Regional Workshop – Panel on Economic and Social Rights

1. **WG Report to the HRC**

Our report focuses on the gender aspects of economic and social rights. These rights have particular significance for women, who are disproportionately affected by economic and social marginalization and poverty. Women’s right to equality in economic and social rights is substantive, immediate and enforceable. It concerns the division of existing resources, not the development of resources, throughout women’s life cycle, from equal access to quality education of girl children to prevention of women’s old age or pension poverty.

Discriminatory legislation in a number of States continues to obstruct women’s enjoyment of equal rights and access to economic opportunity and resources. In all states, the roles and responsibilities assigned to women and men on the basis of stereotypes relegate women to a subordinate status and limit their economic opportunities. Care functions are disproportionately allocated to women and create a major barrier to women’s full participation in economic market activities. The WG supported the introduction of a social protection floor for care functions.

A significant number of countries have adopted anti-discrimination measures, but these have not resulted in equality of opportunity in women’s economic and social lives. Women are disproportionately concentrated in informal and precarious employment; they are exposed to multiple discrimination; the wage gap persists; maternity protections have not been universally implemented; and in many countries women do not have equal rights and access to resources. The Working Group calls for accountability mechanisms to enforce women’s equality and maternity rights in formal employment and calls for the reduction and reconstruction of informal work.

Women are severely underrepresented in economic leadership. Economic governance is generated not only *de jure* by political
decision-making, but also *de facto* by the activities of economic and financial institutions, enterprises and corporations, which generate policies that determine the quality of life of women, men, children and communities. The International Monetary Fund (IMF), the World Bank, regional development banks and the World Trade Organization (WTO) constrain national economic policies. In the year 2000, the top 200 companies surpassed the economies of 182 countries; they exercise significant power in determining policy. Escalating economic inequality and austerity measures taken by some States in response to the economic crisis have had a disparate impact on women, increasing the precariousness of their employment and their burden of unpaid care work. Furthermore, in the emerging area of corporate responsibility, the gendered harm to women resulting from transnational business and trade policies has been largely invisible, including the feminised work in EPZs and disparate harm to women by extractive industries. The WG has set up an ongoing process with the WG on H.Rts and transnational corporations and other businesses to address these issues and develop tools for gender responsiveness in economic leadership and corporate responsibility.

Violence against women is a serious obstacle to women’s and girls’ equal economic and social opportunity. It is not enough to prohibit sexual harassment in the workplace, Measures must be taken to prevent sexual violence or harassment in schools, the streets and in cyber space.

2. **Implications for the SDGs**

The SDG Outcome Document does have a stand-alone gender goal (Goal 5). However, the language of the document speaks of equity and not equality. Furthermore, it calls for sustainable development goals and not for accountability for the respect, protection and fulfillment of IHRL obligations.

There is some gender mainstreaming. But it neglects women’s rights and needs at crucial junctions: Under access to the best possible standards of health, there is no reference to women’s reproductive rights (Goal 3).
In the call for decent work, there is no discussion of accountability to eliminate discrimination or to implement maternity rights or to introduce a protection floor for care. (Goal 8)

3. HRC Resolution on protection of the family

Here too there is a failure to articulate women’s right to equality and incorporate it in the protection of the family – this is not an accidental lacuna but part of the campaign by the lobby for traditional values to undermine the principles of universality and indivisibility, established in the Vienna Convention in 1993.

The HRC resolution does however propose that there should be state subsidised care services, adopting the approach recommended by the WG that a social protection floor must be available for care functions in order to allow parents/women to choose their occupation freely.

4. In sum and recommendations

In order to secure women’s opportunity to participate fully in all facets of economic and social life, it is essential to eliminate discriminatory legislation. But this is not enough - measures of transformative equality are essential to tackle the structural barriers which restrict women’s lives and choices.

Development programs and priorities must be firmly based on women’s right to equality. Regional mechanisms should advocate for more mainstreaming and insist on state obligation to respect protect and fulfil women’s right to equality in the SDGs.

Human rights are universal and indivisible and women’s capacity to participate fully in economic and social life cannot be severed from their right to equality in their families and cultures. Regional mechanisms should work together to counter retrogressive agendas which undermine that right.