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Follow-up to the Fourth World Conference on Women and to the twenty-third special session of the General Assembly, entitled “Women 2000: gender equality, development and peace for the twenty-first century”: implementation of strategic objectives and action in critical areas of concern and further actions and initiatives: review of the implementation of the Beijing Declaration and Platform for Action and the outcomes of the twenty-third special session and its contribution to shaping a gender perspective in the realization of the Millennium Development Goals

Statement submitted by Human Rights Advocates, a non-governmental organization in consultative status with the Economic and Social Council

The Secretary-General has received the following statement, which is being circulated in accordance with paragraphs 36 and 37 of Economic and Social Council resolution 1996/31.

* E/CN.6/2010/1.



Statement

Ensuring women's human rights: moving beyond declarations to implementation and enforcement

1. In 1995, the Commission on the Status of Women hosted the Fourth World Conference on Women in Beijing. In addition to discussing women's needs for equality, development and peace, the delegates stressed the need for real advancement in women's enjoyment of their human rights, and the outcome documents — the Beijing Declaration and Platform for Action¹ — reflect these priority issues.

2. In March 2010, the Commission on the Status of Women will celebrate the fifteenth anniversary of the adoption of the Beijing Declaration and Platform for Action and conduct a review of their implementation by Member States. The 15-year review is a time not simply to promulgate more standards and decrees about the need to guarantee women the full enjoyment of their human rights, but also to assess the effectiveness of the implementation by States of the Beijing Declaration and Platform for Action, to share experiences and best practices, and to identify implementation problems and their solutions. As a step towards providing a model of how such a review should be conducted, the present statement will assess the implementation of the Beijing Declaration and Platform for Action in two areas that are particularly relevant for women today — human trafficking and employment — with examples of effective implementation provided in each topic area.

Combating trafficking in women

3. In the 15 years since the holding of the Fourth World Conference on Women, States in their efforts to implement the Beijing Declaration and Platform for Action have combated human trafficking primarily by promoting awareness of the problem among their populations and by adopting anti-trafficking legislation.² Trafficking, however, remains a serious global problem. The United States Department of State estimates that up to 2 million people are trafficked worldwide every year,³ and the International Labour Organization (ILO) estimates that there are about 12.3 million people held in bondage (including forced labour, bonded labour and commercial sexual servitude) at any given time.⁴ Traffickers reap about \$9 billion in revenue from the illicit trade annually,⁵ and virtually every country in the world serves as an

¹ *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

² See the report of the Secretary-General, entitled "Review of the implementation of the Beijing Platform for Action and the outcome documents of the special session of the General Assembly entitled "Women 2000: Gender Equality, Development and Peace for the Twenty-First Century" (E/CN.6/2005/2 and Corr.1) of 6 December 2004, para. 534; and further actions and initiatives to implement the Beijing Declaration and Platform for Action (General Assembly resolution S-23/3 of 10 June 2000, annex), paras. 13 and 15.

³ Federal Bureau of Investigation, "Human trafficking: an intelligence report", 12 June 2006; available from http://www.fbi.gov/page2/june06/human_trafficking061206.htm.

⁴ See United States Department of State, Office to Monitor and Combat Trafficking in Persons, "Trafficking in Persons Report" (June 2009), p. 8.

⁵ Howard P. Tolley, Jr., "Human trafficking", in *Encyclopedia of Human Rights*, David P. Forsythe, ed. (New York, Oxford University Press, August 2009), vol. 2, p. 494.

origin country (where victims are recruited and/or kidnapped), a destination country (where they are forced to work against their will) or both.⁶

4. As the Secretary-General noted in 2005, States implementing the Beijing Declaration and Platform for Action have struggled with effective implementation in the area of trafficking primarily owing to their failure to address its root causes, which include poverty, displacement/migration, discrimination and gender-based violence (E/CN.6/2005/2, para. 536). The problem with failing to address root causes is that human traffickers will always have victims to exploit as long as external conditions continue to make women vulnerable. One country that has been effective at combating the root causes of trafficking is Viet Nam, whose Government formulated a multifaceted response to addressing vulnerabilities with respect to trafficking at both source and destination points.

5. In a programme designated as a “best practice” by ILO, the Government of Viet Nam developed a comprehensive package of services to be delivered to the population through the coordinated efforts of multisector agencies and organizations at all levels.⁷ The programme began with communication campaigns designed to educate women and children about the danger of trafficking, which included leaflet distribution, counselling for high-risk groups and individuals, and school forums conducted by students.

6. Viet Nam’s governmental programme went beyond building awareness, however: it conducted needs assessment and vocational skills training for women, provided educational support for at-risk children, and extended financial credit to increase income and create employment for poor women and their families.

7. While no specific numbers are given, ILO considers the programme to have been successful and instructive in respect of how Governments should shape their anti-trafficking programmes: they should be comprehensive in nature, with support services (educational, financial, etc.) provided alongside awareness-raising activities, and with specific attention focused on high-risk women and children. While awareness-raising is important in its own right, it must be combined with services that support the more vulnerable members of society if trafficking is to be effectively eliminated, since without potential victims, traffickers have no one to exploit.

