

4 December 2014

Civil Society Steering Committee statement on the Asian and Pacific Ministerial Declaration on Advancing Gender Equality and Women's Empowerment

The Asian and Pacific Conference on Gender Equality and Women's Empowerment: Beijing +20 Review provided a historic opportunity for governments and civil society to undertake an honest review of the structural barriers that prevent gender equality and violate women's human rights. The meeting was intended to improve accountability for implementation of the Beijing Declaration and Platform for Action that was adopted by consensus in 1995 but remains an unfulfilled promise 20 years later.

The conference was the largest intergovernmental meeting addressing women's rights in the region to date. The presence of more than 400 civil society delegates was itself an important accountability mechanism. We also welcome the commitment to strengthen engagement with the Regional Civil Society Engagement Mechanism (RCEM), the first time that the new mechanism has been referenced in a consensus intergovernmental declaration.

At the start of the Conference, civil society was looking forward to four days of informed and constructive discussion and negotiation between States on the issues affecting women's rights and development in the Asia-Pacific Region. We recognise and applaud the States who proposed constructive and progressive language that would strengthen accountability and implementation of the Beijing Platform for Action. We also applaud the States who actively championed the inclusion of language on sexual rights, reproductive health and rights, and the diversity of women and girls.

The need to reach consensus resulted in the lowest common denominator in many cases, with the final regional Declaration sadly reflecting an erosion of proposed, progressive language and diminished commitments in a range of areas. We are deeply disappointed that many constructive proposals by States were actively and purposefully derailed by a very small minority of States who obstructed the multilateral process and were able to limit regional commitments to severely hampered the advancement of gender equality and women's human rights.

The rushed nature of the negotiations on the latter part of the document resulted in perfunctory consideration being given to critical proposals around sexual and reproductive health and rights, disaster risk reduction and response, climate change and environmental degradation, alignment of Beijing+20 priorities into any Post 2015 development agenda, financing and technology transfer, and the means of implementation.

Accountability

We reiterate that the largest barrier to implementation of the Beijing Platform for Action (BPFA) is the lack of meaningful and binding accountability mechanisms. The Declaration fails to adequately address this barrier. While there are specific commitments contained in the declaration that could assist States as duty bearers to progress urgent work on gender inequality and human rights violations, they lack time bound, measurable commitments and explicit reference to institutions tasked with implementing commitments. Asia and Pacific civil society and social movements look forward to working with ESCAP, UN Women, regional development institutions, and governments

to produce targets, indicators and annual review processes to ensure these commitments are meaningful and honoured.

Young Women

It was heartening to see a few member States give space to young women on their delegations and we encourage more governments to actively foster young women's involvement in national and multilateral fora. Key to future women's leaderships in all forms is the encouragement and substantive inclusion of young women into key political spaces. While member States have agreed to ensure the provision of universal access and to remove all barriers to comprehensive youth-friendly health services, they failed to guarantee the rights of all adolescents and young people to comprehensive sexuality education in and out of school and in all forms of education. While it was recognised that comprehensive sexuality education needs to be evidence-based, it did not recognise the need to be rights-based, non-discriminatory and gender sensitive, delivered in a manner consistent with the evolving capacities of children and adolescents, in order to equip adolescents and young people with the knowledge and skills to make informed choices about and control all aspects of their sexuality.

Disability

We were pleased to note the very strong support for disability concerns during the Conference, with a series of government interventions to highlight the discrimination faced by women and girls with disabilities. We note that there was recognition of the significance of the United Nations Convention on the Rights of Persons with Disabilities (CRPD) and the Incheon Strategy to "Make the Right Real", 2013-2022 and reiterate there is still a need for further urgent action to support the leadership of women with disabilities and enabling their participation in decision-making at all levels. States and development actors need stronger commitment to reviewing existing law and policies, including disability-responsive budgeting, to address accessibility, lack of education and unemployment in full consultation with women leaders with disabilities.

Sexual Orientation and Gender Identity

It was noted and applauded that some States included text proposals related to sexual orientation and gender identity as well as inclusion in various country statements, we are deeply disappointed that this has not been retained in the final Ministerial declaration. Despite this, the willingness of a growing number of Asia and Pacific States to affirm non-discrimination and universality as core principles of human rights and development, is a welcome outcome of this meeting.

