour Liaison office within their embassy to monitor the situation.

- **Offer credit schemes** to assist with travel costs to eliminate borrowing from moneylenders, agents or employers.
• Institute schemes to direct remittances towards savings and not just consumption by family; provide training for returning workers to use earnings as investment or income-generation.
• Urge re-examination of structural adjustment policies which exacerbate the conditions leading women to migrate abroad to support their families.

In Receiving Country:
Strategies for non-migrant women’s groups:
• Develop a multilingual organization using first- and second-generation immigrants to translate and provide the cultural awareness that is critical in building trust and meeting the needs of migrant women.
• Use non-written forms of communication such as radio, video, street theatre and song as outreach and education tools in immigrant communities.
• Build solidarity with allied groups such as students and churches to mobilize community support and supply services to migrant women.
• Work at national policy level with service providers, lawyers, and other immigrant groups cutting across boundaries of geography, class, race and religion. For example, a coordinated national coalition in the US successfully lobbied for provisions enabling battered immigrant women to apply for immigration status under the Violence Against Women Act (VAWA) passed in 1994.

(Adapted from Hear Our Votes: Resource Directory of Immigrant & Refugee Women’s Projects, American Friends Service Committee, 1995.)

Strategies for migrant women’s groups:
• Lobby host government to protect migrant workers by establishing minimum wages and conditions, and to require standard contractual agreements between employer and employee.
• Lobby host country to allow workers to permit the changing of status and move to professional work where they possess the skills.
• Lobby for amnesty regularizing work status of non-documented workers resident in country.


Women Migrant Workers: Some Action Strategies

Sending governments can advocate to improve conditions for their migrant workers: In 1987 the Philippines banned export of domestic workers in order to renegotiate bilateral agreements on wage rates with receiving countries such as Singapore and Malaysia. As a result of these governmental negotiations, Filipina maids were ensured higher salaries than before. (Noeleen Heyzer et. al., supra at pp. 136 and 65.)

NGO activities to organize domestic workers: In 1993, Sakhi, a US grassroots advocacy group fighting to end violence against women in the South Asian community, began to organize the growing numbers of South Asian women brought to the US to work as housekeepers by South Asian employers. Their activities included:
• Helping a domestic worker from India sue her employers for back wages and abuse, helping her get her passport back and threatening to expose her employers to the community in a public action campaign
• Running an ad campaign in community newspapers highlighting responsibilities of employers and rights of domestic workers
• Offering free English classes to integrate workers into the organization as well as to inform them of their rights.

Domestic workers organizing themselves: Walin-Waling is an organization of undocumented domestic workers in the UK. It takes its name from a rare orchid that can only be found hidden in the Philippine mountains. Members of Walin-Waling work closely with a group in the Philippines, Kalayaan. They attend training sessions to learn their rights, engage in social activities, help raise money for each other in times of need and organize to improve the human rights of domestic workers.
Exercise 6: Making Your Own Law

Objective: To develop a law to define the rights of migrant, refugee and displaced women. To assess the list of rights developed by the Vienna Working Group.

Time: 60 minutes

Materials: Copies of the list of rights of refugee, migrant and displaced women drawn up by the Vienna Working Group (below).

Write, Read, Discuss:

Step I: Divide the participants into small groups to write their own law that would protect the human rights of girls. The law should be as specific as possible. Should this be international law? National or local law? All three? Groups could use the charts “Analyzing Human Rights Problems” and “Implementing Human Rights Strategies,” pp.203-204 to examine this problem.

Step 2: The list of rights below was drawn up by a group of more than 70 European NGOs working on issues pertaining to migrant, refugee and displaced women at a meeting in Vienna in October 1993. Many of the participants were migrant, refugee and displaced women themselves, from lands as diverse as Algeria, Croatia, Cyprus, Iran, Ireland, Philippines, Tibet, Turkey, Serbia and Zaire. Distribute copies of the list. Ask the small groups to consider the following:

- Does it make sense to you?
- What would you add, if anything?
- What would you delete, if anything?

Rights of Refugee, Migrant and Displaced Women

1. The right to family reunification wherein women retain their autonomy. Women, like other refugees, should be able to reunite with their families who live in other countries. However, when they do so, women should be able to continue to be independent persons with full legal capacity. No one, including their male relatives or husbands in the new country, should make decisions for them. A change in marital status should not result in a change in legal status. For example, if a refugee woman divorces in her new country, her case for refugee status should continue to be judged independently and not linked to that of her husband.

2. The right to safe return to their homes. All refugees have the right to safe return to their homes, but this must be particularly safeguarded in the case of refugee and displaced women, who are particularly vulnerable to rape, sexual assault and other forms of abuse.

3. The right to freedom from violence—in flight, in countries providing protection and during and upon their return home, if return home is possible. “All forms of violence against women in public and private life affect migrant, refugee and displaced women, regardless of individual status or condition. This is further exacerbated by the disintegration of traditional support structures, and inaccessibility and/or lack of culturally and linguistically appropriate services” (Vienna Working Group).

4. The right to fair, appropriate, gender-sensitive asylum procedures. Women should be employed as interviewers and interpreters, especially for female asylum seekers who may have suffered sexual assault or violence. Women refugees should be given the opportunity for private and confidential interviews.

5. The right to freedom from racism, discrimination and harassment. Migrant, immigrant, refugee and displaced women face racism, discrimination and harassment. Migrant workers in particular often become scapegoats for economic problems. Governments should adopt laws and implement measures to eradicate all forms of racism, xenophobia and homophobia, including institutionalized racism, and create channels for reporting, investigating, and prosecuting of violators.
6. **The right to work free of economic or sexual exploitation in a safe environment.**

Uprooted women should have access to full participation in the labour market and should be treated equally by law.

**Step 3:** Ask the groups to compare their new law to the rights defined by the Vienna Working Group.
- How are they the same? How do they differ?
- Would they now change their law? If so, how?
- What changes or additions would they recommend to improve the rights defined by the Vienna Working Group?

**Step 4:** Ask groups to present their laws. Discuss:
- In what ways does the government currently limit the rights contained in your law? In what ways would the government need to change? How can women influence this change?
- In what ways could the government support and enforce your law?
- In what ways do religion, culture, tradition, custom and habit currently limit the rights contained in your law? In what way would these things need to change? How can you influence that change?
- In what ways do religion, culture, tradition, custom and habit currently support and enforce your law?
- In what ways do you yourself and/or your family limit the rights contained in your law?
- In what ways would you and/or your family need to change? Are such changes possible?

**Step 5:** Discuss what it would really take for these new laws and/or the rights defined by the Vienna Working Group to become a reality in this community. Strategize actions that individuals and groups might take to make this happen. List the strategies that the majority can agree upon.
Women's Human Rights in the Economy

**OBJECTIVES**

The exercises and background information in this chapter will enable participants to work towards the following objectives:

- Define "economy" and think about women's relationship to local and global economies
- Examine the role of poverty in constraining women's lives and the relationship to human rights
- Understand the relationship between development and women's human rights
- Explore the impact of globalization and global economic trends on women
- Define "structural adjustment" and make connections between foreign debt, international financial institutions and problems in local economies
- Identify the role of government, community leaders, the media and women themselves in transforming the economy to better promote women's human rights.

**GETTING STARTED: THINKING ABOUT WOMEN IN THE ECONOMY**

This section concerns women's human rights in the economy, a broad picture that includes local and international economic institutions and forces. In doing so, it intersects with topics covered in several other chapters. Chapter III, "Women's Human Rights and Work," focuses more specifically on the question of women's rights in the workplace. Chapter 12, "Women's Human Rights and the Environment," deals with the interrelationship of economic policies and environmental degradation. The role of migration and the economy is examined more closely in Chapter 9, "Human Rights of Refugee, Displaced and Migrant Women."

Trade, economic aid, markets, companies, businesses and financial institutions all affect women's lives. Known as economic structures, they are part of systems and processes by which goods and services are exchanged. Ideally they would work in a way that helps everyone to meet their material needs. In practice, economic structures often have the opposite effect: They impair access to basic human rights like food, shelter and a livelihood and can have a particularly negative impact on poor women all over the world.

As the Beijing Platform for Action observes:

> 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 dependents. 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 toimpeding the economic progress of women (paragraph 156).

Women's human rights in the economic field are connected with their human rights to political participation, to freedom from violence, to education, to health, to employment, to decent working conditions and to a range of other human rights.
WOMEN AND THE ECONOMY: SOME FACTS

- Women earn on average just 74.9% of men's wages.
- Globally women comprise 39.5% of the world's paid workforce, but own only 26% of the income and 1% of the property.
- While the numbers of women in higher education have increased worldwide, women only occupy 14% of managerial and administrative posts.
- In Africa women constitute 80% of the food producers, but constitute only 7% of the agricultural field agents.
- Women are overrepresented in the informal sector and among contingent or part-time labour as well as home-workers, all sectors characterized by poor wages, lack of benefits, less job security and strenuous and poor working conditions.
- Women constitute a tiny minority of borrowers from formal credit institutions. Only 5% of multilateral banks' rural credit reaches women.
- Of the world's estimated 1.3 billion poor, 70% are women.
- Women work longer hours, performing more concurrent tasks. On average, women carry 51% of the work burden in industrialized countries and 53% in developing countries.
- If a value were attached to women's unpaid or underpaid activities, it would amount to $11 trillion of a total $16 trillion global output.


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Exercise 1: The Economy and Our Lives

Objective: To define “economy” and women’s relationship to the economy

Time: 60 minutes

Materials: Chart paper and markers, tape, and coloured paper. Rope (optional)

1. Discuss:
   Read aloud the definition of “economy” from the box below and/or write it out on chart paper:
   Discuss:
   • What is an economy? What purpose does it serve and what are its goals? Are they the same for all people?
   • What is the relationship of women in this community to the economy? Do they work outside the home and/or own businesses?
   • What problems do the women in the community face?

2. Draw/Create:
   Ask the participants working individually, in groups or all together to make a time line of their lives on chart paper, blackboard or a clothes line:
   • Mark off each decade in some way.
   • Using coloured markers or coloured slips of paper, add to the time line the human rights issues (e.g., right to political participation, education, health, freedom from violence) that have come up at each stage of life.
   • Indicate all the ways in which they have participated in the economy and the ways the economic has impacted on their lives (e.g., first paying job, a time of particularly good or bad economic situation, joblessness for themselves or a parent or partner).

Leave the time lines up for use later in this chapter.
**ECONOMIC TERMS AND CONCEPTS**

**Economy** is the set of structures and relationships that guide the distribution and allocation of financial and material resources. It represents the ways individuals and groups interact to use and exchange resources, including goods, services and money. It addresses physical needs such as shelter, food, clean water or health care. It includes the patterns by which income and wealth are distributed, work is regulated, wages are established, whose work is recognized, what work is counted and how resources are distributed.

The informal sector of the economy comprises a wide range of unregulated economic and “extra-legal” activities, generally involving work for pay that does not come in the form of wages and employment conditions that are not regulated by local, state or national governments. Informality describes not only the relation of an enterprise to the state, but also the relation between employers and workers (many of whom are likely to be family) and between buyers and sellers. Thus informal relationships characterize both the ways that goods and services are produced and the processes and patterns by which goods and services are distributed.

**Gross Domestic Product (GDP)** is the measure of all goods and services produced in a country. **Gross National Product (GNP)** differs from GDP by including the income of nationals from foreign activity and subtracts the income of foreigners. Traditionally neither the GDP nor the GNP includes women’s unwaged labour such as housework nor the contributions of the informal sector, which is where many women work, especially in less developed countries (LDC). A more accurate measure of a country’s well-being is the **Human Development Index (HDI)** which factors in health, literacy and standard of living. The **Gender Development Index (GDI)** also measures achievement in the same factors, but highlights the inequality in these spheres between men and women.

**International Financial Institutions (IFI):** The International Bank for Reconciliation and Development (World Bank) and International Monetary Fund (IMF) were established in 1994 by the United States and its allies towards the end of World War II to fund the reconstruction of European economies. They are often referred to as Bretton Woods Institutions because they were created at the Bretton Woods Monetary Conference. The goal of these agencies was to promote an “open” world economy founded upon the “free flow” of goods and capital.

Established to finance the reconstruction of war-torn Europe, The World Bank shifted in the 1950s to funding development projects in developing countries. It encourages foreign investment through loan guarantees or direct investment of its own funds. Critics argue that the Bank has used its financial resources to support projects and policies that have furthered the interests of Northern governments, multinational corporations and economic elites.

The International Monetary Fund plays an important role in world trade. The IMF facilitates world commerce by overseeing currency exchange rates and by reducing foreign exchange restrictions of countries that have become members. It has also created a reserve of funds to help out countries experiencing temporary balance of payments problems so that they can continue trading without interruption. In 1982 the IMF began increasingly to issue loans with a specific set of conditions attached: To get a loan recipient countries had to adopt structural adjustment programmes that place tight restrictions on the country’s economy with the goal of increasing exports and decreasing deficits.

Although these international financial institutions are considered UN agencies, they do not operate democratically, but use weighted voting, determined by the financial contributions of a member country. Therefore the US controls about 20% of voting power at the World Bank and 18% at the IMF, the largest single share of any country. The IFIs make available low-interest loans and credit to countries that can not raise money in the commercial market, but attach certain “conditionalities,” or requirements of monetary and financial policy changes. [Women’s International League for Peace and Freedom, International Institute for Human Rights, Environment and Development, Justice Denied: Human Rights and the International Financial Institutions, Nepal: INHRED International, 1994].
Structural Adjustment Programmes (SAP) are the set of “free market” conditions and policies imposed by the World Bank and IMF on countries seeking their financial assistance. The main purpose of SAPs is to promote a country's long-term growth and economic efficiency by more fully integrating the national economy with the global market. This is achieved by encouraging foreign investments in the country and raising its foreign earnings through exports. In this way, the borrower nation can repay its debts to the lenders. Domestically, the indebted government is encouraged to adopt stabilization or “austerity measures” that entail cutting government spending on “non-essential” services such as health and education. Other common policies include currency devaluation (or reducing the worth of one currency in relation to others), wage freezes, privatization of public enterprises, limiting credit and raising interest rates to curb inflation, business deregulation and cuts in government subsidies.

General Agreement on Tariffs and Trade (GATT): Established in the 1940s, GATT seeks to create and enforce a worldwide set of regulations to reduce trade barriers. These treaties and regulations have developed over the last 50 years, the current being referred to as the "Uruguay Round." These new sets of treaties and regulations are controversial because they place restrictions on developing countries regarding trade and effectively restrict the access of developing countries to new technologies.

Transnational or Multinational Corporations (TNC or MNC) are large corporations that have played a key role in globalizing the economy and exploiting pools of cheap labour and natural resources in developing countries. As they operate on a global level and are not bound by the laws or restrictions of any one country, MNCs can close an unprofitable enterprise in one country and open in another with relative ease. MNCs are extremely difficult to regulate.

The World Trade Organization (WTO) was created in 1995 through the GATT/Uruguay Round, as the permanent successor to the GATT. The WTO provides its member nations with a vehicle for communication about macroeconomic policy and a forum for trade-related negotiations and dispute resolution.

Export Processing Zones (EPZ) are areas established by governments to attract foreign investments and industries. They offer tax incentives and a large pool of workers ready to work for low wages; they ban union activity and waive labour regulations or import-export barriers. The border area of US-Mexico is one such area, where factories called "maquiladoras" have been set up. There US-based firms set up their manufacturing or assembly units, but the firms' central operation continues to be based in the US, where they have ready access to lucrative markets. The majority of workers in the EPZ tend to be girls or young women; for example, a survey conducted in Sri Lanka found that 86.4% of workers in the EPZ were women, whereas they only make up 30% of manufacturing workers in urban areas. In Jamaica, women make up 95% of workers in EPZs. Employers prefer women workers because they work for less, are more compliant and less likely to organize or be members of unions (Sparr, Pamela, ed. Mortgaging Women's Lives: Feminist Critiques of Structural Adjustments, UN & Zed Books, 1994).

WOMEN AND POVERTY

One of the obvious results of malfunctioning global and local economies is poverty that is compounded by discrimination and inequality. Poverty among women and girls is also directly related to their deprivation of rights, 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” (Beijing Platform for Action, paragraph 51). Poverty is also related to displacement due to armed conflict or migration for economic reasons. Women can rarely overcome poverty unless the underlying discrimination and deprivation of their human rights are addressed.

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
Poverty violates the human rights of women and girls, denying them:
• Participation in political and public life
• Education
• Food and freedom from hunger
• Health
• Freedom from violence
• Housing
• Life itself.

These rights are recognized in many national, regional, and international laws, including the UDHR and the International Covenant on Economic, Social and Cultural Rights (ICESCR).

The past decade has witnessed a great increase in the number of poor women. According to one study, female-headed households, whether in developed or developing countries, were more likely than households headed by men to be among the poorest groups (United Nations. The World’s Women 1995: Trends and Statistics, UN.DOC.ST/ESA/STAT/SER.K/12, New York United Nations, 1995, p. 129). In addition to facing discrimination, oppression and violence, poor people are often blamed for societal problems such as environmental degradation, crime and violence.

Women in poverty contend with a range of issues that exacerbate their marginal status. For example, poor women are often more vulnerable to different forms of violence, including police brutality, and many women in prison come from poor communities. Poor women are also vulnerable to violence and crime in their neighbourhoods. Also, in many parts of the world, poor women come from particular racial, ethnic or religious groups that are discriminated against by dominant groups. In addition, poor women also face the additional burden of governments’ increasing cutbacks on their obligations by removing subsidies for food, education, welfare programmes and health care.

**SOME FACTS ABOUT WOMEN’S POVERTY**

• In the “developed” world, Australia and the US have the highest ratio of poor women to poor men, namely 130 to 100 (United Nations, The World’s Women 1995: Trends and Statistics, UN.DOC.ST/ESA/STAT/SER.K/12, United Nations, New York, 1997).
• The number of women living in poverty throughout the world has been growing disproportionately compared with the number of impoverished men.
• Poverty tends to be the greatest among minority, disabled and older women.
• Evidence suggests that when women obtain the economic means and a conducive environment, they will act to bring themselves out of poverty.
• Anti-poverty programmes for women tend to have the greatest impact if they are conducted by women for women, using the skills, energy and knowledge of women from the population they serve. Effective strategies must address women’s multiple roles and responsibilities and resulting needs such as day care, health care or medical insurance, elder care, access to transportation and continuing education.
Exercise 2: Women and Poverty

Objective: To examine the impact of poverty on women and identify actions to address women's poverty

Time: 60 minutes

Materials: Chart paper and markers or blackboard and chalk

1. Read:
Write on chart paper/blackboard, hand out or read aloud this definition of economic justice:

Economic justice: Equitable distribution of income and wealth, economic security and economic freedom. This includes the right of every woman to a safe, secure home, good health care, secure child care; the right of every woman to earn a wage that will support her and her family, either working in or outside the home; shared responsibility between men and women for the care of the elderly, children and the community; elimination of wage and gender based discrimination; the right of women to own property and other economic resources and to sustainable self-employment. (Williams, Mariama, in The Indivisibility of Women's Human Rights, Susana T. Fried, ed. New Jersey: Center for Women's Global Leadership, 1994, p. 68).

2. List:
Ask small groups to respond to the following questions, recording the responses on four separate lists labelled:

"Who?" "\downarrow\" "Women and Poverty" "\uparrow\"

Read the headings and questions aloud several times and/or post them on chart paper:

List A: Under the heading “Who?” record responses to these questions:
• Who is poor in your community?
• Do they belong to specific racial, ethnic, religious or other social groups?
• Are they more likely to be women and children?

List B: Under the heading “\downarrow”: record responses to the following question:
• What makes these people poor?

List C: Under the heading “Women and Poverty,” record responses to this question:
• How does poverty affect women?

List D: Under the heading “\uparrow” record responses to this question:
• What factors help people rise out of poverty?

3. Analyze:
Review List D and do the following:
• Mark with a star (*) those actions that have already been taken. Next to the action write who or what has taken it.
• Mark with an exclamation point (!) those actions that could be taken in the future.
• Add any additional actions that could help people rise from poverty.
• Circle those actions that have been or could be undertaken by women.

4. Discuss:
Ask small groups to present their lists. Discuss, especially where differences of opinion occur, and ask these questions:
• Have some actions failed?
• What proposed actions seem most likely to be effective?
There are many, often conflicting ideological definitions of “development,” each with its own political and philosophical position. Traditionally development was equated with economic growth and industrialization. In other words, development was defined to correspond to the experience and situation of wealthy, industrialized nations. However, it has been argued that development should not be equated only with wealth. The concept of development should encompass the improvement of people’s well-being through a focus on economic and social justice rather than economic growth per se. The 1994 Human Development Report published yearly by the United Nations Development Programme notes:

A new development paradigm is needed that puts people at the centre of development, regards economic growth as a means and not an end, protects the life opportunities of future generations as well as present generations and respects the natural systems on which life depends (United Nations Development Programme, “An Agenda for the Social Summit,” Human Development Report 1995, Oxford University Press, New York, 1995).

The United Nations has had three designated decades of development. (See United Nations, Women in a Changing Global Economy, World Survey on the Role of Women in Development, UN Sales No. E.95.IV.1 92-1-30163-7 1994.) The first in the 1960s focused on the industrialization of newly independent countries in the southern hemisphere. Many of these projects were on a large scale and designed to bring about rapid economic growth to benefit the whole population.

When the expected economic benefits failed to “trickle down” to ordinary people, the focus was shifted to a second development phase during the 1970s. This focus included encouraging an equitable distribution of wealth, social justice and improvement in education, health and social services. However, a growing global economic crisis disrupted this plan. By the time the third decade came in the 1980s, few people were thinking about equity. Forces in control of the major world resources (i.e., governments in developed countries and international financial institutions) focused instead on making developing countries that borrowed funds change their economies through structural adjustment programmes in order to repay their large debts. In many cases, corrupt and authoritarian governments in debt countries simultaneously misused loan funds to further their own interests, often to the detriment of their local populations. These trends served to bring social development to a standstill. At the same time the natural resources of developing countries were exploited to repay debt, resulting in the degradation of the environment and the breakdown of infrastructure. (See Chapter 12, “Women’s Human Rights and the Environment.”) In response to the burgeoning poverty and economic exclusion of women, a focus on Women in Development emerged.

These three decades had little impact on the lives of women. If anything, development plans perpetuated existing social and gender inequalities and disempowered women even further:

- Because of assumptions about gender roles, and male ownership of land, men were primary beneficiaries of training in the use of new technology and agricultural methods, although agriculture was predominantly women’s work.
- Similarly, because the preponderance of those given training, credit and other assistance were men, their access to the means of production was greatly enhanced.
- Women’s contribution to the economy went unrecognized. In sub-Saharan Africa, for example, women are estimated to be responsible for more than 80% of food production for home consumption and over half of all agricultural production. Official gross national product figures for the region, however, generally count only the produce actually brought to market or exported, namely cash crops which are controlled largely by men.
**Exercise 3: Development for Whom?**

**Objective:** To understand the differential impact of technical assistance on men and women

**Time:** 60 minutes

**Materials:** Copies of Role-Play “Scenario No. 1” and “Scenario No. 2” (below)

1. **Role-Play:**
   
   Read “Scenario No. 1” aloud. Ask the participants to role-play the situation focusing on the kinds of assumptions that the development agencies are making about this family and the way different family members respond to the agencies’ offer. Roles should include Anna, John, one or more representatives from the agencies and one or more of the children. Pay attention to how John presents the options to Anna and how the decision on the tractor is made.

   **Role-Play Scenario No. 1**

   John and Anna have four children and live in a small village, which is supported by three development agencies. These agencies address issues of health, agriculture and credit respectively. Representatives from all three agencies approach John and try to persuade him to use their programmes. The Health Agency provides free medical check-ups and immunizations for the family. The Agriculture group will provide John with the use of a tractor to increase his crop yields and cut back on time. The Credit Association offers a revolving credit option through which the family could start an income generation project. All these options are presented by John to Anna; none of the agencies contact her directly or ask for her to be present at the discussions.

   John decides on the tractor. Because he can now plough more, he expands his farm. Along with caring for the children, managing the household, tending her garden and preparing the food, Anna must now work more hours weeding and harvesting this new field.

2. **Discuss:**
   
   Ask these questions about the role-play:
   - How did the participants feel when playing their respective roles?
   - What suggestions or additions to the arguments would the observers add to the role-play?
   - What kinds of gender roles have the development agencies assumed in this role-play?
   - If the options had been presented to Anna, would she have made a different choice?
   - Who has benefited from this “labour saving” device?

3. **Role-Play:**
   
   Read “Scenario No. 2,” including John’s and Anna’s views. Ask participants to continue the second role-play with the same parts, with the representatives of the agencies taking as neutral a role as possible.

   **Role-Play Scenario No. 2**

   The family has now had the tractor for a year. Because John can now plough more, he expands his farm and adds a new cotton field. A representative from the development agency who comes to evaluate their progress interview both John and Anna about their progress over the year.

   **John’s View:**
   - He believes that cash crops like cotton are the best way to improve family income.
   - He denies that he should use his income to buy the family’s basic necessities as this has never been his role. He wants to buy a radio and a bicycle.
   - He is comfortable with his role as decision maker, including how the money earned from the sale of his cash crops is spent.
Anna's View:
- She has more work now because she has to help with the cultivation of the cash crops as well as produce the family crops in her garden.
- Because she no longer has extra time, she cannot produce the surplus vegetables for selling in the market to buy consumer items the family needs such as soap, oil and clothing, for which she has always been responsible.
- She has lost control over the plot of land she had for producing her food because John needed more land for the cotton. This is another reason she has no surplus to sell.
- Because there is no child care available, she has to take the children with her to the fields for many more hours each day.
- She is so tired when she gets home that she cannot prepare a proper evening meal; the children are so tired they don't eat much and fall asleep. Both she and the children have become malnourished.

4. Discuss:
Ask these questions about the role-play:
- How did participants feel when playing their respective roles?
- How might the results have been different if Anna had been consulted in the decision?
- What can be done now to improve her situation? How could these changes be made?
- In what ways have Anna's human rights been violated? By whom?
- What human rights principles should development agencies follow in planning their programmes?
- Do they or could they work in this community?

CHANGING DEVELOPMENT

Opinions differ on how to best promote equality, development and peace for women. Some people argue that women-only projects are more effective to promote women's needs while others feel that integrating women into mainstream development projects should be the goal. Some organizations promote a welfare approach to women in development through, for example, free food programmes; others feel that such an approach increases dependency and encourage income-generation activities.

Increasingly, however, development agencies recognize that women have multiple responsibilities related to work and family; they consult with women at the community level in the design and implementation of projects and build in a component that helps women assert their own needs and fundamental rights. These shifts in approach brought with them a change of concept, embodied in the change from “Women in Development” to “Gender and Development.” The new concept holds that the gender roles of men and women (those qualities determined by society rather than biology) lead to differences in needs, skills and access to resources. Effective and just development plans should take gender roles into account. For women to be able to make free choices and enjoy the benefits of development, gender equality must be a central and non-negotiable goal.

In addition, development plans should be assessed according to a gender perspective. The concept of "gender perspective...is based on an understanding that in all situations some perspective of interpreting reality is present. Historically, that perspective has most often been biased towards the male view. Accordingly, most perspectives on reality have not taken women's views and experiences into account, rendering the everyday violations of women's human rights invisible" (Report of the 1995 UN Expert Group Meeting on the Development of Guidelines for the Integration of Gender Perspectives in UN Human Rights Activities and Programmes, UN document E/CN.4/1996/105).
DAWN: A PERSPECTIVE ON WOMEN IN DEVELOPMENT

DAWN (Development Alternatives for Women in a New Era) has described its new vision as follows: "The quality of social progress of a society should be judged by the absence of grinding and widespread poverty, the elimination of violence and conflict associated with injustice and deep inequality." DAWN envisions peace and justice in societies and nations where the value of human life and dignity is pursued within a framework that ensures the equitable distribution of material resources, and where the social, political, and spiritual needs of all can be met.

Because of their social responsibilities for production and reproduction, women must be at the centre of a reconceptualization of development. Their lives are critical determinants for prioritizing the core issues of social development, not only because they have been most affected by lack of jobs, poverty, and social disintegration. More significant is their experience of sustaining the cohesion of their families and communities while experiencing the consequences of social disruption.

We need to reclaim society by constructing new models of social advancement and new processes which respond to people's needs. The eradication of poverty and the reduction of social inequalities depend on restructuring existing economic, social, and political arrangements.

(“Challenging the Given: DAWN’s Perspective on Social Development,” document prepared by DAWN for the World Summit on Social Development, Copenhagen, March, 1995.)

Exercise 4: What Kind of Development?

Objective: To set gender and development priorities

Time: 60 minutes

Materials: Chart paper and glue or tape for each group, set of statements for each group cut into strips (below), paper and coloured pens (optional)

1. Discuss:
Divide participants into small groups and give each group a complete set of statements cut into strips, glue or tape and a sheet of chart paper divided into five columns labelled “Strongly Agree,” “Moderately Agree,” “Slightly Agree,” “Mildly Disagree” and “Strongly Disagree.”

Explain the procedure:
a. Someone reads each statement without comment.
b. The group decides under which column to place the statement and attaches it to the sheet. Take a vote if the group cannot reach consensus.

2. Analyze:
Ask each group to post its completed chart and allow time for everyone to compare charts. Ask groups to identify differences in priorities and explain their decisions, especially where there are disagreements.

The Statements:
• A development project that benefits the whole community will automatically include women.
• Local development must be understood within the context of global economic forces.
• All development efforts should focus on women because women are responsible for holding the family and community together.
• We aim to help the poorest of the poor. Therefore, all our efforts should be aimed at helping poor women.
• When the situation is serious, you can't waste time thinking about gender issues.
• Development and human rights cannot be separated.
• If a community is involved in a national liberation struggle, focusing on women’s needs is divisive.
• The important thing is to help the people most in need, not just the women.
• If women are educated, then development will automatically follow. True development for women would enable them to have the power to make meaningful choices about their lives.
• We should not talk about power because it is too threatening to the men.
3. Storytelling:
Imagine a community that could result from 10 years of ideal development. One participant starts and the next adds to the description until a full vision of the new society is presented.

The following points should be included in the story:
• What fundamental human rights promote your vision of development?
• What specific actions can each woman take right away to move herself and her community towards her vision of an ideal community?

Alternative: Draw these images and discuss.
(Adapted from Suzanne Williams with Janet Seed and Adelina Mwau. The Oxfam Gender Training Manual, Oxfam, UK, 1994.)

“GLOBALIZATION” OF THE ECONOMY AND WOMEN’S LIVES

Today international forces play an increasingly important role in national and local economies and ultimately have a profound effect on women’s lives. In the last few decades changes in technology, investment patterns, production processes and the dissemination of images and culture have also affected women. These changes are all a result of globalization reshaping relations among the state, civil society, businesses and international institutions.

Globalization involves two competing phenomena: integration and fragmentation. On the one hand, many states have broken down into smaller units, and small groups of affinity and identity have increasingly demanded a voice in national, regional and international affairs. On the other hand we are becoming more interconnected, due to changes in technology, capital, rapid communication and informational flow.

This new interconnectedness has led to changes in how governments create financial and economic policies. Economies have become more dependent on capital and other resources from other parts of the world. Companies now can change their location quickly in search of cheap labour, raw materials and low taxes. As a result, governments often have less control over economic policies within their own borders. “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” (Beijing Platform for Action, paragraph 157).

International actors and policies combine with technology changes and capital flows to make national economies part of the global economy. The General Agreement on Tariffs and Trade (GATT), for example, has worked to lower barriers to international trade to the detriment of many national and local industries. Also through GATT countries like the US have strengthened copyright and patent laws that favour multinational corporations. Companies have patented and claimed ownership of indigenous herbs, plants and remedies that have been in local communities for generations.

Such policies will continue as GATT takes its new form as the World Trade Organization (WTO). The WTO does contain some avenues for NGO participation, but the process is not yet completely developed.

The Role of Multinational Corporations
Multinational companies often have great influence on local economies and sometimes wield more power than national governments. Their actions are often not restricted by international laws, and thus they can act to maximize their own profits without concern for how this effects local communities and the environment. For example, such companies can pollute the local water and air and put unsafe medicines into markets. When they are challenged, they can leave for other locations, resulting in loss of jobs. Despite their drawbacks, multinational companies can also have a positive impact on some women’s lives, since they can provide modern wage jobs for women who would not have access to such work in other circumstances. Modern factory jobs are usually more desired than domestic service or work in the informal sector.
Multinational companies draw heavily on female workers: Altogether there are probably about 1.5 million women directly employed in export manufacturing in developing countries, between a third and half of them in wholly or partly foreign-owned enterprises, which include not only multinationals from industrialized countries but also from other Third World nations. In each country, the number of women working in export factories is small relative to the total female labour force, with the important exception of small, heavily industrialized, heavily export-oriented countries like Hong Kong and Singapore (Lim, L.Y.C., “Women’s Work in Export Factories: The Politics of a Cause,” in Persistent Inequalities Women and World Development, Irene Tinker, ed., Oxford University Press, 1990, p. 105).

