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WOMEN'S ECONOMIC AND SOCIAL HUMAN RIGHTS HAVE TO BE MADE VISIBLE



**A very special meeting
in retrospect**



By Brita Neuhold

The atmosphere

International flair, competence and enterprise characterised also this year's Annual Assembly of WIDE, which took place in the conference centre Am Spiegeln in Vienna. As Carmen de la Cruz, Chair of WIDE International, highlighted in her opening address, the Assembly's motto had **two points of reference**: on the one hand, it referred to the 50th anniversary of the *Universal Declaration of Human Rights* and, on the other hand, it was embedded in the long-standing focus of WIDE on *development, economic and trade policy*. The "typical WIDE approach" of giving priority to the experiences of women from countries of the South and of listening to their proposals once again was effective in a convincing way.

"The standard was much higher than at 'normal' conferences, but there was even more to it: people listened to each other, they opened up and supported each other on a common path ..."

This assessment voiced by a participant at the end of the Assembly gives a good impression of the atmosphere at this meeting: For two days, around 140 women from 27 countries (53 of them from Austria) reported, discussed and deliberated on analyses and alternatives, exchanged experiences, listened to each other, were touched, angry and full of hope. They designed strategies, specified actions in detail and networked their activities. Last, but not least, they also went to a *Heurigen* tavern and waltzed – after all the Assembly took place in Vienna. Under the vivacious and cordial chair of *Lilian Hofmeister*, judge and equal treatment official for the judiciary in Austria, an extremely dense, high-level programme unfolded that included a total of 14 papers presenting diverse approaches and eight highly intensive workshops that spanned both days and resulted in concrete proposals for action.

Background and objective

The declared objective of WIDE was to focus on the economic and social human rights of women. This is based on the experience that this **second generation of human rights** usually stands in the shadow of the more prestigious civil and political rights.¹ The latter were ratified by more countries, thus, being binding to a higher extent, and were worded in a more precise way. The instruments in this field apply more effective enforcement mechanisms and enjoy more media coverage. In contrast, economic and social rights are considered to be difficult to define, less concrete and difficult to measure – above all in the West. In this field, there are only a few binding international conventions² (see overview of the most important international instruments in the field of human rights and different "types" of human rights in the Annex).

The situation is even more differentiated if one focuses on the human rights of women. Here, the following **trends** can be discerned:

- *International instruments* in the field of human rights – unless explicitly designed for women – do not consider the way in which women are impacted by violations of the relevant rights and how these rights could be protected and safeguarded. At best, they usually contain an article on



Lilian Hofmeister (left), Edda Weiss (right)
"If women are legal subjects, i.e. human beings in their own right, their way can only go via the safeguarding of economic and social rights." (Hofmeister)

equal opportunities or a ban on discrimination (also) on grounds of sex as well as a paragraph on the protection of the family. Some instruments, such as the Convention against Torture, only refer to men.

- The conventions and international agreements dealing specifically with *women's rights* – their number, by the way, is rather impressive – either were ratified or acceded to by too few countries, they were "supplemented" by reservations contradicting their true objectives or their implementation was inadequately monitored. Moreover, they involve only weak monitoring and control mechanisms or none at all.
- The human rights of women are *not considered to be their own rights*. Women are mainly seen as a part of the private sphere shielded from the state, in contrast to men who embody the public sphere. Family law often is anchored in special, traditional legal systems, for example in Africa, so that modern legislation is not effective.
- In this context, *economic, social and cultural rights of women* are in particularly low esteem – because the relevant instruments are considered to be less important, these

1 Cf. Brita Neuhold: Wirtschaftliche und soziale Rechte von Frauen in internationalen Erklärungen und Konventionen. Vienna, May 1998 (Document prepared for the WIDE Annual Assembly 1998); Women's economic rights as part of international declarations and conventions, in: Women's Economic and Social Rights. WIDE Bulletin, Feb. 1998, p. 4 ff.

2 Important exceptions are the "International Covenant on Economic, Social and Cultural Rights" (1966), two conventions of ILO with regard to women labour (see Annex), a UNESCO Convention against Discrimination in Education and, above all, the Convention for the Elimination of all Forms of Discrimination against Women that gives ample room to both types of human rights.

rights are not specifically named and claimed by women and because of cultural backgrounds.

These elements pervade international human rights legislation, but they also legitimise continual encroachments on women's rights in everyday life. In countries of the South, the chances of women and girls to survive are particularly threatened.

Opening and introductory speeches

On behalf of the Austrian Ministry of Foreign Affairs, *Edda Weiss* of the Development Co-operation Department informed the participants about recent developments in this field: While the private sector's interest in Southern regions increased, the activities of the public sector decreased, unfortunately with highly different regional priorities being set. Ms Weiss also reported on successful projects and programmes in the field of education and health as well as on the need to promote sustainable development and to revive and re-orientate the partnership idea, which was also confirmed by OECD. She highlighted the commitment and the important role of women in the South and the North and stressed the need for the determined integration



of a comprehensive gender perspective in all policies, programmes and projects of Austrian development co-operation. Examples for the further development of these strategies were the appointment of a gender consultant at the department responsible for development programmes and projects, the funding



of several studies prepared by WIDE members on the implementation of the *Beijing Platform for Action* in Austria and the Small Project Pool of the Vienna Institute for Development and Co-operation (VIDC) that also deals with issues of human rights education.





INTRODUCTION TO THE TOPIC

KEYNOTE SPEECH

A keynote speech provided an introduction to the problems faced and illustrated the low rank still attributed to women's rights and, in particular, their economic and social rights in the relevant theory and practice. Subsequently, this analysis was extended by regional perspectives.

Basic analysis

By Margaret Schuler³

This leading expert in the field of research and action-orientated information on the human rights of women evoked the "moving atmosphere" that characterised the adoption of the **Universal Declaration of Human Rights** in 1948. The special feature of this historic event and the process that lead up to it was the fact that states were really motivated "to put aside, at least briefly, their own interest and sovereignty and embrace ... the need for a set of standards." In this context, the central conviction was that all human beings were entitled to a life of dignity.

"We need again something of that spirit," she said. But at the same time, she reminded the audience of the climate of the Cold War that was to dominate the following decades and already shaped the – in many cases very cautious – wordings of the Declaration. Finally, it resulted in two separate Covenants being adopted for the two sets of rights, i.e. the "economic, social and cultural rights", the prime objectives of the East, on the one hand, and the "civil and political rights", the credo of the West, on the other hand (see above).

Then, Ms Schuler described how these two groups of rights that actually belonged together and were indivisible, were "divided up, which eventually resulted – to put it bluntly – in each block ignoring the rights upheld by the other one ..."

In that climate, it was especially difficult for the advocates of economic, social and cultural rights to achieve binding agreements since the Covenant itself stated that the states have to take measures "to the maximum of its available resources" (Art. 2).

Against this backdrop, the committed scientist and activist advocated that the required interrelations between the two groups of rights be emphasised and **links and bridges** be built.

3 Margaret Schuler published numerous books, e.g. "Claiming Our Place: Working the Human Rights System to Women's Advantage". Washington, 1993, and founded the Institute for Women Law and Development in Washington.

"It would be a mistake to establish a new hierarchy of rights and to proclaim the primacy of economic, social and cultural rights!"

Either set of rights was unthinkable without the other. The right to life was meaningless unless the basis was created for the right to sufficient food, clean water, equal work, education and health care as well as adequate shelter; economic security, in turn, would lack credibility and stood on feet of clay without democracy, equal opportunities, freedom of opinion and information. Violations of civil and political rights and of the equality principle could also result in infringements of economic and social rights, as was well illustrated by the way in which women and girls were treated in the law of inheritance in certain societies.



Margaret Schuler:
"Formal human rights have to be turned into effective human rights!"

In concluding, Margaret Schuler outlined the most important **challenges for the future**:

- The concepts of economic and social rights are worded in a vague and unclear way in international texts. They have to be re-defined!
- Interrelations – in theory and practice – have to be developed between the two "sets of rights"!
- Insights have to be turned into action!

For all those active in the field of human rights, Ms Schuler had a clear message:

"Name the violation, identify the violators of human rights and improve enforcement – a right without enforcement is no right!"

Action had to be taken in the following **fields**:

- *Specification, definition, delimitation of our issue*: The human rights of women and their violation had to be made visible. The extent of violence against women had to be clearly realised. Here, success had already been achieved due to the persistent commitment of women in South and North.
- *Expanding the scope of state responsibility in the protection and enforcement of women's rights*. Also in this field, women achieved success, e.g. at the World Conference on Human Rights held in Vienna in July 1993.
- *Improving the monitoring and enforcement at an international and national level*, e.g. by means of the Protocol to the Convention for the Elimination of all Forms of Discrimination Against Women (CEDAW).
- *Raising public awareness* with regard to the human rights of women, the way in which they are violated, how they can be protected, promoted and enforced at various levels.

The speaker closed with the following words:

"This conference is an important moment on our way to discovering the universality and indivisibility of social, economic, cultural, civil and political rights!"⁴



4 The full, slightly revised version of the speech is included in the Annex.

Regional perspective – Asia

Shanti Dairiam⁵

The speaker took up Margaret Schuler's conviction that economic and social rights were indivisible from civil and political rights. However, she also attempted to put an edge to the concept of economic and social rights. The fight for achieving these rights had to focus on the **right for development** and the right of the people to enjoy the results and fruits of their work – in contrast to the approach pursued by most states and institutions, such as the World Bank, that mainly concentrated on employing "human resources" as efficiently as possible. In this context, she also considered the relations between individual groups and "minorities" of society as well as between class, race and sex to be of importance. The **gender-specific situation** was devastating in the field of human rights!

"All institutions are dominated by men. At best, women are seen as mothers and household members, but not as autonomous legal persons."

Two comprehensive **global processes** currently determined the rank of women's economic and social rights:

- Liberalisation and deregulation processes shaped by GATT (General Agreement on Tariffs and Trade) and WTO (World Trade Organisation), and
- Transition from planned to market-oriented societies.

In the past, the impact of *structural adjustment programmes*, whose failure was also admitted by the *International Monetary Fund*

(IMF) and the *World Bank*, was particularly disastrous for women. The *Multilateral Agreement on Investment (MAI)* also hung over women like the sword of Damocles foreboding total re-colonisation, expropriation and commercialisation that absolutely had to be averted.

With regard to the **situation in Asia**, Shanti Dairiam stressed that though some population groups had benefited from economic development, wide sections of the population, above all women, were impoverished. She referred to the migration of various industries, e.g. in the textile sector. In agriculture, many people who were not able to keep pace with the food giants had lost their land. Due to the sole focus on the formal sector, many small farmers, entrepreneurs and craftspeople would be left out in the cold and wear themselves out in a hopeless fight against their powerful competitors. And again the losers were women, whose rights had either never been protected or were lost again. Strategies should aim at **empowering** women and **reviving the informal sector**.



