

## **2009 Human Dimension Implementation Meeting**

### **Working Session 7: Tolerance and non-discrimination II**

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#### **Introduction by Violeta Neubauer**

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Ladies and gentlemen, colleagues and friends,

I am very pleased to be here today introducing the themes on the agenda for the Working Session 7 on Tolerance and non-discrimination II of this year OSCE Human Dimension Implementation Meeting.

Our aim is to review the implementation of the OSCE human dimension commitments towards achieving gender equality and non-discrimination of women on the grounds of sex and gender and intersecting identities as women and as members of various groups, defined by ethnicity, race, age, religion, language, social origin, disability, and other grounds.

The session is mainly devoted to assess the progress achieved in meeting the commitments made, identify obstacles met and challenges ahead in the promotion of equality of rights and opportunities for women and men and prevention of violence against women. The 2004 OSCE Action Plan for the Promotion of Gender Equality provides the programmatic framework for the OSCE participating States and the organisation itself for achieving the full exercise by women of their human rights on the basis of equality and strengthens the understanding that gender equality is central to the values and concerns, which are integral to all activities and objectives in the three dimensions of the OSCE.

Last week the OSCE Secretary General has released his annual report on the implementation of the Gender Equality Action Plan. Indeed, reporting is an essential part of monitoring mechanism to assess the quality of organisation of responsibilities for pursuing the achievement of commitments within the OSCE structures, programmes and activities as well as in assistance provided to participating States to support their national endeavours for promoting gender equality in the substantive areas identified in the Action Plan.

Although an accurate quantitative and qualitative evaluation of progress achieved with outcomes of the actions implemented is not possible due to the absence of clear targets, time frames and benchmarks in the Gender Equality Action Plan, the one year implementation cycle ended with many positive developments pertaining to the work of the organisation in the field of gender equality.

While there is certainly a need to further develop a capacity within the organisation in order to constantly and continuously utilize the potential of mainstreaming gender concerns and complementary specific actions, targeting as clearly as possible towards accelerating the achievement of gender equality objectives within the OSCE, its institutions and field

missions, it is participating States who hold primary responsibility and are particularly accountable for the implementation of the Gender Equality Action Plan.

In broader sense states' responsibility in the promotion of gender equality is established also in programmes of action adopted by the wider international community, including the formal recognition that women's human rights are inherent part of universal human rights that states must uphold, respect and promote. Furthermore, the scope of responsibility of states to work towards the achievement of gender equality is defined as their duty in human rights treaties which they ratify or acceded to.

This year states were reporting on progress achieved in the implementation of the Beijing Platform for Action in order to contribute to the next year global review of the achievements made since 1995 when they committed to meet the objectives of the Beijing "agenda for women's empowerment". Efforts are also being intensified this year to translate the UN Security Council Resolution 1325 into reality. Most of the core elements of effective integration of gender perspective into peace processes form part of the international human rights obligations undertaken by states to eliminate all forms of discrimination against women and girls. Gender balanced participation in decision making, which requires also equal participation of women in the formulation of all government policies and the implementation thereof, is one of such general core element. However, specific attention directed at the implementation of this historic resolution is required to facilitate much needed action in this area. Therefore it is very important that the OSCE and participating States reinforce their actions and measures to empower women in the politico-military dimension as required in the Gender Equality Action Plan and the Ministerial Council Decision on women in conflict prevention, crisis management and post-conflict rehabilitation.

As an elected expert of the UN treaty body mandated to monitor the implementation of the Convention on the Elimination of All Forms of Discrimination against Women, I cannot miss this opportunity to highlight also that this year we are celebrating the thirtieth anniversary of the adoption of this women's human rights bill and the tenth anniversary of its Optional Protocol, which gave women in their hands a potentially effective instrument to fight against discrimination.

Under the CEDAW Committee mandate to monitor the implementation of the convention in the State parties, which are obliged to periodically report on progress achieved, the Committee is informed about many and various measures and actions aimed to bring State parties legislation and policies in compliance with the convention, that were carried out with the support of international and regional organisations or foreign donors. OSCE often appears among them. Placing gender equality issues and empowerment of women on the agenda of political dialogue between national governments and OSCE is an evidence of the acknowledgment of the OSCE participating States of gender issues as one of important national priorities and a demonstration of their responsibility for living up with commitments made and fulfilling their obligations.

As a gender equality expert I have always been surprised at very limited use of the concluding observations of the UN human rights treaty bodies. Most often they are not translated and disseminated and the concerns and recommendations of the Committees are not addressed in an effective and timely manner. Perhaps I understand why governments are not making them available. However, there are no reasonable excuses for international and regional

organisation and national NGOs to make use of them when entering in dialogue with governments.

As a CEDAW committee member I believe that using concluding observations and recommendations issued by the Committee (and other human rights treaty bodies when they address gender equality) upon consideration of State Party reports as one of the elements for the review of the project proposals by the filed offices and the Gender Section as appropriate, their implementation, when approved, would deliver more sustained results and significantly contribute to and complement the overall national gender equality efforts.