In addressing the relationship of multinational corporations and women’s human rights, women must look at a number of factors, including availability of jobs, working conditions, wages and benefits, health hazards, and environmental issues. Women have begun to organize across country borders to demand better wages and working conditions from such corporations. By working together in different countries, they prevent companies from being able simply to cross the border for cheaper wages. Other groups are trying to create an international code of conduct for multinational corporations. (See Chapter 11, “Women’s Human Rights and Work.”)

**Exercise 5: Where Did You Get Those Shoes?**

**Objective:** To introduce and personalize the concept of the global marketplace and its exploitative labour practices

**Time:** 45 minutes

**Materials:** Chart paper and markers or blackboard and chalk

1. **Examine:**
   Ask for approximately eight to 10 volunteers to come to the front of the group. Ask them to work in pairs to check the labels on their clothes to find out where they were made. As participants call out the countries, list them, making a check for each multiple reference. Include shoes, eyeglasses, headgear:

2. **Analyze/Discuss:**
   Once this list is completed, ask the group to analyze the results (In almost every case the majority of the garments will indicate that they were made in a developing country):
   - Are most of the clothes made locally or imported?
   - Are they mostly handmade or factory made? Why?
   - Would this list be different if it had been made five years ago? Ten years? Twenty years?
   - Why do you think this small group of people is found to be wearing clothing from such diverse countries?
   - Were the brand names those of companies in this country? Why would clothing companies in this country manufacture their products in another country?
   - Who do you think made the fabric in your clothes? Made the buttons and the sleeves? Was it likely a man or a woman?
   - What do you think were the working conditions of the people who made these clothes? Were they children? Did they enjoy safe working conditions? Did they have the right to belong to a union?
   - How does this activity illustrate the effects of globalization? If necessary, read aloud the definitions of globalization, transnational corporations, and export processing zones. (See “Economic Terms and Concepts,” p. 141.)
   - What is the responsibility of consumers to the human rights of workers who make the products they buy? Can consumers actually influence economic factors? If so, how?
Exercise 6: Uprooted Communities

Objective: To identify human rights violations that occur in the context of economic interests.

Time: 45 minutes

Materials: “Case Study: The Sioux Nation” (below)

1. Read:
Read the case study aloud, or ask volunteers to read one paragraph at a time.

Case Study: The Sioux Nation

The great Sioux Nation is a confederacy of seven nations. We are at the geographic centre of the United States and the geological centre of North America. We say that the Black Hills are at the heart of everything that is. It is the heart of our home and the home of our heart.

The history of the American Indian in the US is very much concentrated in the relationship with the Sioux Nation. While many tribes were decimated by diseases and many others were peaceful farmers who were killed on first contact, Lakota people have always been warriors and we fought back. Finally in 1868, the United States government realized that it was in its own best interest to enter into a treaty of peace with us. The government did this, and they had to burn their forts as they left.

But Europeans have a short memory. And so, eight years later they entered the Black Hills [because gold was discovered there]. We were told to sell the Black Hills. We said no. All of the universe possesses a song. When the earth was created, the universe was created, each piece of the universe was given a piece of that song. But all of the song is in the Black Hills. We said, “We cannot do this to all of creation, to damage the song.” So the US Congress said, “Unless and until you sell the Black Hills, we will no longer allow you to have food.”

Ninety percent of our population died of starvation during this time, but still we refused to sell. The Black Hills were unilaterally confiscated from us. We fought, but until 1924, Lakota people were prisoners of war in the United States of America.

Our lands are being exploited. The place that America ...portrays itself is Mount Rushmore. This place is the most violent desecration to our people. It is desecration to the earth. Crazyhorse Mountain is a beautiful place that was destroyed for tourist development. Then they have the gall to say, “We are doing it for your honour. Why don’t you Indians ever appreciate anything?”

We also have open-pit cyanide deep ridge gold mining in the Black Hills. Our experience is not unique to native peoples in the Americas. It is happening in Canada, it is happening in Mexico, in Central America, in South America. (Testimony of Charlotte Black Elk Oglala Lakota in From Vienna to Beijing: The Copenhagen Hearing on Economic Justice and Women’s Human Rights, New Jersey: Center for Women’s Global Leadership, 1995.)

2. Discuss:
• In this story, what values are promoted by the economic principles? What other kinds of values exist in your community about the way economies should work?
• Identify the human rights violations that have been taking place in this story?
• Are these violations present in your community? Does your community or government violate these human rights?

Point out some of the human rights at issue if not already mentioned:
• Right to food
• Right to self-determination
• Environmental rights
• Rights to health
• Rights of indigenous peoples
• Rights to culture and religion.

Ask whose responsibility is it to protect these rights. How might we create economic values and systems that protect and promote human rights?
STRUCTURAL ADJUSTMENT PROGRAMMES

Structural adjustment programmes (SAPs) usually refer to conditions imposed on countries for loans made by the World Bank or the International Monetary Fund. (See "Economic Terms and Concepts," p. 141)

International financial institutions believe that countries can achieve increased economic growth through a series of steps which facilitate greater investment and increased exports. This growth is meant to enable countries to pay back their loans, but at the same time such programmes adversely affect poor people. Typical SAPs imposed on governments include these conditions:

- **Devaluation of currency**, which often has the effect of driving up prices at home and decreasing spending power of the majority of people in the country.
- **Production of more goods for sale on foreign markets.**
- **"Privatization"**: Government-owned companies and natural resources are sold to (usually at bargain prices) private firms, or government functions are subcontracted to private agencies.
- **Reduction of government spending** by removing government support services such as housing, education and health care.

Countries where the poverty rate is high often have little choice but to accept these conditions, even though by doing so they lose control over their own social, economic and financial policy and cause severe hardships for the poorest members of society. Women are rarely consulted or even considered when these far-reaching development plans are formulated. As the structural adjustments take effect and production of goods for export increases, conditions at home decline. And women's hardships intensify as they increase their workload to compensate for cuts in services. This trend can be observed in both industrialized and developing countries where poor communities are bearing the brunt of cuts in services and benefits and the dismantling of protective labour laws.

Women are usually the most severely affected by such conditions:

*The concept of structural adjustment is based on women's capacity to cope, to continue to carry out their economic and social responsibilities in increasingly adverse conditions, and to deny their own needs and interests for the survival of their families and communities. In short, structural adjustment relies on women providing those services previously provided by the State* (National Women's Organization, quoted in Oxfam Gender Training Manual, 1994, p. 432).

GLOBALIZATION, STRUCTURAL ADJUSTMENT AND WOMEN'S HUMAN RIGHTS

Globalization and structural adjustment threaten women's ability to enjoy the following rights:

- **Right to Food**: Removal of price controls or subsidies on staple foodstuffs has led to increases in food prices, causing families to go hungry and especially impacting pregnant and breast-feeding women. Parents frequently give girls less nutrition than boys. A survey conducted in Nigeria in 1989 found that common strategies for making less food last included reducing the number of daily meals from two or even one, reducing the quantity of food and reducing the nutritional value of food, by eliminating meat, milk and eggs, and instead serving starchy but filling foods like soybeans and tapioca (Sparr, Pamela, ed., Mortgaging Women's Lives: Feminist Critiques of Structural Adjustments, UN & Zed Books, 1994, p. 152).

- **Right to Health and Education**: Cuts in health and education spending mean that women and girls have less access to schools and hospitals and face poorer health and illiteracy. During the 1980s, health spending fell 50%, and education spending was cut 25% in the 42 poorest countries (Turk, Danilo, Special Rapporteur to the UN Commission on Human Rights, "How World Bank-IMF Policies Adversely Affect Human Rights," Third World Resurgence, No. 33, p. 17).

- **Right to Adequate Livelihood**: Cuts in subsidies to farming have left many farmers unable to sell their produce, forcing them to let it rot for lack of buyers or to flood the market, leading to the lowest levels in primary commodity prices since the 1930s (Ibid.).
Women's Human Rights in the Economy

- **Right to Housing**: Decreased funding for public housing projects or subsidies has created greater demand for and higher costs in housing. As a result many women have become homeless or live in slums without basic facilities such as running water, sanitation and electricity. In Jamaica, where high down payments and restrictive mortgages preclude purchase of a home without government assistance and where government housing has been severely curtailed due to privatization and SAPs, “low income housing is a thing of the past” and squatter communities have increased dramatically (Spar, Pamela, ed., Mortgaging Women’s Lives: Feminist Critiques of Structural Adjustments, UN & Zed Books, 1994, p. 170).

- **Right to Mobility and Freedom from Violence**: Transportation price hikes have constrained women’s ability to travel and transport their wares to market. Cut in public transport services have also added hours to women’s travel time or made their travel more dangerous.

- **Right to Adequate Livelihood and Bodily Integrity**: The focus on monocropping and the development of export processing zones as a means of generating foreign exchange to service government debt has forced many women out of subsistence farming and into urban factories or into prostitution.

- **Right to Safe Working Conditions and an Adequate Wage**: The emphasis on producing exportable goods has driven many women and girls to work in “free enterprise zones” factories, such as the maquiladoras on the US-Mexico border where they face exploitative and dangerous conditions.

- **Civil and Political Rights**: In Costa Rica, for example, the worsening economic situation had a direct impact on the rise in human rights abuses. While social services were being cut, the police budget continued to increase. This trend has also been observed in more developed countries such as the US. (“The Other Side of the Story: The Real Impact of World Bank and IMF Structural Adjustment Programs,” Development Gap, 1993, p. 20).

- **Right to Clean Environment**: The negative impact of SAPs have had a disastrous impact on the natural environment. In Ghana, the drive to increase export earnings has resulted in massive deforestation, so that the tropical forest area is now just 25% of its original size. Loss of forest and game has led to increases in malnutrition and disease, and women have had the additional burden of looking further for scarce food, fuel, water and medicinal sources, made more precious given higher food and medicine prices and lower wages (Ibid., p. 25).

- **Right to Land**: Indigenous women in many countries bear the heaviest burden as their lands are encroached on by ranchers, miners, oil drillers or subsistence farmers driven away from their previous landholdings.

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**Exercise 7: Women, Girls, and the Changing Economy**

**Objective:** To understand the impact of structural adjustment on poorer communities

**Time:** 60 minutes

**Materials:** Copies of “Case Study: Mia’s Education” (below)

1. **Mini Role-Play:**
   Read aloud or distribute copies of “Case Study: Mia’s Education.” Divide participants into pairs. One participant plays the role of Mia and the other Mia’s friend. As Mia, the participant will express her worries, concerns, needs and dreams. As the friend, the participant listens closely and tries to give advice.

**Case Study: Mia’s Education**

When Mia graduated from fifth grade at age 12, she dreamed of becoming a doctor. Although her family was not wealthy, they were comfortable. Her father had a small business, and her mother produced much of the family food from their small garden. Her schooling was covered by government grants for low-income students.

The day of her graduation, her country signed an agreement for its first World Bank loan. With this loan came a programme for economic restructuring and austerity measures were announced. In a broadcast to the country the President announced that the government’s education subsidies were being cut “for the good of the nation’s economy—in order for the country to develop.” For Mia’s family it was a different story.
Her father's business could not compete with the low-priced goods imported into the country. He migrated to the town to seek work and found a job with an export-oriented firm. His salary was not enough to support the family, so Mia's mother had to find work to pay for basic needs such as food, medicine and clothing. She worked long hours, sometimes rising as early as 4:00 a.m. and staying up until midnight. Mia was the oldest daughter, and had to give up her schooling to look after her younger siblings and look after the household while her mother went to work.

2. Discuss:
Ask these questions about “Mia’s Education”:
- What are the long-term effects when girls like Mia end their education? When men must migrate to urban centres to find work? When women like Mia’s mother need to work two or three jobs?
- In what ways do the results of structural adjustment programmes especially affect women like Mia and her mother?
- Why should Mia’s story be of concern to women and girls everywhere? Why should women in developed countries be concerned? What is the role of their governments?
- Can the government cut subsidies for basic foods, social services and employment in order to service the country’s debt? If poverty increases, what then results from this poverty? Which are the human rights affected by this process?
- Has such a change occurred in your community? Describe how your life and your family’s lives changed as a result.


**STRATEGIES TO PROMOTE AND PROTECT WOMEN’S HUMAN RIGHTS IN THE ECONOMY**

Improving women’s human rights in the economy requires “long-term strategies aimed at challenging prevailing structures and building accountability of governments to people for their decisions” (Gita Sen and Caren Grown, “Development Crises, and Alternative Visions: Third World Women’s Perspectives,” New York: Monthly Review Press, 1987, p. 82). The Center for Economic and Social Rights has identified two main types of strategies. One is adversarial, which includes “naming and blaming”: applying pressure through public opinion and public actions, such as boycotts, designed to raise awareness and attract media attention; initiating lawsuits; and pushing for changes through diplomatic and political means. The other method is cooperative: networking and building alliances with unions, community-based organizations, international NGOs, national advocacy organizations and government officials to assess the economic situation, jointly develop a plan of action, share implementation and monitor progress.

The following include both adversarial and cooperative strategies:
- **Strike deals with transnational corporations that seek to exploit a country’s natural resources.** In Indonesia, a large mining TNC agreed to spend 1% of its annual revenue to fund local health care and education programmes. Other tactics include lobbying institutional shareholders or taking TNCs to court for violating international laws or conventions (The Economist, 20-26 July 1996, p. 52).

- **Strengthen national laws on employment and corporations.** Costa Rica has been able to counter to some extent the harmful effects of structural adjustment programmes adopted by the government in the 1980s by strengthening national laws in order to increase paid maternity leave, ratifying the International Labour Organization against discrimination and passing an equality law in 1990. While women continue to face labour market discrimination, average female wages compared to men rose from 77% to 83% as of 1993 (United Nations Development Programme, Human Development Report 1995, New York: Oxford University Press, 1995, p. 40).

- **Form national coalitions.** “Women United” in Russia supports and lobbies for women who comprise the majority of Russia’s recent unemployed and underemployed. Founded in 1995, it offers seminars and workshops to educate women about economic opportunities and build links with interna-
Women's Human Rights in the Economy

- **Push for more women to occupy decision-making positions in national governments and international trade and economic bodies.** At present, women fill only 6% of ministerial or cabinet positions worldwide, and 10% of legislative or parliament seats. Women account for 30% of all positions at the World Bank, but none at senior-most levels; women hold none at GATT, 12% at ILO and only 8% at the IMF (United Nations Development Programme, Human Development Report 1995, New York: Oxford University Press, 1995, p. 38).

- **Develop comprehensive micro-enterprise and small and medium business ventures for women.** For example, the Self-Employed Women's Agency (SEWA) was formed by poor and disadvantaged women in Gujarat, India, to organize against harassment. SEWA has succeeded in not only forming the model for women's economic empowerment through practices such as lending circles, cooperatives and trainings, but has also increased the political power of women; making them an influential force to reckon with in the region's political and economic scene (MacDonald, Mandy. "Defying Marginalisation, On the Road from Beijing," WIDE Bulletin, March 1996, p. 18).

- **Expand government supply of food and essential goods.** In Ecuador, the government set up open markets, collective kitchens and neighbourhood stores that provide food and other essentials at relatively lower prices to help offset some of the effects of inflation and loss of subsidies. Other strategies include fostering traditional self-help institutions and support mechanisms, while continuing to press for expanded social services at the government level (Lourdes Bener'a, and Shelley Feldman, eds., Unequal Burden: Economic Crises, Persistent Poverty, and Women's Work, Boulder: Westview Press, 1992, p. 100-101). In Kenya, for example, the tradition of harambee or mutual aid and self-help is an integral part of collective solutions to address fuel and water problems. (Sen Gita and Caren Grown, "Development Crises, and Alternative Visions: Third World Women's Perspectives," New York: Monthly Review Press, 1987, p. 82).

- **Establish revolving loan funds and follow Grameen Bank model.** Established in the early 1980s in Bangladesh, the Grameen Bank has provided non-collateral loans to over two million low-income and low-caste borrowers, of whom 90% are women. It has been extremely successful in raising income levels, and boasts a repayment rate of 97%. The Grameen Bank has also raised the status of women through a comprehensive approach including literacy, health programmes and business skills, and has also fostered debate amongst activists and economists about the long-term positive impact of micro-enterprise. Unfortunately, the tremendous success of Grameen Bank has also elicited a backlash amongst the fundamentalist element in conservative Bangladesh, who perceive women to be attaining too much power and rejecting traditional roles.

- **Strengthen international conventions and instruments** in order to highlight the challenges that women workers are facing in the changing global economy. In 1994-95 the United Nations University and INTECH brought together women worker groups and government entities in eight Asian countries to begin a policy dialogue. This process has shifted the interaction between NGOs and governments from one of confrontation to one of negotiation where women have articulated needs like maternity leave and child care, training education and flexible forms of employment (Mitter, Swasti, "Women’s Demands and Strategies: Women Workers in the Context of Globalization," in Look at the World through Women’s Eyes: Plenary Speeches from the NGO Forum on Women, Beijing 1995, ed. Friedlander Eva, NGO Forum on Women, 1995, pp. 127-28).
### Exercise 8: Making Women's Economic Rights a Reality

**Objective:** To assess local economic conditions and strategize for action

**Time:** 60 minutes

**Materials:** Chart paper and markers or blackboard and chalk

Copies of "Strategies to Promote and Protect Women's Human Rights in the Economy" (above) (optional)

1. **Read/Discuss:**
   
   Read aloud, post a chart and/or pass out copies of the strategies to promote women's economic rights listed above (the sentences in bold only). Divide participants into small groups and ask them to discuss these questions:
   - Which of these strategies are already working in their community?
   - Which do they think could work?
   - What other actions can they suggest?

2. **Analyze:**
   
   Ask the participants to fill in the conditions of their community or country on a chart like the one below. They should list ways in which their group, working with allies, could reach the goal or undertake the strategy described in the paragraphs read aloud. They should be sure to include the needs of the diverse people in the community.

3. **Discuss:**

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<th>Future goal</th>
<th>What needs to change</th>
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Ask the small groups to present their findings. Discuss:
- What difficulties did you have in doing this exercise?
- Do you need more information or resources?
- What kinds of difficulties would you have in carrying out your plans?
- What are your fears? Your hopes?
Exercise 9: Making Your Own Law

Objective: To formulate a law that protects women's human rights in the economy

Time: 60 minutes

Materials: Copies of the Universal Declaration of Human Rights (UDHR) and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)

Copies of “Some Observations on CEDAW and the Economy” (below)

I. Write, Read and Discuss:

Step 1: Divide the participants into small groups to write their own law that would protect women's human rights in the economy. The law should be as specific as possible. Should this be an international law? National or local law? All three?
(Note: women’s rights in the workplace are covered in Chapter II; this exercise should focus on women’s right to an adequate livelihood.)

Note: Groups could use the charts, “Analyzing Human Rights Problems” and “Implementing Human Rights Strategies,” pp. 203-204, to examine this issue. Also distribute and read “Some Observations on CEDAW and the Economy.”

Step 2: Distribute and/or read aloud the articles of the UDHR on the economy and the right to an adequate livelihood and/or Articles 11, 13 and 15 of CEDAW.

Step 3: Ask the groups to compare their new law to the provisions of UDHR and/or CEDAW.
- How are they the same? How do they differ?
- Would they now change their law? If so, how?
- What changes or additions would they recommend to improve the UDHR and/or CEDAW?

SOME OBSERVATIONS ON CEDAW AND THE ECONOMY

- Article 11 of CEDAW discusses women’s human rights and employment.
- Article 13 of CEDAW provides that “States shall take all appropriate measures to eliminate discrimination against women in other areas of economic and social life in order to ensure, on a basis of equality of men and women, the same rights” (including the right to bank loans and credit).
- Article 15 (2)(g) protects the human rights of rural women, including their right to have access to agriculture, credit and loans, marketing facilities, appropriate technology and equal treatment in land and in agrarian reform.

Step 4: Ask groups to present their laws. Discuss:
- In what ways does the government currently limit the rights contained in your law? In what ways would the government need to change? How can people influence this change?
- In what ways could the government support and enforce your law?
- In what ways do religion, culture, tradition, custom and habit currently limit the rights contained in your law? In what way would these things need to change? How can you influence that change?
- In what ways do you and/or your family limit the rights contained in your law?
- In what ways would you and/or your family need to change? Are such changes possible?

Step 5: Discuss what it would really take for these new laws and/or the UDHR or CEDAW to become a reality in this community. Strategize actions that individuals and groups might take to make this happen. List the strategies that the majority can agree upon.
OBJECTIVES

The exercises and background information contained in this chapter will enable participants to work towards the following objectives:

• Assess the significance of unpaid household labour in the lives of women
• Understand the difference between the informal and formal sector and women's work
• Explain the distinction between “non-discrimination” and “equality of opportunity” and define what it means to have human rights in the workplace
• Define “affirmative action” and conclude whether it is an appropriate strategy
• Define “sexual harassment” and identify possible cases in the community
• Design a law for promoting women's human rights in employment and compare it with the provisions of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).

GETTING STARTED: THINKING ABOUT WOMEN AND WORK

Work has increasingly come to be defined as an exchange of labour for wages in the market. As a result, many kinds of activities that are essential to society's growth and development are not valued as "work." The kinds of work performed by women are either not assigned any economic value at all or are valued at a lesser level than work performed by men. Work considered to be generally and often solely "women's work" includes the bearing and rearing of children, taking care of sick and elderly family members, household maintenance, subsistence agriculture, volunteer work and local political organizing. Women also work in both the informal and formal public sector.

According to the United Nations Human Development Report, "Women's work is greatly undervalued in economic terms." (United Nations Development Programme, Human Development Report 1995, New York: Oxford University Press, 1995, p. 87). Most economic measures, such as the Gross National Product (GNP), do not consider the work performed by many women in making their calculations. Actually, globally women work more hours than men, especially in rural and developing countries. "An accurate accounting of women's work, including the invisible tasks of social reproduction and informal activities, would require the establishment of an entirely different distribution of income, resources, and access to credit," writes economist Mariama Williams. "This underscores the importance of women's work and the need for women to recognize the tremendous role their labour plays in the economy" (in Susana T. Fried, ed., The Indivisibility of Women's Human Rights. New Jersey: Center for Women's Global Leadership, 1994, p. 65). (See Chapter 10, "Women's Human Rights in the Economy," for definitions of economic terminology.)

Understanding how work tasks are divided between women and men is important for organizing around women's human rights in the economy and in work. Although not explicitly stated, many economic policies are based on the assumption that women will continue to work within the family. When governments cut back social services like education, housing, health care and welfare, women usually pick up the burden to take care of their families' needs.
Exercise 1: The 24-Hour Day

Objective: To understand the significance of unpaid household labour in the daily lives of women

Time: 45 minutes

Materials: Chart paper and markers or blackboard and chalk

1. Define:
In small groups, decide on a definition of "work" and give examples that fit this definition. If possible, write these definitions on chart paper and post them around the room. You may wish to agree upon a common definition in the whole group.

2. List
Individually or in small groups, go through one day, hour by hour, asking participants to call out what they typically do during this hour. List these activities (e.g., 7 am: Bathe, prepare breakfast, feed children, ride the bus to work, water and weed the garden, perform religious rituals). Analyze each activity:
- Put a plus sign if it fits your group's definition(s) of work.
- Put a minus sign if it is not work.
- Put a question mark for those activities you are unsure about.
- Circle any activities on the list for which women receive money.

3. Analyze/Discuss
In a large group, compare your definitions of work with the lists of activities:
- What percentage of the items listed can be defined as work?
- What percentage of the items listed as work are circled as paid work?
- How much do you calculate it would cost to hire someone to perform the tasks listed as unpaid work?
- Did listing all your activities for a day cause you to alter your definition of work?
- Are all the tasks you classified as "work" unpleasant or difficult?
- Are all the activities you listed as "not work" pleasant or fun?
- What does it mean to say, "My wife (or my mother/sister/daughter) doesn't work"?
- What definition of "work" is implied by this statement? Is it the same as your definition?

Women and the Informal Sector

A great deal of women's work can be found in the informal sector, which unlike work in the home involves the exchange of money. The informal sector includes a wide range of work such as street vending, domestic work, piece rate work, home-based businesses and agricultural work. Family members often work together in the informal sector. Although an integral part of the economy, the informal sector is not regulated. This means that women do not get fixed wages and work under conditions that are not monitored by authorities. However, women often face harassment from local government officials such as the police, who may take bribes in order to allow the women to conduct their business.

In Africa, more than one third of women who are economically active outside the agricultural sector work in the informal sector. In Zambia the rate is as high as 72%. Asia, Indonesia and Korea have the highest rates at 65% and 41% respectively. In Honduras, the rate is 34% of women working in the informal sector. There is a strong correlation between countries that have an active informal sector and high numbers of women who are economically active (United Nations, The World's Women 1995: Trends and Statistics, United Nations, New York 1995, pp. 115-6).

Because of the unregulated nature of their work, women's human rights in the informal sector are difficult to protect. Nor are the economic contributions made by women employed in the informal sector usually counted in the Gross National Product of a country.
Exercise 2: Informal Work

Objective: To understand women's work in the informal sector

Time: 45 minutes

Materials: Magazines and newspapers
Paper; scissors, glue and markers

1. Brainstorm/ Draw:
Brainstorm a definition of informal work by asking these questions:
• What types of jobs fall within the informal sector in your country?
• Who works in these jobs and what conditions must they face?

Next divide participants into small groups and ask them to illustrate women working in the informal sector. They might draw a picture or make a collage using pictures from magazines and newspapers. Ask them to write in the margins of each picture the kinds of human rights issues women face in each type of work illustrated.

2. Gallery Walk:
Post the finished illustrations and invite participants to compare ideas. Ask what human rights issues were most commonly mentioned and list them.

Organizing for Human Rights in the Informal Sector

Women have taken great strides in organizing for their rights in the informal sector. For example:
In Cameroon, West Africa, women traders and others working in the informal sector have reinforced and expanded the ‘njangui’ savings and cooperative set up by and for women in order to offset the harmful effects of structural adjustment programmes and lack of access to credit. In a report for the Beijing conference, Ngobo Ekotto, a Cameroonian feminist activist and president of the Association to Combat Violence Against Women, writes that there has been an intensification of women’s solidarity to provide counselling and training for small businesses, as well as greater numbers of women getting involved in local politics and contesting municipal and legislative elections in 1991 (Ekotto, Ngobo, “Women, Economics and Violence: The Case of Cameroon,” in Speaking about Rights, Newsletter of Canadian Human Rights Foundation, 1996, pp. 13-15).

Since 1977, the legal code of Colombia has required that social security be provided for domestic workers, but it took 10 years of protesting and lobbying to pass a law that protected the rights of domestic workers specifically. (Leon, Magdalena, “The Struggle for Social Security for the Domestic Worker,” in Confronting the Crisis in Latin America: Women Organizing for Change, Isis International and Development Alternatives with Women for a New Era (DAWN), No. 2, 1988, pp. 87-93).

Gregoria Apaza Women’s Center in La Paz, Bolivia, organized low-income indigenous women, mostly migrants from rural areas, to form “productive units” (PUs) which include a day care center, a laundry, an apron sewing collective and jelly-making collective. While the results have been mixed, the PUs provided an alternative means of income generation for women working as street vendors, an activity which “accentuates their isolation without making [them] aware of the discrimination [they] suffer” (de Rivas, Patricia, “Women’s Economic Projects: Reflections from Experience,” in Confronting the Crisis in Latin America: Women Organizing for Change, Isis International and DAWN, 1988, No. 2, pp. 61-65).

Women, Credit and Income Generation

Women often need access to credit and loans in order to expand their activities in the informal sector or to start new businesses. However, unequal division of labour and assumptions about women’s work have
led to the notion that women are poor credit risks. In reality, however, investing in women often yields positive results. For example, two NGO-sponsored loan programmes in the Dominican Republic that specifically target women boast rates of repayment between 91% to 98% (United Nations International Research and Training Institute for the Advancement of Women (INSTRAW), “Women’s Access to Credit in the Dominican Republic: A Case Study,” Santo Domingo, Dominican Republic: INSTRAW, 1990). Unfortunately, many rural women who do not know about these programmes continue to rely on the high interest loans provided by local moneylenders and fall into a cycle of debt bondage.

Many NGOs and development agencies have attempted to address the problem of women’s access to credit. Some have created revolving loan funds targeted at women; and others have assisted in income-generating activities through small businesses.

SEWA’S 10 QUESTIONS

The Self-Employed Women’s Association (SEWA) in Ahmedabad, India, boasts 100,000 members, and at 20 years old is one of the veteran women’s self-employed organizations in the world. It annually evaluates its work with these questions:

1. Have our members increased their employment?
2. Has the income of members increased?
3. Are members getting nutritious food?
4. Are our members accessing adequate health care?
5. Are members receiving adequate child care?
6. Do our members have adequate housing?
7. Have members increased their assets?
8. What organizing gains have members made?
9. Have more of our members taken up leadership roles?
10. Are our members becoming individually and collectively more self-reliant?


WOMEN IN THE FORMAL SECTOR

One of the greatest economic changes of the past decade has been the rapid influx of women into the wage-earning workforce in all regions of the world except sub-Saharan Africa and eastern Asia. The UN estimates that by the year 2000 more than half the wage-earners on the planet will be women.

When a woman looks for a paying job, she faces a far more limited range opportunities than a man. In every country some jobs are specifically defined as “women’s work,” usually jobs that men reject and that have lower pay, status and job security. When women enter previously male occupations in large numbers, the status of these occupations tends to fall, especially when they are higher paying or professional jobs.

In developed countries only 15-20% of workers in industry are women. On the other hand, 75-80% of female workers are in service jobs such as nursing, housekeeping, catering or social and clerical work, which carry a perceived similarity to traditional female roles. In developing countries most women work in agriculture, sales or service jobs, except in Southeast Asia, where a growing number of women work in the newly industrialized industries (Women in a Changing Global Economy: 1994 World Survey on the Role of Women in Development, United Nations, 1995).
# Examples of Job Ghettos for Women

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<thead>
<tr>
<th>Country</th>
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<tbody>
<tr>
<td>Austria</td>
<td>chimney sweeps</td>
<td>Mozambique</td>
<td>cashew processing</td>
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<tr>
<td>Brazil</td>
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<td>Nicaragua</td>
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<td>Nepal</td>
<td>road building</td>
</tr>
<tr>
<td>China</td>
<td>cotton and rice harvesting</td>
<td>Portugal</td>
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<td>Russia</td>
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## Exercise 3: Women Wage-Earners in Your Community

### Objective:
To assess the impact of wage-earning work on women

### Time:
75 minutes

### Materials:
- Chart paper and markers or blackboard and chalk
- Paper and pens (optional)

### 1. Discuss:
Divide the participants into small groups and ask them to discuss the following questions:
- Did your mother or grandmother work outside the home? If so, what led them to do this work?
- Where did they work?
- How were they treated at their jobs? In what ways was their work important to them?
- How did their working affect you and your family?
- How do the same questions apply to you?

### 2. Discuss:
Moving from home to the public workplace is a critical step in the lives of many women. Ask participants to discuss these questions and record their responses:
- What factors motivate women to work outside the home in your community?
- Which factors are positive (e.g., improved training, new opportunities)?
- Which are negative (e.g., financial hardship, unemployed spouse, widowhood)?
- What are some consequences of working outside the home for wages? On the family? On the marriage? On the woman herself?

### 3. Role-Play:
Divide participants into small groups and ask them to plan and perform a role-play that shows the reasons a woman might decide to work outside the home and some of the reactions she may meet. Some roles might be the woman, her husband, her child, her mother-in-law or other family elder, a neighbour or a friend. The role-play might show “before” and “after” versions of her experience.

After the role-plays are performed, discuss the common issues and perspective they raise. Which of these relate to women’s human rights?
MORE TIME AND LESS MONEY: INEQUITIES IN WOMEN'S WORK

When Women Work without Pay:

- In South Asia studies estimate that women spend three to five more hours per week than men in unpaid subsistence work (e.g., carrying water, gathering wood, processing food), plus an additional 20-30 hours more work, unpaid household work (Ibid.).

When Women Work with Pay:

- Globally women earn 50-80% of men's wages.
- In Latin America women earn an average of 44-77% of men's wages.
- In 1990-91 women in manufacturing consistently earned less relative to men: in Sri Lanka, 70% of male wages; in Hong Kong, 56%; in Singapore, 55%; in Korea, 51%; in Japan, 43% (Ibid.).