Shanti Dairiam:
"Focus on the right to development!"

5 Ms Dairiam is the co-ordinator of the International Women's Rights Action Watch Asia Pacific, Kuala Lumpur, Malaysia.

Regional perspective – Sub-Saharan Africa

Yassine Fall

In her presentation, the prominent feminist economist and Executive Secretary of the *Association of African Women for Research and Development* (AAWORD) from Senegal, discussed the **historical perspective** in detail:

At the time when the Universal Declaration of Human Rights was adopted, Africa was still colonised. After most former colonies became independent in this region – only a few years before the two human rights covenants (see Annex) were adopted – the course was



set to ensure that the new states stayed on the "track of old dependencies". Based on raw material exports at low prices, Africa was cemented as the "periphery" once and for all.

In this context, the *Lomé Convention* also played a major role as it contributed to maintaining Africa's role as a supplier of inexpensive raw material.⁶ In this way, the dependence of Africa on foreign capital and the poverty of its people, in particular of women, had increased in an alarming way in the past forty years. For the majority of the population, access to basic material rights, especially to health care and education, was fully blocked. In Sub-Saharan Africa – Ms Fall primarily thinks of her native country, Senegal, in this context – the economic and social rights of women were trampled on at all levels: at the macro-economic, institutional levels and at the level of the household and family. The accelerating economic globalisation, supported by GATT, WTO and regional free trade areas, reinforced the discrimination of Africa and the deprivation of its rights. At present, the priva-

tisation of the continent was prepared at a terrifying pace by international corporations – in spite of a still very slow flow of investments.



Yassine Fall:
"The present development has to be seen in a historical perspective!"



⁶ Yassine Fall's criticism is directed against the preferential tariffs that allowed the African, Caribbean and Pacific (ACP) countries to export raw material at favourable terms. The diversification of the production process that was also planned was only pursued half-heartedly.

Regional perspective – Canada

Joanna Kerr⁷

"It is almost exactly five years ago that the World Conference on Human Rights was opened here in Vienna."

Thus, the Canadian human rights expert considered it to be high time to analyse the state of the human rights of women in her own country. A few years ago, a programme was abandoned in Canada that, in the past thirty years, had been based on the principle that all people living in the country were **entitled to certain social and economic benefits** – free elementary education, health insurance, pension scheme and social assistance for people in distress. This programme focused on the opportunities of "vulnerable groups" and had a highly favourable impact on gender equality.

The programme involved the following standards and criteria:

- Accessibility for all,
- adjustment to basic needs,
- universality without evidence of residence,
- the right of the applicants to sue for social assistance,
- the right to reject certain types of work.

The funds were provided in equal shares by the central government and the provinces.

In the year 1995 – just in the year when the Fourth UN World Conference on Women took place –, the government discontinued the pro-



Joanna Kerr:
"Don't let governments off the hook!"

gramme that had been invaluable in spite of the questions it left open with regard to the free development of women's opportunities and the basic rights of ethnic minorities and similar groups. It was replaced by a package of measures having the telltale name of "Canadian Health and Social Transfer": Now, the government transfers certain amounts of money to each of the provinces which can freely decide on the allocation of the funds. The standards of distribution mentioned above had vanished and the principle of cost sharing also belonged to the past.

After a short time, it already became clear that decentralisation rather meant a **reduction of power**, but also a downgrading of social issues, and that the economic and social rights of disadvantaged groups and, once again, women were highly threatened. Massive cuts were made, in particular, in the health sector, and many women counselling centres were closed.

Against the background of the neo-conservative paradigm, the Canadian government simply justified this policy by saying: "We cannot afford that!" – a statement heard in many other countries, also in Austria.

● ● ● ● ●
⁷ Joanna Kerr edited numerous publications, e.g. *Ours by Right. Women's Rights as Human Rights*. London, Atlantic Highlands, Ottawa, 1993, Zed, and works in a counselling programme for Africa. She is a member of the Canadian North-South Institute.

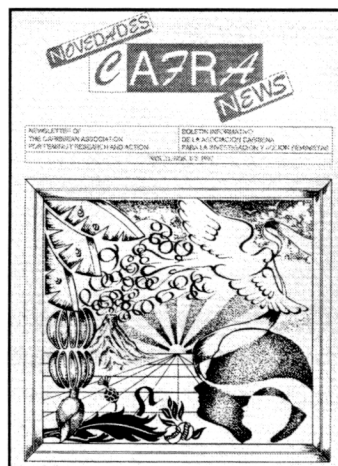
Regional perspective – Caribbean Nelcia Robinson

In co-operation with other women in the region, the head of the *Caribbean Association for Feminist Research and Action* (CAFRA) established a "Gender Coalition" which examines the impact of trade and economic agreements on women and develops counter-strategies. Together with WIDE International, CAFRA, for example, organised a major conference on *Lomé* and its successor agreement in February 1998 and published a position paper⁸ on this topic. CAFRA also highlights the importance of international instruments for women and fights for the enforcement of their rights – among others by means of a periodical Newsletter (published in English and Spanish).

In her statement, Nelcia Robinson referred to Articles 26 and 35 of the Beijing Platform for Action demanding the economic independence of women and their access to economic resources. She reported that the Caribbean Community, CARICOM, had prepared a Post-Beijing Regional Plan. At the same time, she warned of the destructive effects of current globalisation and deregulation processes and the related increase of poverty, in par-



Nelcia Robinson
(CAFRA):
**Active efforts to
change the
situation of
women in the
region.**



CAFRA -
Newsletter

ticular among women in rural areas. The **fight against gender violence**, the basic evil of our society, was a standard statement of governments paying lip service, but was not safeguarded by means of budgetary provisions.

In order to ensure that the economic and social rights of women are really taken seriously and promoted, Nelcia Robinson stated the following **measures**:

- developing a strong women's movement at a national, regional and international level,
- building of strong alliances,
- lobbying on special issues.

Finally, the speaker gave four **examples** for the involvement of CAFRA in regional and international activities:

- the Latin American and Caribbean campaign against violence against women and girls,
- the CAFRA/WIDE position paper on the Lomé Convention,
- the Caribbean platform for the involvement of women in political decision making,
- lobbying for the implementation of the Beijing Platform for Action in co-operation with the *Women Environment Development Organization* (WEDO).



8 The paper is available from the WIDE offices in Brussels and Vienna.

Regional perspective – Latin America Virginia Vargas⁹

The renowned feminist scientist and women's rights activist from Peru reminded the audience of the deep changes within the Latin American feminist movement during the past decades – from fights for changes at the personal micro-level in the 1980's to re-orientations focusing on the macro-level with regard to the **struggle for democracy** and participation in the **development of civil society** in the 1990's.

Currently, increasing weight was given to the analysis of exclusion and inclusion issues. This resulted in a two-fold challenge:

"... to know how to negotiate with the state and other public powers while maintaining our autonomy and visibility."

The building of democracy and civil power, however, was a "contested terrain" in which women had to come to an understanding with other groups of society as their interest would not necessarily be perceived by others. Thus,



Photo: CAFRA News, 1-2/1997



Virginia Vargas:
Tightrope act between public powers and autonomy.

this axis was full of conflicts and boiled down to the "right to have rights" – also for women.

Democracy and civil society, thus, were categories in which women already "had gained much ground" – within the framework of a subversive and flexible alternative model to the male approach.

As a result, these areas were not only rich in conflicts, but also allowed for forging alliances.

The category of citizenship was an important axis where tensions between modern political ideas and feminist reflections became apparent:

"Tensions between the universality of rights and differences or inequalities that block our access to precisely that universality; between formal and material rights; between the principle of equality and the right of being different."

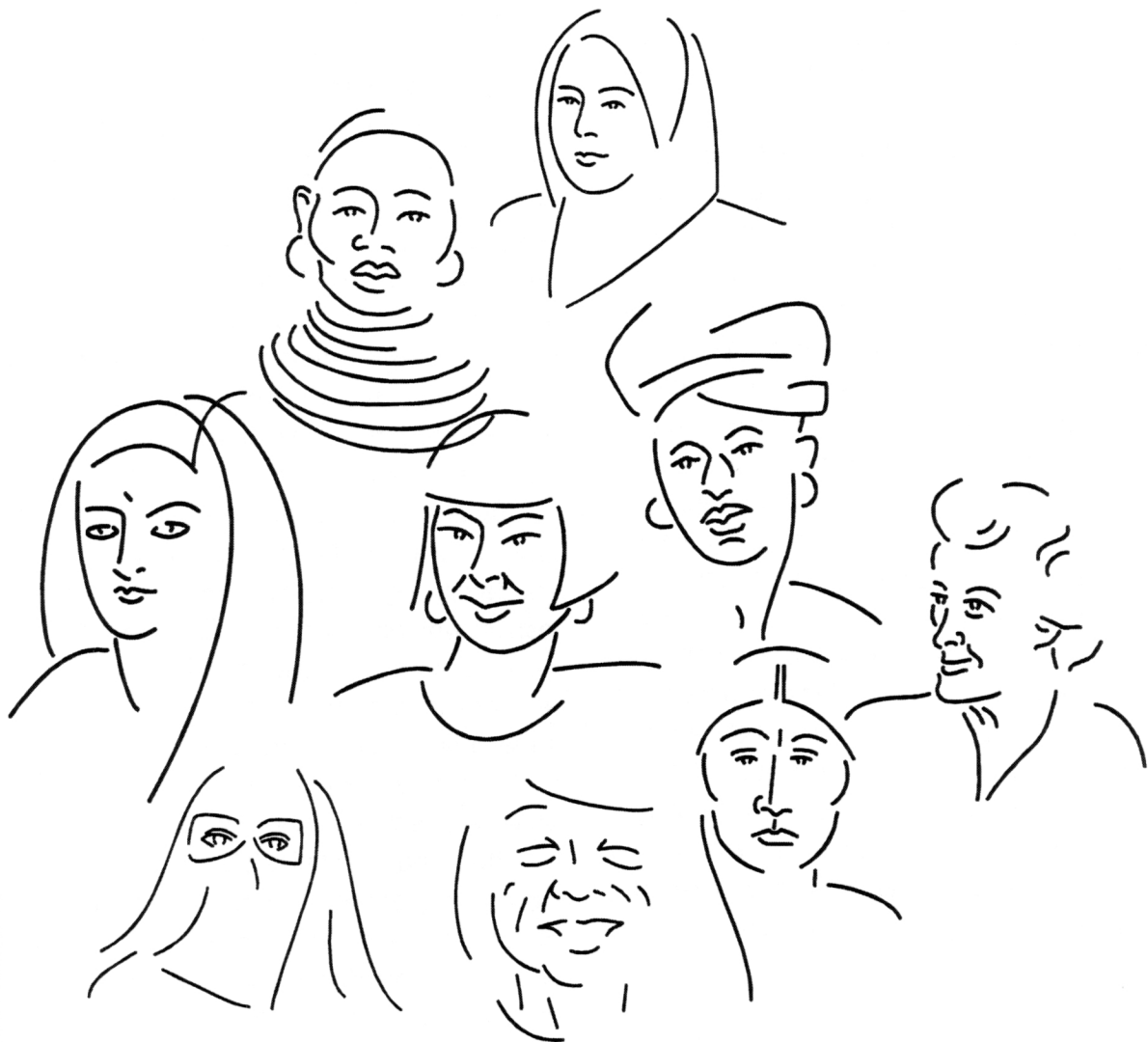
9 She is, for example, a co-founder of the Flora Tristan feminist centre.