We are disturbed that in Asia and the Pacific as elsewhere, far too many women and girls still face execution, imprisonment, torture, violence and discrimination because of real or perceived sexual orientation and gender identity. For the BPFA to be universal in purpose, focus and effect, and applicable to ALL women in Asia and Pacific, issues of violence and discrimination based on sexual orientation, gender identity and expression must be explicitly and openly addressed, by both State and non-state actors.

Caste

We were alarmed to see the reference to caste removed from the Declaration. Caste is the longest surviving hierarchy in the Asia Pacific Region, affecting 260 million people in South Asia alone. Caste-based discrimination and violence is strongly linked to women's social and economic

situations, reflects deeply entrenched norms of patriarchal cultural practices, is a key obstacle to achieving gender equality, and underpins for many the feminisation of poverty and widening social inequalities.

HIV and AIDS

Despite little discussion of this issue in the proceedings and Declaration, HIV and AIDS remains a primary concern in the Asia Pacific Region. There remains a need to scale up interventions to end stigma and discrimination in health care settings for key affected women and girls in particular, women and girls living with HIV, sex workers, women who use drugs, transgender people, mobile and migrant women, that include prohibition of compulsory HIV and pregnancy testing, denial of services, subjection to degrading and/or humiliating treatment, forced contraception, forced sterilization and forced abortion. Key to fighting and eliminating HIV and AIDS is the need for governments to ensure that the means of implementation and financing for HIV and AIDS are targeted to key affected women and girls.

Climate change and access to land

We were pleased to see several States recognising the specific impacts of extreme weather, drought, ocean acidification, sea level rise, global warming and climate change on women and acknowledging women's critical decision-making role in mitigation, adaptation, and loss and damage. However, we were disappointed that developed countries sought to weaken proposed language, and failed to recognise the link between the means of implementation required to address climate change, and specific consequential impacts on women. Particularly disappointing was the removal of long-accepted international principles of common but differentiated responsibilities of governments to address climate change, which fundamentally undermines the ability of countries in the region that are most vulnerable to climate change to cope with its impacts.

Despite the recognition that women's inability to access land has exacerbated poverty among women, governments also failed to progress commitments to provide women with full and equal access to land, and the right to equal inheritance.

Unpaid and Care Work, Social Protection, Macro-Economics, Trade and Financing

Governments have rightly recognised the need to value, reduce and redistribute unpaid care work and to prioritise universal social protection policies, although the operational section on how to take this forward on policy development is not clear. There is recognition of the importance of women's collective labour organising and role of trade unions in the Declaration. Importantly, the negative impact of extractive industries and multinational corporations on women's rights to land and natural resources is also recognised.

However, despite that, in the Declaration, the role of the private sector in furthering the goals of the BPFA is not predicated on binding human rights, environmental, and labour standards that apply to all private sector activities. Further, there was no clear commitment to ensuring that international trade, finance, and investment arrangements support gender just, equitable and sustainable development. Instead, governments are merely encouraged to undertake gender analyses of macroeconomic policies.

We are greatly disappointed that despite the recognition of the need for increased financing

in most country submissions, directive language to increase financing or strengthen financing mechanisms, including on the Green Climate Fund, was diluted and/or removed from the Declaration. Further, the inclusion of language on the existing obligation of States to provide new and additional 'official development assistance' (ODA) at rates of 0.7% of GNP, was removed with little or no debate.

Armed Conflict

Member States rightly recognised that women continue to be under-represented in decision making on peace and security, and their call for equal participation and women's full involvement in all efforts for peace and security in the Declaration is welcome. We support the Declaration in assessing that normative frameworks are lacking on protection, participation, prosecution, reparations, recovery, and restorative justice to combat impunity. We are disappointed that having recognised this, States failed to commit to meaningful action to address these failings and/or to address the lack of accountability and impunity for sexual and gender based violence (SGBV) and other violations of women's rights. It is extremely disappointing that member states confined their deliberations to a narrow definition of conflict that does not reflect the reality of diverse forms of intra-state and inter-state conflict in Asia and the Pacific today.