DISCRIMINATION AGAINST WOMEN IN THE WORKPLACE

Women face several types of discrimination in the workplace:

- Women are often not paid for work that men would be paid for, or they are paid less for the same job.
- Women may not receive recognition for unpaid work performed within the home or family.
- Men have greater freedom to choose their work than women.
- Men are more likely than women to receive pay benefits and to be promoted based on their merit and length of employment.
- Men are given more access to training programmes than women.
- Men receive more research opportunities than women do.
- More care is taken to ensure that working conditions are safe for men than for women.
- Working hours are more appropriate to male roles in the family than to female roles, which often include running the household and caring for children and elder family members.
- Women are more likely to be subject to sexual harassment on the job than are men.
- Men are more likely to own or have access to land for agriculture, farm machinery and tools.
- Men have greater access to credit and other financial services.

Unequal treatment in the workplace can create a mutually reinforcing cycle of discrimination and poverty. For example, a woman who has primary parenting responsibilities may need flexible hours and/or affordable day care, which few jobs offer. As a result she may earn less and also be forced to leave her children under inadequate supervision. A woman who is able to take a break from her work to raise children will also be at a disadvantage to men when she returns to the workforce, having lost wages and promotions. If a woman quits her job due to sexual harassment, she will be labeled a troublemaker and have a difficult time finding a new job.

While women work in large numbers, they are still not represented in economic decision-making in large public or private corporate structures. Similarly women are rarely involved in national economic policy formulation, including decision-making about resource allocation. Even many unions, formed to improve conditions for workers, exclude women from leadership or from membership altogether.
**WOMEN AND UNION ACTIVITY**

During the 1970s and 1980s women's participation in unions rose due to many political and economic reasons. However, their representation in union leadership remains low. In 1984 Argentine women from 12 trade unions formed an intra-union women's organization called Mesa de Mujeres Sindicalistas (Women's Labour Union Platform) with the following goals:

- To promote women's membership
- To end the isolation of women workers and claim fair and equitable participation for women within union activities
- To create awareness of discrimination against women in the job market and society, as well as the double work load carried by women
- To urge formation of women's departments within the unions.

Research indicates that recently the presence of women in union leadership and in training courses has risen. Surveys also reveal that women members have their own vision of the labour union based on different priorities and supporting changes in decision-making (Gogna, Monica, “Women in Labour Unions: Organizations, Practices, and Demands,” in Confronting the Crisis in Latin America: Women Organizing for Change, Isis International & DAWN, 1988, no. 2, pp. 33-9).

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**Exercise 4: Discrimination on the Job**

**Objective:** To understand ways in which women are discriminated against in the workplace

**Time:** 90 minutes

**Materials:** Paper and markers

1. **Role-Play:**
   Divide the participants into small groups to plan a role-play. Explain this scenario: One person represents a male employer who has never hired women (or never hired a woman for a management position), and the other a woman applying for a managerial job. The employer is meeting the woman for the first time. She needs to explain the reasons why she wants to work for the firm. Ask groups to perform their scenarios for everyone.

   Discuss the attitudes brought out in the role-play:
   - How would the role-play be different if the employer were a woman? If the employer were a woman and the applicant were a man?
   - Summarize the applicants' advantages and disadvantages.

2. **Discuss/List:**
   In small groups, list or draw pictures that illustrate the ways in which women are disadvantaged in employment. Consider the following points:
   - Have you experienced any of these kinds of discrimination in the workplace?
   - What, if anything, did you do about the situation?
   - What could you do?
   - Did anyone support you?
   - Who might be your allies in changing discrimination like this?

   **Alternative:** Read or hand out copies of “Discrimination Against Women in the Workplace” (above) and compare with lists of illustrations in Step 2.
The Role of Authorities

Many national, regional and international laws prohibit discrimination in the workplace. Some obligate governments to take actions to promote equality in all sectors of work; others reach only the state sector. Women's rights in the workplace can be found in several conventions including the International Covenant on Economic, Social and Cultural Rights which provides for the following rights:

- The right to work
- The right to fair wages, equal pay, safe and healthy working conditions, and equal opportunity for promotion
- The right to rest and leisure
- The right to join trade unions
- The right to social security
- The right to maternity leave and benefits
- The right of children to protection from exploitation
- The right to an adequate standard of living, which includes adequate food, clothing, housing, and living conditions.

The International Labour Organization (ILO) recognizes numerous worker rights for women through its various conventions, including freedom from forced labour and the right to equal wages (ABC of Women Workers' Rights Practical Guide, International Labour Organization, 1993). Many early ILO principles prohibiting discrimination against women in work were reaffirmed by CEDAW. (See CEDAW, Article 11 on employment.)

The Beijing Platform for Action calls on governments to "promote women's economic rights and independence, including access to employment and appropriate working conditions and control over economic resources" (paragraph F.1). This commitment includes enacting and enforcing legislation that would end discrimination in employment, provide social security and tax benefits, as well as give full recognition of the value of women's unpaid work.

The Platform recommends specific ways to eliminate all occupational segregation and employment discrimination. In particular it exhorts everyone to work to eliminate child labour; including the excessive demands made on girls to perform unpaid work in the informal sector (paragraph F.5). The Beijing Platform for Action also calls for affordable support services for working women such as child care (paragraph F.3) and encouragement for women to participate in non-traditional work (paragraph F.5).

Removing Barriers to Women's Participation in Work

One measure to remove barriers women face in participating in the workplace, which the Human Rights Committee of the United Nations has explicitly endorsed, is "affirmative action" or "positive discrimination." In formal comments issued in 1989, the Human Rights Committee found that governments have an obligation to undertake "affirmative action designed to ensure the positive enjoyment of rights." CEDAW also allows for affirmative action (CEDAW, Article 4) as long as the steps taken are temporary ones. This means that in order to correct historic discrimination, governments or employers should take positive steps to encourage the hiring of women and the incorporation of women into their workforce.

Those who wish to block affirmative plans to remedy discrimination argue that they constitute "special treatment." Such plans do nothing "special" for women other than helping to combat and eliminate long-standing power imbalances and inequities that have blocked women's access to real equality in the workplace. Furthermore affirmative action benefits all people by enriching the workforce with the skills and talents of women. Without such plans, women often have no chance of gaining access to industries and occupations in which they are under-represented.
Women's Human Rights and Work

Exercise 5: Should Mano Be Hired?

Objective: To define affirmative action and assess whether it is an appropriate strategy
Time: 60 minutes
Materials: Copies of Case Study: The Zadako Soap Factory (below)

1. Read:
Case Study: The Zadako Soap Factory
The Zadako Soap Factory has had a long history of discriminating against women. Its workforce is 90% male. To help correct this situation, the management has decided to hire two women for every man until the workforce is at least 40% women. Consequently, although Mano applied for a job and passed the qualifying test, he was turned down, and a woman was hired instead. He complains that Zadako's new policy discriminates against qualified men like himself.

2. Role-Play:
Divide participants into two groups to brainstorm for or against Mano's claim that the Zadako factory has discriminated against him. Have representatives from one group present the arguments of Mano and his lawyer. Have the second group represent the arguments of Zadako management and the woman hired. Have the audience direct questions to the spokespersons at the end of the role-play.

3. Discuss:
- Do you support "affirmative action" plans?
- Why or why not?
- Is your support conditional? If so, what factors influence your opinion?

SEXUAL HARASSMENT

Women's right to access to employment and to the same working conditions as men includes the right to freedom from gender-based harassment, often known as sexual harassment. Unwelcome sexual advances, requests for sexual favours, and other verbal or physical conduct of a sexual nature constitute sexual harassment when submission to or rejection of this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment.

Sexual harassment can occur in a variety of circumstances, including but not limited to the following:
- The harasser can be the victim's supervisor; an agent of the employer; a supervisor in another area, a co-worker or a non-employee.
- The victim does not have to be the person harassed, but could be anyone affected by the offensive conduct.
- Unlawful sexual harassment may occur without economic injury to or discharge of the victim.
- Unlawful sexual harassment may occur without any physical injury to the victim.
- Workplace display of sexually explicit material—photos, magazines, or posters—may constitute sexual harassment.
- A single severe incident of offending behaviour may be sufficient to constitute hostile work environment harassment.

The harasser's conduct must be unwelcome. Acquiescence to requests of sexual favours or even voluntary participation in sexual activity does not necessarily mean that the favours or activity were welcomed. One factor to consider is whether the person indicated that the advances were unwelcome notwithstanding acquiescence.

Several countries have laws prohibiting sexual harassment. Definitions of sexual harassment vary. These are at least two types:
(1) Quid Pro Quo Sexual Harassment: (This for that):
Where an employer says that an employee must submit to gender-based harassment in order to receive a tangible job benefit, such as being employed, promoted, given access to training programmes, and paid well. An essential aspect of quid pro quo harassment is the harasser’s power to control the employee’s employment benefits. This kind of harassment most often occurs between supervisor and subordinate.

(2) Hostile Environment Sexual Harassment:
Where the overall conditions of the workplace create an atmosphere and culture where disrespect and unfair treatment of women is tolerated or condoned. Hostile work environment harassment is unwelcome conduct that is so severe or pervasive as to change the conditions of the claimant’s employment and create an intimidating, hostile, or offensive work environment.

Hostile work environment harassment is different than quid pro quo sexual harassment in that it:
• Does not require an impact on an economic benefit.
• Can involve co-workers or third parties, not just supervisors.
• Is not limited to sexual advances; it can include hostile or offensive behaviour based on the person’s sex.
• Can occur even when the conduct is not directed specifically at the victim individually but still impacts on his or her ability to perform the job.
• Typically involves a series of incidents rather than one incident (although a single offensive incident may constitute this type of harassment).

It is important to remember that sexual harassment is about power, not sex or attraction between two adults. In the workplace, sexual harassment can interfere with women’s ability to perform their jobs and can intimidate women from asking for raises and decent working conditions. It is also a form of violence against women.

Exercise 6: Is This Sexual Harassment?

Objective: To define “sexual harassment”
Time: 60 minutes
Materials: Chart paper and markers or blackboard and chalk

I. Decide:
Ask participants to work in pairs to decide whether or not an example represents sexual harassment; a pair should stand and take a position only if they can reach consensus. Designate one side of the room as “Sexual Harassment” and the other side as “Not Sexual Harassment.” Pairs who cannot agree remain seated while people standing briefly explain their position. Ask those who take the “Sexual Harassment” position whether it is “Quid Pro Quo” or “Hostile Environment.” Keep discussion brief. Take a vote to determine the majority view among all participants and record the vote before going to the next example.

Examples:
• A male boss tells his female subordinate that she will be promoted only if she sleeps with him.
• A male boss tells a job applicant that part of her duties as a new employee will be to wear short skirts each day to work.
• A male employee pressures a female employee at the same level on the job to sleep with him.
• A male employee pressures a female employee at the same level on a job to sleep with him. The female employee complains to her boss, but the boss only laughs or accuses her of flirtatious behaviour.
• Fellow workers make loud comments on a particular woman’s body and often try to touch her breasts or buttocks.
Women's Human Rights and Work

• Fellow workers whistle or make panting noises when a particular woman passes and sometimes grab their crotches.
• The lunchroom at the working place is decorated with photos of half-dressed women and male employees regularly tell sexually explicit jokes.

2. List:
Ask participants to identify other situations where sexual harassment could occur (e.g., between student and teacher; policeman or government official and petitioner; politician and constituent, doctor and patient; landlord and tenant). Record their comments regarding other situations where sexual harassment could occur.

3. Role-Play/Discuss:
Ask participants in small groups to describe any forms sexual harassment they may have experienced. What kind was it? How did they respond? Ask each small group to choose one incident to role-play for everyone.

After the role-plays, discuss:
• How can women support each other in these circumstances?
• What kinds of support should management offer women in the workplace?

Exercise 7: Creating Workplace Rules

Objective: To develop a list of workplace rules that guard against sexual harassment
Time: 60 minutes
Materials: Chart paper and markers or blackboard and chalk

1. List:
Ask participants to work in small groups to draft some anti-harassment rules they think would protect women in the workplace. Then ask each group to present its rules. Create a consolidated list on chart paper or the blackboard.

2. Discuss:
Explain that no international standards have been articulated for sexual harassment in the workplace and that many issues concerning it remain unresolved:
• Can men be sexually harassed?
• Can sexual harassment occur when the harassing person is at the same level or a lower level than the person being harassed?
• Who is responsible for sexual harassment that occurs in the workplace? The owner or president of the business? The division head or the supervisor? The immediate boss, foreman or team leader? The employees?
• Must an employee be required to report an employer about harassment before the employer is held responsible?

Protective Labour Legislation

Where a country has no equal opportunity or equal access legislation to protect women in the workplace, women have traditionally been included in international employment laws under protective labour legislation. As the name suggests, many of these “protective” laws were designed from the assumption that women are more fragile than men and need protection from particular employers and tasks, and even from themselves. These laws involve a particular vision of woman as “mother” or “potential mother.” Laws forbidding women from working in mines, for example, have been justified as protecting women’s fertility and motherhood capacities.

The first international norms on women and work were adopted in 1919, soon after the establishment of the International Labour Organization (ILO), the international labour group now connected with the
United Nations. These norms protected women from such demands as night work and strenuous manual labour. In countries where such laws were adopted nationally, women were unable to choose to increase their earnings by working long hours at night or by working in some jobs that were highly paid to compensate for their difficult nature. For years afterward international bodies such as the ILO maintained the view that women workers were primarily homemakers and men were primarily wage earners. With the 1981 Convention and Recommendation on Workers with Family Responsibilities, the ILO formally recognized that men as well as women had parental responsibilities.

**Exercise 8: Unsuitable Work for a Woman**

**Objective:** To examine attitudes that keep women from competing with men in the workplace and relegate women to “women’s work”

**Time:** 60 minutes

**Materials:** Copy of Case Study: Adelina Joins the Workforce (below)

I. Read:

**Case Study: Adelina Joins the Workforce**

During World War II when most men in Europe and North America were drafted into the army, heavy industry turned to women to fill empty positions. Adelina, who had previously stayed at home with her young children, was hired at the steel mill where her husband had worked. Because of her intelligence and ability to drive a car, she was trained to operate a heavy crane, a job never held previously by women. At first she was used in the rail yard, loading finished steel onto boxcars; however, she proved so skillful that after a year she was promoted to work on the foundry floor, pouring huge vats of molten metal into molds. This work called not only for dexterity and judgment on her part, but also careful teamwork with other workers. Adelina continually proved both her high technically competence and her natural leadership. She enjoyed the high salary her skilled work earned for her family as well as the respect and comradeship she experienced with her fellow workers, who soon elected her as representative to the union.

When the war was over, however, Adelina and other female industrial workers were asked to give up their jobs to men returning to the workforce. When she protested that she didn’t want to quit, she heard many different arguments defending the need for women to return to their homes or to take on more menial jobs that the men did not want.

Finding no support for continuing her work, Adelina gave up her job to a returning veteran and eventually found “more appropriate work” driving a school bus for a third of her previous salary.

I. Discuss:

In small groups, with each group taking a different role, list arguments that might be made to convince Adelina to justify giving up her job by her husband, her female co-workers, her male co-workers, the steel worker’s union, and factory management.

Here are some possible comments:

**Her husband:** “I’m embarrassed to have a wife who works, especially one who earns more than I do. Besides the children need you at home.”

**Her female co-workers:** “After all, we were just filling in while the men away were fighting for us. Men need these jobs for their self-respect. It’s not right for a woman to keep a man out of a job. They have families to support.”

**Her male co-workers:** “Under normal conditions a man doesn’t want to take orders from a woman. Steel-making requires teamwork.”

**The steel workers’ union:** “Well, we waived a lot of rules during wartime, but our real membership is almost entirely male, and these guys need jobs.”

**Management at the steel factory:** “Crane operating is unsuitable work for a woman—operating heavy machinery and pouring molten metal is dangerous. Your children have a right to a mother. Besides, women distract men in the workplace.”
2. Role-Play:
Have one participant play Adelina and others the different voices she hears. After the role-play, consider these topics:
- How might Adelina respond to each of these arguments?
- What support from friends, family, co-workers, union, management, and other sources, including the law would Adelina have needed to keep her job?

3. Discuss:
Adelina’s story took place more than half a century ago, but have conditions for women in the workplace changed? Very much?
- If you were Adelina, how would you feel about giving up your job? What would you do?
- Are any of the arguments she heard still prevalent in your community? What principles or values underlie each position? Have women’s attitudes changed? Have men’s? Have union’s or management’s?
- If Adelina lived in your community today, where could she find allies and support to keep her job?
- How does protective labour legislation present possible dangers for women?
- Can women’s choices and decision-making capacity be limited in the name of “protection”?

GLOBALIZATION AND WOMEN IN THE WORKPLACE

The globalization of the world economy has had an impact on the workplace in almost every part of the world. Some common trends include:

Corporate downsizing: This includes many cost-cutting measures like laying off staff, reducing salaries and benefits, firing older staff who are about to receive pensions and making staff perform additional duties or the work of laid-off staff instead of replacing them.

Part-time workforce: Corporations have discovered it is cheaper to fire a full-time person and replace her with a temporary worker for whom they do not pay benefits. Although women have always been the core of a temporary workforce, this trend is increasing. In the US, for example, part-time or contingency workers make up 25% of the workforce, but most are not covered by the usual safety nets such as paid sick or personal days, flextime or even a controllable work schedule. Also, the lack of predictability and consistency linked to many contingent jobs is corrosive to family members’ sense of well-being. (Shellenbarger, Sue, “When Workers’ Lives are Contingent on Employers’ Whims,” Wall Street Journal, New York, 1 February, 1995, p. B1).

Sub-contracting or home work: In many countries of the South, and increasingly in countries of the North, corporations are using home-based workers or workers in unregulated work spaces to make their products. Corporations, especially those in the garment industry, sub-contract work out to a contractor who then hires home-based workers, mostly women, to make the goods. Workers are paid on piece-rate basis. This system allows the corporation to avoid labour laws and avoid paying benefits and taxes because the contractor is regarded as the employer.

EPZ or export processing zones: These zones are designated areas within a country where regulations and labour protection laws are relaxed or unenforced in order to attract foreign investors. Workers are perceived to be easier to control and less likely to unionize. Many young women and girls work in these zones.

Shrinking power of unions: In developed nations, unions have traditionally had a low rate of female membership, and union leadership has not been as responsive to gender issues. However, since the 1980s, union membership has declined precipitously, especially in the US.

Increased competition: Because it is easier for both capital and corporations to move more easily, there is increasing competition among countries for foreign investment. As a result, lower wages, less job protection, and deregulated industries are becoming common phenomena in both developed and developing countries.

“Dumbing down” or loss of skills: In many developing countries that face structural adjustment programmes, large numbers of women have had to leave professional jobs as teachers or the public sector due to wage freezes and worsening work conditions. Instead they find work in the informal sector where they can earn money but cannot apply their education or skills.

(See Chapter 10, “Women’s Human Rights in the Economy,” for more on the impact of globalization on the human rights of women.)
Exercise 9: Making Your Own Law

Objective: To design a law for promoting women's human rights in employment
Time: 90 minutes
Materials: Copies of Articles 4 and 15 of CEDAW

I. Write, Read, Review:
Step 1: Divide the participants into small groups to write their own law that would protect women's human rights in employment. The law should be as specific as possible. Should this be international law? National or local law? All three?

Note: Groups could use the charts “Analyzing Human Rights Problems” and “Implementing Human Rights Strategies,” pp. 203-204 to examine this issue.

Step 2: Distribute and read the provisions on employment and prostitution in CEDAW, Articles 4 and 5, and “Some Observations on CEDAW and Work” (below).

Step 3: Ask the group to compare their new law to the articles of CEDAW.
- How are they the same? How do they differ?
- Would they now change their law? If so, how?
- What changes or additions would they recommend to improve these articles of CEDAW?

Some Observations on CEDAW and Work

The list of rights in employment is illustrative and not exhaustive—governments can adopt whatever “appropriate measures” are necessary to eliminate discrimination against women in the field of employment.

- A separate article of the convention (CEDAW, Article 4) specifically allows for “special measures” aimed at accelerating equality between men and women, which would include temporary affirmative action measures in employment.
- The provision sees a need to create a special section protecting women from discrimination in employment on grounds of marriage or maternity.
- It specifically permits protective laws for women during pregnancy.
- It does not provide specific provisions on women’s unpaid work in the home, nor on women agricultural workers and women in the informal business sector.
- A separate section of the convention, Article 15, protects the human rights of rural women, including their right to have access to agricultural credit and loans, marketing facilities appropriate technology and equal treatment in land and agrarian reform (Article 15(2)(g)).
- Article 6 does not explicitly recognize women’s right to ownership of their bodies; however, it apparently does not ban all forms of prostitution only the “exploitation of prostitution.”

Step 4: Ask groups to present their laws. Discuss:
- In what ways does the government currently limit the rights contained in your law? In what ways would the government need to change? How can women influence this change?
- In what ways could the government support and enforce your law?
- In what ways do religion, culture, tradition, custom and habit currently limit the rights contained in your law? In what way would these things need to change? How can you influence that change?
- In what ways do religion, culture, tradition, custom and habit currently support and enforce your law?
- In what ways do you and/or your family limit the rights contained in your law?
- In what ways would you and/or your family need to change? Are such changes possible?

Step 5: Discuss what it would really take for these new laws and/or the provisions in CEDAW to become a reality in this community. Strategize actions that individuals and groups might take to make this happen. List the strategies that the majority can agree upon.
Women's Human Rights and the Environment

OBJECTIVES

The exercises and background information contained in this chapter will enable participants to work towards the following objectives:

• Recognize the human rights dimensions of environmental concerns
• Analyze the ways in which women and girls are affected by the degradation of the global environment and environmental deterioration interferes with the human rights of women and girls
• Understand the connection between development and the environment
• Identify the impact of environmental hazards and consumerism
• Analyze the potential for government, development agencies, the media and women to improve the environment and strategize actions that can be taken to do so.

GETTING STARTED: THINKING ABOUT WOMEN AND THE ENVIRONMENT

The more people understand that environmental degradation threatens the health and livelihood of everyone on the planet, the more they come to regard a healthy environment as essential to their survival and a basic human right. Relentless resource depletion, degradation of natural systems and dangerous pollution during the last century have especially affected the lives of women, who nurture most of the families of the world and grow most of its food. There are complex causes for this steady decline in the global environment. Some of the most significant are:

• Economic systems and government policies that misuse natural and human resources in pursuit of short-term profit
• The rapid migration of populations from rural to urban areas, resulting in poverty, uncontrolled development and overloaded infrastructures
• The displacement of small farmers and indigenous peoples by large agribusiness, timber mining and energy corporations, often with encouragement and assistance from governments and international financial institutions
• Weapons production that divert resources from human needs, poison the environment and perpetuate a culture of war.

Women are working harder to obtain the necessities of life in a world where there is an ever-growing shortage of good soil, fuel and clean water. Chapter 10, "Women's Human Rights in the Economy," examines further the effects of development policies as they relate to women in the economy and the workplace. Chapter 9, "Human Rights of Refugee, Displaced and Migrant Women," deals with their effects on migrant women. This chapter focuses on how environmental deterioration impacts on the human rights of women and girls.

Exercise 1: Thinking about Women and the Environment

Objective: To identify environmental issues that affect women in particular and to consider what is being done to address them

Time: 60 minutes

Materials: Chart paper and markers, paper and pens

I. List/Define:
Ask the participants to make a list of all the aspects of daily life that are influenced by the environment. Include the home, the workplace, school and other public places.
Based on this list, develop together an inclusive definition of the term “environment” to use with the discussion and exercises in this chapter:

2. Analyze:
Give each participant a pen and three small slips of paper. Ask “What is an environmental problem that affects your personal life?” Ask everyone to write a single word or phrase on the first slip of paper and collect these slips. For the second slip, ask “What is a regional or national environmental problem in our country?” and collect these slips. For the final slip, ask “What is an environmental problem that affects the whole planet?” and collect the slips. These lists can be generated orally and illustrated with drawings if preferred.

Divide participants into three groups and give each group one of the three sets of slips, chart paper and a marker with which to create a chart like the sample below with four columns headed “Problem,” “Woman-Specific?” “Action Being Taken” and “Action Taken for Women.”

Explain how to complete the chart:

Problem: Read all the problems and list them in this column. Place a check next to any problem mentioned more than once.

Woman-Specific?: Indicate in this column whether the problem especially affects women.

Action being taken: Note in this column whether the problem is being addressed by any persons or organizations, whether governmental or non-governmental, naming them where possible.

Action taken for women?: Check here whether any action taken addresses women affected by this problem.

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<tr>
<th>PROBLEM</th>
<th>WOMAN-SPECIFIC?</th>
<th>ACTION BEING TAKEN</th>
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When all groups have completed their charts, hang them where everyone can read them or read them aloud. Ask a spokesperson for each group to summarize their findings.

3. Analyze/ Discuss:
Analyze the charts by asking these questions:
- How many of the problems listed in the three categories were woman-specific? Were there more woman-specific problems in some categories than others?
- Were some problems common to all categories? Which ones? How do these problems differ when viewed at a personal rather than national or global level?
- Was there any pattern that emerged in considering the problems and action taken? For instance, was more action being taken on those problems that were not woman-specific? What does this say about the orientation of social change movements or government programmes?
- Did any pattern emerge in the types of environmental problems that affect women? For instance, do the problems affect women’s health? livelihood? social or economic power?
- Discuss the causes of some of the problems that were named most often.
- Were there any major problems missing from any of the lists? To what category would they belong?

Note: Save the list of problems, which will be referred to in Exercise 8, Making Your Own Law, at the end of this chapter.
ENVIRONMENTAL HAZARDS FOR URBAN WOMEN

As more and more people worldwide migrate from the countryside in search of employment, the number of women in urban areas is increasing, as are the environmental problems in rapidly growing cities plagued by industrial pollution, poor working and living conditions, vehicular pollution, limited and contaminated water supplies, and deficiencies in waste management and sanitation. Nearly 92 million women in urban areas lack access to safe drinking water and more than 133 million women lack proper sanitation (United Nations, The World's Women 1995: Trends and Statistics, New York: United Nations, 1995).

Increasingly women in urban areas need income-generating work to enable them to buy water and food, which can no longer be had from the land. Poor women have difficulties gaining access to land and materials to build a shelter; they often end up living in squatters camps on rejected land far from the city centre or in slums. Often these shanty towns and slums are located near sites where toxic substances are dumped, exposing all residents to chemicals such as mercury, lead from batteries and cadmium from electronic devices. The poorest and most marginalized people are also more likely to work or live near landfills, incinerators, hazardous waste and other polluting industries.

As with other environmental problems, governments can be responsible for pollution through both their action and inaction. Sometimes the government itself degrades the environment; for example, a state-run factory or a policy may sacrifice long-term stewardship of resources for quick economic gains. Sometimes governments design plans that send waste into areas where poor or minority people live and then refuse to respond to complaints of dirty water in these neighbourhoods. In these cases the government can be said to be directly responsible.

In other cases, however, government responsibility is less direct. Often the main culprit appears to be a private business or private individuals. The government may still be responsible, however, for failing to make or failing to enforce adequate regulations on pollution.

ENVIRONMENTAL DEGRADATION AND URBAN WOMEN

- The percentage of urban women lacking access to sanitation services is estimated to be 20% in Africa and Asia and 14% in Latin America (Ibid.).
- The rate of miscarriages in two industrial cities in the Ukraine with high air pollution was found to be twice the rate in a clean air control city. The rate of congenital anomalies was three times the control rate (In Point of Fact, World Health Organization, 1995).
- By 1980 more than 3,000 new chemicals were being developed annually. Between 700 to 1,000 of these substances are used commercially every year. Of the 45,000 toxic chemicals listed by the US National Institute for Occupational Safety and Health, 2,500 were identified as carcinogens and less than 7,000 had been adequately tested (C. Hodgson and G. Reardon, "High-Tech Hazards: Beyond the Factory Gate," in ed. G. Reardon, Women and the Environment, Oxfam, 1993).

ENVIRONMENTAL HAZARDS FOR WOMEN AT WORK

Women, who hold the lowest paying jobs in every society, face both discrimination and environmental hazards when they work outside the home. Women form the larger part of the workforce in the Export Processing Zones (EPZs) that have been set up in many Southern countries to attract foreign investment and help meet government debt obligation. To attract transnational corporations, governments generally waive the environmental safety requirements in the EPZs. Here women, most of whom are migrants from rural areas and under 25 years of age, work in such part-processing industries as textiles, clothing, food processing, and electronics assembly. Their wages are a fraction of those of workers in the North, and they have no health and safety protections. For example, in Asia 90% of assembly workers in the electronic industry are women, many of whom handle highly toxic chemicals on a daily basis. (For further information on EPZs see Chapter 10, "Women's Human Rights in the Economy" and Chapter 9, "Human Rights of Refugee, Displaced and Migrant Women.")
Women's "special vulnerability" to pollution is often used in developed countries as a reason to exclude them from some jobs, often well-paying. In some cases, companies who fear legal repercussions require that women undergo sterilization in order to qualify for certain hazardous jobs. Although most pollution hazards are equally threatening to men, companies find excluding women easier than making their production safer for all.

Whether urban or rural, women who cook over fires, especially in enclosed spaces, suffer acute respiratory infections and bronchitis. Biomass fuels (wood, charcoal, dung) lead to chronic lung diseases and cancers of the nose or pharynx. According to the World Health Organization (WHO), women who cook on open fires in closed rooms inhale as much benzo-a-pyrene (a cancer-causing substance) as a person who smokes 20 packs of cigarettes a day. Nepali women cook an average of five hours a day in conditions where the indoor contamination from smoke is as high as 20,000 micrograms per cubic meter, compared to a WHO standard of 150-230 micrograms per cubic metre (World Health, August-September 1985, p. 30).

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**Exercise 2: Who Is Responsible?**

**Objective:** To examine the responsibility of governments and business in environmental degradation and/or protection

**Time:** 60 minutes

**Optional:** List generated in Exercise 1, “Thinking about Women and the Environment”

Copies of “Analyzing Human Rights Problems,” p. 203

1. **Role-Play:**
   Working in small groups, ideally of six, two participants are chosen to play the role of women who live in the community, two to play government representatives and two to play company directors or business leaders.

   The community women have five minutes to raise complaints about the environmental problems in their community, region or country. The government representatives and business leaders then have five minutes each to respond. Use the list generated in Exercise 1 for ideas.

2. **Discuss:**
   - What were the residents’ main complaints?
   - How did government representatives and business leaders respond? Did they accept responsibility? Did they blame others? Whom?
   - In what ways does the government in your community, region or country contribute to pollution or environmental degradation? In what ways does it help to protect and restore the environment?
   - In what ways does the government in your community, region or country contribute to pollution or environmental degradation? In what ways does it help to protect and restore the environment?
   - In what ways do businesses in your community, region or country contribute to pollution or environmental degradation? In what ways do they help to protect and restore the environment?

3. **Strategize:**
   - What strategies could women use to elicit more positive responses from government and business, especially about environmental issues that affect women?
   - What strategies are already being taken? Have any proven effective?
   - Using the chart “Analyzing Human Rights Problems,” p. 203, strategize what actions you could take in your community to address environmental problems.
Exercise 3: Consume! Consume!

Objective: To identify the impact of consumerism on the environment
Time: 30 minutes
Materials: 2 boxes, baskets or bags for each participant; slips of paper and pens

1. Action:
Make an "in-box" and an "out-box." Give each participant a pair of containers, or two big boxes can be used for the whole group. Hand out slips of paper and have participants make individual lists of the things they throw away in each day. Throw all these lists in the "out-box." Then have participants make lists of everything they purchase or consume each week that takes energy to produce. Throw these lists in the "in-box." You may wish to perform this exercise more dramatically by using actual clothes, cans of food, papers, and other items.

When participants have filled the "in-box," read the slips aloud and ask which items could be recycled. Put these in the "out-box." Discuss ways in which less energy could be used to produce the items in the "in-box." For every five ideas, put one item in the "out-box."

2. Discuss:
- How would this exercise be different if you lived in a different country? If you came from a different socio-economic group?
- What general patterns of consumption does this exercise reveal?
- What possible actions could consumers take to alleviate the impact of their consumption on the environment?

Development and Environment

The World Bank and other financial institutions have pressured countries that owe money to make radical changes in their economies in order to repay their debts. Prescribed by powers far removed from the local community, these changes, called structural adjustment programmes (SAPs), have had a profound effect on the lives of women and the environment, mostly detrimental. (See Chapter 10, "Women's Human Rights in the Economy," for a discussion of SAPs.)

Land Reforms

Land reform, a condition of many structural adjustment programmes, has had a particularly adverse impact on the environment and on the lives of women. Typically land reform requires changes in the use, ownership, settlement and distribution of lands. As a result traditional land-use systems in which members of a community share common lands have been given over to registered ownership, almost always by a man. For example, in Honduras only 4% of redistributed land went to women; in Peru 5%; in Colombia, 11%. As a result most women become landless farmers working someone else's land, and widows and single women are thus normally excluded from agriculture almost entirely.