The **discussion** on this session focused on the question whether women should look for new partners replacing the state, given the daily deterioration of their situation. *Joanna Kerr* came to the point by saying "Don't let governments off the hook!" *Margaret Schuler* also emphasised that governments simply had to comply with certain standards and that international conventions constituted useful

guidelines. *Shanti Dairiam* advocated that these conventions had to be adjusted to the national level in order to ensure that they could be enforced locally.

Other issues discussed were the situation of refugee women and the problems of widows who faced severe problems, also in industrialised countries like Sweden.

WOMEN BEAR TESTIMONY



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Within the framework of a hearing that took place on Saturday morning, women with diverse backgrounds and countries bore testi-

mony describing in a clear language violations of their human rights, in particular in the economic and social field.

Violation:

Deprivation of basic democratic freedoms

Accuser:

Fatimah Ahmed Ibrahim, Sudan – Great Britain¹⁰

Fatimah Ibrahim was a prominent leader of the Sudanese women's movement before she fled to Great Britain. She described in shocking detail the human rights violation of the current military regime that established an Islamic state. This government not only subjected the life of the population, in particular women, to strict religious-fundamentalist rules, but also plunged the country into a civil war with the Christian population in the South.

She discussed the **situation of women in Sudan** from a **historical perspective**, by showing that many laws currently in force and, above all, customs and attitudes go back to the time of colonisation. Women in Sudan had been and still were suppressed and discriminated against "before they are even born." Songs sung at weddings wishing the husband many male heirs; genital mutilation of girls; discrimination at all levels during marriage due to the fatal Obedience Law; polygamy – even in Christian communities –, which resulted in great advantages to men based on the work of their wives; lack of control of women over the income they earned; lack of access to education, health care, maternity benefits and social security; rightlessness in case of divorce, which can be proclaimed by the husband without ceremony – those were just a few of the elements of a life **without rights and justice** indicated by Fatimah Ibrahim.



Fatimah Ahmed Ibrahim:

"All of us have attended numerous regional and international conferences on women's issues, also UN World Conferences on Women. They all result in little concrete progress. Therefore, we have to change our strategy."

The *Sudanese Women's Union* founded in 1952 made active efforts to change the situation of women in the region – at least in times when it was not prohibited. Its first success was achieved in 1954 when women were granted the right to vote. The Union, however, also fights for basic political freedoms and democracy. For example, women were repeatedly involved in toppling military governments. In 1965, Fatimah Ahmed Ibrahim was the first woman to become a MP. That year marked the birth of the political and economic freedoms for women. Laws discriminating against women, such as the Obedience Law, were abolished, progressive matrimony and family legislation resulted in a quantum leap for women. Numeiri's military regime that came to power by a putsch in 1969 abolished all these innovations that were so important for women in spite of promises to the contrary. The Numeiri regime was toppled in 1985 – again with active support by women. However, the fundamentalist-Islamist regime that came to power soon thereafter again brought about a full erosion of all women's rights, which were practically frozen at the level of the colonial times. Above all, the country was plunged into an economic and political crisis due to the civil war, which led to extreme misery in the South, multitudes of refugees and stagnation.

•••••
¹⁰ She is the author of numerous books and the founder of the Association "Refugee Women's Struggles against Economic Injustice".

Fatimah Ibrahim, who had been imprisoned by the latter regime, was only saved from death due to the efforts of amnesty international and was able to leave her country, recommended that the women's movement change its strategy. Men, NGOs from other fields and the media also have to be involved into efforts to achieve the objectives of the women's movement in order to build a big **international pressure group** for the protection of the human rights (also) of women. The UN conventions could be of great help in the implementation of these objectives.

Violation:

Deprivation of basic religious rights

Accuser:

Najia Zewari, Afghanistan – Pakistan

Najia Zewari, who comes from Afghanistan and is now working for the UNDP, branded the disastrous effects of the Soviet invasion on the religious rights of women in Afghani-



*Najia Zewari:
Religious
education
gives women
a sense of
self-worth*

stan. She deplored the **loss of religious education** for all groups of the population, but particularly for women in urban areas, since she was of the opinion that religion had given them strength, a sense of self-worth and respect in society. She vividly described the suffering of "brave Muslim women who bear the main burden of the economic problems of the country".

Then, Ms Zewari described the life of Afghan women in **refugee camps** in Pakistan where, with the assistance of NGOs, a new approach to themselves and to the world was opened up to women by actively involving them in education and training programmes.

Her proposals for improving the situation of women in Afghanistan included the strengthening of women's religious rights and the **revitalisation of Islamic law** which, in her opinion, was certainly capable of promoting both material development and moral standards.

Violation:

Loss of the right of settlement

Accuser:

**Nadjet Hamdit,
Western Sahara – Germany¹¹**

This statement focused on the fate of a young woman who was 24 years old and came from Western Sahara. She participated in a demonstration that, according to UN observers, was absolutely peaceful. She was sentenced to



¹¹ Nadjet Hamdit is the representative of Polisario in Germany.



Nadjat Hamdit:
**Hoping for the
"time after".**

serve a 20-year term in prison, for ten months she was without contact to her family, without legal counsel and medical care. The basis for her imprisonment was not a court sentence, but the testimony of the Moroccan police who had forced her to "confess" by torture and abuse. This young woman was a member of *Polisario*, the political movement representing the Sahouri people and the Western Sahara.

According to Nadjat Hamdit, this fate was characteristic of the actions of Moroccan authorities against *Polisario* members. She reported of the history and objectives of *Polisario*, the human rights violations in the occupied territories and the feverish **preparations for the "time after"**, i.e. after the referendum. In Hamdit's opinion, the increasing international sympathy for *Polisario*, the understanding shown by the UN for the position of the population, living in part in the occupied territories, in part in refugee camps in Algeria, raised hope for the future.

Violation:
**Denial of fundamental rights
to lesbians**

Accuser:
**Rebecca Sevilla,
Peru – the Netherlands**

The founder of the *Lesbian and Gay Movement in Peru* raised, in a very personal way, her voice for the lesbian and gay movement that was discriminated against and excluded not only in Peru but all over the world (as an aside: this was also the first time that this topic was openly addressed at a WIDE meeting). Rebecca spoke of the hostility she experienced on the part of the people around her in her youth due to her "sexual orientation", of the attempts she made "to be a good girl" and the encouragement she found in a progressive NGO, which prompted her to found the above-mentioned movement. This, however, not necessarily changed the life of the individual members .

"Most of us live with their families and cover up everything."

This is due to the extremely **strict heterosexual orientation** of the society that plainly persecuted people with a "different sexual orientation", put them under pressure in all spheres of life, blackmailed them and put all kinds



Rebecca Sevilla:
**"Women should
be able to decide
on what they
want to do with
their lives!"**

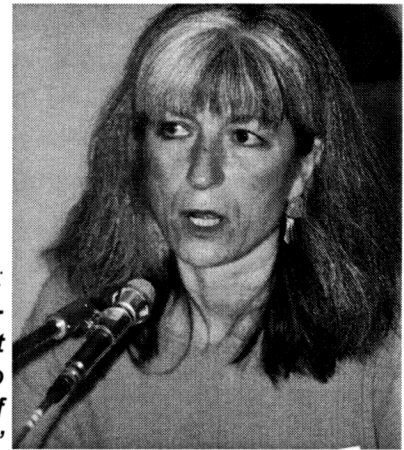
of obstacles in their way – in searching employment, buying an apartment and arranging personal relations as well as with regard to the legalisation of cohabitation and the wish to have children, etc.

Despite the very negative situation, there was **hope** for a change in attitudes. International conferences, such as those organised by the UN, could be helpful – the last World Conference on Women as a whole still adopted a negative stance to this issue, but many participants were of the opinion that it would be impossible to maintain this position in the long term; international conventions could be used for supporting these objectives.

Violation:
Denial of human dignity to indigenous peoples

Accuser:
Daria French, Canada

The co-ordinator of the *Aboriginal Rights Network* (CUSO) indefatigably fights for the rights of Native people in North America. As a crystallisation point of the inhumane practices they had to face, she presented the topic of **residential schools**, the state-run boarding schools for Native children. From 1849 to 1980 (!), these horrible institutions exerted their fatal power, tormented hundreds of thousands of children in the most abominable way, undermined their prospects and, in the true sense of the word, killed the vital nerve of the entire community. In this context, the paper distributed by Daria French states:



Daria French:
"Our communities cannot heal if we do not speak of our misery!"

"No segment of our research has caused us the degree of outrage and shame that the story of the residential schools has. The loss of life, the denigration of culture, the destruction of self-respect and self-esteem, the rupture of families, the impact of these traumas on succeeding generations, the enormity of the cultural triumphalism that lay behind the enterprise, will deeply disturb all who allow this material to seep into their consciousness and recognize in the process that these were policies and deeds by Canadians no better or worse intentioned or educated than themselves."

The "phenomenon" of residential schools explained the present **dysfunction** of the majority of Native communities. In order to destroy the original force of these communities, first the families were torn apart, i.e. children and young people were re-settled and put into institutions that were tantamount not only to re-education institution, but to veritable **penal and torture institutions**. Thus, the residential schools were to be seen within the framework of a comprehensive process of basic expropriation and discrimination of indigenous communities. They were headed by representatives of practically all churches and were prisons in which children were systematically beaten, raped, abused, locked up in a cellar for several nights, badly fed and – frequently to the amusement of the principals – tortured with electroshocks in an exemplary way ...