I would like to make another observation on the implementation of obligations and commitments. Whenever there is an improvement in the area of gender equality and women's human rights, which indeed is noticed mostly during each of reporting by the State Parties to the CEDAW Committee, I am wondering how much can be attributed specifically to the implementation of the Convention. And I do continue to ask myself similar question with regard to action plans or programmes. Nonetheless, many substantive advances have been recorded in the past and they have been initiated and facilitated by the international legal standards and within programmatic framework designed to serve the same ultimate goal – achieving substantive gender equality. And undoubtedly, the CEDAW Convention and the Beijing Platform for Action, or the Vienna Programme of Action, as well as the OSCE Action Plan for the Promotion of Gender Equality and an impressive corpus of declarations, decisions, resolutions and recommendations are important achievements for the women of the world. They gave a new political legitimacy to the concept and objectives of gender equality.

There are many positive developments in implementation but a progress is uneven and objectives and goals still far away from being fully achieved.

What is the most obstinate obstacle which constitutes a missing link between obligations to which the OSCE Participating States agreed to comply with and commitments they made and the results achieved? Is it lack of political will? Does a misunderstanding that gender equality has been achieved when formal equality of women and men was established hamper further progress? Is it culture and tradition, which are often used as an excuse for marginalisation of women in public and political life? Are national economic and political situation barriers to further development?

Strong political will is a first requirement. Strong, not just good will, because what is at stake in the achievement of gender equality is a structural and cultural change in social relations and social organisation.

Formal equality is indispensable, but not sufficient. In most of the participating States women have been formally entitled to equality, to equal enjoyments of human rights. However, such entitlement has not been adequately protected and promoted on the basis of full equality of both sexes. Actually, when we speak about inequality in regard to participation of women in political and public life or the unequal balance of power in decision-making, what is this marginalisation but a denial of the basic citizenship rights of participation, of representation and of decision in democratic terms? Violence against women is a gross violation of fundamental rights? The examples could go on and on.

Culture and tradition often reinforce the notion of women being generally different from and even inferior to men, but they may not be used as an excuse for avoiding the promotion and

protection of all human rights and fundamental freedoms, as reaffirmed at UN World Conference on Human Rights in Vienna.

Economic and political situation will not be adequately addressed if gender equality is excluded from responses developed and if women do not equally and fully participate in designing solutions. Genuine democracy will remain an unattainable goal, if gender equality is not included in the dynamic process of its construction. And neglecting of women's competencies and skills is a waste of resources and minimises social and economic development.

What are therefore requirements to accelerate achievement of gender equality?

First, it is pertinent that gender equality issues are taken out of the ghetto where they have often been and put firmly on the agenda as an issue for society as a whole and as one of the priorities, which can not be sacrificed and left to better times, when political, economic and financial crisis, or other threats to development, democracy and peace will be resolved. This would mean that men are much more involved in the work for the realisation of gender equality, that they are a natural partners and actors in fostering social changes required.

Second, that priority is given to the development, adoption and enforcement of effective national gender equality legislation and to the integration of gender perspective into all areas of governance, both in laws and policies. Equally important is the ratification of international legal instruments on human rights in general and on women's full enjoyment of human rights in particular. They are a fundamental and authoritative basis and framework for national policies to eliminate all forms of discrimination on the grounds of sex and promote gender equality, therefore the relevant internal procedures for their implementation must be fulfilled without delay and implementation of regulations and measures adopted need to be regularly monitored and evaluated.

Third, institutional gender equality mechanisms need to be strengthen and their political legitimacy reinforced and they should further develop gender expertise and methods, tools and instruments for implementing and monitoring equality policies and gender mainstreaming and for holding governments accountable.

Fourth, effective implementation of gender equality policies requires adequate funding.

Fifth, any threats to women's dignity, security and life need to be addressed through all means and measures. Violence against women continues to be one of the most serious obstacles to gender equality. It both, violates and impairs or nullifies the enjoyment of human rights and fundamental freedoms.

Sixth, the OSCE Human Dimension Implementation Meeting have proved that the implementation of commitments would not be possible if women's organizations and non-governmental organizations working for the protection of human rights of women and promotion of gender equality would not proactively respond to the major challenges of our time, such as poverty, violence against girls and women in all its forms and manifestations, gender stereotypes, traditional and cultural attitudes and practices, violations of women's and girls human rights in conflict situations. They roles in the achievement of gender equality must be valued and encouraged by states. Regular and consistent channels of co-operation

between official government institutions and civil society organization are an absolute condition for the success of gender equality commitments.

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Gender equality policies, such as gender equality legislation, institutions and their mechanisms, strategies and tools for the implementation of gender equality policy objectives and political commitments made at national and international level, equal participation and representation of women in public and political decision making, including in all phases of conflict prevention and resolution and in the peace process, measures to ensure life free of gender based violence, including the most horrific form of violence against women and girls in conflict situations, are not expenses that only well established and rich democracies can afford. They are investments for building and securing the future, the future of girls and boys, women and men in all their diverse roles and in all countries, cultures and communities.