The best land is then allocated to crops like cotton or tobacco that can be sold for cash in foreign markets. As a result, only small plots with poor soil often a considerable distance from the farmers' homes remain for the production of food. Even where women have access to land, most development programmes exclude them from cooperatives, agricultural training programmes and credit to reinvest in tools and soil improvement, even though women have been shown more likely to do so than men. In many African countries, women account for more than 60% of the agricultural labour force and contribute up to 80% of total food production, yet women receive less than 10% of the credit to small farmers and 1% of total credit to agriculture (Catherine Bateson in Gender, and Agricultural Development: Surveying the Field, ed. Helen Kreidler Henderson, University of Arizona, 1995, pp. 41-47).
The move to increase cash crops has many other effects as well. In many areas of the world food crops for family consumption are produced by the women in household garden plots. They are often able to market a surplus and earn some cash for essential consumer items. With the introduction of high maintenance cash crops all members of the family are needed to contribute to production of these crops which are usually non-food crops and cannot contribute to food for the table. The women’s workload increases substantially as she has to cultivate both her food crops and the cash crops for which she receives no remuneration. The men and/or children who might have helped her in her own plots are now likely to be involved in the production of cash crops. Any profits from the cash crop go directly to the husband, who thus gains complete control of the family cash supply. The surplus food crops which might have brought in a bit of extra cash for the wife can no longer be produced.

**IMPACT OF LAND REFORM IN GHANA**

Alice Idi, a Ghanaian resident, describes the effects of land reform in her country:

“I am from a small rural village in Northern Ghana...When I was young,...about 99% of households had enough food to feed themselves through the year from their own farm produce. There were only a handful of families who suffered food shortages during the lean season—three or four months before the new harvest...Now, it is the opposite. About 99% of households, including my own family, are not able to provide enough food for their families all year round because their time is committed to producing export crops. Those who can afford it have to buy grain for the last three or four months before the harvest. This means reducing food intake during a time when it is needed for energy to prepare and grow the next crop.”

(Testimony of Alice Idi, Ghana, in Gender Justice: Women’s Rights Are Human Rights by Elizabeth Fisher and Linda Gray Mackay, Unitarian Universalist Service Committee, Cambridge, MA, 1996.)

**RURAL WOMEN AND THE ENVIRONMENT**

- About half the world’s food is grown by women (Women: Looking Beyond 2000, United Nations, NY, 1995).
- The Gross Domestic Product (GDP), a figure which measures a nation’s total output of goods and services, tends to omit as much as it includes. In sub-Saharan Africa, for example, women grow over 80% of food for home consumption and over half of all agricultural—including food and cash crop—production. Official GDP figures, however, generally reflect only the produce actually brought to market or exported—the cash crops grown mainly by men (Ibid.).
- In a Rwandan village, women work three times as much as men because they do virtually all domestic work, 75% of field work, and half the work with animals. Meanwhile, the men tend the banana trees and do most of the paid work outside the home (FACTS: Women at Risk, Church World Service).
- Per capita water supply is a third lower than in 1970 due to the addition of 1.8 billion people to the population. In 26 countries, a combined population of 230 million people face water shortages (Human Development Report 1994, UNDP, 1994).
Exercise 4: What's for Dinner?

Objective: To examine the relationship of food to the environment.

Time: 30 minutes


I. List:
Ask participants to list what they ate and drank at the largest meal consumed yesterday. For each food, they should try to answer the questions below. This information might be organized as a chart.

<table>
<thead>
<tr>
<th>Name of Food:</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Who grew the plant/raised the animal? Where?</td>
</tr>
<tr>
<td>• Who processed the plant/meat? Where?</td>
</tr>
<tr>
<td>• Who transported the food to market?</td>
</tr>
<tr>
<td>• Who shopped for the food? Where?</td>
</tr>
<tr>
<td>• Who provided the money for the food?</td>
</tr>
<tr>
<td>• Who cooked the food?</td>
</tr>
<tr>
<td>• Who ate the food? Did everyone get enough? The same amount?</td>
</tr>
</tbody>
</table>

2. Analyze:
Ask the participants to do the following:
• Compare your lists with a partner. Circle those tasks that you think are gender specific. Put a circle around those tasks that men usually do and a box around those that women usually do in your community.
• Did you and your partner eat a wide variety of foods? How was this variety made possible? Were any foods out of season?
• How much of this meal was grown outside your country? How many of the steps in your meal were performed by someone unknown to you?
• How much of your meal was grown and prepared by you and/or family members?
• How much time did you spend on this meal (include any steps like shopping, cooking, cleaning up, etc.)?
• Approximately how much money did you spend on this meal?

3. Discuss:
Pose the following questions for discussion:
• In your society who makes decisions about what food is grown? How the food is grown? What food is eaten? How food is cooked? Are there gender differences about who makes these decisions?
• Were pesticides used in the production of your food? Were animals fed chemicals and hormones? Who is responsible for supplying this information?
• How are women involved in agriculture in your country? As large landowners? Small farmers? Subsistence farmers? Farm labourers? Are certain crops especially cultivated by women?
• What human rights issues are involved in the growing of the food we eat? In what ways are women’s rights violated in relation to agriculture and food?
• Is access to land and a voice in the way food is produced a human right of women?
• What conclusions can you draw about the relationship between food and women’s lives? How does this conclusion relate to the human rights of women and girls?
Another powerful effect of environmental degradation on women is deforestation. Large-scale deforestation interferes with the ecosystem, affecting the health of people throughout the world. In addition, deforestation has a harsh impact on the lives of women locally, who must gather firewood for their families. Women also depend on the receding forests to supplement the family diet with fruits, honey and vegetables, as well as fodder for dry-season grazing.

The World Bank estimates that by the year 2000, 19 million hectares of fuel wood plantations—100 times more than now exists in Africa—will be needed to meet population demands. Half of the population of Africa already faces fuelwood scarcity, and by 2020 the demand will triple. In developing countries as more and more people compete for diminishing resources, women must walk farther from their homes to find the fuelwood and water they need for their basic existence.

The impact is far-reaching. When firewood is scarce, people cook lighter and fewer meals and eat fewer cooked foods, thus undermining nutritional standards. Women undertake longer and longer walks, usually carrying children, with resulting dehydration, loss of labour time and bad health effects. They might also be put in physical danger. In the absence of wood, crop residues and dung once used to replenish the soil are burned as fuel (Annabel Rodda, Women and the Environment, ed., Zed Books, London, 1991).

POEM

A fight for truth has begun
At Sinsyari Khala
A fight for rights has begun
At Malkot Thano
Sister, it is a fight to protect
Our mountains and forests
They give us life
Embrace the life of the living trees and streams
Clasp them to your hearts
Resist the digging of mountains
That brings death to our forests and streams
A fight for life has begun
At Sinsyari Khala

Chanshyam 'Sholland, Chipko poet

[The Chipko Movement began in the Himalayan foothills of India as a protest against commercial logging of forests, which destroyed a valuable resource and caused severe erosion. Chipko, a Hindu word that means "hugging," describes the protest method used by local women, who prevented loggers from cutting down trees by entwining their bodies around them.]

WATER

In both rural and urban areas, women are usually responsible for the health and welfare of their families. It is women therefore who must deal with problems resulting from a polluted water supply, such as children who get sick from the water. Typically they are also responsible for the extra work needed to boil or treat the water in order to purify it, which in turn might require extra fuel.

In rural areas women have even greater responsibility for water. As the main collectors and users of water, rural women are usually the water managers in their communities, deciding where and how to collect water; transport and store it, and what water sources to use for what purpose (e.g., drinking, washing, cooking, irrigation). Women's expert knowledge of local water conditions is vital expertise passed on to successive generations.
As the environment deteriorates, clean water is increasingly difficult to find. Water is heavy: some women must carry for many miles 20 kilograms or more in containers balanced on their heads or strapped to their backs. Women's tasks often require their being around polluted water, thus increasing their risk of exposure to harmful chemicals and waterborne disease.

**Exercise 5: Surviving**

**Objective:** To analyze the impact of fuel and water consumption on the environment

**Time:** 60 minutes

**Material:** Chart paper and markers

1. **Analyze:**
   Pose these questions and record responses on chart paper labelled “Fuel?” and “Water?”:
   - Where does your own fuel for heating and cooking come from? How do you obtain it? How much does fuel cost you in time and/or money? Are you satisfied with its quality?
   - Where does your water come from? How do you obtain it? How much does water cost you in time and/or money? Are you satisfied with its quality?
   - If you are not satisfied with your fuel or water quality, what could you do about it? Are you, in fact, able to improve these services?

2. **Imagine/Discuss:**
   Have the full group imagine this scenario:
   An earthquake destroys the piped water supply and cuts off gas and electricity where you live. For the foreseeable future you must make do without these utilities.

   Ask the following questions:
   - How will you cope? Who in your family will fetch water?
   - What support would you want from community members? Local authorities?
   - Can you drink the water in your local streams or lakes? Why or why not?
   - How will you take care of sanitation? What support would you want from community members in addressing sanitation problems? From local authorities?
   - How will this natural disaster affect women in particular?

3. **Discuss**
   Similar loss of water and fuel supplies occur; although more gradually, when the environment deteriorates. Discuss:
   - Is your water or fuel supply at risk because of environment degradation?
   - Does your water or fuel supply threaten the environment?
   - What measures can individuals, communities or the government take to protect both these vital supplies and the environment?

**Environmental Justice**

"Environmental justice" is a term that is used to express a positive interconnection of environmental and social rights. The term implies a world of communities in which environmental health is not a privilege of wealthy and otherwise dominant groups in society, but a right that all people enjoy by virtue of being human: a human right. Currently however, few people in the world enjoy environmental health.

Another term, "environmental racism," is used to express the disproportionate state of poor environmental conditions and health that people of colour endure as one aspect of racial discrimination in society. In the US, for example, poor neighbourhoods of colour are disproportionately exposed to dangers such as toxic waste dumping, construction of highways and airports, and sub-standard housing.

Migrant farm workers in the US, who include undocumented people from Mexico and Central America,
are one group who face environmental injustice that is connected to racial and national discrimination, and poverty, as well as human rights violations of health, freedom of movement and self-determination. A US government report, for example, states that migrant farm workers in the US live on about one third the amount the government has measured as the "poverty" line, and that "tuberculosis, pneumonia, [and] intestinal parasites...occur at a rate about 250-500% higher than...the general population" (Schey, Peter, "Human Rights of Migrant Farm Workers in the US" in Human Rights of Migrant Workers: Agenda for NGOs, Graziano Battistella, ed., Philippines, 1993).

PESTICIDES

In addition migrant workers are on the front lines of exposure to pesticides that are directly sprayed on agricultural products and workers in the fields of those products. Such pesticides have been linked to several chronic and mortal illnesses, including cancers of the bone, lymph nodes, brain and leukemia; reproductive effects such as spontaneous abortion, menstrual dysfunctions, and birth defects; depression; and abnormalities of the immune system. Farm workers' rights continue to be violated including the right to know about pesticide spraying schedules and their effects, their right to health and a safe environment and the right to take action to defend their human rights. The Environmental Protection Agency (EPA) attempts to regulate the types and times that pesticides are used have not been effective.

The Serdang Declaration

In 1991, Tenaganito, the Action Group of Women Workers, and the Pesticide Action Network together issued the Serdang Declaration on the effects of pesticide use and abuse of women in Malaysia, Indonesia, and Thailand. The Declaration describes the symptoms of pesticide poisoning (e.g., skin damage, nasal bleeding, cracked fingernails and reproductive problems) and the conditions that cause them, for example, when pesticides are used and stored without adequate protection, information or medical support for agricultural workers, many of whom are women.

The Declaration calls for:
• Improved information about pesticide hazards
• Alternatives to pesticide use
• Legal protection of workers from dangerous chemicals
• Monitoring of pesticide use by ministries of health
• Action on the part of unions and women's groups in these regards.

THE YANOMANI

The Yanomani are an indigenous nation whose territory borders between Venezuela and Brazil. Until the late 1900s, they were one of thousands of national and social groupings of indigenous peoples in the region, living in sustainable relationship with the environment, other communities, and the land. In the late 1970s, however, a Brazilian government-sponsored highway was built through the Yanomani territory. In the late 1980s, more than 40,000 miners illegally invaded the territory when gold was discovered there. The "ecocide" associated with these two events alone includes deforestation, biodiversity reduction, game population depletion and displacement, soil erosion, river siltation, fisheries depletion, pollution of water supply and poisoning of all people in the region who grow food, eat the fish from streams, and drink the contaminated water.

Ethnocide and genocide become even more possible as Brazil contemplates a reduction of the Yanomani territory by 75% and the implementation of a reservation system which will alter the structure and viability of Yanomani culture forever

HUMAN RIGHTS AND THE ENVIRONMENT

In recent years environmentalists and human rights activists have increasingly united their efforts in grassroots struggles over land and water rights, toxic dumping, and disruptive development projects. Few problems are “just environmental”; most also involve violations of people’s fundamental rights. One way to promote environmental rights is to uphold individual human rights such as free speech, self-determination, or access to information. Another way is to advance environmental rights.

More than 60 national constitutions recognize at least some responsibility to protect the environment. For example, the new constitution of South Africa states that “every person shall have the right to an environment which is not detrimental to his or her health or well-being.” At the international level, environmentalists and human rights activists are now united in their effort to establish a United Nations convention that would safeguard environmental human rights. Such a legal document would establish environmental justice in international law and guarantee every person’s equal right to a healthy environment. It could help victims of environmental abuses receive compensation and prevent further injustices.

The 1972 Stockholm Declaration was one of the first documents to make the link between environmental and human rights language. It recognized that people have the fundamental right to freedom, equality and adequate conditions of life, in an environment of equality that permits a life of dignity and well-being (Adede, “International Environmental Law from Stockholm to Rio—An Overview of Past Lessons and Future Challenges,” Environmental Policy and Law Journal, Vol. 22, p. 88, 1982).

Many advocates classify the right to environmental health as a “solidarity right”: a right with both an individual and a collective dimension. As Stephen P. Marks, a human rights advocate and scholar explains:

The individual right is the right of any victim or potential victim of an environmentally damaging activity to obtain the cessation of the activity and reparation for damage suffered. The collective dimension implies the duty of the state to contribute through international cooperation to resolving environmental problems at a global level. As with all solidarity rights, the collective aspect means...that the state and all other social actors have the duty to place the human interest before the national or individual interest (Marks, Stephen P., “Emerging Human Rights: A New Generation for the 1980s?” 33 Rutgers Law Review, p. 435, 1981).

In other words, an individual harmed by an environmental problem would be able to claim compensation. The state should either compensate the victim directly or establish procedures through which the victim can collect from a private party. At the same time, the state must work at solving environmental problems, placing the individual’s interest in life with dignity and freedom before the state’s interest in wealth or power.

Already, international documents, supplemented by several international agreements dealing with sustainable development, serve as critical tools in this effort. In 1994 a special report to the UN’s Sub-Commission on Prevention of Discrimination and Protection of Minorities documented environmental injustices around the world and recommended combining the human rights and ecological policy agendas. The same year, the Draft Declaration of Principles on Human Rights and the Environment proclaimed the universal human rights to a “secure, healthy, ecologically sound environment.” In addition, environmental rights can be read into the 1992 World Conference on Environment and Development (the Earth Summit) in Rio de Janeiro and the 1993 World Conference on Human Rights in Vienna.
Exercise 6: Environmental Disasters

Objective: To analyze the impact of environmental disasters on women

Time: 60 minutes

Materials: Chart paper and marker or blackboard and chalk. Clippings from local newspapers and magazines or copies of "Case Study: The Chernobyl Accident" and/or "Case Study: Atmospheric Testing in Kazakhstan" (below)

1. Read/Discuss:
Take an example from a newspaper or magazine about an environmental disaster and discuss the responsibilities of government to its own citizens and citizens of other countries. Alternatively, you may wish to use as a case study either the Chernobyl accident or the atmospheric testing in Kazakhstan (see below). Read or pass out the description of the disaster Analyze it by asking the following questions:

- List the specific ways in which the government violated the rights of its citizens.
- How did this disaster affect the lives of those in other countries as well?
- What aspects of this case especially impact on the lives and health of women?
- In what ways can citizens hold their government accountable for such offenses?
- What compensation should the state make to those injured in such incidents?
- How does this case indicate the need for international environment law?

2. Role-Play:
Set up a role-play, with members of the group volunteering to act out different characters in the story. Roles might include a government spokesperson, a mother living near the accident, a mother in Poland, an investigator for the Green Party in Europe, a woman who participated in the tenth anniversary of Chernobyl protests, the widow of a victim of radiation poisoning, or a representative of the nuclear power industry in another country.

3. Analyze/Strategize:
Use the chart "Analyzing Human Rights Problems," p. 203, identify the human rights violations involved in these cases and strategize what actions you could take in your community to address similar environmental problems.

CASE STUDY: THE CHERNOBYL ACCIDENT

On Saturday, 26 April 1986..., the worst accident in the history of nuclear energy began at the Chernobyl Nuclear Power Plant [in Ukraine]. In the fourth and newest reactor at the site, a crisis of potentially catastrophic proportions started with a massive loss of coolant in the reactor's core....At 1:23 a.m., there were two gas explosions, blowing the roof off the reactor's building. The resultant fire...burned in the open air and released a cloud of smoke, gas, and radiation. The fire continued to burn or smolder for at least a week. On Monday, a worker at a nuclear power plant in Sweden walked past a radiation detector and set off its alarm. After checking on its own plant, Sweden discovered monitoring stations throughout the country were registering unusually high levels of radiation. The radiation from Chernobyl that initially swept over Norway, Finland, and Sweden on 26 April was brought into the heart of Europe by shifting winds on 5 May. By 6 May, small amounts of radiation had travelled across the Pacific Ocean and over much of the United States. Pravda reported that helicopters were dumping sand, clay, lead and boron into the reactor to contain the radioactivity. Diplomats were withdrawn from Moscow, tourists returned home, anguished mothers in Poland fought over doses of iodine for their children, sales of milk from grass-fed cows were banned, and the European Community banned imports of fresh food products from Eastern Europe....

The Chernobyl accident brings into focus the inadequacy of domestic law to protect the global environment. Pollution and radiation do not recognize national boundaries.... [In 1996, at the tenth year anniversary of Chernobyl, women throughout Ukraine staged workshops on the right to a decent environment. Thousands of people died as a result of Chernobyl and hundreds of thousand suffer health effects. The break-up of the Soviet Union has exacerbated the problem as health care and social services for victims have only deteriorated. Victims now must look only to impoverished government of Ukraine for compensation, although the Chernobyl reactor had served other parts of the Soviet Union as well.]

**CASE STUDY: ATMOSPHERIC TESTING IN KAZAKHSTAN**

My name is Galina Sumarakova...For 40 years, from 1949 to 1989, the Soviet Union conducted atmospheric, above-ground, and underground nuclear tests...less than 100 miles from Semipalatinsk, the city [in Kazakhstan] where I live...In 1989 nuclear tests were suspended and two years later the testing site was officially closed by a decree of President Nazarbaev of Kazakhstan.

However, its legacy is still there. In certain areas, there is a marked increase in blood disorders, in cancer, in birth defects, and in many other diseases. In the Semipalatinsk area alone, there are 850,000 registered victims. For instance, in Abraly village, every child and adult has at least 10 certified diseases. Some 149 out of 1,300 children in this village are invalids from birth with deformities. Radiation does not know geographical, national, or gender differences...However, in the case of women and girls, not only their general health suffers, but their reproductive function, and consequently the entire future generation is affected. The third generation of Semipalatinsk victims is more weak and sick than their parents and grandparents...We demand that the activities of all governments who still carry out nuclear testing be condemned as an infringement on basic human rights...


**WOMEN BUILDING A BETTER ENVIRONMENT**

The *Rio Declaration* that resulted from the 1992 Earth Summit, calls for women to have “active and equal participation in the process of ecosystem management and control of environmental degradation.”

The elements it recommends to create a sustainable lifestyle include:

- Respecting, protecting and restoring the natural environment
- Using no more than we truly need
- Sharing equitably with others living on our planet
- Leaving our children at least as much as we have enjoyed in the way of possibilities, opportunities and quality of life.

The *Beijing Platform for Action* reaffirms this language and recognizes women’s essential role in the development of a sustainable and healthy environment:

...As consumers and producers, caretakers of their families and educators, women play an important role in promoting sustainable development through their concern for the quality and sustainability of life for present and future generations (paragraph 248).

The Platform calls on governments to actively involve women in environmental decision-making at all levels, to integrate gender concerns and perspectives in policies and programmes for sustainable development and to establish mechanisms at the national, regional and international levels to assess the impact of development and environmental policies on women.

**Exercise 7: Bringing Beijing Home**

**Objective:** To strategize ways to implement the recommendations on the environment in the *Beijing Platform for Action*

**Time:** 60 minutes

**Materials:** None

1. **Discuss:**

Read aloud the *Platform for Action’s* recommendation to involve women actively in environmental decision-making at all levels (last paragraph above). Ask the following questions:

- At what stage do women need to be brought into decision-making about the environment in our local community?
Women's Human Rights and the Environment

What difference would women's perspective make in local environmental issues?

How can you get this recommendation implemented in your community?

Do you agree that responsibility for the degradation of the environment rests primarily on industrialized countries?

What differences do you think women could make in changing these unsustainable patterns of consumption and production? How could these unsustainable patterns be related to women's exclusion from decision-making?

Exercise 8: Making Your Own Law

Objective: To develop a law to ensure women's human rights to a safe environment

Time: 45 minutes

Materials: Chart paper and markers. List of environmental problems generated in Exercise 1, "Thinking about Women and the Environment" (optional)

Write, Discuss:

Step 1: Review the list of environmental problems generated in Exercise 1 (or create such a list). Note especially those problems that affect women. Ask participants if, having worked through the information and exercises in this chapter, they would add other problems to this list. Star all those items on the list that are human rights problems.

Divide participants into small groups and ask each group to select one or two problems from the list that affect women in their own community and/or which they feel they could change.

Groups could use the charts "Analyzing Human Rights Problems" and "Implementing Human Rights Strategies," pp. 203-204 to examine this problem.

Step 2: On the basis of this analysis, write your own law that would protect women's human right to a safe environment.

Step 3: Ask groups to present their laws. Discuss:

- In what ways does the government currently limit the rights contained in your law? In what ways would the government need to change? How can women influence this change?
- In what ways could the government support and enforce your law?
- In what ways do religion, culture, tradition, custom and habit currently limit the rights contained in your law? In what way would these things need to change? How can you influence that change?
- In what ways do you yourself and/or your family limit the rights contained in your law?
- In ways would you and/or your family need to change? Are such changes possible?

Step 4: Discuss what it would take for these new laws and/or CEDAW to become a reality in this community. Strategize actions that individuals and groups might take to make this happen. List the strategies that the majority can agree upon.

Step 5: Because no single document yet exists to protect our human right to a safe environment, this chapter cannot end like others in this book with a comparison of women's self-made law and CEDAW and other international documents. Instead, lead a discussion based on the following:

- Why do you think there is no international convention on environmental rights?
- What would it take for your law to become a reality in your community? In your country? In international law?
- Which level should come first? Why?
- Strategize actions you and others might take to make this happen.

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Women's Human Right to Education

OBJECTIVES

The exercises and background information contained in this chapter will enable participants to work towards the following objectives:

• Understand that every woman and girl has the right to education and assess the importance of education in women's lives
• Define illiteracy and functional illiteracy and analyze their impact on the lives of women and girls
• Examine the role that governments, community leaders, the media and women themselves can play in promoting women's and girls' full access to education
• Define gender role stereotyping and strategize ways to combat it
• Identify the link between education and other human rights
• Strategize ways to promote the right to education in their community.

GETTING STARTED: THINKING ABOUT WOMEN AND EDUCATION

People can be motivated to seek education both for practical reasons and for the love of learning. Women and girls also often see education as a way out of poverty, a chance for mobility or an opportunity to break out of binding traditions to attain self-sufficiency and freedom. With the number of female-headed households rising worldwide, women's self-sufficiency has become increasingly important. Women with children may also seek an education in order to become better providers for their families and become better teachers and role models for their own daughters and sons. In addition, women may see education as a way to contribute to their communities and to participate in the public and political sphere. (See Chapter 8, "Women’s Human Rights in Politics, Public Life and the Media.")

WOMEN AND EDUCATION

The bad news

• By the time they are 18, girls have on average 4.4 fewer years of education than boys (UNICEF, Girls in School: Equal Opportunity Sound Investment, 1995 text by Lisa Krug).
• Of the 100 million children who drop out of primary school before completing four years, two thirds are girls (Ibid.).
• From 1970 to 1992 primary and secondary school enrollment for females worldwide increased from 38% to 68% reflecting the growing commitment to universal primary education. However, 130 million children do not have access to primary education; two thirds of these children are girls (United Nations Development Programme, Human Development Report 1995, New York: Oxford University Press, 1995).
• Half as many women as men in developing nations are enrolled in higher education; around the world women continue to represent only a small proportion of math and science students (Ibid.).
• Girls aged 15 to 19 give birth to 15 million babies a year and more girls die from pregnancy-related causes than from any other cause (Ibid.).

The good news

• Girls have achieved equal access to primary education in many parts of the world. In addition, progress has been made in secondary and higher education though girls still lag far behind boys ("Looking Back Moving Forward: Second Review and Appraisal of the Implementation Strategies of the Nairobi Forward-Looking Strategies for the Advancement of Women," United Nations, 1995).
Women's Human Right to Education

- In some countries the number of women entering colleges and universities has increased dramatically. In China the number of female graduates increased by 157% from 1985 to 1992.

(United Nations Press Packet for the Fourth World Conference on Women, Beijing, China, 1995.)

- Young women aged 15-19 are two to three times more likely than women aged 40-44 to have at least seven years of education.


Exercise 1: Why We Learn

Objective: To identify the benefits of education in, for and on the lives of women

Time: 45 minutes

Materials: Chart paper and markers or blackboard and chalk

Copies of "Benefits of Education" (below), Paper and coloured pens

1. Brainstorm:
   Ask the full group to call out responses to this question: "What are some of the benefits of education to women and girls?" List their responses.

2. Discuss:
   Write out on chart paper or read aloud the following facts about how women benefit from education from "Benefits of Education" below. Add the underlined phrases to the brainstormed list if not already mentioned.

   Lead a discussion on each of these benefits. Ask for personal examples that support the benefits or show the consequences of the lack of these benefits. How can this list of benefits be used to contribute to better educational opportunities for women?

3. Create:
   Ask participants in small groups to create posters or television "advertisements" that make people aware of the benefits of women's education to both women themselves and to society in general. Have participants present these for everyone.

4. Discuss:
   Discuss the following questions about the human right to education:
   - Why is education a human right?
   - What is the connection between women's education and their other human rights?

BENEFITS OF EDUCATION

- Better Health: An educated mother can raise a healthier family. In Peru educated women were found to have healthier children regardless of whether they had access to a clinic or hospital.

- Smaller Families: Educated women are more likely to delay marriage and plan their families. According to a 1993 report of the Population Action Council, average family size and child death rates are lowest when family planning and health programmes are combined with high levels of education for women. In Brazil, uneducated mothers have an average 6.5 children each, but those with secondary education have only 2.5.

- Greater Productivity: Educated women are more productive, whether they work in or outside the home.

- Improved Status: Educated women tend to make more independent decisions and stand up for themselves. For example, according to a UN report, educated women believe they have a right to good health care.

- Better Education: Educated women tend to encourage their children to become educated, and their children are more likely to succeed in school.

(UN Department of Public Information, Literacy: A Key to Women's Empowerment, from Press Kit for the Fourth World Conference on Women, Beijing, China, 1995.)
SOCIAL BENEFITS OF EDUCATION

Although education across the globe favours boys, when women are educated the whole society benefits. Research shows that as women’s education and income increase, so do the health and education levels of their children, especially those of girls. Studies in Malaysia, for example, show a 20% greater return on investment in the education of girls, including improved nutrition and family health, and lower birth and infant mortality rates. And conversely, disinvestment in women results in long-term disinvestment in children, which carries negative implications to a second generation.

Of course education is not a magic answer. Where poverty and disease are rampant, education alone cannot cure the ills of society. However, education can help women to improve their lives within the limitations set by other factors.

For example, education improves women’s health in many ways:

- A 1990 study carried out by the Research Triangle Institute in 80 developing countries indicated that no other socioeconomic factor, such as potable water, urbanization, or improved income, had so dramatic an effect on lowering infant mortality as female education. For every 20% increase in female enrollment in secondary school, the infant mortality rate dropped 30 children per 1,000. (Luis A. Crouch, Jennifer E. Spratt, and Luis M. Cubeddu, Examining Social and Economic Impacts of Educational Investment and Participation in Developing Countries: the Educational Impacts Model (EIM) Approach, BRIDGES Research Report Series, April 1992, No. 12).
- A 1990 study of world population reported that the results of studies carried out in 46 countries indicated that a 1% increase in women’s literacy rate is three times more effective in reducing infant mortality than a 1% increase in the number of doctors (Ibid.).
- As women’s level of education rises, the number of malnourished children declines. Prenatal care and medical treatment at childbirth increase with the mother’s level of education. The mother’s education also has a strong bearing on whether children receive treatment for diarrhea, one of the major causes of mortality among young children.

(United Nations Department of Public Information, op. cit.).

Exercise 2: Education Makes a Difference

Objective: To understand the impact of education on a woman’s ability to make decisions, evaluate information and obtain her human rights.

Time: 45 minutes

Materials: Chart paper and markers or blackboard and chalk. Copies of “Analyzing Human Right Problems,” p. 203

I. Role-Play:
Ask three participants to sit in the centre of the group. One plays a woman who has 12 years of education, another has six years, and another with only one year or none at all.

The rest of the group play these or similar roles:

- A politician who wants to get women’s votes or recruit women to run for office
- A public health worker who introduces a new contraceptive or child nutrition programme
- A personnel officer who wants to hire workers for a new factory
- An employment agent who wants women to sign contracts to work abroad
- A government official who issues permits to operate a small business
- A family elder or religious authority who claims a certain behaviour is forbidden or required by religious law or traditional practice.

Each of these people in turn interacts with the three women, who respond according to their level of education.
2. Discuss:
Ask these questions about the role-play:
• What were the principal differences in the way the spokesman approached the three women?
  In the way the women responded?
• How does education affect each woman's feelings about herself? Her willingness to make decisions?
  Her ability to evaluate or use information?
• What impact might their differences in education have on each woman's health and well-being?
  Her family? Her community? Her future development and opportunities?
• What impact do their differences in education have on their ability to enjoy their human rights?
  Which specific rights are limited or denied by lack of education? List these rights.

3. Strategize:
Working in small groups ask the participants to use the chart “Analyzing Human Rights Problems,” p.
203, and the list generated in the last two questions of Step 2 above, in order to develop strategies
to improve women's human right to education.

ILLITERACY AND FUNCTIONAL ILLITERACY

In 1990, 948 million people in the world were illiterate, i.e., they could neither read nor write. Eastern and
Southern Asia accounted for 71% of all the world's illiterates, sub-Saharan Africa for 15%, Arab states for
6% and Latin America and the Caribbean for less than 5%. In both Southern Asia and the Arab states,
one adult in two is illiterate.

Illiteracy rates for women are disproportionately high. Almost half (45%) of the female population of developing
countries is illiterate; the figure in the least developed countries rises to 79% of adult women. In Africa, 64% of
women cannot read or write. In absolute numbers, the vast majority of women who cannot read and write is
concentrated in Asia; illiterate women in this region account for over 77% of the world total (United Nations

These figures do not include the percentage of women who are functionally illiterate, i.e., they possess basic literacy
skills that are not sufficient for full functioning in society. The United States Department of Education has acknowl-
èedged that 20% of Americans aged over 17 (27 million people) are functionally illiterate. Counting functional illiter-
ates is a difficult task, but educators estimate that more women than men are functionally illiterate.

Literacy is fundamental in the overall process of women's empowerment, raising their analytic skills and
opening to them the storehouse of information and knowledge they have long been denied. Literacy also
becomes a vehicle for creative self-expression so that women can give voice to the stories, songs and
poems that have never been heard beyond the family circle.
Female Illiteracy: Causes and Effects

Reasons for female illiteracy include:
• Lower social status of women and girls
• Less access to education
• Longer working hours for women and girls, both inside and outside the home
• Lower income
• Less property
• Family and community emphasis on education of sons and discrimination against girls in the family
• Cultural or traditional restraints that require young women to stay in the home
• Curriculum and teaching methods irrelevant for girls and/or inappropriate for local culture
• Considerable distances between home and school
• Lack of child care.

In most communities, rates of illiteracy and functional illiteracy are likely to be highest among ethnic and racial minorities and the disabled. Thus, failure to combat the problem also perpetuates discrimination based on race, ethnicity and disability.

The effects of illiteracy or functional illiteracy on women and girls include:
• Unemployment
• Poverty
• Crime and imprisonment
• Teenage pregnancy and young marriages
• Prostitution
• Poor health
• Perpetuation of family and community discrimination against girls in education.