Daria French whose group works to clear up these crimes said that one aspect of these crimes was that the culture and uniqueness of the indigenous communities was destroyed and another one that numerous children had to suffer unspeakable misery. She advocated the unsparing examination and uncovering of this dark chapter of the otherwise impeccable Canadian history and culture.

Promising approaches to this healing already existed, the government had prepared a "healing plan" and established a "healing fund" together with representatives of the churches.

Violation:

Deprivation of refugee rights

Accuser:

**Mary Kiden,
Sudan – Great Britain**

The president of *South Sudanese Women's Concern* could – as she put it – fill a book with testimonies of human rights violations against women in Southern Sudan. Primarily, howe-



*Mary Kiden:
"Refugees
are deprived
of all human
rights!"*

ver, she bore eloquent witness of the suffering of women during their flight, in refugee camps and in exile. According to her, refugees lost all economic and social rights. Illustrated by her own experiences that were particularly bitter for her since she had belonged to the upper class in her country, she showed the hardship of a life of utter powerlessness, without the right to work, adequate shelter, education and training – a life that, as a UNHCR representative had told her with a shrug, was simply "tough". Her report also included absurdities, such as a mandatory 9-month language course for her who had worked for an ILO office in the English language for several years, and a prohibition to travel in spite of a permanent visa. What moved and hurt her most about this situation which she experienced as very humiliating was the fact that children did particularly badly at school as a result of the disruption of their families. As a counter-strategy, Mary Kiden established "Saturday schools" where regular teachers paid by public funds taught children of all grades. At least here, first successes could already be seen.

Violation:

Marginalisation of migrant women

Accuser:

**Namur Corral,
Chile – Belgium**

The founder of the *Latin American Migrant Women* dealt with the situation of migrant women, in particular of **new migrant women**, which was to be seen against the background



Namur Corral:
"We have to make our situation visible!"

of globalisation and flexibilisation in the prevailing economic model. She called the **gender problem** the focal point of a progressing increase in the differences between poor and rich, between the races, classes and cultures. Living as a political refugee in Belgium, she made active efforts to improve the situation of the so-called female migrant workers. These women who had hoped for a job in the West or had been promised one were either put into "terrible, inhumane camps, right beside the airport!" for deportation or would be assigned to humiliating, exploitative work in the "red-light sector" or as domestic workers. She particularly emphasised the need for a strategy to make the life of these women visible.

In this context, an important element for her was the active co-operation with Belgian feminists who, according to her, had so far neglected the issue of migrant and refugee women in many cases.

**Violation:
Denial of rights to
maquila workers**

**Accuser:
Rosa Virginia Hernandez,
El Salvador¹²**

She focused on the women workers in the *maquilas*, i.e. textile and garment factories that produce goods for the world market. These girls and women, the youngest of whom were not older than 13 years, stood or sat at the machines for 12 to 14 hours a day and received a daily wage of four dollars. Breaks for going to the toilet must not be longer than three minutes. The most intimate details were closely supervised. Accidents at work were frequent, as was the firing of entire departments.

Rosa who actively advocated the human rights of children working in such factories did not find work for a long time due to her "subversive" activities not only in her country, but in the entire Caribbean. The current liberalisation resulted in an incredible aggravation of all problems, above all for women. Information and the active fight against the outrageous working conditions in the factories supplying the world market also had to be placed in the centre of the **political struggle**.

Rosa Virginia Hernandez:
"In El Salvador, women have achieved a lot in the field of their political rights. Now they have to reach out to women also in their economic struggle!"



¹² She is a representative of COMUTRAS, the women's committee of the trade union of El Salvador.

Subsequently, prominent participants gave their **comments** acting, so to speak, as judges or experts.

Virginia Vargas referred to the lures of globalisation – also for certain groups in the South – and emphatically defended the indivisibility of women's rights. Their autonomous fight for a democratic and civil world would benefit the entire society. Accordingly, the common goals of women should deliberately take precedence over their differences.

Joanna Kerr spoke of "feelings of anger, rage and the fear to lose a battle". In her view, the problem of racism had to be addressed more actively, also in the women's movement. Beijing already made a major contribution to that.

Shanti Dairiam considered the re-invigoration of the human rights conventions to be an important step. This particularly applied to CEDAW that, in her opinion, had been "ratified by many countries only because they wanted to look good". Therefore, states should be reminded of their commitments, and

reservations should be dropped. For the women's movement, these conventions constituted an important foundation for their activities. Individual articles could be selected and used in lobbying. The right to self-determination, for example, could serve as a basis for supporting lesbian women in their right to live their sexual orientation.

Giulia Tamayo, *Latin American & Caribbean Committee for the Defense of Women's Rights* (CLADEM, Peru), referred to the World Conference on Human Rights in Vienna that had constituted a turning point for women in many countries insofar as their rights had actually been confirmed as actionable human rights. Still, the problem was to turn theory into practice and to combat the rising poverty caused by economic globalisation.

The **discussion** first focused on the problems of migrant women and on the issue of cultural relativism. In this context, the demand was voiced to put an end to the victimisation of women.

ANALYSES AND ALTERNATIVES



In the afternoon of both days, women discussed various aspects of economic and social rights in eight workshops. The focus was on positive alternatives that were presented at the end of the Assembly.

Human rights from a gender perspective (Workshop 1)

This workshop, chaired by *Lilian Hofmeister* and *Giulia Tamayo*, had the task of examining the background and the history of the international human rights instruments and studied the "gender sensitivity" of these instruments in detail. Against this background, a **re-interpretation of the human rights** from the perspective of women was demanded – with regard to the theory, their legal foundations as well as practical enforcement. Illustrated by the example of the discussion around the International Criminal Court, the re-definition of crime and sovereignty was discussed.

Impact of the restructuring of the labour market on social and women's policy (Workshop 2)

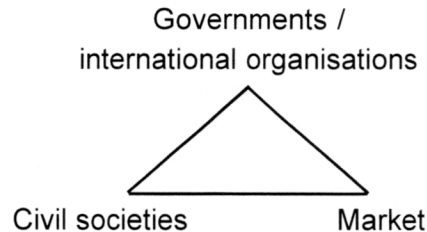
With the facilitation of *Silke Steinhilber* (WIDE Germany) a very vivid discussion developed on the issue of how to avert a further increase in the exploitation of women. A future strategy that was outlined in this context had to concentrate on the following steps:

- **Clarification of the following questions:**
 - How does globalisation act, which impact does it have on women?
 - Which objectives do we have?
 - On which topics and issues do we focus in our work?
 - Which rights do we have, where are they laid down?
 - How can we inform people about them?

- **Visibility of**
 - what is happening,
 - measures and specialised research required.
- **Turning**
 - facts into information,
 - information into action,
 - objectives into strategies for specific target groups: the right words for the right addressees.

On this basis, **four principles** for future action were developed:

1. Actions have to take place "here" and "there", in the South and in the North. Relations and connections have to be established between various levels and actors (e.g. Clean Clothes Campaign).



2. It is indispensable that the people concerned are involved, we have to give them a voice or accurately represent their needs.
3. We have to identify the special "comparative advantages" of our organisations in order to achieve a division of labour and focus our actions.
4. We have to make sure that a comprehensive and consistent gender perspective is introduced into all analyses and strategies.

Impact of international trade and economic agreements (Workshop 3)

Alice Hodgson, *Femmes & Changements*, opened this workshop with the words "Globalisation is with us!" and identified three new, impending agreements that "will affect the life of women in a most negative way":

- the Multilateral Agreement on Investment (MAI),
- the Transatlantic Marketplace, a free trade area of Europe and the US,
- the attempts of IMF to revise its statute in order to have "more leeway".

All these agreements had been prepared in full secrecy and threatened to seal the end of any social, ecological and independent development.

The **Multilateral Agreement on Investment (MAI)** was in the centre of a critical analysis in which the lack of possibilities for protest was criticised.

"The implementation of MAI means that the individual countries do not have any possibility to protest. According to the new agreements, protests are even illegal."

Yassine Fall underlined the character of a long-term, by no means new development around these agreements:

"These processes all started long before independence. Right from the start, the countries of the South were pushed to the periphery by exactly those countries that now have the final say in WTO and MAI. Thus, 200 million people – 80 percent of them are women – earn less than one dollar per day. The scandal is that the Western countries additionally tighten up immigration legislati-

on and force people to stay where they are, i.e. in the poverty caused by the rich countries."

Daria French already organises an extensive and well devised campaign against MAI in the framework of CUSO and presented a wealth of proposals for lobbying activities.

In this respect, the objective of the workshop was to deliberate on concrete measures for preventing MAI since, as Yassine Fall stated, "the point is not to merely genderise MAI."

The second major topic of the workshop was the presentation of the "Gender and Trade Indicator" prepared by Jo Brew (WIDE International) and Brita Neuhold (WIDE Austria) in the course of their work on the Lomé position paper (February 1998).¹³ The Indicator is a tool for examining the impact of trade and economic agreements on women based on specific criteria. To verify the suitability of this instrument, participants applied it in a test to a fishery agreement between the European Union and Senegal.

Finally, the group collected a series of concrete **proposals** for activities in the near future:

- Analysis of the expected impact of MAI on women,
- exchange of information and examples for activities, with WIDE International serving as a forum,
- preparation of a counterproposal to MAI,¹⁴
- continuation of WIDE's work in the field of "economic literacy" including creative methods, such as role games, etc.,

¹³ The Indicator is available from Jo Brew, WIDE International.

¹⁴ The brochure "A Citizen's MAI" prepared by the Polisaris Institute in Canada was indicated as a starting point.

- intensive lobbying to integrate a comprehensive and uncompromising gender perspective into all international and national trade and economic agreements,
- further development of the "Gender and Trade Indicator".

The struggle of women in Central and Eastern Europe for economic and social justice (Workshop 4)

This workshop chaired by *Brigitte Holzner*, an Austrian psychologist and development sociologist, focused on the **dramatic deterioration** of the economic and social human rights of women after the collapse of the old system – in particular with regard to the access to gainful employment and reproductive rights. In parallel, however, first signs of a new **self-assurance** were also emerging.

Brigitte Holzner highlighted the fact that the opportunities of the population for sustainable development were threatened more than ever due to the economic transformation, high inflation rates and increasing "de-nationalisation". The ideology of *domostroika* – a term coined by T. Mamonova in analogy with Gorbachev's *perestroika* for the "domestication" of women as a core element of state strategies – currently impacted all former socialist states.