Enhancing economic power and employment opportunities for women

8. Since the adoption of the Beijing Declaration and Platform for Action in 1995, States have made real efforts to increase women’s participation in the labour market and increase their economic autonomy.⁸ Despite such efforts, however, statistics provided by a 2009 ILO report show that gender gaps in employment remain.⁹ The unemployment rate for women continues to remain higher than that for men, and

⁶ United Nations Office on Drugs and Crime, Global Programme against Trafficking in Human Beings, Anti-human Trafficking Unit, “Trafficking in persons: global patterns” (April 2006), pp. 17-20 (prepared by Kristiina Kangaspunta).

⁷ ILO, International Programme on the Elimination of Child Labour, Mekong Subregional Project to Combat Trafficking in Women and Children, *Meeting the Challenge: Proven Practices for Human Trafficking Prevention in the Greater Mekong Sub-region* (Geneva, 2008).

⁸ See General Assembly resolution S-23/3, annex, para. 20.

⁹ International Labour Organization, Employment Trends Team, *Global Employment Trends for Women: March 2009* (Geneva, International Labour Office, 2009).

while labour-force participation rates for women and men are converging, the gap persists, hovering around 25 percentage points in 2008.¹⁰ Even when women are successful at entering the labour market, they encounter discrimination in both working conditions and wages, as they are much more likely than men to work in the non-skilled and/or informal sectors, and continue to earn only about 80-85 per cent of the hourly wage of men engaged in comparable occupations and with comparable levels of education, training and skills.¹¹

9. One of the major hindrances to effective implementation of programmes in the area of employment has been that, despite the adoption of gender-sensitive policies and programmes, Governments have been unable to judge their effectiveness and tailor them appropriately owing to inadequate data collection and assessment (E/CN.6/2005/2, para. 322). Such data collection and assessment are crucial in designing effective employment policies and programmes for women inasmuch as Governments are unable to identify what works to decrease gender disparities without locating where the disparities lie and what is causing them.

10. The City and County of San Francisco proved the value of this lesson when, in 1998, it became the first municipality in the world to implement the principles contained in the Convention on the Elimination of All Forms of Discrimination against Women¹² at the local level.¹³

11. In its use of gender analyses for seven City departments, San Francisco provided an excellent model for using data collection and analysis to identify discrimination and remedy it through the use of tailored employment programmes and policies aimed at women and minorities. Within the gender analysis, the City departments first defined their desired outcomes, collected data and demographic information on the beneficiaries of a policy or programme and then formulated targeted strategies to reach the desired outcomes by using the results of the data analysis. The final stages of the process included prioritizing the proposed strategies into an overall “action plan”, and developing a monitoring mechanism to oversee implementation of the action plan and “determine its effectiveness and efficiency in helping to attain equality and eliminate discrimination”.¹⁴

12. Using the gender analyses, San Francisco’s Department on the Status of Women noted significant achievements within the selected City departments, including increased recruitment and retention of women and minorities (constituting 69 per cent and 39 per cent, respectively, of the February 2009 workforce) and the development of more flexible work policies to help women balance their significant work and family obligations (over two thirds of the employees working in the Department of the Environment currently participate in some type of flextime programme).¹⁵ The Department on the Status of Women continues to collect and

¹⁰ Ibid., p. 9.

¹¹ Ibid., pp. 11 and 17-19.

¹² United Nations, *Treaty Series*, vol. 1249, No. 20378.

¹³ City and County of San Francisco, California, Ordinance 128-98; Department on the Status of Women, City and County of San Francisco, “Gender equality in the City and County of San Francisco: local implementation of the United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW); see http://www.sfgov.org/site/cosw_index.asp?id=10848.

¹⁴ Ibid., pp. 4-5.

¹⁵ Ibid., pp. 8-9.

analyse data on the successes and failures of employment programmes promulgated under the local CEDAW ordinance. Along these lines, given the initial successes resulting from San Francisco's use of gender analyses, it appears that Governments could dramatically increase the efficacy of their efforts on behalf of women's employment by using increased data collection and gender analyses to target anti-discrimination employment policies and programmes in the areas where they are most needed. Data collection also improves transparency and makes it feasible for both public and private sectors to analyse the programmes' effectiveness.

Conclusion

13. Given the space constraints, the scope of this review has necessarily been significantly narrowed; the scope of the review to be conducted by the Commission on the Status of Women in March 2010 will, of course, be much broader. However, this model review should be helpful in planning for the fifteenth anniversary because it highlights the essential components for conducting comprehensive, effective reviews. First, organizers and delegates should identify the major target areas (for example, trafficking and employment) where significant obstacles remain to women's enjoyment of their human rights. After identifying such target areas, delegates should assess the efforts that States have made in attempting to implement the Beijing Declaration and Platform for Action in those areas, as well as the size and scope of remaining deficiencies in implementation. Having identified those deficiencies, delegates should attempt to locate their sources (for example, failure to address root causes, inadequate data collection) and exchange information and experiences so that solutions and best practices can be identified and taken back to States for consideration and implementation.

14. On the fifteenth anniversary of the holding of the Fourth World Conference on Women, effective review focusing on implementation of the Beijing Declaration and Platform for Action is crucial. States have had a long enough time to issue statements and affirmations of principles in respect of guaranteeing women the enjoyment of their human rights; it is time now for them to get down to the business of making good on their promises.
