

Committee on the Elimination of Discrimination against Women

General discussion on rural women

7 October 2013 (10:00 – 13:00)

Introduction of the General recommendation on rural women

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I. Introduction

The Convention on the Elimination of all forms of Discrimination against Women is the first instrument to recognize explicitly rural – urban differences. It does so by enumerating specific rights for rural women in its Article 14, and also by mentioning their needs in relation to education in Article 10.

By naming rural women as a distinct population, CEDAW moves beyond the implicit focus on urban populations that characterize a great deal of contemporary law-making.

The idea of an article dedicated to rural women came in 1976, when a representative from FAO introduced during the drafting process of our convention the topic of “rural women and the challenges they face”. A working group decided that “the situation of rural women was so disturbing that it should be the subject of a special article”.

Article 14 is one of the lengthiest articles of the Convention, it requires state to eliminate discrimination against women in rural areas in order to ensure that they participate in and equally benefit from rural development planning at all levels, have access to adequate health care, social security, formal and non formal education, organize cooperatives, have access to credit, equal treatment in land, enjoy adequate living conditions particularly in relation to housing, sanitations, electricity, water supply...

For thirty years, the Committee had received initial and periodic reports from developing and developed countries. The experts had long discussions with the corresponding delegates about the implementation of Article 14. The concluding observations / remarks / recommendations [COBs] are self explanatory. Many challenges do exist, problems need to be resolved, and in spite of some progress, a lot has to be done.

Let us admit that during this period, the focus within the international human rights community was directed towards other priorities than rural women’s problems. But on October 2011, our Committee recognized in a general statement that “despite efforts undertaken to encourage overall empowerment of rural women, there are still many issues that need to be addressed as women, and in particular rural women, face discrimination in all spheres of life”.

In the same session [50th], the Committee decided to establish a working group on rural women for the purpose of preparing a General Recommendation [GR] on Article 14.

II. International Developments in UN Human Rights Mechanisms

Some positive developments in relation directly or indirectly to rural women’s HR occurred into the work of UN Mechanisms.

(1) In 2005, DAW (Division for the Advancement of Women) in the study “Women and Water” highlighted that women play a central role in the provision, management and safeguarding of water.

The study outlined the following:

- Support for the adoption of a gender approach to water resources management ;
- A need for increased scope for negotiating women's interests within house holds and in community level resource use;
- Gender-specific preferences in sanitation ;
- Integration women's interests in the management of hygiene facilities;
- The recognition of women's potential as managers and the importance of their involvement in public decision making processes is welcome and long overdue.

(2) In July 2010, the UN general Assembly adopted its resolution 64/292 recognizing explicitly the human rights to water and sanitation and acknowledging the importance of equitable access to safe and clean water and sanitation as an integral component of the realization of all human rights.

(3) In March 2011, the human Rights Council adopted its resolution 16/27 asking the "human rights advisory committee" to undertake a study on the advancement of the rights of peasants and other people working in rural areas.

The study, while identifying vulnerable groups working in rural areas that are subject to discrimination, revealed

- That peasant women often face discrimination in gaining secure access to and control over the productive resources such as land, water and credit, because they are often not recognized as producers or judicial equals ;
- That they are particularly affected by hunger, poverty, largely as a result of discrimination in access to and control over productive resources such as land, water and credit.

(4) In its resolution 21/9 of October 2012, the Human Rights Council decided to establish an open-ended intergovernmental working group with the mandate of negotiating, finalizing a draft UN declaration on the rights of peasants and other people working in rural areas.

Such a declaration is going to be a tangible development ensuring the protection of all human rights of peasant. It is our duty and mandate as CEDAW to work for the insertion of articles dealing with respect, protection and promotion of human rights of peasants / rural women in this document. In this regard we count on the support of relevant UN agencies, NGOs and above all the HR special procedures.

Special procedures

I am not going to elaborate on the important work done by the different mandate holders. They are present with us and their different contributions will enrich our drafting exercise.

III. Important actors

1. UN Agencies

As for the UN specialized Agencies, they have played a crucial role for the promotion of rural women's human rights through studies, programs, action plans...All of them tackling problems, challenges and exploring ways and means to confront them through operational solutions, which led finally for a better empowerment of rural women.

2. Non-Governmental Organizations

National, regional, international NGOs had largely contributed in the promotion of rural women's HR, via awareness-raising activities, exchange of best practices, diffusion of know-how, creation of projects, strengthening of partnerships...

I am going to focus today on their contribution to the substantive part of our G.R on article 14.

For the CEDAW thematic briefing "Rural Women and Land and Property Rights" (February 2013), 19 written submissions were received from organizations around the world working on rural women's land right. They underscored that "persistent barriers remain, including discriminatory laws, policies and practices, as well as cultural attitude which promote the idea that women cannot or should not be equal decision-maker, beneficiaries, and stewards when it comes to the land, and property inheritance and marriage are still the most common ways in which women can acquire access to land. However, a number of countries still have dispositions in their national civil codes, family codes and labor codes that discriminate against women, regardless of equality provisions in the constitution".

In their conclusions, they asked states to take immediate and effective measures aimed at positively transforming cultural norms and practices at the local level that perpetuates discrimination against rural women.

3. Academic research and studies

Needless to say how much we value the contribution of academic research and studies and their impact on our work and drafting exercise... In my capacity of chair of the working group on drafting the GR on article 14, I participated in the conference on "Gender, HR and Water Governance" organized by IWMI (International Water Management Institute) in South Africa (25-26 September 2013).

The various papers, analysis were for us a source of additional input and new ideas. We have received, from the Institute, preliminary views addressed to today's discussion and I am keen to share some of them with you (very briefly).

Their major concern are the following :

- To ensure real legal protection of water to livelihood ;
- Existing water governance structures need to put water livelihood on an equal footing with commercial water uses ;
- Measures ensuring equal and meaningful participation by different groups of women at all levels of water governance need to be taken ;
- Mechanisms making existing water governance institutions accountable to different groups of rural women, particularly the poor and vulnerable, need to be put into place.

Let me add that we have received on our CEDAW website many submissions from different sources and regions. On behalf of the working group, I seize the opportunity to thank warmly every NGO, Institute, Agency that had participated to this exercise.

IV. Conclusion

I am confident that our upcoming GR on Article 14 provides an opportunity for rising and addressing issues of gender-based discrimination in rural areas and developing a framework that expands the interpretation of state obligation that ensures the elimination of discrimination and promotes substantive equality for rural women. At the same time, S.P. shall pay particular attention when reporting to CEDAW on the implementation of the said article, thus increasing the focus among policy makers, on rural women's legitimate demands for equal rights.

Needless to say that the following step would be to give more attention to problems of rural women in our complaint mechanism, mainly the optional protocol.

I thank you all for your presence and contribution.
