



# “We, the Women”: The United Nations, Feminism and Economic Justice

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spotlight

The evidence is mounting: internationally agreed development and human rights goals are not being met. Moreover, civil society organizations and social movements are suffering from ‘conference fatigue’ after years of systematic involvement in the United Nations conference arena. Women’s organizations and international networks are particularly affected. What does this imply for economic justice and women’s engagement with the United Nations (“UN”)? Should the United Nations be reformed, should feminist movements reinvest in UN processes, or is the UN no longer a strategic site through which to pursue economic and gender justice?

This paper aims to contribute to this debate, while not pretending to cover all UN mechanisms or processes. Beginning with an overview of the current context and global governance framework, the paper then focuses on four key economic-related UN mechanisms, namely the Millennium Development Goals (“MDGs”), the Financing for Development process (“FfD”), human right treaties including the *International Covenant on Economic, Social and Cultural Rights* (“ICESCR”), and World Conferences. Each of these international norm-setting spaces is assessed for its efficacy as a platform for promoting gender and economic justice, considering the status of the mechanism and the outcomes of women’s participation to date. The paper also discusses the major challenges facing women’s movements in their quest for gender and economic justice through international venues, including the implications of some of the reform proposals put forward in the recently released Cardoso Report on civil society engagement with the UN. It concludes with a call to engage critically with United Nations mechanisms, reclaiming these global policy spaces.

## What is the current context of feminist activism?

The current context has been shaped by globalization processes, which has altered the global economic and political environment in profound ways. The world has never seen so much prosperity overall, but this prosperity has been generated by a male-dominated economic model that has exacerbated inequalities along gender, class and racial lines, both between and within nations. This economic model has also impoverished an increasing majority of people, weakened the capacity of nation states to ensure social reproduction, and depleted natural resources and the environment. The current wave of globalization is also characterized by the rise of conflicts, notably over geopolitical issues related to the United States foreign policy. The U.S. has emerged as a central agent in the current context, both as the center of global capitalism and the initiator of the “‘with-us-or-against-us’ crusade of permanent war and unilateral right” in the aftermath of September 11<sup>th</sup> (Petchesky, “Phantom”).

In addition to impacts of globalization, the rise of conservative and fundamentalist forces defines the contexts within which feminist engagement takes place at the international level. These forces present diverse faces in different situations, but their impacts across various UN processes and negotiations are consistently frustrating to goals of gender equality and justice. In UN spaces, therefore, women’s rights activists have to simultaneously confront the unconditional support of seemingly ‘pro-gender equality’ governments for the neoliberal economic agenda that is biased against poor countries and perpetuates women’s oppression, and also the repressive objectives of conservative and fundamentalist forces seeking patriarchal control over women, especially through consistent opposition to women’s sexual and reproductive rights. As a

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result, women's engagement with UN processes is characterized by a tension between issues of economic justice and women's empowerment.

Tensions also exist within the feminist arena itself. While differences in women's perceptions, agendas and positions have always existed, the capacity of women's movements to go beyond these differences and link their specific local and national issues to struggles at the global level is problematic in the face of globalization. Feminism itself seems to be increasingly ghettoized in some universities and academic circles, not to mention coming under relentless attacks by long-time and powerful opponents. A notable attack came recently from the Pope who criticized feminists for their tendency "to emphasize strongly conditions of subordination in order to give rise to antagonism" ("Letter to the Bishops"). Internal tensions, fundamentalist attacks and the challenges of globalization are serious impediments to effective engagement with UN mechanisms because such engagement requires a certain unity among a critical mass of advocates and lobbyists.

### What is the current global governance framework?

Neoliberal globalization and the 'collateral damages' that it has caused, namely the crisis of multilateralism and increased militarization, have brought the question of global governance to the fore. New structures of global governance make the rules and set the standards for the global economic framework, which determines economic decision-making and processes directly at the global level and indirectly at the national level. The institutions of the global governance system function as autonomous entities and their relationship with the UN is subject to an on-going debate on systemic issues including in particular coherence, transparency and accountability. A notable result of this debate is the call from many civil society organizations for the UN Economic and Social Council ("ECOSOC") to oversee these structures of global governance. Indeed, this has been an important part of the international advocacy agenda of a number of NGOs, including women's organizations, during the last few years.

So far, the World Trade Organization ("WTO"), World Bank and International Monetary Fund ("IMF") are the most exposed of these new structures of global governance. Others are the Basel Committees of the Bank for International Settlements and the Financial Stability Forum, which are part of the formal institutional framework of the international financial system, in

addition to the corporate power structures that play a more informal but still decisive role in global economic governance.