Interesting statements were made by *Mihaela Rabu*, ANA, *Society for Feminist Analyses* (Romania). She concentrated on the situation of women in rural areas. On the basis of a

recent study,¹⁵ she painted the picture of the village of *Butheni* in Transsylvania where, according to the author, "women mother transition and, thus, become active protagonists". Women were the actual managers of their community: they safeguarded survival, they cushioned the culture shock of the transition by mediating between traditional and modern values, they worked at home, in the field, in the garden and on the market; they were interested in politics and expressed this interest, for example, by means of "christening cakes" for the politicians of their choice ... With their combination of tradition and modernity, they embodied a **different** style that the New Europe could well benefit from.

Tatiana Sokolova, the president of the *Moscow Women's Association*, presented important details on the situation of women in today's Russia that, without exception, reflected negative developments in the fields of work, health and education. She also described the enormous difficulties faced by women in areas of armed conflicts. Interestingly, more and more women played important roles in cultural and religious life that was currently intensified.

She gave the following examples for the support provided by the state to women: the *Commission on Women, Family and Demography* established by the president, a *Duma committee* on "Women, Family and Youth Affairs" and the *Department of Family, Women and Children Affairs* at the Ministry of Social Security.

Tatiana Sokolova stated that the *women's movement* had gained enormous momentum since the turnaround and that many NGOs and women's groups had been founded in this context.



¹⁵ Laura Grunberg: Romanian Rural Women Mothering Transition, in: *AnAlize – Journal for Feminist Studies*, 1998.

Ursula Nowakowska from Poland deplored the collapse of the state-run child-care scheme as well as of the entire education and health-care system.

Finally, the participants of the workshop recommended WIDE to advocate the following issues within the framework of the European Union:

- Application of uniform social standards by Eastern European companies,
- Integration of "gender clauses" into all promotion schemes.

Women and fundamentalism (Workshop 5)

This workshop was chaired by *Barbara Rauchwarter*, a Protestant theologian from Austria.

Najia Zewari, who works for the UNDP in Peshawar (Pakistan) and is an active advocate of Afghan women in their fight for economic and social justice, presented an informative overview of women's participation in religious life – depending on whether they live in rural areas or in cities and on the social and age group they belong to. She argued that religious education of women was a central **human right** and significantly contributed to their general education.

Tacko Ndiaye, a student from Senegal who currently works for WIDE International,¹⁶ underlined the important role of religious motives and considerations in the undermining of economic and social rights of women. Thus, for example, 35 states, including the Vatican and Islamic countries, had neither signed nor



Women can be empowered, but also disempowered by their religion

ratified CEDAW! Then, she dealt with the **contradictions** and **ambiguities** behind the debate on the religious rights of women: In fundamentalist interpretations, human rights were in a difficult conflict with "God-given rights". Hence, efforts for the human rights of women could also be seen as "directed against God" and "anti-religious".

This constituted an almost unsolvable dilemma. For example, the *inalienable rights of the family*, which were also laid down in Article 22 of the *African Charter of Human Rights and People's Rights*, could lead to an open conflict with women's rights in the sense of modern legislation.

Finally, Tacko Ndiaye also gave an overview of the situation of women in Senegal where their economic and social rights were permanently violated in a society dominated by men.

The discussion on this topic was very intensive, even **full of conflicts** – in particular due to the contributions of several women who had fled from Islamist countries. The rapporteur, however, was able to offer the following considerations as a common *consensus*:

● ● ● ● ●
¹⁶ She is, for example, one of the authors of the second Lomé position paper of WIDE.

- Women can be empowered, but also disempowered by their religions.
- Politics and religion should be separated.
- Fundamentalism can be seen as a response to colonialism, imperialism and poverty, but also in the context of rising nationalism.
- It is necessary to respect our different religious ideas, but also different forms of the women's movement.

The impact of armed conflicts on women (Workshop 6)

The workshop was chaired by *Christa Esterhazy*, until recently head of the *Working Party on Development Co-operation (AGEZ)* and at present chair of the AGEZ Working Group on International Politics.

Fatimah A. Ibrahim gave an overview of the current situation of women in **Southern Sudan** who particularly suffered from the impact of civil war. The lesson she drew from this was that the activities of humanitarian aid organisations cannot be seen as a "solution" and that the Sudanese population had to free themselves on their own. Strategies should not be forced onto the communities, but "on the contrary, we should learn from them." Moreover, training programmes should be adjusted to the varying backgrounds of women.

According to Ms Ibrahim, an important element of conflict resolution was the promotion of the women's movement in countries of the South, for example in her own country where

it had always advocated democratisation, social justice and peace. The women's movement was also networked all over the country, independently from the state and all parties, and tried to convince men to give in. As a special awareness-raising measure, she presented the *Peace Caravan* in which committed women and men from all regions, accompanied by artists, drew attention to the political situation all over Sudan and in other countries.

Rebecca Sevilla reported on the **current situation in Peru** that was characterised by a "restrictive democracy" on the one hand, and by terrorist activities of the "Shining Path". Then, she described the impact of globalisation, which opened the door to speculation and corruption in countries with armed conflicts.

Maja Mischke, whose organisation – the Dutch *Vrouwenberaad* – acts as the lead agency of WIDE for the topic addressed by the workshop and also published a position paper¹⁷ on it, emphatically pointed out that women were not only victims of armed conflicts, but often also played an **active role** in them – as attendants, first-aid helpers and fighters. She gave an overview of the deliberations of the UN Commission on the Status of Women (CSW) in this field, which dealt with topics such as women as actors in armed conflicts and the role of the planned International Criminal Court. Though the final document of the last meeting of the Commission rejected certain proposals of the *Vrouwenberaad* as being too radical,¹⁸ it still demanded that the active participation of women in conflict resolution be supported and transgressions of UN forces be punished.



¹⁷ The paper is available from WIDE International.

¹⁸ Control of arms trade, prohibition of chemical and biological weapons, reduction of foreign military bases.

Against this background, the following **considerations** took shape:

- Networking should take into account the special features of each group.
- Co-operation with existing alliances is of particular importance.
- The active potential of women and their abilities of conflict resolution have to be promoted.
- Media are an important factor in raising public awareness. Thus, they have to be addressed.
- The *Women and Conflict* research project of the Vrouwenberaad is an important catalyst for all groups that want to become active in this field.
- Initiatives, such as the *Peace Caravan* of Sudanese women and men are a suitable starting point for one's own activities.

ments should be scrutinised. Additionally, she stated that a new "social contract" should be drawn up, including previously marginalised groups and, hence, also women.

Joanna Kerr stressed the importance of strategic alliances between South and North. With regard to the economic and social rights of women, she pleaded in favour of the following steps from the point of view of a consistent gender perspective:

- Strengthening the human rights instruments,
- Promoting research and co-operation;
- capacity building,
- fostering economic literacy,
- active co-operation with the media.

Nelcia Robinson also advocated the active participation of women in the re-formulation of human rights instruments as well as in economic negotiations and decision making.

Alternative perspectives of women in promoting and enforcing their human rights (Workshop 7)

Under the chair of *Nicky Pouw*, WIDE Netherlands, the following questions were raised:

- How useful are the international human rights instruments for women?
- How can we develop alternative strategies at a regional and local level?

In response to these questions, various **proposals** were developed from different perspectives.

Hilkka Pietilä, WIDE Finland, advocated that the allocation of budget funds by the govern-

Fight of migrant and refugee women for economic and social justice (Workshop 8)

Co-ordinated by *Namur Corral Salazar* – a social worker coming from Chile who currently lives in Belgium –, a very intensive and vivid workshop took place. The women agreed in their strict **opposition to the charity mentality** and demanded to be treated as independent individuals, for which they needed funds.

At the start, **structural barriers** faced by migrant women were identified, such as sexist



The symbolic casting off of constraints

and xenophobic bills and acts, restrictions of the freedom to move of migrant and refugee women, the exclusion of this group from access to jobs with fair pay, marginalisation in the education system and institutional discrimination. They also objected to the splitting up in economic and political refugee and migrant women and discussed the roots of the problem of "illegal" immigrants.

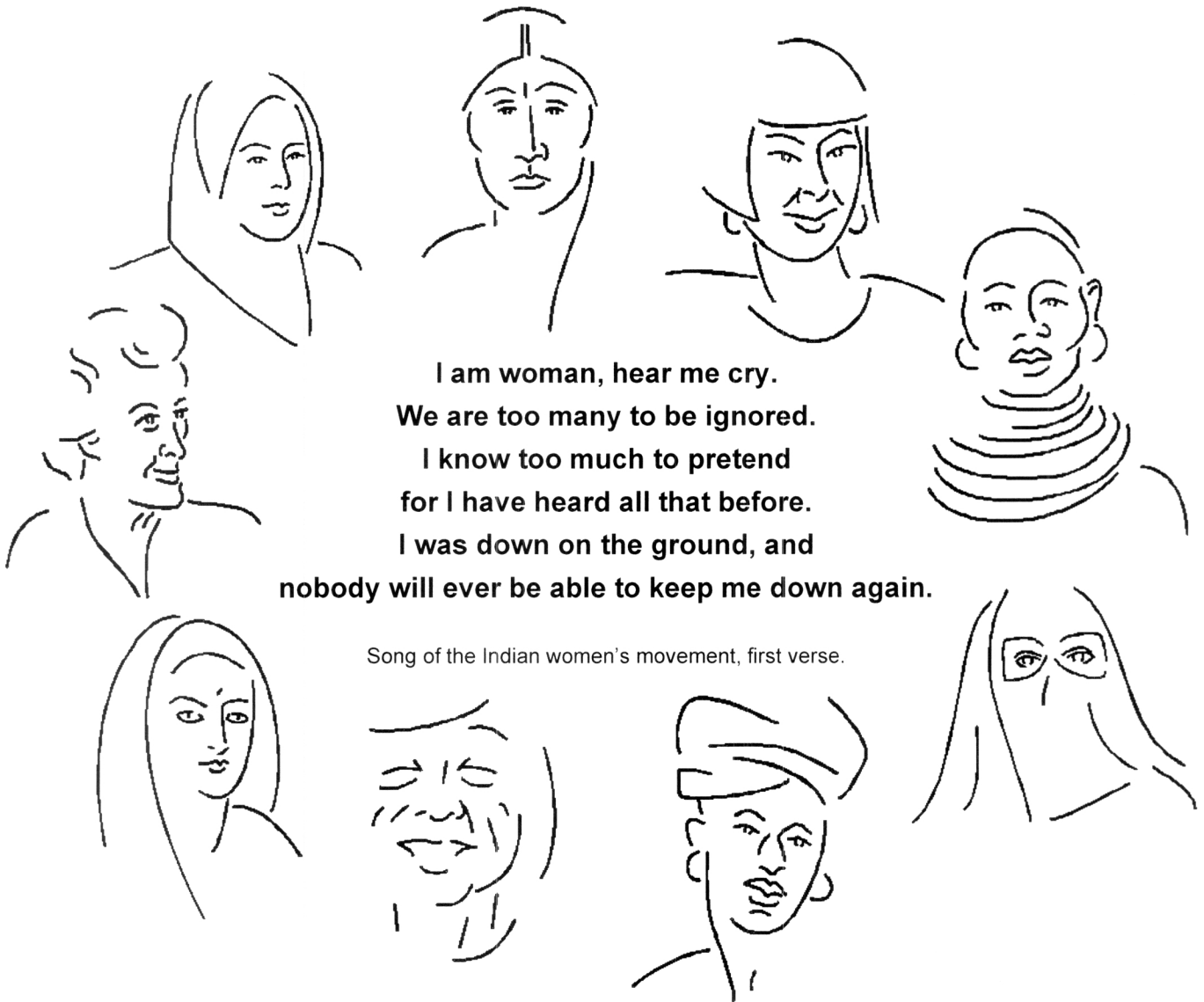
They identified the following important **steps** required to overcome economic and social exclusion:

- Organisations of migrant and refugee women should intensify their efforts against the economic and social exclusion of this group.
- WIDE should also address this problem and financially support relevant organisations.
- Additionally, WIDE should engage in lobbying for the economic and social rights of migrant and refugee women within the framework of the European Union.