All of these effects contribute to continuing illiteracy, thus making illiteracy a self-perpetuating cycle. As increasing numbers of women support their families, their lack of education leads to poverty and limited opportunities for children. For example, 65% of female heads of households living in poverty have not completed secondary level education, compared with 44% of males in a similar situation, while 40% of single mothers have completed less than eight years of schooling (adapted from Bailara, Marcella, *Women and Literacy*, London: Zed Books, Ltd., 1991, p. 10).
Exercise 3: I Can’t Read It!

Objective: To understand the personal impact of illiteracy on negotiating life
Time: 15 minutes
Materials: Copies of “Asylum Application” (below)

1. Imagine/Write:
Ask participants to imagine the following:
After a terrifying five-day journey through a war zone, you and your four children cross the border of a neighbouring country, where officials are already overwhelmed by thousands of people like yourself. You need a place to live and some way to care for your family. Someone hands you this sheet of paper. This is, in fact, an application for asylum, without which you cannot stay or receive assistance. You have five minutes to complete it.

**ASYLUM APPLICATION**

1. APPELLIDO: ____________________________ |
2. PRIMER NOMBRE: ________________________ |
3. FECHA DE NACIMIENTO: __________________ |
4. PAIS, CIUDAD DE RESIDENCIA: ____________ |
5. OU GENYEN FANMI NE ETAZINI? ____________ |
6. KISA YO YE POU WOU: ___________________ |
7. KI PAPYE IMIGRASYON FANMI OU YO GENYEN ISIT: __________________________ |
8. KI LAJ OU? ___________ KI SEX OU? __________ |
   □ WI  □ NON  |
9. ESKE OU ANSENT? □ WI □ NON |
10. ESKE OU GEN AVOKAWI □ NON |
11. NON-AVOKA-W? __________________________ |
12. HA RECIBIBO ALGUNOS PAPELES DE LA MIGRA? CUALES SON? __________________________ |
13. OU JAM AL NAHOKEN JYMAN? □ WI □ NON |
14. CANTIDAD DE FIANZA: ____________________ |

(Adapted from Uprooted: Refugees and the United States, David Donahue and Nancy Flowers, Almeda, CA, Hunter House, 1995, p. 20)

2. Discuss:
Ask these questions about the experience in step 1:
• How did you feel and what did you do when you saw the form?
• This form is an application for refugee status written in Haitian Creole, a blend of French and Spanish. Over 80% of refugees are women and their children. What impact does the lack of education have on illiterate women who become refugees? On their children? (See Chapter 9, “The Human Rights of Refugees and Migrant Women,” for a discussion of the needs of refugee women.)
• In what other crisis situations does lack of education impact women’s human rights?
EXAMPLES OF WOMEN’S LITERACY PROGRAMMES

- **Parent and Child Education programme (PACE)** in Kentucky, US, involves parents in improving their own skills as well as participating in the education of their children; parents are encouraged to board the school bus with their kids and attend school-based programmes. In some parts of rural Kentucky, providing transportation is a key to enabling attendance.

- **Literacy Volunteers of America** has developed a kit to help parents with low literacy teach their children while building their own skills simultaneously.

- **Peru Mujer**, founded in 1979 in Lima, has as its main goal the empowerment of women through popular education and its literacy programme. While the overall illiteracy rate has fallen in Peru, women’s illiteracy has been on the rise, reaching 75% in 1990, compared to a male rate of 25%. Peru Mujer includes women’s rights as the content of its literacy programme (Dasso, Elisabeth, “Peru Mujer” in *Reading: the Word and the World*, Jeanette Claessen and Lillian van Wesemael-Smit, eds., Netherlands, Vrouwenberaad Ontwikkelingscommissie, 1992).

- **Popular education**, which is designed to relate to the realities of an adult’s daily life, is conducted for women at varying degrees of literacy. For example, Latin American women’s groups use popular education to mobilize, organize and educate women, especially poor and working class, about their rights under the newly democratic constitutions in countries such as Brazil, Argentina and Chile (Jeanette Claessen and Lillian van Wesemael-Smit eds., *Reading: The Word and the World*, Netherlands, Vrouwenberaad Ontwikkelingscommissie, June 1992, pp. 124-130).

- In Brazil, the women’s group **Rede Mulher** has developed workshop techniques that specifically integrate illiterate women by using oral group presentations, songs, dances, and puzzles, as well as traditional children’s games to illustrate concepts (Growing Together: Women, Feminism and Popular Education, Network for Women and Popular Education of the Latin American Council on Adult Education and Isis International, Rome, Italy, 1988).

BEYOND LITERACY: EDUCATING FOR THE NEEDS OF GIRLS AND WOMEN

Around the globe, fewer girls enter primary school than boys. In each successive year of education, fewer and fewer girls remain. Only a fraction of the women in most countries ever reach higher education levels and have a chance of a professional degree.

Why do girls drop out? A 1994 study in Africa found these factors:

- Negative parental attitudes stemming from cultural practices and value systems, including early marriage and childbearing
- High cost of education, especially in countries forced to cut school expenditures because of structural adjustment programmes (See Chapter 10, “Women’s Human Rights in the Economy,” for more information on structural adjustment programmes)
- Poverty that makes a girl’s work essential to family survival
- Sexual harassment both within and outside the school environment, with resulting parental fears for their daughters’ safety and the family’s honour
- Schoolgirl pregnancy
- Girl-unfriendly pedagogic styles and physical facilities
- Curriculums that are rigid and irrelevant to girls’ experience.

(Girls and African Education: Research and Action to Keep Girls in School, Forum for African Women Educationalists, Nairobi, 1995.)

Most educational systems are designed for students who can attend school all day during the school year for at least 10 consecutive years. In addition families are often required to pay for school fees, books and uniforms. Such systems exclude poor children, especially girls, who often must work alongside their parents for family survival. In cultures where early marriages are customary, girls are usually withdrawn from school before they can achieve literacy or fully develop other skills. The costs of girls dropping out are very high; they become trapped in poverty and powerlessness with few skills and little hope for change.
What is needed worldwide are flexible structures to extend educational opportunities to out-of-school women and girls, especially those such as teenaged mothers, girls at home, the disabled, those living on the streets and those displaced and affected by armed conflict, all of whom receive low priority in national programmes.

Women face many obstacles to continuing education, however. Because most women are overworked, few have the leisure to attend training programmes on an extended basis. Educational opportunities need to be close to home and to accommodate their children or work in conjunction with child care programmes. Another obstacle is the opposition of husbands. For example, at a workshop on land reform and women's issues, rural South African women cited abuse from their husbands as a principal fear. The men were antagonistic “because we [women] came here to learn about our rights,” and many reported either being forbidden to attend or beaten because they dared to do so (Hlomelikusasa, Janine Hicks et al, Women’s Rights as Human Rights: A Training Manual, “Skills for the Future,” Community Law Centre, Durban, South Africa, 1995).

However, community-based programmes that offer health care and other social services can also provide women of all ages training programmes in literacy and nontraditional vocational skills, as well as gender awareness, legal information and other knowledge that can enable them to assume control of the resources they generate and to understand their options in family life, vocations and social relations. The key to such forms of popular education is flexibility and availability.

POVERTY AND EDUCATION

Catalina’s Story

Catalina is a Guatemalan Indian who is the youngest in a family of six children. Although none of her siblings finished grade school, her father urged her to continue her studies, seeing it as something prestigious and a good business investment. He also did it “as an expression of love,” says Catalina. After high school, Catalina’s family made an extra effort to get money to put her through a college preparatory institute so that she could go to the university. Here, however, Catalina’s dissatisfaction with her education began. Institute attendance meant leaving her village, family and friends. Her fees, she knew, drained the resources of her family, and it hurt her knowing that her brothers and sisters worked hard everyday while she studied. At the institute for the first time she began to experience racism. “The teachers and the non-Indian students thought of us as second-class...My preparation was deficient since the teachers in our village school had been poorly prepared. It was hard for me to reach the level of the others.”

After leaving the preparatory institute, Catalina found that her father couldn’t continue to pay for her studies. On her own, she signed up to study medicine at San Carlos University, where she became aware of how few Indians at the university level and fewer still would ever attain a degree. It was as if, she said, “we Indians are trapped in a huge net and we cannot get out.” In order to support her studies, Catalina had to work in a restaurant and open a small business to sell hand-woven blouses made by women in her village. Eventually this pace exhausted her. She finished the year, but switched from medical school to study secondary education, which required two years less.

After her studies, Catalina taught in village schools where her pupils were forced to speak only Spanish, as their indigenous languages were forbidden, and where, compared to schools in wealthy areas, supplies were almost nonexistent and teacher preparation poor.

Catalina ends her tale reflecting that, while her father had wanted her to study so that she could help her village, “He didn’t know what suffering a little knowledge brings with it...When I am depressed, I think it would be better to be illiterate...When I am optimistic, I dream that one day all of us will know more than just reading and writing.”

### Exercise 4: Bringing Education to All Women

**Objective:** To understand the educational needs of out-of-school women and strategize how to meet them

**Time:** 60 minutes

**Materials:** Chart paper and markers or blackboard and chalk

1. **List:**
   Divide a sheet of chart paper into two columns. Ask the participants to identify categories of out-of-school women and girls in their community who could benefit from education, whether formal or non-formal. How could Catalina (see box above) benefit from non-formal education? Write their answers in the first column labeled “Who Needs Education?” Next to each group, write in the second column labeled “What Kind of Education?” the kinds of learning that the group would wish for or benefit from.

2. **Discuss:**
   Divide participants into small groups. Ask each group to select a category of women from their list and design a popular education programme for them. Alternatively, the whole group can select one category to work on and then develop the separate parts of the programme in small groups.

Suggest the following guidelines:
- What are the educational needs of this group of women? Do not limit your thinking to “school subjects” or “school room” settings and hours.
  Determine what subjects this model programme will offer. How will you know if the women need these subjects? How can you justify these subjects to the women in the community? To their husbands? To the authorities? To possible funders?
- What methods will you use to make learning relevant and effective for these women?
- Consider the logistical problems women may have in attending, such as scheduling, transportation, and child care. How can your programme accommodate their needs?
- Consider the personal problems women may have in attending, such as spousal or parental opposition, fear of embarrassment, self-doubts and community criticism.
- Are there community organizations with which they might ally themselves to reach and teach out-of-school women?
- Give your model programme an attractive name and devise a 30 second TV or radio announcement to advertise the programme. What strategies are needed to attract women to the programme?

3. **Report/Analyze:**
   Ask each group to present its radio/television announcement and a spokesperson to describe the model programme her group has developed. Compare these presentations:
   - What were viewed as the most important subjects to teach?
   - What methodologies seemed appropriate for this learning situation?
   - What were the greatest logistic and personal problems?
   - What community resources and strategies did the group identify?

4. **Discuss:**
   - What is the role of women in bringing these educational opportunities to other women?
   - How will this educational programme further women’s human rights?
EXAMPLES OF GENDER DISCRIMINATION IN EDUCATION IN THE US

• A recent study by the American Association of University Women showed that girls are systematically excluded from equal education through stereotyping and prejudice. Boys are preferred over girls in subjects such as math, science and technology.
• Studies show that boys receive more attention than girls from teachers. Teacher response to girls is more likely to reinforce the importance of appearance or behaviour of girls while it stresses ability and performance for boys.
• Research shows that in primary reading books, the most frequent activity portrayed for girl characters is watching boys take action.

(Sadker, Myra and David, Failing at Fairness: How America’s Schools Cheat Girls, NY: Charles Scribner’s Sons, 1993; How Schools Shortchange Girls, American Association of University Women, 1992.)

GENDER ROLE STEREOTYPING IN EDUCATION

Access to education alone is not sufficient to fulfill girls’ human right to education. Girls and women also may face discrimination in the education system: schools, special programmes and training programmes open only to boys and men; higher paid, higher status teaching positions open only to male educators; and testing methods biased in favour of boys (e.g., questions that reflect the interests and vocabulary of most boys). In most parts of the world, female teachers predominate at the primary level, yet women are generally underrepresented in higher status, decision-making posts in education, especially at universities. Not only do female students need positive role models, but female teachers may also be better able to address the needs of female students.

School programmes can be one of the primary vehicles for reinforcing gender role stereotyping, the expected roles of men and women that society imposes from infancy onward. School books often portray boys as big, brave, active, adventurous and clever people who take action as leaders, explorers and inventors; girls, on the other hand, are small, modest, sensitive, cautious and beautiful, playing traditional reproductive and care-giving roles. The stereotypes of boys in some countries encourage boys to study the sciences, while the stereotypes of girls make them fearful of subjects, like math and science, that they perceive as being too difficult for them, thus reinforcing girls’ sense of inadequacy.

However, properly designed school programmes could reverse the sex-role stereotyping and combat discrimination against girls and women. The 1995 Beijing Platform for Action explicitly recognizes the importance of combating gender role stereotyping: “The creation of an educational and social environment...where educational resources promote non-stereotyped images of women and men would be effective in the elimination of the causes of discrimination against women and inequalities between women and men” (Beijing Platform for Action, ch. 4, B.69).

But many teachers are not themselves conscious of the discrimination that women as a group face, and because they do not perceive it they are not able to challenge damaging stereotypes in educational material, career options available to girls, and school environments that may discriminate. (See discussion on gender stereotypes in Chapter 3, “Women’s Human Rights in the Family.”)

From early childhood girls are socialized to accept the ideology of male supremacy that makes them prey to a range of discriminatory practices. Thus women and girls are not only ill-equipped to identify or confront the injustices to which they are subjected, but lacking any alternative models of behaviour, they actually reinforce and pass on to their children cultural values that are harmful to women. For this reason women need powerful social, cultural and economic support to develop a sense of self-worth and encouragement to transmit this sense of women’s value to the succeeding generation. (See Chapter 6, “The Human Rights of Young Women and Girls.”)
**Exercise 6: Gender Role Stereotyping**

**Objective:**
To examine gender role stereotyping in education and the community

**Time:**
45 minutes

**Materials:**
Sample textbooks

1. **Role-Play:**
   Read aloud the following scenario:
   
   *You have a small daughter who is just beginning to learn how to read in school. When you are helping her with her school work, you notice that her book is about a boy and his sister. One story tells about the boy's hike in the mountains and his discovery of a secret treasure. The next tells about the girl's trip to her grandmother's house in the village where she learns how to cook.*

   Ask the participants to do the following:
   - Discuss what this story tells us about male and female behaviour.
   - Role-play how they would discuss these stories with their daughters.
   - Role-play how they would discuss these stories with the teacher or school principal.

2. **Discuss:**
   Ask participants to remember some of their elementary school teachers, texts and activities. What ideas about gender roles did they reflect?

3. **Analyze:**
   In advance, obtain or ask women to bring in sample textbooks used in local schools.
   Ask the participants to review them and answer these questions:
   - Identify the male and female roles depicted in the textbooks. Could they be changed to present more choices for male and female behaviour? If so, how?
   - Count the number of pictures of males and females in any section. Compare the ways male and females are depicted.
   - If one of the books is an anthology of stories or poems, compare the number of males and female authors. The number of male or female protagonists.
   - Especially note the math and science texts. Are girls pictured at all? Are they actively engaged or watching boys perform experiments or manipulate equipment? Note the word problems: Does the subject matter include material familiar to girls as well as boys?

4. **Discuss:**
   Ask these questions about gender stereotyping:
   - Were you aware of stereotyping in textbooks when you were at school?
   - How can education be used to combat gender role stereotyping?
   - What can women do to make these changes at both the local and national levels?
SEXUAL HARASSMENT IN SCHOOLS

Harassment on the basis of sex constitutes impermissible discrimination and interferes with a student's right to education. Unwelcome sexual advances, requests for sexual favours and other verbal or physical conduct of a sexual nature constitute sexual harassment.

The laws on sexual harassment vary from country to country, but usually such conduct is illegal under the following conditions:

1. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's status in a class, school programme or activity;
2. submission to such conduct is used as the basis for academic decisions affecting the individual, including, but not limited to, grade or academic progress; or
3. when the conduct has the purpose or effect of interfering with the individual's academic performance, or of creating an intimidating, hostile or offensive educational environment.

The basic point to remember is that sexual harassment is unwanted, unsolicited or undesired attention of a sexual nature. In most countries, sexual contact with a minor is illegal whether consensual or not. Sexual harassment is a breach of the trusting relationship that normally exists between a teacher and a student. One student can also harass another, and educators have an affirmative obligation to try to prevent this abuse.

Sexual harassment can be exhibited both verbally or physically. Examples of sexual harassment in schools include: unwelcome sexual innuendos, suggestive or insulting sounds, humor and jokes about sex, implied or overt threats and unwelcome patting, pinching or touching.

SEXUAL HARASSMENT IN SCHOOLS: NKO'S STORY

Nko has come to the university from a small village in Nigeria. In an attempt to fit in, she tries to become more modern. She wears her hair in a new way and wears her head scarf much less.

One day an important professor, Professor Ikot, wants to see her. When she gets to his office she finds four male students there. Staring at her, they comment on how different she looks. Professor Ikot then announces, to Nko's great surprise, that her work is to be supervised by him. The male students give Nko another curious long look and leave. One student comments, "I wonder how beautiful female students always manage to come up with projects so interesting that they require the dean of faculty to supervise."

This comment makes Nko feel cheap. She also realizes that word will get around the campus that she is trying to get her degree without having to work for it, simply because the dean of her department is supervising her work. She begins to worry about losing her good name. Can she both keep her name and get a degree?

Nko relaxes when the professor tries to set her at ease. He assures her that people will get used to seeing her come into his office. Discussing her work and her future plans, she finds herself talking freely. She cannot believe anyone could think she was encouraging the professor by simply taking normally and smiling at him. When Professor Ikot invites Nko to join his family on Sunday for a car trip to the nearby falls, she accepts.

On Sunday, the professor picks Nko up and they head for his apartment to gather his family. Once there, his steward tells him that his wife has left to visit her mother. The professor already has the car started before announcing, "I'll show you the falls myself." On the way, Professor Ikot makes a number of sexual remarks to Nko. Now she realizes that this trip has been planned. Her first impulse is to open the car door and jump out. Then she decides that she is not going to kill herself for anyone. Nko remembers the sheltered world of her youth when she was a "silly romantic village girl." She remembers her mother's caution about men's duplicity. Nko now knows that the professor will soon be saying, "If you don't sleep with me, you don't get your degree."


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EXERCISE 8: NKO’S STORY

Objective: To strategize ways to combat sexual harassment in education

Time: 60 minutes

Materials: Copy of “Nko’s Story” (above)

1. Read/Discuss:
   Read “Nko’s Story” (above) aloud, or ask participants to do so. Ask:
   • Did Nko do something wrong? [Note to Facilitator: Point out that individual behaviour and societal attitudes, not Nko herself, are at fault.]
   • Who is the violator in the story?
   • What should she do now?
   • What are the contributing causes?
   • Do they think Nko’s experience, or one like it, could happen in a school in their community?
   • What does a school or university need to do to protect girls from the type of sexual harassment described in this story?

2. Write:
   Ask the participants to draft the main points of a policy on sexual harassment for a school or university in their community. Who should be responsible for setting such standards on sexual harassment?

THE ROLE OF AUTHORITIES

Governments and social, cultural and community institutions can greatly affect the education of women and girls. As with other human rights discussed in this book, authorities can act directly and indirectly, influencing the media and using both culture and tradition to mould decisions and to sanction female students who do not comply. Governments have specific obligations: to open school doors to girls and women, to promote women’s literacy and to provide equal educational opportunities for both male and female students. However, beyond this initial step of access and equal opportunity, governments can also play a role in promoting education as a tool for advancing equality, for breaking down discriminatory practices and for promoting positive images of women and girls.

Traditional and cultural practices need not present a roadblock to access to education for women and girls. Under national, regional and/or local laws, states have the obligation to respect the human rights to education in all circumstances. Governments may violate these principles when they turn a blind eye to traditional practices that interfere with the human right to education. Alternatively, governments can work with communities in a positive way, promoting education for female students while still respecting local culture.

STRATEGIES FOR ACTION ON WOMEN’S EDUCATION

- Insure access by girls and women to education and improve the quality and relevance of that education for them.
- Eliminate gender stereotyping in textbooks and school curriculums.
- Set specific targets and time-frames to progressively reduce the gender gap.
- Establish schools and learning centres within walking distance of girls’ homes.
- Recruit more women teachers.
- Campaign to elicit parental support and participation in education.
- Make more efforts to enroll adolescent wives and mothers in basic education programmes. Provide day care facilities.
- Adopt innovative programmes to combine learning with income earning for out-of-school girls and women in poor communities.

(UN Public Information Department, “Literacy: A Key to Women’s Empowerment,” from Press Kit for the Fourth World Conference on Women, Beijing, China, 1995)
Exercise 9: The Role of Government vs. the Role of Tradition

Objective: To define the responsibility of government for the promotion of girls' education and to strategize action to further that role.

Time: 45 minutes

Materials: Copies of “Case Study: The Girls of Tula” (below)

1. Read:

Case Study: The Girls of Tula

In the village of Tula, girls older than the age of 13 rarely attend school. Some parents forbid them to attend; others simply do not encourage their girls. Less than 10% of the graduates from secondary school in Tula are girls. Only one girl has ever attended the university, and when she came back to the village, no man would consider marrying her as they assumed she had lost her virginity while in the city. Girls in Tula are expected to marry young, to stay at home and to bear many children, particularly sons.

2. Role-Play:

Divide participants into small groups. Read the following scenario and ask them to use it to develop a role-play:

Scenario: You are an educator speaking to Tula community members about the importance of education for girls. What could you say to different groups to encourage keeping girls in school? How might they respond? Suggested roles: student, parent, head of family, teacher, local legislator and local religious leaders.

3. Imagine/Discuss:

Ask the participants to imagine: You are a girl of 15 in Tula. You want to go to school, but your parents won’t let you. What do you do? How could and should the government help you?

- Should the government force parents to send their older girls to school?
- Should the government fund “outreach” educators to explain the importance of education to members of the community?
- What other tactics could the government use in the community? In the school? In the university?

4. Discuss:

Ask these questions about girls' education in the local community:

- Does your community value equally the education of boys and girls?
- Do more girls than boys drop out of school or attend irregularly? If so, at what age? For what reasons?
- Are government authorities doing anything to correct or challenge the problem? Are people in the community doing anything?

Education as a Human Right

The right to education is recognized in many national, regional and international laws:

- Signatories to the Convention on the Rights of the Child (CRC) must “recognize the right of the child to education,” including “primary education compulsory and available free to all, secondary education available and accessible to every child,” and “higher education accessible to all on the basis of capacity” (Article 28).
- The International Covenant on Economic, Social and Cultural Rights (ICESCR) similarly recognizes “the right of everyone to education,” stating that “education shall be directed to the full development of the human personality and sense of its dignity” (Article 13).
- The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) prohibits discrimination in education: “States parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights within the field of education” (Article 10).
Obstacles to education may prevent women from exercising other human rights:

- **Political participation and voting**: Illiterate women may be unable to understand the process and/or what the political parties stand for; illiterate women are far less likely to be candidates for office or to be active in political parties, especially at high levels.

- **Health care**: Illiterate women may be less able to learn about where to access health care (see below for further development of this theme).

- **Employment**: Illiterate women may be unable to apply for skilled jobs; they cannot read information about potential positions or fill out a job application.

- **Legal capacity and property ownership and right to contract**: Illiterate women cannot read contracts or the papers needed to buy or sell property or to manage a business.

- **Non-discrimination and equality**: In many societies, disabled, migrant and racial and ethnic minorities are disproportionately represented among the poor, unemployed and illiterate; thus a lack of educational opportunities for women and girls perpetuates inequalities and discrimination in these groups.

### THE BEIJING PLATFORM FOR ACTION AND EDUCATION

The *Beijing Platform for Action*, a statement of intentions on the part of government representatives at the Fourth World Conference for Women in Beijing, 1995, recognized education as a basic human right and an essential tool for achieving more equal relations between women and men. It recommended investing in formal and non-formal education and training for girls and women as one of the best means of achieving economic growth and development that is both sustained and sustainable.

The *Platform for Action* proposes these strategic objectives:

- Ensure equal access to education
- Ensure the completion of primary education by at least 80% of children, with special emphasis on girls, by the year 2000
- Close the gender gap in primary and secondary education by the year 2005 and achieve universal primary education in all countries before the year 2015
- Reduce the female illiteracy rate, especially among rural, migrant, refugee, internally displaced and disabled women to at least half the 1990 level
- Eradicate illiteracy among women worldwide
- Improve women’s access to vocational training, science and technology, and continuing education
- Develop non-discriminatory education and training by developing and using curriculums, textbooks and teaching aids free of sex-stereotyping for all levels of education
- Allocate sufficient resources for and monitor the implementation of educational reforms
- Maintain or increase funding levels for education in structural adjustment and economic recovery programmes
- Promote lifelong education and training for girls and women, and create flexible educational programmes to meet their needs.
DEFINING WOMEN'S HUMAN RIGHT TO EDUCATION

Exercise 10: Making Your Own Law

Objective: To develop a law to protect women's human right to education. To assess the protection of women's education included in CEDAW

Time: 60 minutes

Materials: Chart paper and markers
          Copies of Article 10, CEDAW

Write, Read, Discuss:

Step 1: Divide the participants into small groups to write their own law that would protect women's human right to education. The law should be as specific as possible. Should this be international law? National or local law? All three?

Note: Groups could use the charts “Analyzing Human Rights Problems” and “Implementing Human Rights Strategies,” pp 203 - 204 to examine this issue.

Step 2: Distribute and read the provisions in Article 10 of CEDAW which relates to education.

Step 3: Ask the groups to compare their new law to Article 10 of CEDAW.
          • How are they the same
          • Would they now change their law? If so, how?
          • What changes or additions would they recommend

Step 4: Ask Groups to present their laws. Discuss:
          • In what ways would the government need to change? How can women influence this change?
          • In what ways could the government support and enforce your law?
          • In what ways do religion, culture, tradition, custom and habit currently limit the rights contained in your law? In what way would these things need to change? How can you influence that change?
          • In what ways do religion, culture, tradition, custom and habit currently support and enforce your law?
          • In what ways do you and/or your family limit the rights contained in your law?
          • In what ways would you and/or your family need to change? Are such changes possible?

Step 5: Discuss what it would really take for these new laws and/or CEDAW to become a reality in this community. Strategize actions that individuals and groups might take to make this happen. List the strategies that the majority can agree upon.
Appendices

I. ANALYTICAL CHARTS
   —Analyzing Human Rights Problems
   —Implementing Human Rights Strategies

II. METHODOLOGIES FOR EDUCATORS AND FACILITATORS
   —Guidelines for Facilitators
   —Planning a Workshop on Women’s Human Rights
   —Ten Building Blocks for Workshops

III. USING HUMAN RIGHTS SYSTEMS AND MECHANISMS
     —Questions and Answers
     —A Profile of Procedures Under CEDAW
     —Additional Resources

IV. SELECTED UN DOCUMENTS
     —Universal Declaration of Human Rights (UDHR)
     —Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)
     —Summary of the Convention on the Rights of the Child (CRC)

V. GLOSSARY OF HUMAN RIGHTS TERMS
Appendix I.

**ANALYTICAL CHARTS**

The following two charts may be used to analyze human rights problems and to work towards solutions. Here are three ways to use them in conjunction with this book:

- **Individuals** reading the book alone may refer to them at the conclusion of every chapter.
- **Facilitators** and teachers may incorporate them into their training.
- Anyone concerned with a specific human rights problem may use them to analyze the problem and design an action plan.

### Specific Instructions for Each Chart

The first chart, "Analyzing Human Rights Problems," links responsibilities to action plans. Use the chart by answering the numbered questions in order:

1. Fill in Question 1 at the top, identifying the human rights violation(s).
2. For Questions 2-4, check the boxes that apply, locating all actors that both contribute to the violation and to potential solutions. You will see that you are asked to consider whether actors contribute to human rights problems through both their actions and their failure to act.
3. For Question 5, list all the strategies that may be undertaken for the actors listed across the top of the box.

The second chart, "Implementing Human Rights Strategies," lists horizontally across the top of the page the variety of actors that may play a role in creating and implementing human rights strategies. It lists vertically some of the various types of strategies that could be used to address a specific human rights problem. Use this chart by filling in specific actions different actors (as listed across the top) can take with regard to each strategy. You may add to both columns as you consider other actors and strategies.

To use these charts with a group, reproduce them as overheads or copy them on large sheets of paper.

#### CHART ONE: ANALYZING HUMAN RIGHTS PROBLEMS

<table>
<thead>
<tr>
<th>1. What is the violation?</th>
<th>FAMILY</th>
<th>RELIGIOUS/MEDIA INSTITUTIONS</th>
<th>BUSINESS INTERESTS</th>
<th>OTHER COMMUNITY ACTORS</th>
<th>STATE AUTHORITY</th>
<th>REGIONAL AUTHORITY</th>
<th>INTERNATIONAL AUTHORITY</th>
<th>PARA-MILITARY/MILITARY</th>
<th>OTHER</th>
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</table>

2. Who or what is the violator?

3. How is the violator responsible?
   a) action*
   b) inaction

4. Where can resources be found for solutions or remedies?

5. List all the strategies** you can take under each category

---

* Action means cases where the violator did something; inaction is where the violator could be responsible for failing to do something.

** These strategies can be expanded to list specific actions and steps using the "Implementing Human Rights Strategies" chart on the next page.

**NOTE:** Reproduce on a larger scale for use with groups.

**INSTRUCTIONS:** Use this chart by answering the numbered questions in order: (1) Fill in question 7 at the top; identifying the human rights violations. (2) For questions 2-4, check... (3) For question 5, list...
### CHART TWO: IMPLEMENTING HUMAN RIGHTS STRATEGIES

<table>
<thead>
<tr>
<th></th>
<th>FAMILY</th>
<th>RELIGIOUS/MEDIA INSTITUTIONS</th>
<th>BUSINESS INTERESTS</th>
<th>OTHER COMMUNITY ACTORS</th>
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<th>REGIONAL AUTHORITY</th>
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<td>Litigation/Legal</td>
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<td>Organizing/Networking</td>
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<td>Protest/Public Action</td>
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<td>NGO Tribunals/Hearings</td>
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<td>Mobilization/Petition Campaigns</td>
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**NOTE:** Reproduce on a larger scale for use with groups.

**INSTRUCTIONS:** Use this chart to plan actions by listing what different actors (listed horizontally) can do in various types of strategies (listed vertically).
METHODOLOGIES FOR EDUCATORS AND FACILITATORS

How concepts are presented profoundly influences the way they are understood. This fact is especially true when the subject is about human rights and human dignity. An inappropriate method can negate the message and generate distrust and disillusionment. Both practical considerations, such as the way women sit together, as well as intangible aspects, such as the establishment of trust and mutual respect among a group, need careful consideration.

On the other hand, teaching and learning happens between human beings, and both teachers and learners are subject to constant change. Sometimes no amount of planning and tact can prevail over bad "chemistry," and this week's successful activity may evoke boredom or resentment the next. Patience, flexibility and commitment are essential: try again with another strategy.

Although no manual can bestow the perceptiveness and creativity that characterize great teachers, the following methodologies, strategies and suggestions can help to make all facilitators more aware, more resourceful, and more likely to truly help bring about learning.

These recommendations for successful women's human rights education are organized around three topics:

I. Guidelines for Facilitators
   II. Planning a Workshop on Women's Human Rights
   III. Ten Building Blocks for Workshops

I. GUIDELINES FOR FACILITATORS

• Clarify what you mean by "women's human rights."

We use the phrase "women's human rights" to emphasize human rights principles of universality and inalienability, non-discrimination and equality, interconnectedness and interrelatedness. (See Chapter 2, "Women's Human Right to Equality and Non-Discrimination.") Explain that you use "women's human rights" instead of just "human rights" to emphasize that rights are not gender neutral: both human rights abuses and their solutions have a gender element. Simply put, women experience human rights violations differently from men and the solutions needed for such violations must be crafted to address their concerns.

At the outset define and discuss what you mean by women's human rights. You may want to use concrete examples such as these: A man assaults his wife, police rape a woman prisoner, a business pays female workers less than its male counterparts, a girl is denied the education, health care, or even the amount of food her brothers receive. Such acts of violence or discrimination are human rights violations. Too often, however, they are dismissed as "private matters" beyond the concern of civil authorities. However, these are human rights issues that concern all women everywhere.

• Introduce human rights law as a "work in progress."

International law may seem intimidating, yet everyone has a right to know their human rights, and such knowledge can be empowering. In this text, the Universal Declaration of Human Rights (UDHR), the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Beijing Platform for Action are the fundamental documents for giving women some idea of existing international standards.

However, these documents should not be presented as "perfect" or "settled." Women should be encouraged to examine and question everything. The facilitator may point out that women's participation and gender perspective in the drafting and enforcement of international documents has been far
from perfect. Moreover, not all groups of women have been addressed. Participants should consider how these documents might have been different if all women's concerns had been represented and respected. Above all, consider how the existing documents can be interpreted in a manner that would best address women's concerns.