The discussions in this forum and the Declaration show States betraying the vision and commitment of the BPFA 20-years ago to address excessive military expenditure. Not only does the Declaration fail to recognise the staggering escalation of military spending in Asia-Pacific, but member States also refused to include taxation on the arms trade, and made no commitments to address excessive military expenditure, nor the broad-ranging impacts of militarisation on women's security and rights.

Sexual and Reproductive Health and Rights (SRHR)

The Beijing Platform for Action affirms the human rights of women to have control over and decide freely and responsibly on matters related to their sexuality, including sexual and reproductive health and to do so free of coercion, discrimination and violence. We are disappointed that the member states failed to recognise this as a human right, while affirming sexual and reproductive health and reproductive rights. We also note that marginalised groups of women such as Dalit women, migrant women, people with disabilities, people of diverse sexual orientation and gender identities, rural and indigenous women, survivors of SGBV and others still face incredible difficulties accessing their sexual and reproductive services and exercising their sexual and reproductive rights. We note that member states have agreed to consider the review and repeal of laws that criminalise and punish women and girls who have undergone abortion and we strongly urge member States to decriminalise abortion; and remove all legal and implementation barriers to ensure access to safe, comprehensive, free and high-quality procedures for abortion, free of requirements for marital, parental or family consent.

While it is positive that member States have noted the need to end child, early and forced marriages and unwanted pregnancies among women and girls in the region, we urge member States to stop targeting women's bodies for family planning, especially forced abortion, forced sterilisation, and forced contraception. We are disappointed that States would not guarantee women's human right to information about a full range of contraceptive methods and access to quality methods of their choice, with full respect for their rights to bodily integrity and autonomy, informed consent, and to refuse contraception.

Migrants' Rights and Trafficking in Persons

The Declaration makes no reference to the rights of women migrant workers, including migrant domestic workers - a roll back on Beijing commitments despite migration for domestic work being one of the largest drivers of women's labour migration in the region. We are appalled that States deleted the one reference in the draft to domestic work, in reference to the girl child, during negotiations. We are disappointed that States merely agreed to "recall", "where appropriate", the International Labour Organization Convention No.189 concerning decent work for domestic workers, that to date is ratified by only one country in the region.

We regret States' roll back of their obligations under international law on trafficking in persons. The language agreed in the Declaration politicises the issue, calling on states to "eliminate demand for trafficking" rather than simply recommit to ending trafficking in persons. The former is a limited approach that research has repeatedly shown to do harm to the rights of women and of migrants.

Families

We are alarmed that there were attempts to selectively edit the BPPA language on families to omit key phrases that are reflective of women's diverse experience of families and do not restrict women's role to the family sphere. We are grateful to States who challenged this and ensured that the BPPA language was reaffirmed by member States, recognising the equal role of women and men in families, and that the upbringing of children requires the shared responsibilities of parents, women and men and society as a whole, in various forms of family.

Background

A civil society consultation in advance of the Asia-Pacific Beijing+20 Review Process saw more than 450 women, and men and trans people from diverse feminist groups and women's rights organisations and social movements in 35 countries come together to prepare for this preparatory meeting in Bangkok, Thailand, itself in preparation for the Beijing+20 Review scheduled to take place at the UN Commission on the Status of Women in New York in March 2015. The outcome statement of the Asia-Pacific civil society consultation is available [here](#).

Prepared on behalf of:

The Civil Society Steering Committee comprises representatives of Asia Indigenous Peoples Pact (AIPP); Asia Pacific Forum in Women Law and Development (APWLD); Asian-Pacific Resource and Research Centre for Women (ARROW); Asia Pacific Women with Disability (APWWD) United; Asia Pacific Women Watch (APWW); Development Alternatives with Women for a New Era (DAWN); Diverse Voices and Action for Equality (DIVA for Equality); FemLINKPACIFIC; Fiji Women's Rights Movement; Foundation for Women; Global Alliance Against Traffic in Women (GAATW); Isis International; International Women's Rights Action Watch (IWRAP) Asia Pacific; Pacific Youth Council; Sustainable Development Foundation (SDF); Women's Alliance for Communities in Transition - South Asia (WACT-SA); Women's Global Network for Reproductive Rights (WGNRR); Women Organizing for Change in Agriculture & Natural Resource Management (WOCAN).