The following concrete **actions** and **possible solutions** were proposed:

- Amending racist and sexist legislation,
- raising awareness for the problem,
- meeting the basic needs of migrant and refugee women in the fields of work, education, health and housing as well as access to social facilities,
- adequate funding of organisations focusing on problems and needs of migrant and refugee women.

OUTLOOK



**I am woman, hear me cry.
We are too many to be ignored.
I know too much to pretend
for I have heard all that before.
I was down on the ground, and
nobody will ever be able to keep me down again.**

Song of the Indian women's movement, first verse.

The statements and discussions of this very intensive Assembly show once more that women are not willing to accept their continually increasing work load and, at the same time, rising economic discrimination. In all regions of the world, they make injustice visible and identify undesirable developments. They devise strategies and establish resistance movements, action groups and projects: in the banking and credit sector, in economics and financial policy, within trade unions and co-operatives, in community development and in all fields of production. Women are practising alternatives to a society shaped by patriarchy. It is essential that they engage

in a continuous exchange of ideas, broaden their perspective together and permanently network their activities. These also were the mainstays of the WIDE Annual Assembly 1998. Though the preparation of concrete actions was sometimes pushed to the background by information and discussions, nevertheless important steps were taken for future work. Above all, it became clear how determined women are to re-define and complement the existing human rights instruments with a view dedicated to the empowerment of women and to remind governments of their responsibilities again and again.

In place of a conclusion ...

... A GAME FOR "WIDE(R)" WORKING, REFLECTING, PLAYING ...

For the equality of women and men

in the South and North of our planet

Card game

Concept:

Sophie Charlier and Claudine Drion together with Anne Le Garroy and a group of young sympathisers.

Illustrations: Clarice

© Le Monde selon les Femmes

The original **French version** is available from:

Le Monde selon les Femmes

Quai du Commerce, 9

B-1000 Brussels

Phone: 0032-2-250 12 62

Fax: 0032-2-250 12 63

E-mail: cncd@skynet.be

For a **description** of the game, see page 33

Please address **questions on the game** to:

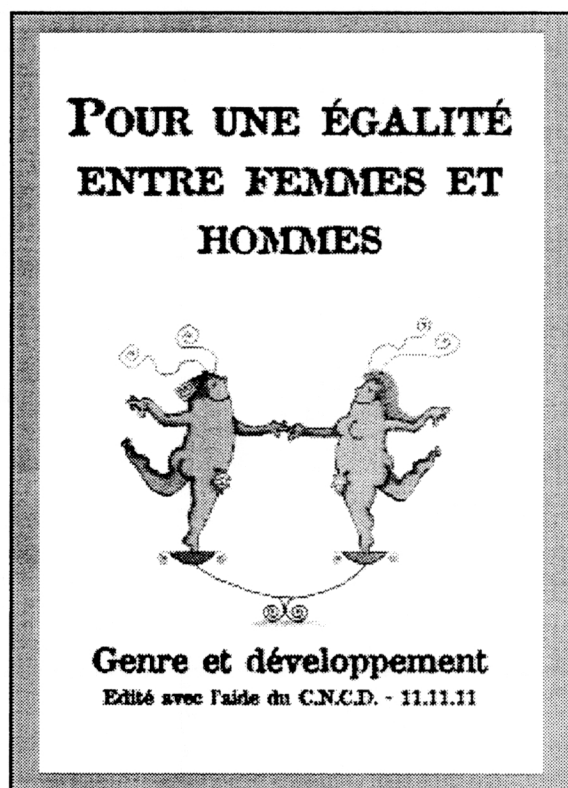
Birgit Henökl, ÖED-Bildungsreferat

Türkenstr. 3, 1090 Vienna,

Phone: 0043-1-317 53 74 ext. 16

Fax: 0043-1-310 05 92,

E-mail: office@oedwien.org



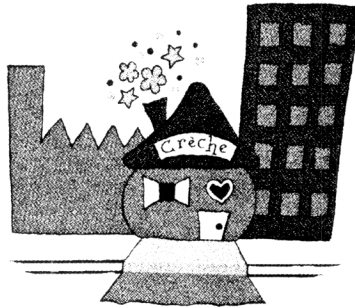
We wish you a lot of fun
and interesting discussions,
Doris Huber and Birgit Henökl

01



Safeguarding access to education for all girls in the South and North.

02



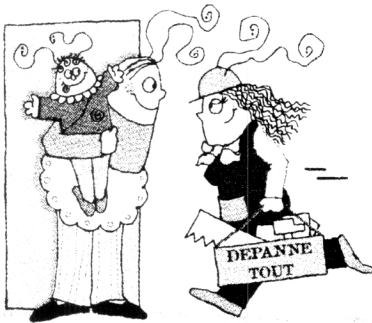
Raising the number of child-care facilities.

03



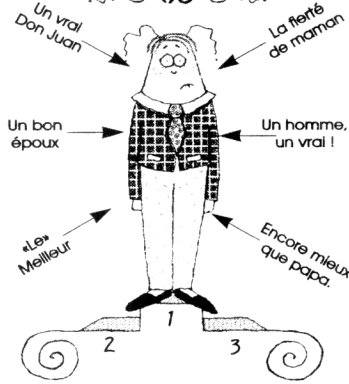
Solidarity among women in order to promote their demands.

04



Practising a profession without gender discrimination.

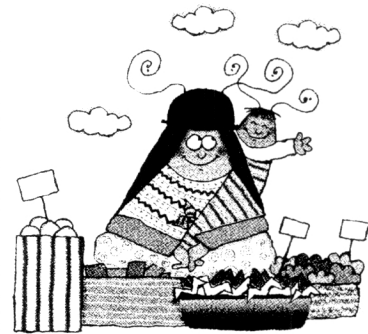
05



Resisting social pressure in order to be oneself.

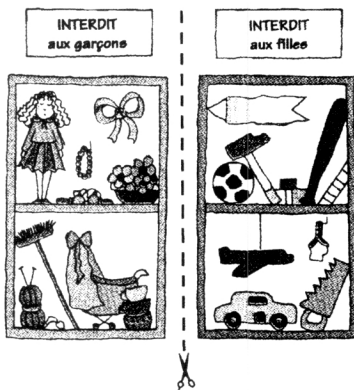
(Illustration: A genuine Don Juan, a good husband, simply the best, even better than daddy, a man you can depend upon, his mother's pride)

06



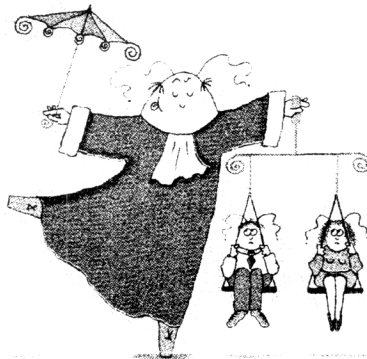
Having enough income to be autonomous as a woman.

07



Receiving the same/equal education (Illustration: Left: forbidden for boys; Right: forbidden for girls)

08



Applying the law in an equal way to women and men.

09



A career break of two years for all (women and men) between the age of 20 and 40 years.

10



Not displaying women or men as objects any more (e.g. on TV, in advertisements, etc.).

11



Ensuring free access to contraceptives for women and men. (Illustration: Contraceptives – help yourself)

12



Making the opinion of one's wife known in public.

13



Eliminating differences in the income of men and women.

14



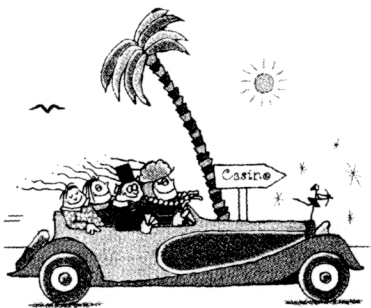
Men and women having the possibility to take a leave to care of ill children.

15



Electing in order to achieve a balance of women and men in politics.

16



Earning one salary per family if it suffices for adequate living.

17



Living without any violence.

18



Deciding to share household tasks with one's partner.

19



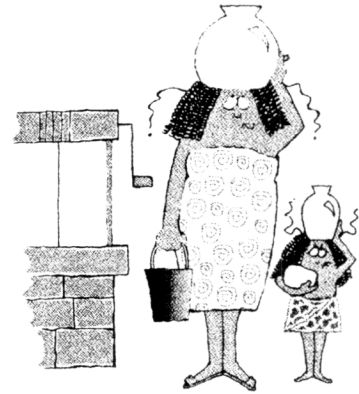
Giving men paid paternity leave.

20



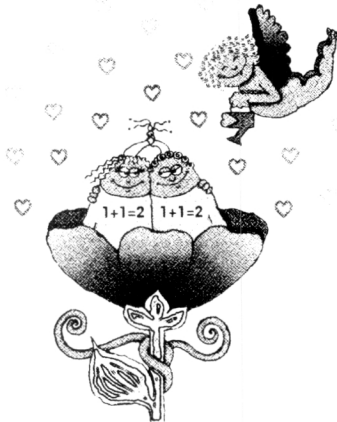
Sharing responsibility in family life.

21



Assigning certain tasks to men because they are stronger

22



Loving each other means that justice flourishes.

Instructions:

Copy the cards on thicker paper (enlarging them) and cut them. The game was designed for small groups of max. 6 persons aged 16 to 77 years (if there are more than 6 persons, sub-groups should be formed with one set of cards per group).