Human rights law is dynamic and evolutionary. Each of these international documents resulted from the efforts of men and women around the world to formulate moral principles of justice and human dignity. And the ongoing participation of all people is needed for it to continue to develop. As social conditions change, new human rights law may be developed in response to new needs and existing law interpreted to reflect changed realities. Political activism on the part of ordinary citizens is essential to this process: articulating principles, building consensus, monitoring the free exercise of these rights, and protesting when they are denied. At every level in this process, women will be the best spokespersons and active agents for their human rights.

- **Avoid simple answers to complex questions.**
  Learning about human rights raises difficult questions about human behaviour and cultural norms and often involves complicated answers about why women have been denied their rights. Be cautious of oversimplifications, especially of reducing the responsibility for violations to one or two causes. Remember that the experiences of women vary according to numerous factors including geography, race, ethnicity, nationality, age and sexual orientation. Encourage women to contemplate the various factors which contribute to their experience. Workable strategies for improving conditions can only evolve from thorough examination of the problem.

- **Affirm the individual woman's experience.**
  Provide a receptive situation for women to describe their own experiences and use these as the basis for learning about human rights. Make explicit links between a woman's personal experience and women's human rights issues; when possible connect the issue with specific articles in the UDHR and CEDAW. Give examples of individuals and groups who have successfully claimed rights for women. If possible, use examples from your own community.

- **Avoid comparisons of pain.**
  Just as human rights are indivisible, each being essential to the whole, so violations against women should not be evaluated on a scale of suffering. An insult to a woman's human worth or limitations placed on her full potential are as much a human rights violation as a physical assault on her person. No one should assume that the suffering of one woman is greater than that experienced by women in other circumstances.

- **Strive for precision of language and discourage stereotypes.**
  Any study of human rights touches upon nuances of human behaviour. Resist the temptation to overgeneralize and thus to distort facts or limit ideas about effecting change (e.g., "that's just the way men are"). How ethnic groups or social clusters are labelled and portrayed has a direct impact on how they are perceived (e.g., "Asian women won't speak up"). When necessary, remind participants that although members of a group may share common experiences and beliefs, generalizations about them need modifying or qualifying terms (e.g., "sometimes,""usually,""in many cases").

- **Reduce hierarchical approaches.**
  Every aspect of a human rights workshop (e.g., how participants are invited to attend, how food is distributed, how participants and facilitators are introduced) should reflect non-hierarchical, inclusive, and democratic principles. For example, facilitators should sit among participants, avoiding a podium or "frontal presentation." Allow opportunities for participants to disagree with each other and to arrive at and maintain positions different from the facilitator's. While an occasional guest speaker can add interest, in general avoid situations were people listen passively to "human rights experts."

- **Be responsive to concerns about inclusiveness.**
  Be concerned that both the content and teaching process show respect for human dignity and differ-
nce. All aspects of the workshop should reflect a diversity of perspectives (e.g., racial, class, regional, sexual orientation, cultural/national traditions) and consider the special needs of participants (e.g., physical disabilities, child care, etc.). For example, unless the participant group is known to be uniformly well educated, leaders should offer attractive alternatives to all reading and writing activities. Written material could be read aloud. Appealing alternatives to written expression could be collage making, tape recording, or oral presentations. Similarly while all written materials should be accessible, they should in no way patronize the participants' intelligence.

• **Do your homework.**
Supplement this book by finding out about relevant national and local law affecting women's human rights. Bring in current and historical examples of human rights issues in the local community.

II. **PLANNING A WORKSHOP ON WOMEN’S HUMAN RIGHTS**

• **Adapt activities and agenda to the needs of the group.**
Never follow any exercise in this book as it is written! Adapt to suit the particular group. Furthermore, be willing to throw away your carefully prepared agenda to respond to the needs and interests that emerge from the workshop or class.

• **A series of short workshops is better than one long workshop.**
Learning about women's human rights is not just a matter of information; it engages the emotions as well as the intellect. Most people need some time to absorb, reflect upon, and assimilate the ideas and emotions that a workshop may stimulate. Bringing a group together several times fosters growth and permits participants to share their changing perspectives and develop ongoing, supportive relationships.

• **Consider carefully the experiences and needs of participants.**
Think about what participants might need in order to be able to attend a workshop (e.g., free time, child care, family approval, transportation) and try to meet those needs. When planning and presenting the workshop, consider the participants' background, educational level, learning style, sexual orientation, race, ethnicity, age, geographic location, and context of their participation. What are their particular human rights concerns?

Often the setting, timing, or situation of the workshop or immediate factors in the participants' daily lives may influence their responses. Participants in a refugee camp, prison, homeless shelter, or battered women's hostel, for example, may be under great emotional stress. Similarly the group may be responding to a recent incident or political situation. Meet in a place large enough for everyone to sit in a circle so that no one is left out. Be sure that the setting is safe and culturally appropriate for everyone.

• **Be respectful of participants' time.**
Most people, especially women, have little leisure and many demands on their time. Don't waste it! Announce in advance when the workshop will begin and end and honour that commitment.

• **Create an atmosphere of trust and respect.**
From the start, invite participants to establish ground rules that will create a safe atmosphere for everyone. Everyone should listen to others, avoid judging, and accept all types of experience and opinions as equally "worthy." There should be no "correct answer" or "only solution." At the end of each session, re-evaluate the rules and discuss ways for improving your group.

Encourage everyone to speak. To this end, rotate facilitators and small group spokespersons. Only one person should speak at a time and anyone who does not wish to speak may pass. If you want to set time limits to prevent some from talking too much, agree to this and stick to it. You might want to choose some item, such as a "talking stick," that is passed from one participant to another, and permit only the person holding the stick to speak.
• Develop the workshop sequence from the subjective through the objective to action. 
Start broadly in a manner that engages participants personally and then becomes increasingly focused on specific issues. The workshop should move towards commitment and action with the participants addressing the following questions:
• What do I want to do in my community about abuses against women’s human rights?
• What do I need in order to move towards that goal? (Be prepared with the kinds of community information likely to be needed in organizing local action.)

• Promote participant ownership of the workshop.
Seek consensus in decisions regarding the direction the workshop should move, including consulting the group about the agenda and writing it up with their approval. Clarify the purpose or goal of the workshop, but especially in a longer workshop or ongoing course, give the group a voice in its structure, including timing of breaks and “group” expectations.

Return to the agenda often to be sure you are on the right path for the participants. Be willing to alter the agenda to meet participants’ needs. Solicit evaluation at several points, not just at the conclusion, and respond to suggestions, showing that you value participants’ feedback.

• Help participants to feel part of something larger.
Seek ways to connect the workshop to larger issues both nationally and internationally. Include a global citizenship dimension to the women’s human rights topic being examined, making clear that problems in the local community are also experienced by women in other parts of the world. Build a sense of solidarity through the realization that women across the globe are learning about and insisting upon the full realization of their human rights.

III. TEN BUILDING BLOCKS FOR WORKSHOPS

1. Discuss the goals and agenda.
   Establish from the start what participants want to gain from the workshop and what the organizers and facilitators hope to achieve. Recognize where goals may differ. Let the agenda belong to the whole group as a subject for negotiation, not an inflexible schedule. Keep it visible and refer to it at the start of each segment. Be willing to change it when necessary.

2. Take regular breaks!
   When returning from breaks, consider doing an “energizer,” such as those provided at the end of Chapter I, “Introductory Exercises.”

3. Provide some kind of warm-up activity.
   Select an opening activity that can result in some of these goals:
   • introducing all women in the workshop
   • presenting a core theme or raising a key question of the workshop
   • sharpening understanding of human rights concepts
   • creating rapport and a climate of cooperation and sharing
   • realizing the importance of the topic and stimulating a desire to learn more.
   Beware, however, of being boring or assuming too much. Evaluate carefully how well participants already know each other.
   Almost all of the exercises in Chapter I, “Introductory Exercises,” could serve as warm-up activities. Especially recommended are the following:
   • Exercise 2, “Standing Together/Sitting Alone”
   • Exercise 6, “Sex and Gender”
   • Exercise 7, “What I Like/What I Do”
   • Exercise 9, “Wheel of Equality”
   • Exercise 13, “What Must Be Done”
4. **Involve participants in a major subjective activity.**

Devote a substantial amount of time to help participants examine some issue or aspect of their personal experience in a human rights context. This might be an opportunity to formulate a personal definition of human rights or to describe an experience of human rights exercised or denied. Allow adequate time for discussion, either in small groups or as one body.

The activities in Chapter I, “Introductory Exercises,” all elicit personal responses to experience. Also each topical chapter begins with a “Getting Started” activity that introduces the chapter topic from a personal perspective.

5. **Offer at least one objective approach to the chapter topic.**

A major portion of the workshop should lead participants from personal experience to close scrutiny of relevant international human rights documents. Activities follow discussion of particular issues. Facilitators might use the discussion in the text as handouts or mini lectures.

6. **Always provide an action component.**

Help women identify meaningful, appropriate actions they could take in response to human rights abuses they experience. Include both short- and long-term actions that can provide participants with the opportunity to act on their convictions and understanding.

7. **Involve participants in evaluating the workshop.**

Evaluation of a workshop is useful for several reasons:
- to give facilitators instant feedback, both positive and negative, which helps to improve the present and future workshops
- to demonstrate that participants’ views are valued
- to provide useful data for future funders or sponsors.

Seek participants’ opinions of what they have learned and the methods used to teach them. Do not, however, wait until the end of the course or workshop. Ask often, and publicly acknowledge both criticisms and praise.

In addition to evaluating the workshop itself, participants might also use their new perspectives on human rights to evaluate their personal experiences, either in writing or in discussion. These reflections can serve to achieve a higher awareness of human rights in their lives, a feeling of solidarity with women around the world, and a sense of purposeful actions they can take to secure these rights. Plan at least an hour every day for organizers and facilitators to read the day’s evaluations together and discuss how to respond to them. Keep records of all evaluations and learn from them.

8. **Consider opportunities for reflection and self-expression.**

Having opportunities to express themselves helps participants clarify their thoughts and feelings. Some people will prefer written expressions such as journal writing, but include non-written and non-verbal expression as well. Consider using graphic arts, skits and plays, singing, dancing, and other forms of creative expression.

9. **Provide closure.**

Give every participant the opportunity to contribute a personal observation about women’s human rights issues, what she has learned or how she feels she might use the information or insight gained.

10. **Help sustain post-workshop motivation and action.**

Establish some follow-up methods by which participants can continue to see themselves as resources to each other. You may wish to use the analytical charts provided at the beginning of this appendix.
Appendix III.

USING HUMAN RIGHTS SYSTEMS AND MECHANISMS

Human rights systems and mechanisms are outlined in a question and answer format below. A brief profile is made of the procedures available under the Convention on the Elimination of All Forms of Discrimination Against Women. A resources section provides a list of World Wide Web sites and other materials on how to find international human rights documents and other practical information.

PART ONE: QUESTIONS AND ANSWERS

QUESTION: WHERE DO I GO WITH MY HUMAN RIGHTS CLAIM?

ANSWER: THREE LEVELS.

Human rights issues can be heard at three levels:
(1) National or "domestic" level—such as a country's own judicial system and special commissions set up to deal with human rights.

(2) Regional level—Africa, the Americas and Europe all have formalized judicial systems and human rights organs; the Asian system is developing at a more subregional level.

(3) International level—the organs of United Nations, affiliated bodies and other international courts and commissions.

Usually you have no choice but to start in your own country. Under most circumstances you cannot bring your case to an international level until you have exhausted every possibility at the national level.

To see whether regional systems are available to you, find out whether your country is part of a regional system. You must also ask whether individuals and NGOs can bring claims before that particular system or mechanism. To determine whether international mechanisms are available a first step is to see whether your country has ratified relevant human rights treaties. You may also be able to access the international system if you bring your claim under customary international law or some other grounds that does not require written state agreement. Again, as at the regional you should also ask whether individuals can bring cases.

QUESTION: WHERE CAN I LOOK FOR THE LAW TO APPLY TO MY CASE?

ANSWER: THREE SOURCES.

There are three main sources of international law: treaties, international customary law and general principles of law. Consider whether you can bring a claim under any or all of the three.

When people think of law, they often have in mind something that is written down and agreed upon by governments. In the international sphere, this kind of law is known as a treaty. The key to treaties is that they usually apply only to states that voluntarily agree to them.

International customary law provides another source of law. Not all laws are written down in a clear and organized fashion, however. Sometimes laws develop over time. When the day to day practice of states consistently follow norms of behaviour, over time these norms gain the status of customary international law.

A third source of international law has grown out of the general principles of law followed by state courts. This source sounds very much like customary law. However, to find general principles one looks for agreement among the unwritten and written laws of states. To find customary law, one looks at what states do on a regular basis.
THE ABCS OF TREATIES

- Treaties are also called conventions, covenants, charters and protocols.
- Treaties between two countries are bilateral treaties; between more than two, multilateral.
- What distinguishes a treaty from other kinds of law is that it does not work unless it is ratified (signed and officially adopted). This happens through a “process of ratification.”
- The process of ratification differs from country to country. In the US, for example, the President signs an international treaty but the Senate must then agree by two-thirds vote.
- When ratifying a treaty, a country can make “reservations” (exceptions) to parts with which it disagrees. This is known as “ratifying with reservations.”
- Countries are not supposed to make reservations to key sections of a treaty that would undercut the main purpose of the treaty.
- Usually states must only comply with treaties that they sign. However, if the ideas in the treaty have become almost universally followed a state may be held responsible whether it has signed or not. In these cases, we say the treaty has become a part of “customary law.”

QUESTION: HOW DO THE SYSTEMS WORK?
ANSWER: TREATY- AND NON-TREATY- BASED MECHANISMS

The array of names of conventions, commissions and courts can seem very confusing. However, although exceptions exist, you can generally assume a certain pattern of structure. The main difference is whether the mechanism you choose is a treaty-based mechanism or non-treaty based mechanism.

(1) Treaty-based Mechanisms

Modern international human rights treaties have their roots in the Charter of the United Nations and the United Nations Commission on Human Rights, the organ charged with creating and implementing an international human rights system. The General Assembly of the United Nations adopted the primary human rights document of this system, the Universal Declaration of Human Rights (UDHR), on 10 December 1948. Countries never signed the UDHR as they would a formal treaty. Still, whatever the original intent, most commentators now agree that the Declaration has become binding as part of customary international law. In other words, countries do, in fact, act as if the provisions of the UDHR were law.

The other main human rights documents are divided between civil and political rights, and economic, social and cultural rights: The International Covenant on Economic, Social, and Cultural Rights and the International Covenant on Civil and Political Rights (with an Optional Protocol to permit citizens to lodge complaints against their own government). These covenants, together with the Universal Declaration of Human Rights, are collectively known as the International Bill of Rights. They took effect in 1976.

Other major international human rights treaties are divided into topical areas. Some address egregious acts, such as torture and genocide; others promote the rights of especially vulnerable populations, such as children and refugees. The main conventions include: The Convention on the Prevention and Punishment of Genocide (1951); Convention on the Elimination of All Forms of Racial Discrimination (1969); Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) (1981); Convention on the Rights of the Child (1990); Convention Relating to the Status of Refugees (1951); Convention Against Torture and Other Cruel and Unusual Punishment (1987). Explicitly or implicitly, nearly all treaties apply regardless of sex. Regional treaties relating to human rights include the American Convention on Human Rights (1978), the African Charter on Human and People’s Rights (1981) and the European Convention for the Protection of Human Rights and Fundamental Freedoms (1953).

A particular treaty on human rights is almost always paired with a committee that has a similar name to the treaty. The committee is the body that actually gives effect to the words of the Convention. Each has a “secretariat” which usually is the place you would address requests for information. A commission usually coordinates and considers reports about adherence to its particular convention.

For example, the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) is paired with the Committee on the Elimination of All Forms of Discrimination Against Women. This
committee is charged with enforcing CEDAW and has a secretariat that provides information, including copies of public reports by states. The committee considers reports by states on how they are implementing CEDAW, as well as alternative reports by NGOs.

For some treaties, a court hears complaints of noncompliance. In a few cases a further or concurrent level of review exists in a political body. The *European Convention on Human Rights*, for example, includes both a court (the European Court of Human Rights) and a political body (the Council of Ministers).

(2) **Non-treaty-based Mechanisms**

In addition to treaty-monitoring bodies, other avenues for enforcing human rights include the complaint and/or monitoring procedures of various United Nations bodies and associated agencies, such as the United Nations High Commissioner on Human Rights (UNHCHR), the International Labour Organization (ILO), and the World Health Organization (WHO).

Gross violations of human rights can be brought to the Commission on Human Rights under the "Resolution 1503" procedure. Also, information can be sent to the Commission's various topical and geographical working groups, sub-commissions and special investigators, including the Special Rapporteur on Violence Against Women. In addition, advocates can submit individual communications to the Commission on the Status of Women.

Advocates can also bring information to the attention of other UN bodies that deal partially or incidentally with human rights, such as: the General Assembly, the Security Council, and the Economic and Social Council (ECOSOC). The General Assembly, in particular, may issue declarations that guide state policy although they lack power as binding law and enforcement mechanisms. One important example is the *Declaration on the Elimination of Violence Against Women*, adopted by the General Assembly in 1993.

The structure of the procedures under non-treaty-based mechanisms vary from the more formal (such as ILO procedures) to the less formal (such as letter writing to the Commission on the Status on Women).

**QUESTION:** WHAT KIND OF ROLE CAN I PLAY?

**ANSWER:** TWO TYPES

In order to discover the kind of role you could possibly play, you have to determine first what type of human rights procedure(s) are available. While the variety of human rights procedures can be dizzying, all procedures available to individuals or NGOs usually will fit within the following two types: (1) Complaint Mechanisms and (2) Monitoring and Reporting Mechanisms.

(1) **Complaint Mechanisms**

These types of procedures often resemble court procedures in many countries. An individual, NGO or state body submits a paper—the "complaint" or "petition"—stating: (a) what happened and to whom; (b) explaining how human rights violations occurred, who is responsible and why; (c) specifying which rights under which specific documents were violated. Sometimes only states and not individuals can make complaints. This section only discusses the possible types of complaints that could be made by individuals.

There are two types of complaint procedures: *complaint-recourse* and *complaint-information* procedures.

Under *complaint-recourse* procedures, you make a complaint for remedies for a specific grievance. For example, you could demand that you be compensated for a specific human rights violation committed against you, such as torture in prison. You deliver the complaint to the appropriate body, which depends on what level you approach and what type of claim you are making. Under this type of procedure, you continue to participate in the process much as in a court. The state may respond to your complaint and the commission or court may undertake its own independent investigation of your claim. The complaint you make is extremely important as the commission or court relies heavily upon it in considering the case. Even if you are not the one bringing the case, as part of an NGO you may participate by monitoring and publicizing the proceedings.
Under complaint-information procedures, you can make a complaint for violations affecting a large population and deliver it to the appropriate body. In these cases, you cannot demand specific remedies, but you can demand that the state change its practices. For example, you could demand that the state change its treatment of all women prisoners. Once you deliver your communication, your participation in the case stops. The proceedings then continue largely in secret, with the commission possibly contacting the state for information and conducting its own investigation. Your complaint is important as it could help trigger an investigation, but it is only part of the information before the commission on that particular issue.

(2) Monitoring and Reporting Mechanisms
Monitoring and reporting procedures do not resemble court cases. Many regional and international agreements require states to submit periodic reports on their own behaviour, explaining whether they are complying with the obligations they willingly undertook. This is like a student reporting on herself. When she is a good student, the self-criticism works, when she is not so good, there may be problems with such a system. Often the monitoring proceeds according to a regularly scheduled plan of inspection; much more rarely, the process may be triggered by advocates who point out a particularly pressing problem. Individuals and NGOs can usually review the state reports—which must be made public—and issue the NGO version of reality. In recent years, some NGOs working on women’s human rights have issued “alternative reports” to the reports their countries must submit on their implementation of CEDAW.

A successful complaint procedure usually means “winning” a claim. On the other hand, monitoring and reporting procedures are successful if they bring publicity to human rights abuses and shame governments and other human rights violators into changing their behaviour.

PART TWO: A PROFILE OF PROCEDURES UNDER CEDAW

The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) attempts to eliminate all discrimination against women, which it defines broadly as:

\[\text{any distinction, exclusion or restriction made on the basis of sex which has the purpose or effect of impairing or nullifying the recognition of enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, social, cultural, civil or any other field (Article I).}\]

Unlike other treaties, CEDAW calls for the elimination of all forms of discrimination, not just the elimination of “sex discrimination.” In other words, instead of calling for gender neutrality (i.e., the same treatment for men and women), the Convention prohibits any practices that perpetuate women’s inequality. Also unlike some other treaties, CEDAW explicitly applies to both public and private acts of discrimination.

States signatories to CEDAW are obligated to submit periodic reports on their compliance with the Convention. The Committee on the Elimination of All Forms of Discrimination Against Women is the treaty-monitoring body paired with CEDAW. It is made up of 23 experts that meet on a regularly scheduled basis, publishing their agenda in advance (available at CEDAW Web site address, below). In addition to reviewing reports of States Parties to CEDAW, the Committee issues recommendations to assist states in interpretation of the underlying themes of CEDAW.

The Committee receives less funding to meet and work than similar treaty-monitoring bodies, and it is somewhat isolated from the rest of the UN human rights system as it is not based in Geneva. Efforts to increase the meeting time for the Committee have not yet placed the committee on the same level as similar bodies, and to date efforts to add an option for individual complaints under CEDAW have not gone far. Still, individual members of the Committee have been more open to communications from individuals and NGOs, and many advocates for women’s rights have been able to use the broad mandate of CEDAW effectively.

Availability:
Only states that have signed the Convention are obliged to conform to its provisions. States need not...
comply with provisions to which they have made "reservations" (and CEDAW has a record number of such reservations). Individuals and NGOs cannot make complaints and NGOs do not have formal access to the monitoring process. Still, members of the Committee can receive and sometimes will consider communications from individuals and groups. In addition, NGOs can often monitor many CEDAW proceedings, including the proceedings in which their government makes its report. Advocates can submit their own "alternative reports" on how their government is implementing CEDAW. Such alternative reports may be delivered to the Committee as a whole or to individual CEDAW members. While the Committee is not obligated to consider NGO reports, it often does so.

**Remedies:**
- The Committee engages in constructive dialogue with governments in attempts to persuade them to improve their adherence to the Convention.
- The Committee may make suggestions and general recommendations based on States Parties reports.
- Countries may be shamed into taking corrective action through media reports of non-compliance with CEDAW, but the actual enforcement mechanisms for the Convention are weak.
- No optional protocol exists for CEDAW that would permit individuals or NGOs to bring claims under the Convention, but an effort is under way to adopt such an optional protocol. (For a copy of the draft optional protocol, see the Web site for the UN Commission on the Status of Women, below).

**COMMUNICATIONS:**
Advocates should obtain a list of CEDAW members and communicate with them directly. The list of CEDAW members is found on its Web site: http://www.un.org/womenwatch/daw/cedaw.

**The mailing address for CEDAW is:**
NGO Liaison Officer, CEDAW
Division for the Advancement of Women
2 United Nations Plaza
New York, New York 10017, U.S.A.

**The address for the Special Rapporteur on Violence Against Women is:**
Radhika Coomaraswamy
The Special Rapporteur on Violence Against Women
Office of the High Commissioner for Human Rights
United Nations, 1211 Geneva 10
Switzerland
Fax: 41-22-917-0212
e-mail: srvaw@sltnetlk

**PART THREE: ADDITIONAL RESOURCES**

**How to find UN documents**
This book includes the full text of the **Universal Declaration of Human Rights** (UDHR) and the **Convention on the Elimination of All Forms of Discrimination Against Women** (CEDAW), and a summary of the **Convention on the Rights of the Child** (CRC). To find other human rights conventions or UN documents such as the **Beijing Platform for Action** or the **UN Declaration on Violence Against Women**, try some of these courses:

1. **Internet Web site:** If you have access to a computer, you can find all UN documents and many regional and domestic human rights documents on the Internet. UN documents are located at this address: [www.un.org/publications](http://www.un.org/publications). Other good sources for full-text documents and other information on using human rights mechanisms are described below.

2. **UN Office:** Most UN offices will help you to locate relevant documents. They frequently have an information division whose job is to assist people in getting access to information and other resources. Approaching a local office of a UN body may help you obtain documents in your own language; you may also write for documents.
3. Local Libraries: Many community, school or university libraries carry UN documents. A quick search will probably find the text by itself or included in a volume of UN documents addressing a particular subject.

4. Local Human Rights Groups: Many local human rights groups or local Amnesty International chapters will have copies of UN documents. These groups may be a good resource for discussing your plans for human rights education workshops.

Human Rights Documents on the World Wide Web

Texts of human rights documents, information on country ratification and reports of governmental and non-governmental organizations may be found in the following World Wide Web locations:

• For quick reference to full-text versions of major international human rights documents pertaining to women, see the University of Minnesota Human Rights Library.
• For topical and bibliographical information on women's human rights, see the University ofToronto.
• For official UN sites see those for the Commission on the Status of Women, the Committee on the Elimination of Discrimination Against Women and the United Nations Division for the Advancement of Women.

The University of Minnesota Human Rights Library, International Human Rights Instruments - Women's Human Rights Site (instruments on women's human rights in English, French and Spanish; includes chart of UN ratifications) http://www.umn.edu/humanrts/instree/auoe.htm

University ofToronto, Women's Human Rights Site (extensive bibliographical and documentary information on the following topics: Women's Human Rights, Fourth Conference on Women (Beijing), Girl Child, Labour/Employment Rights, Refugee Women, Reproductive Rights, Right to Health and Violence Against Women) http://www.lawutoronto.ca/library/women_hr.htm

United Nations Development Fund for Women (UNIFEM) (information on women's human rights, violence against women, governance/leadership and economic empowerment of women) http://www.unifem.undp.org

United Nations Division for the Advancement of Women (official site; services CEDAW) http://www.un.org/womenwatch/daw/

WomenWatch (UN Internet gateway on the advancement and empowerment of women. Information on the Committee on the Elimination of Discrimination Against Women country reports, meeting agenda and recommendations, optional protocol to Women's Convention; follow-up to the 1995 Fourth World Conference on Women; reports on women and the UN system) http://un.org/womenwatch


International Law Database (ILDB) [UN Commission on International Trade Law (UNCITRAL), the Hague Conference on Private International Law, the International Institute for the Unification of Private Law (UNIDROIT) and the Organization of American States] http://www.his.com/~pildb/

REFWORLD (UNHCR) (databases of the United Nations High Commissioner for Refugees) http://www.unhchr.ch/refworld/refworld.htm

American University Washington College of Law (human rights general) http://sraw.wcl.american.edu/htm/hmnrights.htm

Civil Rights and Civil Liberties via the House Internet Library (full-text treaties and foreign laws on human rights) http://www.pls.com:8001/his/93.htm

Coalition for International Justice (working to support the Yugoslavia and Rwanda war crimes tribunals) http://www.igc.apc.org/cij/

Cornell Law School (full-text domestic and international law documents) http://www.law.cornell.edu

DIANA, University of Cincinnati School of Law (electronic library of human rights materials; treaties, secondary sources, court decisions, legal briefs, and current information from NGOs) http://www.law.uc.edu/Diana/

European Court of Human Rights Decisions http://www.edvz.sbg.ac.at/var/docs/egmr/echrhome.htm

Fletcher School for Law and Diplomacy (documents in full-text) http://www.tufts.edu/departments/fletcher/multi/humanRights.html

Fourth World Documentation Project (indigenous peoples' information) http://www.halcyon.com/FWDP/fwdp.html


Human Rights Brief (electronic journal) http://sray.wcl.american.edu:80/pub/journals/hmnrigh.htm

Human Rights Internet (international network of human rights organizations and documentation centre) http://www.hri.ca/

Human Rights Web (full-text documents and Web sites for human rights NGOs) http://www.hrweb.org/


Organization of American States (OAS) (official forum of the OAS) http://www.oas.org

University of East London Legal Resources (minority rights database) http://www.uel.ac.uk:80/faculties/socsci/law/reo.html


Women's Resources on the Web (general listing of Web resources) http://www.women-online.com/women/

Agencia Latinoamericana de Información (ALAI) (information support for Latin American and Caribbean countries) http://www.ecuanex.apc.org/ala/

AVIVA (free international women's listing magazine) http://www.aviva.org

Womens Human Rights Net (WHRNet) (website sponsored by a coalition of women's human rights organizations across regions) http://www.whrnet.org
Appendix IV.

SELECTED UN DOCUMENTS

UNIVERSAL DECLARATION OF HUMAN RIGHTS (UDHR)

CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW)

CONVENTION ON THE RIGHTS OF THE CHILD (CRC) (SUMMARY)

UNIVERSAL DECLARATION OF HUMAN RIGHTS (UDHR)  
(Adopted 1948)

PREAMBLE
Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people,

Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law,

Whereas it is essential to promote the development of friendly relations between nations,

Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom,

Whereas Member States have pledged themselves to achieve, in co-operation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

Whereas a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge,

Now, Therefore,

THE GENERAL ASSEMBLY

proclames

THIS UNIVERSAL DECLARATION OF HUMAN RIGHTS as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

Article I.
All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.
Article 2.
Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

Article 3.
Everyone has the right to life, liberty and security of person.

Article 4.
No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

Article 5.
No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 6.
Everyone has the right to recognition everywhere as a person before the law.

Article 7.
All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Article 8.
Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

Article 9.
No one shall be subjected to arbitrary arrest, detention or exile.

Article 10.
Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

Article 11.
(1) Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.
(2) No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

Article 12.
No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

Article 13.
(1) Everyone has the right to freedom of movement and residence within the borders of each state.
(2) Everyone has the right to leave any country, including his own, and to return to his country.

Article 14.
(1) Everyone has the right to seek and to enjoy in other countries asylum from persecution.
(2) This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.
Article 15.
(1) Everyone has the right to a nationality.
(2) No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

Article 16.
(1) 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.
(2) Marriage shall be entered into only with the free and full consent of the intending spouses.
(3) The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

Article 17.
(1) Everyone has the right to own property alone as well as in association with others.
(2) No one shall be arbitrarily deprived of his property.

Article 18.
Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Article 19.
Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Article 20.
(1) Everyone has the right to freedom of peaceful assembly and association.
(2) No one may be compelled to belong to an association.

Article 21.
(1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.
(2) Everyone has the right of equal access to public service in his country.
(3) The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

Article 22.
Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

Article 23.
(1) Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.
(2) Everyone, without any discrimination, has the right to equal pay for equal work.
(3) Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.
(4) Everyone has the right to form and to join trade unions for the protection of his interests.

Article 24.
Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

Article 25.
(1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

(2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

Article 26.
(1) Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

(2) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

(3) Parents have a prior right to choose the kind of education that shall be given to their children.

Article 27.
(1) Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.

(2) Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

Article 28.
Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

Article 29.
(1) Everyone has duties to the community in which alone the free and full development of his personality is possible.

(2) In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

(3) These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

Article 30.
Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.
CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW)
(Adopted 1979; entered into force 1981)

The States Parties to the present Convention,

Noting that the Charter of the United Nations reaffirms faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women,

Noting that the Universal Declaration of Human Rights affirms the principle of the inadmissibility of discrimination and proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind, including distinction based on sex,

Noting that the States Parties to the International Covenants on Human Rights have the obligation to ensure the equal right of men and women to enjoy all economic, social, cultural, civil and political rights,

Considering the international conventions concluded under the auspices of the United Nations and the specialized agencies promoting equality of rights of men and women,

Noting also the resolutions, declarations and recommendations adopted by the United Nations and the specialized agencies promoting equality of rights of men and women,

Concerned, however, that despite these various instruments extensive discrimination against women continues to exist,

Recalling that discrimination against women violates the principles of equality of rights and respect for human dignity, is an obstacle to the participation of women, on equal terms with men, in the political, social, economic and cultural life of their countries, hampers the growth of the prosperity of society and the family and makes more difficult the full development of the potentialities of women in the service of their countries and of humanity,

Concerned that in situations of poverty women have the least access to food, health, education, training and opportunities for employment and other needs,

Convinced that the establishment of the new international economic order based on equity and justice will contribute significantly towards the promotion of equality between men and women,

Emphasizing that the eradication of apartheid, of all forms of racism, racial discrimination, colonialism, neo-colonialism, aggression, foreign occupation and domination and interference in the internal affairs of States is essential to the full enjoyment of the rights of men and women,

Affirming that the strengthening of international peace and security, relaxation of international tension, mutual co-operation among all States irrespective of their social and economic systems, general and complete disarmament, and in particular nuclear disarmament under strict and effective international control, the affirmation of the principles of justice, equality and mutual benefit in relations among countries and the realization of the right of peoples under alien and colonial domination and foreign occupation to self-determination and independence, as well as respect for national sovereignty and territorial integrity, will promote social progress and development and as a consequence will contribute to the attainment of full equality between men and women,

Convinced that the full and complete development of a country, the welfare of the world and the cause of peace require the maximum participation of women on equal terms with men in all fields,

Bearing in mind the great contribution of women to the welfare of the family and to the development of society, so far not fully recognized, the social significance of maternity and the role of both parents in the family and in the upbringing of children, and aware that the role of women in procreation should
not be a basis for discrimination but that the upbringing of children requires a sharing of responsibility between men and women and society as a whole.