It is important to keep the group small in order to ensure that each participant can express her/his opinion, perform an analysis or make proposals so that "the equality of women and men becomes a concrete reality in the South and North of the planet". The game leader should see to it that everybody has sufficient time for her/his statements.

Duration:

At least one hour of discussion, exchange of ideas, etc., but in most cases even longer, because many topics inspire rich and creative debates!

Playing the game:

The aim of the game is to select five cards that best answer the following question:

What is most necessary for achieving equality of women and men in the South and North of the planet?

At the start of the game, all 22 cards are laid out on a table so that the players can read them at rest.

1st step: Each player selects in her/his thoughts two to three cards that best answer the question in her/his opinion.

2nd step: One after the other, each player presents the cards she/he selected and briefly comments on the reasons why she/he selected them.

3rd step: Group discussion with the aim of selecting together the five most important cards.

4th step: If there are several groups, they return to the plenary, report on the discussions they had and present the five most important cards selected by them.

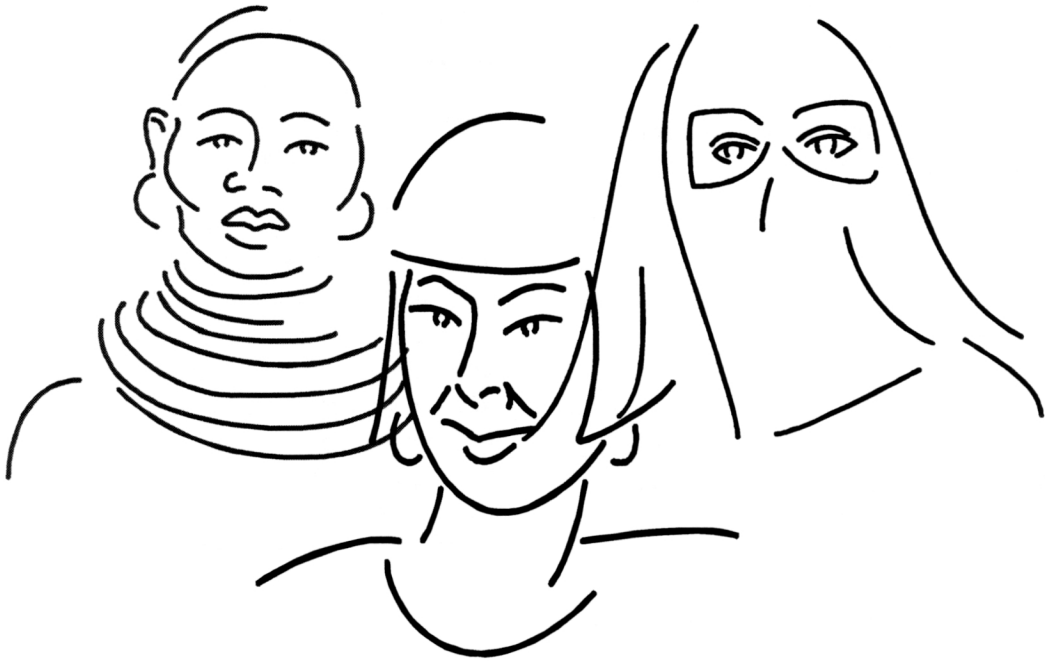
If necessary, there can be a plenary discussion that, however, should not be too long so that the interest in the topic is not lost.

Variant:

The group selects three cards that are absolutely unimportant for the equality of women and men (usually, this results in a more intensive discussion of the topic).

If more than six persons play the game, several groups are formed and given a full set of cards. After the work in the groups, the results are presented (and discussed) in the plenary.

ANNEX



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The Dichotomy of Human Rights and the Quest for Synthesis

Keynote address given by Margaret Schuler
to the WIDE Annual Assembly
Vienna, June 1998

Introduction

There is a current tendency among human rights advocates to give greater attention to social, economic and cultural rights than ever before, and there is a clear justification for this trend.

Today we are challenged with new economic and political realities that push our thinking and awaken our sensibilities to injustice. The current complex of forces at play in the international arena creates a new and challenging environment that is adverse to the full and effective realization of human rights. Since the end of the cold war and the dissolution of the pro-Soviet Eastern block, there has been a rush to establish free market economic arrangements on an unparalleled scale. Fueled by ethnic and class-based national and international interests, today's world is characterized by:

free market development strategies by governments, corporations and financial institutions with an emphasis on consumption and indiscriminate exploitation of natural resources; expanding militarization, increased expenditures on arms and armaments and an upsurge in armed conflicts; and the growth of religious fundamentalism, identity based politics and chauvinistic nationalism.

It is becoming apparent that this context has profound implications for how peoples rights are envisioned, exercised and enforced. The new economic arrangements provide little incentive for states to take energetic action to protect the economic rights of their citizens. We can see today that both market-based capitalist states and those in transition have abdicated their responsibilities for social and economic rights. The new economic agenda has already proven to be harmful to the exercise of people's (especially women's) social and economic human rights.

But I would also like to suggest that the reason that social and economic rights are being neglected today can also be attributed to the disintegrated

manner in which human rights have been conceived, developed and practiced over the past 50 years. The fact that in the late 1990's activists feel compelled to revisit and reinvigorate social and economic rights in contrast to civil rights is evidence that something has been askew in our practice as well as our understanding of human rights.

I have entitled my presentation here today „The Dichotomy of Human Rights and the Quest for Synthesis“ as I believe that the current push to realign our thinking and practice represents not only an opportunity but a requirement if we are to be effective as defenders of human rights. For the next few minutes I would like to explore: the historical context of the contemporary challenge to human rights; some issues, pitfalls and threats inherent in our current task; and some recommendations for a new approach.

Historical context

If we go back fifty years to the founding of the United Nations we will find that one of the first acts of the new institution and one of the most important events of the twentieth century was the formulation of the Universal Declaration of Human Rights. Reading it, one cannot help but be inspired and profoundly moved by the vision that all human beings have RIGHTS to the basic requirements of a life of dignity. The magnitude of the horrors of the Second World War and the need to protect individuals from abuses on that scale provided sufficient motivation for states to put aside at least briefly their own interests and sovereignty and embrace the idea of universal human rights and the need for a set of standards to which all states would be bound.

Nevertheless, there lacked sufficient consensus in 1948 for the Declaration itself to be accepted as binding treaty. At that point two covenants were written; one on civil and political rights and one on social, economic and cultural rights.

The late 40s also saw the beginning of the cold war and the geopolitical and ideological split between East and West, a factor that has profoundly affected how human rights theory and practice developed over the years and how our own thinking and practice as activists evolved over the years. In the new context of a globalized economy, our dichotomized legacy is still here to haunt us.

The Dichotomy of Human Rights

Very early on, then, two tracks in the area of human rights were established. The West, of course, gave primacy to civil and political rights, and the pro-Soviet world to social and economic rights. Each approached human rights from a profoundly different understanding about the nature of the rights and the scope of state responsibility for providing the minimum moral and material conditions for a life a dignity. Unfortunately and largely because of the East-West split, the differential treatment accorded the two types of rights hardened into distrust and rigidity of thought. The result was a decreased respect of human rights. Both the West and the East diminished and failed to respect the full range of human rights.

The covenants themselves reflected these differences in how they articulated the rights and how they approached enforcement. For Example:

States promise to respect and guarantee civil and political rights but they only have to undertake progressive implementation of social and economic rights and they get to take into account the resources available to each state. In other words, States must immediately and completely refrain from torture and other violations of civil and political rights, but only commit to progressively working toward actualizing human rights to health, housing, social security and so forth.

With regard to enforcement of rights or redress of violations, the civil and political covenant allows for individual complaints to be brought before the Human Rights committee, the body charged with interpretation of the covenant. No such provision exists for redress of social and economic rights. Even CEDAW (The Convention for the Elimination of all Forms of discrimination Against Women), which is the only human rights covenant that includes civil, political social and economic rights, lacks the possibility (so far) of allowing an individual to file a complaint against her country for violations of these rights.

We are thus left with a situation in which the definition of rights and the obligations of states to promote and protect them are far clearer and better developed for civil and political rights than for social and economic rights. As a result, the human rights enforcement system itself is not as responsive to redressing social and economic

rights violations as it is to addressing violations of civil and political rights.

It is no wonder that our thinking has been skewed after all, the covenants themselves set up an enormous differential in how social and economic rights should be approached and the geopolitical context of the last 50 years encouraged rigid and self righteous attitudes toward human rights.

Most of us have come to accept, at least in the abstract, the universality of human rights. We enthusiastically affirm that rights are universal, indivisible, interdependent and interrelated. But we have toward rights as though the two type of rights were separate, independent, divisible and unrelated. We act as though we have no understanding of what this wonderful indivisibility phrase means. We don't treat all rights with equal regard. We expend a lot of energy making distinctions. We categorize and group rights according to cherished schemas that allow us to take sides and debate the primacy of certain rights over others! of say, freedom of speech over employment or health.

The Need to Change

There are some very good historical reasons why we act the way we do. But I would suggest that we must change our approach; that to do justice to the promotion and defense of all human rights we need to actively pursue the practical goal of achieving, not just a balance but, a synthesis of rights. I would also suggest that it is in the praxis of human rights advocacy that we will achieve this goal.

In the face of the new global economic context, we are justifiably abashed by its negative effects on women, who are often the most vulnerable to the new economic and political realities, particularly, if they are poor, disabled, refugees, internally displaced or migrant. We thus feel compelled to react by asserting a realignment of priorities. Having seen how neglected SEC rights have been, the temptation is strong to assert the primacy of social and economic rights over and at the expense of civil and political rights.

But we must vigorously resist the temptation to establish a reverse hierarchy. While the new global reality has disturbing economic consequences for millions of people today it is not necessarily because economic rights have been violated.

Violations of civil and political rights often have economic consequences as well. For example, if discrimination against women is rampant in employment practices, women will fail to get good jobs and will remain economically vulnerable. If women cannot get credit, or inherit or own and control property, they will be poor; these are examples of violations of civil rights with economic consequences.

It is only in this practical sense that we begin to confront the ideological struggle between East and West and the contradictions that were written into the covenants 50 years ago. Today we are challenged to discover the integrity and indivisibility of rights by developing a more comprehensive and nuanced analysis and understanding. In searching for the synthesis we must seek the tools needed to reconcile and manage three main challenges:

How do we develop an understanding about the content and meaning of social and economic rights when we have so little guidance from past human rights theory and practice?

How do we make the necessary definitional refinements without inadvertently contributing to the continuing split between the rights?

How can we turn our insights into practical actions that will improve the lives of women and their communities everywhere?