Aware that a change in the traditional role of men as well as the role of women in society and in the family is needed to achieve full equality between men and women,

Determined to implement the principles set forth in the Declaration on the Elimination of Discrimination Against Women and, for that purpose, to adopt the measures required for the elimination of such discrimination in all its forms and manifestations,

Have agreed on the following

PART I

Article 1.
For the purposes of the present Convention, the term "discrimination against women" shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.

Article 2.
States Parties condemn discrimination against women in all its forms, agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women and, to this end, undertake:
(a) To embody the principle of the equality of men and women in their national constitutions or other appropriate legislation if not yet incorporated therein and to ensure, through law and other appropriate means, the practical realization of this principle;
(b) To adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women;
(c) To establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination;
(d) To refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation;
(e) To take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise;
(f) To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women;
(g) To repeal all national penal provisions which constitute discrimination against women.

Article 3.
States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.

Article 4.
1. Adoption by States Parties of temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination as defined in the present Convention, but shall in no way entail as a consequence the maintenance of unequal or separate standards; these measures shall be discontinued when the objectives of equality of opportunity and treatment have been achieved.

2. Adoption by States Parties of special measures, including those measures contained in the present Convention, aimed at protecting maternity shall not be considered discriminatory.

Article 5. States Parties shall take all appropriate measures:
(a) To modify the social and cultural patterns of conduct of men and women, with a view to achieving
the elimination of prejudices and customary and all other practices which are based on the idea of
the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women;
(b) To ensure that family education includes a proper understanding of maternity as a social function
and the recognition of the common responsibility of men and women in the upbringing and develop-
ment of their children, it being understood that the interest of the children is the primordial con-
sideration in all cases.

Article 6. States Parties shall take all appropriate measures, including legislation, to suppress all forms of
traffic in women and exploitation of prostitution of women.

PART II

Article 7.
States Parties shall take all appropriate measures to eliminate discrimination against women in the politi-
cal and public life of the country and, in particular, shall ensure to women, on equal terms with men,
the right:
(a) To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;
(b) To participate in the formulation of government policy and the implementation thereof and to hold
public office and perform all public functions at all levels of government;
(c) To participate in non-governmental organizations and associations concerned with the public and
political life of the country.

Article 8.
States Parties shall take all appropriate measures to ensure to women, on equal terms with men and
without any discrimination, the opportunity to represent their Governments at the international level
and to participate in the work of international organizations.

Article 9.
1. States Parties shall grant women equal rights with men to acquire, change or retain their nationality.
They shall ensure in particular that neither marriage to an alien nor change of nationality by the husband
during marriage shall automatically change the nationality of the wife, render her stateless or force upon
her the nationality of the husband.

2. States Parties shall grant women equal rights with men with respect to the nationality of their children.

PART III

Article 10.
States Parties shall take all appropriate measures to eliminate discrimination against women in order to
ensure to them equal rights with men in the field of education and in particular to ensure, on a basis of
equality of men and women:
(a) The same conditions for career and vocational guidance, for access to studies and for the achieve-
ment of diplomas in educational establishments of all categories in rural as well as in urban areas;
this equality shall be ensured in preschool, general, technical, professional and higher technical edu-
cation, as well as in all types of vocational training;
(b) Access to the same curricula, the same examinations, teaching staff with qualifications of the same
standard and school premises and equipment of the same quality;
(c) The elimination of any stereotyped concept of the roles of men and women at all levels and in all
forms of education by encouraging coeducation and other types of education which will help to
achieve this aim and, in particular, by the revision of textbooks and school programmes and the
adaptation of teaching methods;
(d) The same opportunities to benefit from scholarships and other study grants;
(e) The same opportunities for access to programmes of continuing education including adult and
functional literacy programmes, particularly those aimed at reducing, at the earliest possible time,
any gap in education existing between men and women;
(f) The reduction of female student drop-out rates and the organization of programmes for girls and women who have left school prematurely;

(g) The same opportunities to participate actively in sports and physical education;

(h) Access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning.

Article 11.

1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights, in particular:

(a) The right to work as an inalienable right of all human beings;

(b) The right to the same employment opportunities, including the application of the same criteria for selection in matters of employment;

(c) The right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to receive vocational training and retraining, including apprenticeships, advanced vocational training and recurrent training;

(d) The right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work;

(e) The right to social security, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as the right to paid leave;

(f) The right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction.

2. In order to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work, States Parties shall take appropriate measures:

(a) To prohibit, subject to the imposition of sanctions, dismissal on the grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital status;

(b) To introduce maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances;

(c) To encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child-care facilities;

(d) To provide special protection to women during pregnancy in types of work proved to be harmful to them.

3. Protective legislation relating to matters covered in this article shall be reviewed periodically in the light of scientific and technological knowledge and shall be revised, repealed or extended as necessary.

Article 12.

1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health care services, including those related to family planning.

2. Notwithstanding the provisions of paragraph 1 of this article, States Parties shall ensure to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation.

Article 13.

States Parties shall take all appropriate measures to eliminate discrimination against women in other areas of economic and social life in order to ensure, on a basis of equality of men and women, the same rights, in particular:

(a) The right to family benefits;

(b) The right to bank loans, mortgages and other forms of financial credit;

(c) The right to participate in recreational activities, sports and all aspects of cultural life.
Article 14.
1. States Parties shall take into account the particular problems faced by rural women and the significant roles which rural women play in the economic survival of their families, including their work in the non-monetized sectors of the economy, and shall take all appropriate measures to ensure the application of the provisions of this Convention to women in rural areas.

2. States Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development and, in particular, shall ensure to such women the right:
   (a) To participate in the elaboration and implementation of development planning at all levels;
   (b) To have access to adequate health care facilities, including information, counseling and services in family planning;
   (c) To benefit directly from social security programmes;
   (d) To obtain all types of training and education, formal and non-formal, including that relating to functional literacy, as well as, inter alia, the benefit of all community and extension services, in order to increase their technical proficiency;
   (e) To organize self-help groups and co-operatives in order to obtain equal access to economic opportunities through employment or self-employment;
   (f) To participate in all community activities;
   (g) To have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes;
   (h) To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.

**PART IV**

Article 15.
1. States Parties shall accord to women equality with men before the law.

2. States Parties shall accord to women, in civil matters, a legal capacity identical to that of men and the same opportunities to exercise that capacity. In particular, they shall give women equal rights to conclude contracts and to administer property and shall treat them equally in all stages of procedure in courts and tribunals.

3. States Parties agree that all contracts and all other private instruments of any kind with a legal effect which is directed at restricting the legal capacity of women shall be deemed null and void.

4. States Parties shall accord to men and women the same rights with regard to the law relating to the movement of persons and the freedom to choose their residence and domicile.

Article 16.
1. States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women:
   (a) The same right to enter into marriage;
   (b) The same right freely to choose a spouse and to enter into marriage only with their free and full consent;
   (c) The same rights and responsibilities during marriage and at its dissolution;
   (d) The same rights and responsibilities as parents, irrespective of their marital status, in matters relating to their children; in all cases the interests of the children shall be paramount;
   (e) The same rights to decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable them to exercise these rights;
   (f) The same rights and responsibilities with regard to guardianship, wardship, trusteeship and adoption of children, or similar institutions where these concepts exist in national legislation; in all cases the interests of the children shall be paramount;
   (g) The same personal rights as husband and wife, including the right to choose a family name, a profession and an occupation;
(h) The same rights for both spouses in respect of the ownership, acquisition, management, administra-

tion, enjoyment and disposition of property, whether free of charge or for a valuable consideration.

2. The betrothal and the marriage of a child shall have no legal effect, and all necessary action, including

legislation, shall be taken to specify a minimum age for marriage and to make the registration of mar-
niages in an official registry compulsory.

PART V

Article 17.

1. For the purpose of considering the progress made in the implementation of the present Convention,

there shall be established a Committee on the Elimination of Discrimination against Women (hereinafter

referred to as the Committee) consisting, at the time of entry into force of the Convention, of eighteen

and, after ratification of or accession to the Convention by the thirty-fifth State Party, of twenty-three

experts of high moral standing and competence in the field covered by the Convention. The experts

shall be elected by States Parties from among their nationals and shall serve in their personal capacity,

consideration being given to equitable geographical distribution and to the representation of the differ-

ent forms of civilization as well as the principal legal systems.

2. The members of the Committee shall be elected by secret ballot from a list of persons nominated by

States Parties. Each State Party may nominate one person from among its own nationals.

3. The initial election shall be held six months after the date of the entry into force of the present

Convention. At least three months before the date of each election the Secretary-General of the United

Nations shall address a letter to the States Parties inviting them to submit their nominations within two

months. The Secretary-General shall prepare a list in alphabetical order of all persons thus nominated,

indicating the States Parties which have nominated them, and shall submit it to the States Parties.

4. Elections of the members of the Committee shall be held at a meeting of States Parties convened by

the Secretary-General at United Nations Headquarters. At that meeting, for which two thirds of the

States Parties shall constitute a quorum, the persons elected to the Committee shall be those nominees

who obtain the largest number of votes and an absolute majority of the votes of the representatives of

States Parties present and voting.

5. The members of the Committee shall be elected for a term of four years. However, the terms of nine of

the members elected at the first election shall expire at the end of two years; immediately after the first

election the names of these nine members shall be chosen by lot by the Chairman of the Committee.

6. The election of the five additional members of the Committee shall be held in accordance with the

provisions of paragraphs 2, 3 and 4 of this article, following the thirty-fifth ratification or accession. The

terms of two of the additional members elected on this occasion shall expire at the end of two years,

the names of these two members having been chosen by lot by the Chairman of the Committee.

7. For the filling of casual vacancies, the State Party whose expert has ceased to function as a member

of the Committee shall appoint another expert from among its nationals, subject to the approval of the

Committee.

8. The members of the Committee shall, with the approval of the General Assembly, receive emolu-

ments from United Nations resources on such terms and conditions as the Assembly may decide, having

regard to the importance of the Committee's responsibilities.

9. The Secretary-General of the United Nations shall provide the necessary staff and facilities for the

effective performance of the functions of the Committee under the present Convention.
Article 18.
1. States Parties undertake to submit to the Secretary-General of the United Nations, for consideration by the Committee, a report on the legislative, judicial, administrative or other measures which they have adopted to give effect to the provisions of the present Convention and on the progress made in this respect:
   (a) Within one year after the entry into force for the State concerned; and
   (b) Thereafter at least every four years and further whenever the Committee so requests.

2. Reports may indicate factors and difficulties affecting the degree of fulfillment of obligations under the present Convention.

Article 19.
1. The Committee shall adopt its own rules of procedure.

2. The Committee shall elect its officers for a term of two years.

Article 20.
1. The Committee shall normally meet for a period of not more than two weeks annually in order to consider the reports submitted in accordance with article 18 of the present Convention.

2. The meetings of the Committee shall normally be held at United Nations Headquarters or at any other convenient place as determined by the Committee.

Article 21.
1. The Committee shall, through the Economic and Social Council, report annually to the General Assembly of the United Nations on its activities and may make suggestions and general recommendations based on the examination of reports and information received from the States Parties. Such suggestions and general recommendations shall be included in the report of the Committee together with comments, if any, from States Parties.

2. The Secretary-General shall transmit the reports of the Committee to the Commission on the Status of Women for its information.

Article 22.
The specialized agencies shall be entitled to be represented at the consideration of the implementation of such provisions of the present Convention as fall within the scope of their activities. The Committee may invite the specialized agencies to submit reports on the implementation of the Convention in areas falling within the scope of their activities.

PART VI

Article 23. Nothing in this Convention shall affect any provisions that are more conducive to the achievement of equality between men and women which may be contained:
   (a) In the legislation of a State Party; or
   (b) In any other international convention, treaty or agreement in force for that State.

Article 24. States Parties undertake to adopt all necessary measures at the national level aimed at achieving the full realization of the rights recognized in the present Convention.

Article 25.
1. The present Convention shall be open for signature by all States.

2. The Secretary-General of the United Nations is designated as the depositary of the present Convention.
3. The present Convention is subject to ratification. Instruments of ratification shall be deposited with the Secretary-General of the United Nations.

4. The present Convention shall be open to accession by all States. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

Article 26.
1. A request for the revision of the present Convention may be made at any time by any State Party by means of a notification in writing addressed to the Secretary-General of the United Nations.

2. The General Assembly of the United Nations shall decide upon the steps, if any, to be taken in respect of such a request.

Article 27.
1. The present Convention shall enter into force on the thirtieth day after the date of deposit with the Secretary-General of the United Nations of the twentieth instrument of ratification or accession.

2. For each State ratifying the present Convention or acceding to it after the deposit of the twentieth instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after the date of the deposit of its own instrument of ratification or accession.

Article 28.
1. The Secretary-General of the United Nations shall receive and circulate to all States the text of reservations made by States at the time of ratification or accession.

2. A reservation incompatible with the object and purpose of the present Convention shall not be permitted.

3. Reservations may be withdrawn at any time by notification to this effect addressed to the Secretary-General of the United Nations, who shall then inform all States thereof. Such notification shall take effect on the date on which it is received.

Article 29.
1. Any dispute between two or more States Parties concerning the interpretation or application of the present Convention which is not settled by negotiation shall, at the request of one of them, be submitted to arbitration. If within six months from the date of the request for arbitration the parties are unable to agree on the organization of the arbitration, any one of those parties may refer the dispute to the International Court of Justice by request in conformity with the Statute of the Court.

2. Each State Party may at the time of signature or ratification of this Convention or accession thereto declare that it does not consider itself bound by paragraph 1 of this article. The other States Parties shall not be bound by that paragraph with respect to any State Party which has made such a reservation.

3. Any State Party which has made a reservation in accordance with paragraph 2 of this article may at any time withdraw that reservation by notification to the Secretary-General of the United Nations.

Article 30.
The present Convention, the Arabic, Chinese, English, French, Russian and Spanish texts of which are equally authentic, shall be deposited with the Secretary-General of the United Nations.
CONVENTION ON THE RIGHTS OF THE CHILD (CRC)
(Adopted 1989; entered into force 1990)
Unofficial Summary of Substantive Provisions

Definition of a child (Article 1)
A child is recognized as a person under 18, unless national laws recognize the age of majority earlier.

Non-discrimination (Article 2)
All rights apply to all children without discrimination of any kind irrespective of 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 or other status. “It is the State’s obligation to protect children from any form of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child’s parents, legal guardians or family members.”

Best interests of the child (Article 3)
All actions concerning the child shall take full account of his or her best interests. The State shall provide the child with adequate care when parents, or others charged with that responsibility, fail to do so.

Parental guidance and the child’s evolving capacities (Article 5)
The State must respect the rights and responsibilities of parents and “the members of the extended family or community as provided for by local custom, in a manner consistent with the evolving capacities on the child” to provide direction and guidance.

Survival and development (Article 6)
Every child has the inherent right to life, and the State has an obligation to ensure the child’s survival and development.

Name and nationality (Article 7)
The child has the right to a name at birth. The child also has the right to acquire a nationality and, as far as possible, to know his or her parents and be cared for by them.

Preservation of identity (Article 8)
The State has an obligation to protect, and if necessary, re-establish basic aspects of the child’s identity. This includes name, nationality and family ties.

Separation from parents (Article 9)
The child has a right to live with his or her parents unless this is deemed to be incompatible with the child’s best interests. The child also has the right to maintain contact with both parents if separated from one or both.

Family reunification (Article 10)
Children and their parents have the right to leave any country and to enter their own for purposes of reunion or the maintenance of the child-parent relationship.

Illicit transfer and non-return (Article 11)
The State has an obligation to prevent and remedy the kidnaping or retention of children abroad by a parent or third party.

The child’s opinion (Article 12)
The child has the right to express his or her opinion freely and to have that opinion taken into account in any matter or procedure affecting the child.

Freedom of expression (Article 13)
The child has the right to express his or her views, obtain information, make ideas or information known, regardless of frontiers.

Freedom of thought, conscience and religion (Article 14)
The State shall respect the child’s right to freedom of thought, conscience and religion, subject to appropriate parental guidance.
Freedom of association (Article 15)
Children have a right to meet with others, and to join or form associations.

Protection of privacy (Article 16)
Children have the right to protection from interference with privacy, family, home and correspondence, and from libel or slander.

Access to appropriate information (Article 17)
The State shall ensure the accessibility to children of information and material from a diversity of sources, and it shall encourage the mass media to disseminate information which is of social and cultural benefit to the child, and take steps to protect him or her from harmful materials.

Parental responsibilities (Article 18)
Parents have joint primary responsibility for raising the child, and the State shall support them in this. The State shall provide appropriate assistance to parents in child-raising.

Protection from abuse and neglect (Article 19)
The State shall protect the child from all forms of maltreatment by parents or others responsible for the care of the child and establish appropriate social programmes for the prevention of abuse and the treatment of victims.

Protection of a child without family (Article 20)
The State is obliged to provide special protection for a child deprived of the family environment and to ensure that appropriate alternative family care or institutional placement is available in such cases. Efforts to meet this obligation shall pay due regard to the child’s cultural background.

Adoption (Article 21)
In countries where adoption is recognized and/or allowed, it shall only be carried out in the best interests of the child, and then only with the authorization of competent authorities, and safeguards for the child.

Refugee children (Article 22)
Special protection shall be granted to a refugee child or to a child seeking refugee status. It is the State’s obligation to co-operate with competent organizations which provide such protection and assistance.

Disabled children (Article 23)
A disabled child has the right to special care, education and training to help him or her enjoy a full and decent life in dignity and achieve the greatest degree of self-reliance and social integration possible.

Health and health services (Article 24)
The child has a right to the highest standard of health and medical care attainable. States shall place special emphasis on the provision of primary and preventive health care, public health education and the reduction of infant mortality. They shall encourage international co-operation in this regard and strive to see that no child is deprived of access to effective health services.

Periodic review of placement (Article 25)
A child who is placed by the State for reasons of care, protection or treatment is entitled to have that placement evaluated regularly.

Social security (Article 26)
The child has the right to benefit from social security including social insurance.

Standard of living (Article 27)
Every child has the right to a standard of living adequate for his or her physical, mental, spiritual, moral and social development. Parents have the primary responsibility to ensure that the child has an adequate standard of living. The State’s duty is to ensure that this responsibility can be fulfilled.
Education (Articles 28 and 29)
The child has a right to education, and the State's duty is to ensure that primary education is free and compulsory, to encourage different forms of secondary education accessible to every child and to make higher education available to all on the basis of capacity. Education shall aim at developing the child's personality, talents and mental and physical abilities to the fullest extent. Education shall prepare the child for an active adult life in a free society and foster respect for the child's parents, his or her own cultural identity, language and values, and for the cultural background and values of others.

Children of minorities or indigenous populations (Article 30)
Children of minority communities and indigenous populations have the right to enjoy their own culture and to practice their own religion and language.

Leisure, recreation and cultural activities (Article 31)
The child has the right to leisure, play and participation in cultural and artistic activities.

Child labour (Article 32)
The child has the right to be protected from work that threatens his or her health, education or development. The State shall set minimum ages for employment and regulate working conditions.

Drug abuse (Article 33)
Children have the right to protection from the use of narcotic and psychotropic drugs, and from being involved in their production or distribution.

Sexual exploitation and other forms of exploitation (Articles 34 and 35)
The State shall protect children from sexual exploitation and abuse, including prostitution and involvement in pornography. The State shall protect children from all other forms of exploitation prejudicial to their welfare.

Sale, trafficking and abduction (Article 36)
It is the State's obligation to make every effort to prevent the sale, trafficking and abduction of children.

Torture and deprivation of liberty (Article 37)
No child shall be subjected to torture, cruel treatment or punishment, unlawful arrest or deprivation of liberty. Both capital punishment and life imprisonment without the possibility of release are prohibited for offences committed by persons below 18 years. Any child deprived of liberty shall be separated from adults unless it is considered in the child's best interests not to do so. A child who is detained shall have legal and other assistance as well as contact with the family.

Armed conflicts (Article 38)
States Parties shall take all feasible measures to ensure that children under 15 years of age have no direct part in hostilities. No child below 15 shall be recruited into the armed forces. States shall also ensure the protection and care of children who are affected by armed conflict as described in relevant international law.

Rehabilitative care (Article 39)
The State has an obligation to ensure that child victims of armed conflicts, torture, neglect, maltreatment or exploitation receive appropriate treatment for their recovery and social reintegration.

Administration of juvenile justice (Article 40)
A child in conflict with the law has the right to treatment which promotes the child's sense of dignity and worth, takes the child's age into account and aims at his or her reintegration into society. The child is entitled to basic guarantees as well as legal or other assistance for his or her defence. Judicial proceedings and institutional placements shall be avoided wherever possible.

Respect for higher standards (Article 41)
Wherever standards set in applicable national and international law relevant to the rights of the child that are higher than those in this Convention, the higher standard shall always apply.
Glossary of Human Rights Terms

Note: All words in capital letters within the definitions are cross-referenced to other terms in the Glossary. This glossary was compiled by Julie Mertus and suggested updates can be sent to her at suitcase@gc.apc.org; updated versions of the glossary can be found at the Web site of Ohio Northern University, Pettit College of Law http://www.law.onu.edu.

Accession: Acceptance of a treaty by a state that did not participate in its negotiation or drafting.

Admissibility Requirements: The initial prerequisites that an individual, group, or state must fulfill before it is permitted to present its claim to a particular treaty-monitoring body or other human rights fact-finding or judging organization or court.

Adoption: Process by which a state agrees to international law; with regard to treaties, adoption usually refers to the initial diplomatic stage at which a treaty is accepted; in order to become effective, after adoption a treaty usually must be ratified by the legislature.

Advisory Opinion: Opinion of a court or court-like body that provides an interpretation of a law or norm; advisory opinions differ from other forms of opinions in that the advisory opinion need not concern a concrete case involving real parties who claim to be harmed and entitled to a remedy.

Advocacy: Specific activities aimed at a long-term vision; actions designed to draw a community's attention to an issue and to direct policymakers to a solution.

Affirmative Discrimination/Affirmative Action: Affirmative steps taken by governments, educational institutions, businesses, and other bodies to eliminate existing discrimination, provide an immediate remedy for past discrimination, and prevent discrimination from taking place in the future; promotes equality by recognizing that when people are in unequal positions treating them the same perpetuates systemic inequalities permitted for some conditions under the Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women and other international and regional documents.


African Commission on Human and People's Rights: Institutional body primarily responsible for the promotion and protection of human rights in Africa.


American Declaration on the Rights and Duties of Man (1965): Non-binding declaration of regional human rights standards; it has evolved into an influential document as the American Court of Human Rights has given normative value to the Declaration.

Beijing Declaration and Platform for Action: Consensus document emerging from the 1995 Fourth World Conference on Women in Beijing, reviewing and reaffirming women's human rights in all aspects of life; signed by representatives at the Conference and morally but not legally binding.

Bilateral Treaty: Formal, binding agreement between two states.


Cairo Programme of Action: Consensus document which emerged from the 1994 International Conference on Population and Development in Cairo, affirming women's reproductive health and rights; signed by representatives at the Conference and morally but not legally binding.

CEDAW: See Committee on the Elimination of All Forms of Discrimination against Women.


Charter of the United Nations (1945): Initial document of the United Nations which spells out the rules for the UN and restates some of the basic principles of international law.

Child Abuse: See maltreatment of children.

Claim: Allegation by an individual or state that it is entitled to a remedy for an injury caused by an offender.

Claimant: One who brings a claim.

Codification of International Law: Process of putting customary international law into written form.
COLLECTIVE RIGHTS: See PEOPLES' RIGHTS.

COMMISSION ON HUMAN RIGHTS: Intergovernmental policy making body established by the ECONOMIC AND SOCIAL COUNCIL (ECOSOC) of the United Nations to deal with HUMAN RIGHTS; one of the first and most important international HUMAN RIGHTS bodies.

COMMISSION ON THE STATUS OF WOMEN (CSW): Body formed by the ECONOMIC AND SOCIAL COUNCIL (ECOSOC) of the United Nations as the principal UN policy-making body for women; monitors implementation of the Beijing Platform for Action.

COMMITTEE AGAINST TORTURE (CAT): The TREATY MONITORING BODY established by the CONVENTION AGAINST TORTURE AND OTHER CRUEL, INHUMANE, DEGRADING TREATMENT OR PUNISHMENT to hear violations of that CONVENTION.

COMMITTEE OF MINISTERS OF THE COUNCIL OF EUROPE: The political arm of the EUROPEAN CONVENTION ON THE PROTECTION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS; the Committee can refer cases to the EUROPEAN COURT ON HUMAN RIGHTS.

COMMITTEE ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW): The TREATY MONITORING BODY created by the CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN to monitor state compliance with that CONVENTION.

COMMITTEE ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION (CERD): The TREATY MONITORING BODY created by the CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION to monitor state compliance with that CONVENTION.

COMMUNICATION: See COMPLAINT.

COMPLAINT: In legal terms, the initial document that begins an action; a complaint sets forth a brief summary of what happened and argues why relief should be granted. In a human rights case, the complaint (or PETITION, or COMMUNICATION) alleges that a government or other individual or institution that must answer to human rights standards (such as a surrogate of the government) has violated the HUMAN RIGHTS of specific individuals or groups of individuals.

COMPLAINT-INFORMATION PROCEDURES: The goal of complaint-information procedures is not to redress individual grievances but to identify broad human rights violations affecting a large population. Petitions are received only as part of the information before the body considering the matter; authors of PETITIONS have no right to a REMEDY and may not even have a right to be informed about the disposition of the case.

COMPLAINT-RECOUSE PROCEDURES: The goal of complaint-recourse procedures is the redress of specific grievances. A successful procedure in this case may result in a legally enforceable REMEDY and an order that forces the government to compensate a victim, reprimand the perpetrator or even change government policies and practices.

CONFERENCE ON SECURITY AND COOPERATION IN EUROPE (CSCE) See ORGANIZATION ON SECURITY AND COOPERATION IN EUROPE (OSCE).

CONVENTION: Binding agreement between states used synonymously with TREATY and COVENANT. Conventions are stronger than DECLARATIONS in that they are legally binding for signatory states and governments can be held accountable for violating them. The United Nations GENERAL ASSEMBLY creates international norms and standards when it adopts Conventions; MEMBER STATES can then ratify the UN Conventions, signifying acceptance of their obligations.


CONVENTION AND RECOMMENDATION ON WORKERS WITH FAMILY RESPONSIBILITIES: 1981 ILO Convention recognizing that both men and women have family responsibilities.

CONVENTION CONCERNING EQUAL REMUNERATION FOR MEN AND WOMEN WORKERS FOR WORK OF EQUAL VALUE: 1953 ILO Convention declaring that men and women should have equal wages for equal work.

CONVENTION CONCERNING INDIGENOUS AND TRIBAL PEOPLES IN INDEPENDENT COUNTRIES: 1989 ILO Convention focusing on the responsibility of States to develop coordinated and systematic plans to protect the rights of indigenous peoples.

CONVENTION ON CONSENT TO MARRY, MINIMUM AGE FOR MARRIAGE AND THE REGISTRATION OF MARRIAGES: 1962: CONVENTION recognizing the right of women and girls to be free from forced marriage and child marriages.

CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN ("WOMEN'S CONVENTION") (adopted 1979; entered into force 1981): The first legally binding international document prohibiting discrimination against women and obligating governments to take steps to advance the equality of women; draws no distinction between public and private life; does not accept CULTURE as an excuse for discrimination establishes the COMMITTEE ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN as the TREATY MONITORING BODY for the CONVENTION. See also GENERAL RECOMMENDATION 19, VIOLENCE AGAINST WOMEN.


CONVENTION ON THE POLITICAL RIGHTS OF WOMEN (approved 1953; entered into force 1954): Early CONVENTION reaffirming women's rights in the political sphere.

CONVENTION ON THE RIGHTS OF THE CHILD (CRC) (adopted 1989; entered into force 1990); CONVENTION setting forth a full spectrum of civil, cultural, economic, social and political rights of children.

CONVENTION RELATING TO THE STATUS OF REFUGEES (adopted 1951; entered into force 1954; revised by 1967 Protocol): Main CONVENTION establishing the definition of a REFUGEE and stating the rights of refugees and obligations of receiving states; defines a refugee as a person who has a well-founded fear of persecution for reasons of race, religion, nationality, membership in a particular social group or political opinion and who is outside the country of origin. Uprooted people who stay within their country are known as DISPLACED PEOPLE.

COUNCIL OF EUROPE: Regional organization that acts as an umbrella organization for regional cooperation on political, social and economic matters; note that the Council should be distinguished from the EUROPEAN ECONOMIC COMMUNITY, a wholly economic venture.

COVENANT: Binding agreement between states; used synonymously with CONVENTION and TREATY; the major international HUMAN RIGHTS covenants are the INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL, AND CULTURAL RIGHTS and the INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS.

CULTURE: A feature of societies that is constantly renegotiated by all people that make up a social unit; Article 5 of the WOMEN'S CONVENTION calls for the modification of “the social and cultural patterns of conduct of men and women, with a view toward achieving elimination of prejudice.”

CUSTOMARY INTERNATIONAL LAW: Law that becomes binding on states although it is not written, but rather adhered to consistently out of custom; when enough states have begun to behave as if something is the obligatory law, it indeed becomes law. One of the main SOURCES OF INTERNATIONAL LAW.

DECLARATION: Document represents agreed upon standards, but which is not legally binding; United Nations conferences sometimes produce two sets of declarations: one by government representatives and one by NON-GOVERNMENTAL ORGANIZATIONS (NGOs); the GENERAL ASSEMBLY often issues influential but legally NON-BINDING declarations.

DECLARATION ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN (1967): NON-BINDING declaration of the GENERAL ASSEMBLY on the rights of women; precursor to the CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN.

DECLARATION ON THE ELIMINATION OF VIOLENCE AGAINST WOMEN (1993): NON-BINDING declaration of the GENERAL ASSEMBLY on the right of women to be free from violence and the obligations of governments to take steps to eliminate violence against women.

DECLARATION ON THE RIGHTS OF PERSONS BELONGING TO NATIONAL, ETHNIC, RELIGIOUS OR LINGUISTIC MINORITIES. 1992 UN GENERAL ASSEMBLY DECLARATION asserting that all states have an obligation to let minority people enjoy their own CULTURE, practice their own religion and use their own language.

DEVELOPMENT: Traditionally equated with economic growth, as measured by GROSS DOMESTIC PRODUCT and level of industrialization. Human rights advocates urge that development should encompass the improvement of people's well-being—wherever they live—through a focus on economic and social justice rather than economic growth per se.

DISABLED PERSONS: People who have genetic and/or acquired physical, mental and psychological conditions that may require accommodation in order for them to participate fully and equally in society; See STANDARD RULES ON THE EQUALIZATION OF OPPORTUNITIES FOR PERSONS WITH DISABILITIES.

DISCRIMINATION: See NON-DISCRIMINATION or DISCRIMINATION AGAINST WOMEN.

DISCRIMINATION AGAINST WOMEN: Defined in the CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN as “Any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on the basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field” (Article 1).

DISPLACED PERSON: A person who flees his or her homeland due to political persecution or war, but does not necessarily cross state borders; “internally displaced persons” can be used to refer to people who may consider themselves to be REFUGEES but who do not qualify for official refugee status under the CONVENTION RELATING TO THE STATUS OF REFUGEES.

DIVISION FOR THE ADVANCEMENT OF WOMEN: See UNITED NATIONS DIVISION FOR THE ADVANCEMENT OF WOMEN.

DOMESTIC SYSTEMS: Legal systems of a particular country; used synonymously with NATIONAL SYSTEMS.

DOMESTIC VIOLENCE: Violence among members of a family or household; in these cases, one person gains power through use of physical or emotional coercion; any person in a household could be the target of domestic violence but it is most frequently experienced by women.

EARTH SUMMIT: Nickname for the UNITED NATIONS CONFERENCE ON ENVIRONMENT AND DEVELOPMENT.

ECONOMIC AND SOCIAL COUNCIL (ECOSOC): United Nations council comprised of 54 members and concerned primarily with the field of population, economic development, human rights and criminal justice; high-ranking body that receives and discharges HUMAN RIGHTS reports in a variety of instances.

ECONOMIC STRUCTURES: Systems and processes by which goods and services are exchanged, i.e., trade, economic aid, markets, companies, businesses and financial institutions. See ECONOMY.

ECONOMY: The set of structures and relationships which guide the distribution and allocation of financial and material resources it includes the patterns by which income and wealth are distributed, work is regulated, wages are established, whose work is recognized, what work is counted and how resources are distributed.

ENFORCEMENT MECHANISMS: REPORTING, COMPLAINT or other procedures at the national, regional or international level that place obligations on states to make HUMAN RIGHTS real.

ENTERED INTO FORCE: The day on which a treaty becomes effective; the point at which enough parties have signed on to an agreement to make it effective.

ENVIRONMENTAL JUSTICE: Term used to express a positive interconnection of environmental and social rights.

ENVIRONMENTAL RACISM: Term used to express the disproportionate state of environmental conditions and health that people of colour endure as one aspect of racial discrimination in society.

EQUALITY: The notion that all human beings are entitled to the same human rights without distinction. Article 2 of the UDHR embodies an equality principle. Equality does not necessarily mean treating people the same but rather taking whatever steps are necessary to promote a more just society for all.

EUROPEAN COMMISSION: The administrative and executive institution of the EUROPEAN UNION.

EUROPEAN COMMITTEE FOR THE PREVENTION OF TORTURE OR INHUMANE OR DEGRADING TREATMENT OR PUNISHMENT: Treaty-monitoring body set up under the EUROPEAN CONVENTION FOR THE PREVENTION OF TORTURE OR INHUME RANCE OR DEGRADING TREATMENT OR PUNISHMENT. Each party to the CONVENTION is obligated to permit visits by the Committee to investigate complaints.

EUROPEAN COMMISSION ON HUMAN RIGHTS: Body established by the EUROPEAN CONVENTION FOR THE PROTECTION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS to investigate grievances of HUMAN RIGHTS and brings charges of violations. The Commission consists of a number of members equal to that of the number of contracting parties to the CONVENTION.

EUROPEAN COMMUNITY COURT OF JUSTICE: Court created in 1952 as part of the European Coal and Steel Community; Court hears economic claims under the EUROPEAN ECONOMIC COMMUNITY Treaty and related agreements.

EUROPEAN COURT OF HUMAN RIGHTS: Court established by the EUROPEAN CONVENTION FOR THE PROTECTION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS to hear allegations of HUMAN RIGHTS violations. The Court consists of a number of judges equal to that of the Members of the COUNCIL OF EUROPE. Note that this is distinguishable from the EUROPEAN COMMUNITY COURT OF JUSTICE, a body that hears economic complaints.

EUROPEAN COURT OF JUSTICE: The supreme tribunal of the EUROPEAN UNION.

EUROPEAN ECONOMIC COMMUNITY: Established in 1958 to develop a common European market free of trade barriers and to promote harmonization of laws and practices.

EUROPEAN PARLIAMENT: The principal deliberative and supervisory institution of the EUROPEAN UNION.

EUROPEAN SOCIAL CHARTER: Regional document concerned with developing and protecting social and economic rights intended to be complementary to the EUROPEAN CONVENTION ON HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS but having less force.

EUROPEAN UNION: A regional INTERGOVERNMENTAL ORGANIZATION that has as its goals the elimination of internal frontiers and the establishment of an economic and monetary union.

EXHAUSTION REQUIREMENT: Requirement that a person, group or state bringing a HUMAN RIGHTS claim first try to bring the case at the domestic level.
EXPERT PROCESSING ZONES (EPZs): Areas established by governments to attract foreign investments and industries; they offer tax incentives and a large pool of workers ready to work for low wages; they ban union activity and waive labour regulations or import-export barriers. The US-Mexico border area is one such area where factories called "maquiladoras" have been set up.

FEMALE GENITAL MUTILATION (FGM): Also known as female circumcision; a cultural practice harmful to women's health. There are three types: (1) clitoridectomy: partial or total removal of the clitoris; (2) excision: removal of the clitoris and vaginal lips; (3) infibulation: removal of all external genitals and the stitching together of the lips with a small opening for menstrual blood and urine.

FGM: See FEMALE GENITAL MUTILATION.

1503 PROCEDURES: Confidential procedures that allow a CLAIMANT to bring a HUMAN RIGHTS case directly to the United Nations through the Commission on Human Rights; situations which appear to reveal a widespread pattern of gross HUMAN RIGHTS abuses.

GENDER: A social construct that informs roles, attitudes, values and relationships regarding women and men. While sex is determined by nature, gender is socially constructed by societies all over the world; almost invariably gender distinctions function to subordinate and discriminate against women.

GENDER-BASED VIOLENCE: Violence committed against women because of their gender; violence particular to women, such as rape, sexual assault, female circumcision, or dowry burning violence against women for failing to conform to restrictive social norms; the VIENNA DECLARATION specifically recognized gender-based violence as a human rights concern.

GENDER DEVELOPMENT INDEX (GDI): Measures developments of states according to the same broad factors as the HUMAN DEVELOPMENT INDEX, but highlights the inequality in these spheres between men and women.

GENDER DISCRIMINATION: Discrimination based on socially constructed ideas and perceptions of men and women.


GENDER PERSPECTIVE: Notion that problems and solutions should be examined with a sensitivity to the implications of gender in mind. This concept is based on an understanding that in all situations some perspective of interpreting reality is present. Historically, that perspective has most often been biased towards the male view and, accordingly, most perspectives on reality have not taken women's views and experiences into account, rendering the everyday violations of women's human rights invisible.

GENDER-SPECIFIC CLAIMS: Human rights claims relating to abuse women or men suffer because of their gender; when HUMAN RIGHTS are being violated due at least in part to a person's gender and/or when women's experience of a human rights violation differs from men's experience due to gender-specific consequences or experiences.

GENERAL AGREEMENT ON TARIFFS AND TRADE (GATT): International organization that seeks to create and enforce a worldwide set of regulations to reduce trade barriers.

GENERAL ASSEMBLY: The principal organ of the United Nations consisting of all MEMBER STATES, issues DECLARATIONS and adopts CONVENTIONS on HUMAN RIGHTS; the actions of the General Assembly are governed by the CHARTER OF THE UNITED NATIONS.

GENERAL PRINCIPLES OF LAW: Principles that appear nearly universally in states' domestic law and, thus, over time become binding on all states, one of the main SOURCES OF INTERNATIONAL LAW.

GENERAL RECOMMENDATION 19, VIOLENCE AGAINST WOMEN (Eleventh Session 1992): Influential RECOMMENDATION of the TREATY-MONITORING BODY charged with enforcing the CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN defines violence as a form of discrimination against women.

GENEVA CONVENTIONS RELATIVE TO THE PROTECTION OF CIVILIANS IN TIME OF WAR (opened for signature 1949, entered into force 1950, supplemented by PROTOCOL I ADDITIONAL TO THE GENEVA CONVENTIONS OF AUGUST 12, 1949): Main source of HUMANITARIAN LAW pertaining to treatment of civilians in armed conflicts.

GENOCIDE: Any of the following acts committed with the intent to destroy, in whole or in part, a national, ethnic, racial or religious group, as such: (a) killing members of the group; (b) causing serious bodily or mental harm to members of the group; (c) deliberately inflicting the conditions of life calculated to bring about the physical destruction of the group; (d) imposing measures intended to prevent births within the group; (e) forcibly transferring children of the group to another group. See CONVENTION ON THE PREVENTION AND PUNISHMENT OF THE CRIME OF GENOCIDE.

GRASSROOTS ORGANIZATIONS: NON-GOVERNMENTAL groups, usually not-for-profit, formed to mobilize people and communities to address social, economic and political problems; usually this term refers to groups working on ADVOCACY at the local level.

GROSS DOMESTIC PRODUCT (GDP): The measure of all goods and services produced in a country; GROSS NATIONAL PRODUCT (GNP) adds the income of nationals from foreign activity and subtracts the income of foreigners from activity in the country measured; traditionally, neither the GDP nor the GNP includes women's unwaged labour.

GROSS NATIONAL PRODUCT (GNP): See GROSS DOMESTIC PRODUCT (GDP).

HABITAT CONFERENCE: See UNITED NATIONS WORLD CONFERENCE ON HUMAN SETTLEMENTS.

HELSINKI ACCORDS: Declaration of principles by the CONFERENCE ON SECURITY AND COOPERATION IN EUROPE which seeks peace and HUMAN RIGHTS in Europe; first Helsinki document was called the Final Act of the Helsinki Conference (1975).
HOSTILE-ENVIRONMENT SEXUAL HARASSMENT: Unwelcome conduct that is so severe or pervasive as to change the conditions of the claimant's employment and create an intimidating, hostile, or offensive work environment. Hostile work environment harassment does not require an impact on an economic benefit. It may involve co-workers or third parties, not just supervisors. This type of SEXUAL HARASSMENT is not limited to sexual advances; it can include hostile or offensive behavior based on the person's sex.

HUMAN DEVELOPMENT INDEX (HDI): Measures development of states according to a variety of factors including health, literacy and standard of living indicators.

HUMAN RIGHTS: The rights people are entitled to simply for being human, irrespective of their citizenship, nationality, race, ethnicity, language, sex, sexuality, or abilities; human rights become enforceable as they become codified as CONVENTIONS, COVENANTS, OR TREATIES, or as they become recognized as CUSTOMARY INTERNATIONAL LAW.

HUMAN RIGHTS COMMITTEE (HRC): The TREATY MONITORING BODY created by the INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS to investigate and hear claims pertaining to civil and political rights under that Covenant; one of six bodies charged with monitoring compliance of member states with UN human rights conventions.

HUMAN RIGHTS OF WOMEN: See WOMEN'S HUMAN RIGHTS.

HUMAN RIGHTS PRINCIPLES: HUMAN RIGHTS are related to one's human dignity; they are UNIVERSAL, INALIENABLE, INDIVISIBLE, INTERCONNECTED AND INTER-INDEPENDENT; governments are obligated to enforce such rights in a manner that promotes EQUALITY and NON-DISCRIMINATION.

HUMAN RIGHTS SYSTEMS: Refers to the various groupings of human rights laws, courts, investigative bodies and other organizations at the national, regional and international levels which may provide an appropriate ENFORCEMENT MECHANISM, such as court-like COMPLAINT procedures and audit-like MONITORING AND REPORTING PROCEDURES.

HUMANITARIAN LAW: The international rules that establish the rights of combatants and noncombatants in war; See GENEVA CONVENTIONS.

ILO: See INTERNATIONAL LABOUR ORGANIZATION.

ILO CONVENTION: See CONVENTION.

INALIENABLE: Refers to the concept that HUMAN RIGHTS cannot be taken away under any circumstances, even if someone voluntarily gives them up.

INDIVIDUAL COMPLAINT: COMPLAINTS of individuals or NON-GOVERNMENTAL ORGANIZATIONS; the OPTIONAL PROTOCOL TO THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS permits the HUMAN RIGHTS COMMITTEE to hear individual complaints.

INDIVISIBLE: Refers to the notion that there is no hierarchy of rights; civil and political rights are equally as important as social, economic and cultural rights and vice versa; principle reaffirmed by the VIENNA DECLARATION.

INFORMAL SECTOR: Sector of the ECONOMY that comprises a wide range of unregulated economic and "extra-legal" activities, generally involving work for pay that does not come in the form of wages, and employment conditions that are not regulated by local, state or national governments; informality describes not only the relation of the enterprise to the state, but also the relation between employers and workers, many of whom are likely to be family and between buyers and sellers.

INTER-AMERICAN COMMISSION ON HUMAN RIGHTS: An organ of the ORGANIZATION OF AMERICAN STATES with power to conduct investigations into alleged human rights violations and to recommend measures for the protection of HUMAN RIGHTS.

INTER-AMERICAN COURT OF HUMAN RIGHTS: A seven-member judicial body which hears cases brought against member organizations concerning human rights abuses; an organ of the ORGANIZATION OF AMERICAN STATES.

INTER-AMERICAN CONVENTION ON HUMAN RIGHTS (signed 1969; entered into force 1978); CONVENTION providing human rights protections in the Americas and establishing the AMERICAN COURT OF HUMAN RIGHTS.

INTER-AMERICAN CONVENTION ON THE PREVENTION, PUNISHMENT AND ERADICATION OF VIOLENCE AGAINST WOMEN (entered into force 1995); Regional ORGANIZATION that provides a new mechanism for women in the Americas who suffer from various forms of violence.

INTER-AMERICAN CONVENTION TO PREVENT AND PUNISH TORTURE (1985); Regional corollary to the CONVENTION AGAINST TORTURE AND OTHER CRUEL, INHUME, OR DEGRADING TREATMENT OR PUNISHMENT.

INTER-STATE COMPLAINT: Complaint of one STATE (country) against another.

INTERCONNECTED AND INTERDEPENDENT: Notion that human rights interact in a dynamic interchange, reinforcing each other, denial of one human right has an impact on one's ability to exercise other human rights.

INTERGOVERNMENTAL ORGANIZATION: A body whose members are composed of and supported by MEMBER STATES.

INTERNATIONAL BANK FOR RECONCILIATION AND DEVELOPMENT: See WORLD BANK.

INTERNATIONAL BILL OF RIGHTS: The UNIVERSAL DECLARATION OF HUMAN RIGHTS, the INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS and the INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS.
INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS (ICCPR): (adopted 1966; entered into force 1976). CONVENTION that declares that all people have a broad range of civil and political rights one of three components of the INTERNATIONAL BILL OF RIGHTS. The body charged with enforcing this covenant is the COMMITTEE ON HUMAN RIGHTS.

INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS (ICESCR): (adopted 1966; entered into force 1976). CONVENTION that declares that all people have a broad range of economic, social and cultural rights one of three components of the INTERNATIONAL BILL OF RIGHTS. The body charged with enforcing this covenant is the Economic, Social and Cultural Rights Committee.

INTERNATIONAL FINANCIAL INSTITUTIONS (IFI): International organizations designed to promote the world economy. The main institutions are the INTERNATIONAL BANK FOR RECONCILIATION AND DEVELOPMENT (WORLD BANK) and the INTERNATIONAL MONETARY FUND (IMF). These institutions are often referred to as Bretton Woods Institutions.

INTERNATIONAL GOVERNMENTAL ORGANIZATION (IGO): A permanent organization set up by three or more states to carry on activities of common interest.

INTERNATIONAL LABOUR ORGANIZATION (ILO): Established in 1919 as part of the Versailles Peace Treaty to improve working conditions and promote social justice. Became a SPECIALIZED AGENCY of the United Nations in 1946; has passed a number of CONVENTIONS pertaining to the human rights of women.

INTERNATIONAL MONETARY FUND (IMF): Established in 1944; facilitates world commerce by overseeing the currency exchange rates and by reducing foreign exchange restrictions of countries that have become members; the IMF has also created a reserve of funds to enable countries experiencing temporary balance of payments problems to continue trading without interruption. Since 1982 the IMF has issued loans requiring specific conditions, known as STRUCTURAL ADJUSTMENT PROGRAMMES.

JURISDICTION: The authority of courts or court-like bodies to hear and decide CLAIMS; can refer to the courts' ability to hear particular subjects and/or to review cases brought by certain types of CLAIMANTS; jurisdiction can also refer to a geographic area of authority.

MALTREATMENT OF CHILDREN: Emotional abuse, neglect, physical and sexual abuse of children. Emotional abuse includes acts or failures to act by parents or caretakers that have caused or could cause, serious behavioural, cognitive, emotional, or mental disorders. Neglect is the failure to provide for the child's basic needs; it may be physical, educational, or emotional. Physical abuse is the inflicting of physical injury upon a child. Sexual abuse is inappropriate sexual behaviour with a child.

MAQUILADORAS: See EXPORT PROCESSING ZONES.

MEMBER STATES: Countries that are members of a particular international or regional body.

MIGRANTS: People who leave their place of origin for economic or other reasons not covered under the definition of REFUGEE under the CONVENTION RELATING TO THE STATUS OF REFUGEES.

MINORITY: Refers to groups with (1) fewer members, i.e., not the majority of a population, and/or (2) less power in society.

MONITORING AND REPORTING PROCEDURE: Procedures that resemble "audits" of government behaviour which results in NON-BINDING recommendations. In some cases, the reporting resembles a self-inspection; governments report on their own compliance with human rights obligations or a monitoring body initiates the report on government behaviour.

MULTILATERAL TREATY: Treaty between more than two states.

MULTINATIONAL CORPORATIONS (MNC): See TRANSNATIONAL CORPORATIONS.

NAIROBI FORWARD-LOOKING STRATEGIES FOR THE ADVANCEMENT OF WOMEN: Plan of action for women's equality that resulted from the Third United Nations World Conference on Women held in Nairobi in 1985.

NATIONAL SYSTEMS: Legal systems of a particular country; used synonymously with DOMESTIC SYSTEMS.

NON-BINDING: A document that carries no formal legal obligations, but which may still carry moral obligations.

NON-DISCRIMINATION: Principle that people may not be treated differently based on arbitrary and impermissible criteria; discrimination based on grounds of race, sex, disability, sexual orientation, geographic location, or any other status violates human rights.

NON-GOVERNMENTAL ORGANIZATIONS (NGOs): Organizations formed by and of people outside of government; non-profit, human rights, humanitarian aid and grassroots organizations can all be NGOs.

NON-TREATY BASED MECHANISMS: Provisions for the enforcement of human rights other than those that relate directly to a specific human rights TREATY, CONVENTION or COVENANT. For example, the SPECIALIZED AGENCIES of the United Nations often provide forms of complaint and/or monitoring procedures.

OAS: See ORGANIZATION OF AMERICAN STATES.

OAU: See ORGANIZATION OF AFRICAN UNITY.

OPENED FOR SIGNATURE: Point at which a CONVENTION is formally introduced to and adopted by the GENERAL ASSEMBLY.

OPTIONAL PROTOCOL: Addendum to an international agreement to which the STATE PARTIES must agree separately; often places additional obligations on the parties such as an agreement to submit to the jurisdiction of an international court.

OPTIONAL PROTOCOL TO THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS: (adopted 1966; entered into force 1976). Addendum attached to the INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS by signatories to the agreement to which it relates.
ing this addendum, states agree to allow the HUMAN RIGHTS COMMITTEE to consider INDIVIDUAL COMPLAINTS, that is complaints from individuals claiming to be denied any of the rights in the INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS.

ORGANIZATION OF AFRICAN UNITY (OAU): Organization of independent African states that work jointly to improve peace and security in the region and to promote regional cooperation on economic, social and cultural matters.

ORGANIZATION OF AMERICAN STATES (OAS): Organization of independent American states created to strengthen peace and security in the region and to promote regional cooperation on economic, social and cultural matters.

ORGANIZATION ON SECURITY AND COOPERATION IN EUROPE (OSCE, formerly the CSCE): European attempt to settle security issues peacefully through a series of creative collaborative ventures; formerly the Conference on Security and Cooperation in Europe; declared the HELSINKI ACCORDS.

PEOPLES' RIGHTS: Used synonymously with SOLIDARITY RIGHTS and COLLECTIVE RIGHTS; refers to the rights of groups, not just individuals, such as the rights to development, peace and a healthy environment.

PETITION: See COMPLAINT.

PROCEDURE: In terms of HUMAN RIGHTS MECHANISMS, procedures are the various ways in which human rights CLAIMS can be made; see COMPLAINT-INFORMATION PROCEDURE, COMPLAINT-RESOURCE PROCEDURE, and MONITORING AND REPORTING PROCEDURE.

PROCEDURAL REQUIREMENTS: Technical requirements that must be met to bring a CLAIM; distinguishable from SUBSTANTIVE REQUIREMENTS.

PROTOCOL: Supplemental addition to TREATY; when STATES PARTIES can still agree to the main treaty without signing on to the protocol, this is known as an OPTIONAL PROTOCOL.

PROTOCOL II ADDITIONAL TO THE GENEVA CONVENTIONS OF AUGUST 12, 1949 (opened for signature 1977, entered into force 1978): Sets forth requirements for humane treatment of victims of non-international armed conflicts; major source of HUMANITARIAN LAW.

QUID-PRO-QUO SEXUAL HARASSMENT: A form of SEXUAL HARASSMENT occurring when an employee is required to choose between submitting to sexual advances or losing a tangible benefit. The harasser must have power to control the employee's employment benefits in order for this claim to be made.

RATIFICATION: Process by which a legislature confirms a government's action in signing a treaty; formal procedure by which a state becomes bound to a TREATY.

RECOMMENDATION: Documents explaining how a particular treaty should be interpreted and applied. The COMMITTEE ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN has issued several influential recommendations. See GENERAL RECOMMENDATION 19, VIOLENCE AGAINST WOMEN.

REFUGEE: A person who has fled from the country of origin to escape persecution or out of fear of persecution based on race, religion, nationality, membership of a particular social group or political opinion. People who leave their homes but who do not cross country boundaries are called internally DISPLACED PEOPLE. People who meet the requirements for refugee status under the CONVENTION RELATING TO THE STATUS OF REFUGEES are called "Convention Refugees.

REFUGEE CONVENTION: See CONVENTION RELATING TO THE STATUS OF REFUGEES.

REMEDIY: In legal terms, the means by which a right is enforced or the violation of a right is prevented, redressed or compensated.

REPORTING PROCEDURE: See MONITORING AND REPORTING PROCEDURE.

RESERVATIONS: Exceptions that SIGNATORY STATES make to the document; in other words, provisions that they do not agree to follow. In signing a TREATY, states are not allowed to make reservations that undercut the fundamental meaning of the treaty; more reservations have been made to the CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN than any other CONVENTION.

RIO DECLARATION: Issued by the UNITED NATIONS CONFERENCE ON THE ENVIRONMENT AND DEVELOPMENT at Rio de Janeiro in 1992; links protection of the environment to sustainable development.

SECURITY COUNCIL: Organ of the United Nations comprised of five permanent members and 10 non-permanent members elected by the GENERAL ASSEMBLY; this influential body attempts to bring about peaceful settlements of disputes.

SEXUAL ASSAULT: Includes rape and other forms of physical attack of a sexual nature. See VIOLENCE AGAINST WOMEN and MALTREATMENT OF CHILDREN.

SEXUAL HARASSMENT: Unwelcome sexual advances, requests for sexual favours, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when submission to or rejection of this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment; two types of sexual harassment recognized under some countries' laws are QUID-PRO-QUO SEXUAL HARASSMENT and HOSTILE ENVIRONMENT SEXUAL HARASSMENT.

SIGNATORY STATES: States that have signed a particular TREATY, CONVENTION or COVENANT.

SOLIDARITY RIGHTS: See PEOPLES' RIGHTS.
 SOURCES OF INTERNATIONAL LAW: Primary sources listed in Article 38 of the Statue of the International Court of Justice are (1) TREATY; (2) CUSTOMARY INTERNATIONAL LAW; (3) GENERAL PRINCIPLES OF LAW; (4) judicial decisions.

SPECIAL RAPPORTEUR: Official appointed to compile information on a theme or a country situation, usually for a temporary period.

SPECIAL RAPPORTEUR ON VIOLENCE AGAINST WOMEN: Official appointed by the GENERAL ASSEMBLY in 1994 to investigate and make reports to the Commission on Human Rights about cases of violence against women worldwide.

SPECIALIZED AGENCY OF THE UNITED NATIONS: One of the institutions created by international agreement to carry out the mandate of the United Nations in particular fields, such as UNHCR and WHO.

STANDARD RULES ON THE EQUALIZATION OF OPPORTUNITIES FOR PERSONS WITH DISABILITIES: Guidelines for UN MEMBER STATES adopted by the GENERAL ASSEMBLY in 1993.

STATE: Often synonymous with country; a group of people permanently occupying a fixed territory having common laws and government and capable of conducting international affairs.

STATE RESPONSIBILITY: Liability of a state for the injuries it causes and accountability of the state for violations it does not seek to prevent or punish.

STATES PARTIES: Governments that have ratified a TREATY.

STATUTE OF THE INTERNATIONAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF THE FORMER YUGOSLAVIA SINCE 1991 (Security Council Resolution, 1993): Main statute for the ad hoc WAR CRIMES TRIBUNAL FOR THE FORMER YUGOSLAVIA; similar Security Council Resolution adopted to create WAR CRIMES TRIBUNAL FOR RWANDA; establishes the subject matter over which the court(s) have jurisdiction; specifically includes rape in war.

STOCKHOLM DECLARATION: Issued by United Nations Conference on the Environment in Stockholm in 1972: asserts that a healthy environment is a HUMAN RIGHT and that states have the responsibility to not damage the environment of other states.

STRUCTURAL ADJUSTMENT PROGRAMMES (SAPs): Policies of INTERNATIONAL FINANCIAL INSTITUTIONS such as the INTERNATIONAL MONETARY FUND that place tight restrictions on the country's economy with the goal of increasing exports and decreasing deficits; encourage governments to adopt stabilization or austerity measures which entail cutting government spending on "non-essential" services; often have an adverse impact on women.

SUB-COMMISSION ON THE PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES: In influential sub-commission of the UN COMMISSION ON HUMAN RIGHTS composed of independent experts charged with protection and promotion of the human rights of minorities.

SUBSTANTIVE REQUIREMENT: Requirement for using a CONVENTION that goes to the nature of a claim distinguishable from PROCEDURAL REQUIREMENTS. For example, women bringing a claim under a certain CONVENTION must show that the CONVENTION applies to the subject matter of their case.

TRANSNATIONAL OR MULTINATIONAL CORPORATION (TNC OR MNC): A large corporation that plays a key role in globalizing the economy and exploiting pools of cheap labor and natural resources in developing countries to increase its profits and earnings.

TREATY: Formal agreement between states that defines and modifies their mutual duties and obligations; used synonymously with CONVENTION. When national governments RATIFY treaties, they become part of their domestic legal obligations.

TREATY-MONITORING BODY: Body (usually called a Committee or Commission) set up by a treaty to monitor how well STATES PARTIES follow their obligations under that treaty.

UDHR: See UNIVERSAL DECLARATION OF HUMAN RIGHTS.


UNITED NATIONS CONFERENCE ON ENVIRONMENT AND DEVELOPMENT (Earth Summit): 1992 United Nations World Conference at Rio de Janeiro; put issues of environmental degradation into the world's public policy arena; resulted in the RIO DECLARATION, which paid particular attention to women's role in environmental management and sustainable development.

UNITED NATIONS DIVISION FOR THE ADVANCEMENT OF WOMEN (DAW): UN unit responsible for servicing the COMMISSION ON THE STATUS OF WOMEN; the main policy-making body for women, and the COMMITTEE ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN.

UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS: United Nations office charged with the promotion and protection of HUMAN RIGHTS worldwide.

UNITED NATIONS HIGH COMMISSIONER ON REFUGEES (UNHCR): The SPECIALIZED AGENCY OF THE UNITED NATIONS that deals with refugee issues and related humanitarian concerns.

UNITED NATIONS INTERNATIONAL CONFERENCE ON POPULATION AND DEVELOPMENT (ICPD): The first United Nations World Conference on Population and Development took place in Bucharest, Romania, in 1974; the latest Conference was held in Cairo in 1994, producing the CAIRO PROGRAMME OF ACTION.
WOMEN WITH DISABILITIES: See DISABLED PERSONS.

See WORLD HEALTH ORGANIZATION.


WORLD BANK: Established in 1945 to finance the reconstruction of Europe after World War II; since the 1950s it has funded development projects in developing countries; encourages foreign investment through loan guarantees or direct investment of its own funds.

WORLD HEALTH ORGANIZATION (WHO): An international agency of the United Nations that works to promote health worldwide.

UNITED NATIONS WORLD CONFERENCES ON WOMEN: The first United Nations World Conference on Women took place in Beijing in 1995; the most recent conference was in Beijing in 1995, producing the BEIJING DECLARATION AND PLATFORM FOR ACTION; the next conference in 2005.

UNITED NATIONS WORLD CONFERENCE ON HUMAN RIGHTS: World Conference on HUMAN RIGHTS at Vienna in 1993; produced the VIENNA DECLARATION AND PLATFORM FOR ACTION. Women's human rights advocates used the conference to push for recognition of women's HUMAN RIGHTS.

UNITED NATIONS WORLD CONFERENCE ON HUMAN SETTLEMENTS (HABITAT II): Second World Conference on Human Settlements in Istanbul in 1996; addressed housing and development and related concerns.

UNIVERSAL LAW: Law so fundamental or basic that it is binding upon all states whether they have individually consented to it or not.

UNIVERSAL DECLARATION OF HUMAN RIGHTS (UDHR): 1948; Primary United Nations document establishing human rights standards and norms; although intended to be NON-BINDING, through time various provisions have become so respected by states that it can be said to be CUSTOMARY INTERNATIONAL LAW; one of three components of the INTERNATIONAL BILL OF RIGHTS.

UNIVERSAL: Principle that every human being is entitled to human rights regardless of sex, race, colour, religion, national or social origin, property, birth or any other factor; universality means that governments and communities should uphold certain moral and ethical values that cut across all regions of the world.

UNIVERSAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN. See CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN.

UNITED NATIONS WORLD CONFERENCE ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN: Consensus document arising from the 1993 UNITED NATIONS CONFERENCE ON HUMAN RIGHTS in Vienna states that HUMAN RIGHTS are UNIVERSAL, INDIVISIBLE, INTERCONNECTED AND INTERRELATED; affirms that the human rights of women are an inalienable, integral and indivisible part of universal human rights; recognizes violence against women as a HUMAN RIGHTS violation.

VIOLENCE AGAINST WOMEN: 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 deprivation of liberty, whether occurring in public or private life. Violence against women includes, but is not limited to, the following: (a) 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 related to exploitation; (b) 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; (c) Physical, sexual and psychological violence perpetrated or condoned by the state, wherever it occurs.


WHO: See WORLD HEALTH ORGANIZATION.

WOMEN WITH DISABILITIES: See DISABLED PERSONS.

WOMEN'S CONVENTION: See CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN.

WOMEN'S HUMAN RIGHTS: Political term used to underscore that women's rights are HUMAN RIGHTS, rights to which women are entitled simply for being human. This approach adds both a focus on women into the human rights movement and an emphasis on HUMAN RIGHTS PRINCIPLES into the women's rights movement; the international document specifically delineating women's HUMAN RIGHTS is the CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN, but the integration of a gender-conscious perspective into all treaties is equally important for the human rights of women.

WOMEN'S HUMAN RIGHTS ADVOCACY: Generally consists of activities aimed at influencing policies and decision-making at national and international levels to assure recognition and respect for women's HUMAN RIGHTS and to assure that the treatment of women is consistent with international human rights standards.

WORKING GROUP ON INDIGENOUS POPULATIONS: Established in 1982 by the SUB-COMMISSION ON THE PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES to study ways to promote and protect the human rights of indigenous people; has drafted a declaration on the rights of indigenous people for ADOPTION by the GENERAL ASSEMBLY.

WORLD BANK (International Bank for Reconstruction and Development): INTERNATIONAL FINANCIAL INSTITUTION (IFI) established originally to finance the reconstruction of Europe after World War II; since the 1950s it has funded development projects in developing countries; encourages foreign investment through loan guarantees or direct investment of its own funds.

WORLD HEALTH ORGANIZATION (WHO): INTERGOVERNMENTAL ORGANIZATION under the auspices of the UNITED NATIONS that works to promote health worldwide.

WORLD SUMMIT ON SOCIAL DEVELOPMENT: 1995 World Conference in Copenhagen; committed to eradication of poverty, marginalization and economic insecurity; paid particular attention to the needs of women.

WORLD TRADE ORGANIZATION (WTO): Established in 1995 as the permanent successor to the GENERAL AGREEMENT ON TARIFFS AND TRADE; provides MEMBER STATES with a forum on macroeconomic policy, trade-related negotiations and dispute resolution.

UNITED NATIONS WORLD CONFERENCES ON WOMEN: The first United Nations World Conference on Women took place in Mexico in 1975; subsequently the UN proclaimed 1975-1985 the Decade for Women and conferences on women took place in Copenhagen in 1980 and Nairobi in 1985; the latest conference was in Beijing in 1995, producing the BEIJING DECLARATION AND PLATFORM FOR ACTION; the next world conference on women is scheduled for 2005.
This bibliography is intended as a starting point for further research on the human rights of women and girls. It is divided into three sections: (1) international systems and mechanisms for human rights (including international conferences), with an emphasis on gender issues; (2) regional systems and mechanisms, with an emphasis on gender issues; (3) materials on the human rights of women and girls, in general, and with attention to selected issues (Note that this bibliography was compiled by Julie Mertus and suggested updates can be sent to her at suitcase@apc.org. Updated versions of the bibliography can be found at the Web site of Ohio Northern University, Pettit College of Law, http://www.law.onu.edu).

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UNIFEM is the women’s fund at the United Nations that provides financial support and technical assistance to innovative programmes promoting women’s human rights, their economic and political empowerment, and gender equality. UNIFEM advocates within the UN system to link women’s interests and concerns to all critical issues on the national, regional and global agendas.

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The Center for Women's Global Leadership (Global Center) develops and facilitates women's global leadership towards women's human rights and social justice worldwide. The Center's programmes promote the leadership of women and advance feminist perspectives in policy-making processes in local, national and international arenas.

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