I would like to suggest that it is through the praxis of human rights advocacy that we will overcome the dichotomy of rights and gain clarity about the content of rights, and how different rights can work together to achieve the social justice we all seek. It is also through human rights advocacy that we can meet and overcome the challenges, limitations and pitfalls of the task.

Human rights advocacy and the synthesis of rights

We must remember that rights that cannot be enforced are not rights at all.

Unless we understand the content of the right, we will not be able to identify the violation;

Unless we can name the violation and identify the violator, we will not be able to seek redress for the violation or hold states accountable for their failures; and finally

Unless there is a functional mechanism for redress of rights violations we will not be able to assure enforcement.

Advocacy is a political process designed to influence policy decisions and national and international levels. Aimed at transforming peoples interests and needs into definable policies or practices, advocacy consists of actions designed to draw a communitys attention to an issue and to direct policy makers to a solution. It consists of political and legal activities that influence the shape of laws or public policies. Human rights advocacy means intervention in different ways and at several points toward the achievement of three critical goals:

Expanding the definition of human rights and building consensus about the meaning of the rights;
Expanding the scope of state responsibility for ensuring the exercise of rights and

Expanding the effectiveness of the human rights system to enforce the full range of civil, political, social and economic rights.

Unless pressed to do so, the international system will not automatically resolve to take responsive action to the new threats to human rights posed by the environment. Nor will states decide to accept fully their responsibility for the enforcement of rights. Human rights advocacy for women means engaging the system strategically to listen to womens experiences and respond to their demands as legitimate claims.

Engaging the system means getting its attention, forcing it to listen, requiring it to act on its own principles and insisting on a response.

Human rights advocacy means building a new consensus within the entire human rights community about what human rights are, about the rights people require to live as full human beings, about how those rights are violated and how their enjoyment can be assured. Human rights advocacy forces us to grapple with threats to human dignity and the fulfillment of basic needs. It means naming the human rights of women and men that are threatened, showing how they can be protected and taking action to protect them. And in so doing, we will discover the universality and indivisibility of social, economic, cultural, civil and political rights.

Thank you very much.

IMPORTANT DECLARATIONS AND CONVENTIONS RELATING TO HUMAN RIGHTS

United Nations

International Bill of Human Rights

- Universal Declaration of Human rights (1948)
- International Covenant on Economic, Social and Cultural Rights (1966)
- International Covenant on Civil and Political Rights (1966)

Instruments on "special" issues

- International Convention on the Elimination of all Forms of Racial Discrimination (1965)
- Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (1984)
- Convention on the Rights of the Child (1990)

Exclusively gender/women -orientated instruments

- Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (1949)
- Convention on the Political Rights of Women (1952)
- Convention on the Nationality of Married Women (1957)
- Convention on the Consent to Marriage, Minimum Age for Marriage and Registration of Marriages (1962)
- Convention on the Elimination of All Forms of Discrimination against Women (1979)
- Declaration on the Elimination of Violence against Women (1993)

UN Specialised Agencies

UNESCO

- Convention against Discrimination in Education (1960)

ILO

- Convention Concerning Discrimination in Respect of Employment and Occupation (1959)
- Convention Concerning Equal Remuneration for Men and Women Workers for Work of Equal Value (1951)

Council of Europe

- European Convention for the Protection of Human Rights and Fundamental Freedoms (1950)
- European Social Charter (1961)

Organisation of American States (OAS)

- American Convention of Human Rights (1948)

Organisation for African Unity (OAU)

- Banjul Charter on Human and Peoples' Rights (1981)

Civil and political rights

They comprise:

- The entitlement to a life without violence, subordination and torture, to freedom from slavery and forced labour.
- The right to a name and a personal and integral existence.
- The right to vote and of access to public offices and activities.
- The right to freedom of opinion and the press, freedom of thought and religion.
- The right to associate, to assemble and to voice resistance.
- Protection of the private sphere and of the rights of the family.
- The right to be acknowledged as a valuable member of society.

Economic, social and cultural rights

This group consists of:

- The right to work/employment, to recognition and just remuneration.
- The right to protection at the working place including freedom of strike and the right to build up and/or participate in trade unions.
- The right to social justice and social security including maternity protection, health insurance, old age pension schemes etc.
- The right of access to the means of production: land, capital/credit, infrastructure, technologies, inputs and equipment.
- The right to adequate living standards and quality of life including food and nutrition, access to clean water and satisfactory housing conditions.
- The right to elementary health care and to the preconditions to lead a healthy life including reproductive and sexual rights.
- The right to education, vocational training and guidance.
- The right to participate in and profit from science and research.
- The right to participate, be active and gain recognition in culture and art.

Solidarity rights, rights of states/peoples' rights

They refer to:

- The right of states and peoples to self-determination and self-reliance.
- The right to development.
- Justice and equality in activities related to agricultural commodities/minerals, industry, trade.
- The right to independence in the field of information and communication.
- The right to control transnational corporations.
- The right to protect a country's cultural heritage and to call for the restitution of cultural assets.
- The right to a safe and intact environment including intellectual property rights in the field of traditional/indigenous medicine and agriculture.

Declaration of Human Rights from a Gender Perspective

Contribution to the 50th Anniversary of the Universal Declaration of Human Rights by CLADEM (The Latin American and Caribbean Committee for the Defense of Women's Rights)

INTRODUCTION:

In December 1998, the United Nations will commemorate the 50th Anniversary of the Universal Declaration of Human Rights. Knowing the great significance of this event, CLADEM (The Latin American and Caribbean Committee for the Defense of Women's Rights), along with other regional and international organizations, has developed a proposal aimed for adoption by the Member States of the United Nations.

The year 1998 is the occasion for States to renew their commitment to human rights and to incorporate perspectives regarding gender and ethnicity that have gained prominence since the adoption of the Universal Declaration fifty years ago.

In the same way that the 1948 Declaration has constituted an ethical code for the second half of the Twentieth Century, we consider it necessary today, on the threshold of the new millennium, that States approve another document aimed at the international protection of human rights, in order to integrate advances in human rights thinking and experience since 1948, without invalidating in any way the achievements of the Universal Declaration.

PREAMBLE:

CONSIDERING that the contemporary formulation of human rights emerged within a historical context in which the concept of the human being was by and large limited to that of a male, western, white, adult, heterosexual person and owner of assets;

CONCERNED that because of this limited conception of the human being, the rights of women, indigenous people, homosexuals and lesbians, children, the elderly, disabled people and other groups have been restricted;

CONVINCED that a holistic and inclusive concept of humanity is necessary for the full realization of human rights;

REAFFIRMING the indivisibility, universality and interdependence of human rights;

BELIEVING that, in the present context of mounting poverty, inequality and violence, it is crucial to strengthen and guarantee the full validity and interconnectedness of environmental, reproductive, economic, social and cultural rights;

STRESSING that the following Declaration in no way reduces the validity of the Universal Declaration of Human Rights, nor of any other international human rights instrument, and that it does not authorize activities contrary to the sovereignty, territorial integrity or political independence of States;

WE THEREFORE SUBMIT TO THE GENERAL ASSEMBLY AT ITS 53rd SESSION the present draft declaration for its consideration in the elaboration of a Declaration for the 21st Century.

I. RIGHTS OF IDENTITY AND CITIZENSHIP

Article 1

1. All women and men are born free and equal in dignity and rights.
2. Every individual has the right to enjoy all human rights, with no distinction based on race, ethnicity, age, sex, sexual orientation, physical or mental disability, language, religion, political opinion, national or social origin, economic position, birth or any other condition.

Article 2

1. All human beings have the right to their own identity as individuals, as members of groups with which they identify, as members of a nation and as citizens of the world, with the degree of autonomy and self-determination in all these spheres necessary to preserve their dignity and sense of self-worth. This right to identity shall not be negatively affected by marriage.
2. Slavery, servitude, and the traffic of women, girls and boys in any form, including those which take place within family relationships, are prohibited.

Article 3

1. All human beings have the right to an equal and equitable participation in labour, political and social organizations, as well as access to elective and non-elective public posts.

2. All States shall eliminate obstacles to the full and equal enjoyment of citizenship rights by women. In particular, women shall be able to acquire citizenship without discrimination and to exercise the same rights as men to participate in all spheres of public and political life of the nation.

Article 4

1. All human beings have the right to express ethnic-racial diversity free from prejudices based on cultural, linguistic, geographic, religious and racial discrimination.
2. All human beings have the right to protection against ethnocide and genocide.

Article 5

1. Indigenous Peoples have the right to autonomy and self-determination and to the maintenance of their traditional political, legal, educational, social and economic structures and ways of life.
2. Indigenous Peoples have the right to the maintenance of commercial and cultural relations and communications across national borders.
3. Indigenous Peoples have the individual and collective right to participate in the decision-making process of their local and national governments.

Article 6

People belonging to ethnic, racial, religious or linguistic minorities have a right to establish their own associations, to practice their own religion and use their own language.

II. RIGHT TO PEACE AND TO A VIOLENCE-FREE LIFE

Article 7

All persons have the right to a violence-free life and the enjoyment of peace in both the public and private spheres. No one shall be submitted to torture or to cruel, inhumane or degrading treatment or punishment. All forms of violence against women constitute a violation of their human rights. Violence shall not be used to deny people their right to housing, in particular through forced evictions.

Article 8

1. Migrants, displaced persons or refugees, and persons disadvantaged because of gender, race,

class, ethnic origin, age, convictions or any other condition, have the right to specific protection measures against violence.

2. All human beings have the right to live free from armed conflict.
3. Acts of a particularly egregious character perpetrated against women and children in situations of armed conflict, including murder, rape, sexual slavery and forced pregnancies, constitute crimes against humanity.

Article 9

1. Every citizen has the right to a national budget aimed at sustainable human development and the promotion of peace by their governments, including measures towards the reduction of military expenditure, the elimination of all weapons of mass destruction, the reduction of armaments to the strict needs of national security, and the reassignment of these funds towards development.
2. Women and representatives of disadvantaged groups have the right to participate in the process of decision making in the field of national security and in conflict resolution.

III. SEXUAL AND REPRODUCTIVE RIGHTS

Article 10

All human beings have the right to autonomy and self-determination in the exercise of their sexuality, which includes the right to physical, sexual and emotional pleasure, the right to freedom in sexual orientation, the right to information and education on sexuality and the right to sexual and reproductive health care for the maintenance of physical, mental and social well-being.

Article 11

1. Women and men have the right to decide on their reproductive life in a free and informed manner and to exercise the voluntary and safe control of their fertility, free from discrimination, coercion or violence, as well as the right to enjoy the highest levels of sexual and reproductive health.
2. Women have the right to reproductive autonomy which includes access to safe and legal abortions.