Compared to the WTO (established in 1995), the IMF and World Bank are not new. They have also been prime targets of civil society criticism at the global level for a number of years. What is new is their increasing power. They have expanded beyond the economic realm to encroach on social and political domains, and have been strengthened by the convergence of the structures of global economic governance around the neoliberal agenda. As for the corporate power structures, the significance of their role is obvious when one considers, for example, the increasingly well-known fact that six transnational corporations now effectively control the supply and prices of food in world markets. The food security of poor food-importing countries, therefore, is dependent on the decisions made by these six corporations.

Within this framework, the UN constitutes an important norm-setting and consensus-building multilateral institution, but it has no real power for enforcing the international conventions and resolutions that are meant to actualize such norms and consensus, despite many resolutions to strengthen its role in global economic governance. While the moral as well as the discursive aspects of the UN's authority are important in terms of international relations, current political dynamics and attempts to implement UN treaties clearly indicate that moral persuasion or 'soft tactics' (e.g., shaming and co-operative actions) are far from sufficient to counter the dirty tactics and hard lines of the most powerful stakeholders.<sup>1</sup>

Is the UN, therefore, a global institution based on a pre-globalization nation state model within which sovereign states hold the political power, out of line with the new global governance framework where institutions such as the WTO are entrusted with powers that transcend the sovereignty of nation states? This question also speaks to one of the major governance issues of our time, which is that human rights treaties have very few enforcement mechanisms as compared to trade agreements that are legally binding and have built-in sanctions for ensuring compliance. As a result, primacy is given to commercial and economic interests over human rights, while rules that are supposed to regulate the 'global village' so as to prevent abuses of power can actually work against the weakest. The WTO regime is a telling example of this critical flaw, imposing the same trade rules on all WTO members despite their fundamental inequalities in terms of levels of development, productive capacity and trading power.

Of major concern is the UN's influence on and role in economic policy-making and processes. Indeed, it appears that the key factors that determine the impact of economic processes on people's lives are largely beyond the control of the UN. A typical example is the impact of the economic reforms of the last two decades, most notably the Structural Adjustment Policies ("SAPs"), which were designed and imposed by the IMF and the World Bank. UN agencies provided mainly 'technical assistance' at the country level for the implementation of SAPs and they occasionally conducted impact studies at the international level. In this regard, the production of documents like UNICEF's famous *Adjustment with a Human Face* in the late 1980s and the more recent UN Special Rapporteur's report on the impact of SAPs on human rights (UN "Realization") highlight the ambiguity that characterizes the role of the UN in relation to processes that have shaped the economic future of developing countries and their peoples in profound and seemingly irreversible ways.

It cannot be denied that UNICEF's publication was instrumental in exposing the disastrous impacts of SAPs. But it is also true that UNICEF played a key role in the application of health sector reforms imposed by the World Bank under SAPs, notably with the 1987 Bamako Initiative, which greatly contributed to the institutionalization of cost recovery through user fees in many African countries.<sup>2</sup> Regardless of the nature of UNICEF's intentions, there is ample evidence that user fees are among the key factors that prevent poor people's access to health services in African countries (SAPRIN). The UN Special Rapporteur on the realization of economic, social and cultural rights only reported on the impact of SAPs *ex-post*. In other words, the Special Rapporteur diagnosed *post mortem* the human rights violations related to SAPs in the affected countries. Even if it was expected that his report would provide a basis for addressing human rights issues under SAPs in the future, clearly he would have been more effective in preventing violations if he had a say in the design of SAP parameters in the first place.

On the one hand, the roles of the international financial institutions, the WTO and *ad hoc* bodies like the G-8,<sup>3</sup> are much more significant than that of the UN with regards to the most critical economic decisions and processes for the Global South. They hold the power and resources necessary to set and control the international economic agenda. On the other hand, decisive steps towards the protection, promotion and realization of women's rights and gender equality have been made in the context of the UN conferences of the 1990s. While such steps may be insufficient, it cannot be denied that the UN has been and continues to be a critical site for bringing women's perspectives and needs into the mainstream, and for giving space to women's organizations within the multilateral processes at the global policy level.

## What are the major UN economic-related mechanisms and spaces?

All of the above mentioned issues have affected the outcomes of the major economic-related UN processes, namely those related to the Millennium Development Goals, Financing for Development, the *International Covenant on Economic, Social and Cultural Rights* and its related Committee, and the World Conferences. They also reverberate on the planning processes of UN agencies in charge of economic and development issues such as the United Nations Development Programme ("UNDP"). Each of these policy and norm-setting spaces poses distinct opportunities and challenges for feminist activism on economic issues.

### *The Millennium Development Goals*

The *Millennium Declaration* was issued at the Millennium Summit in September 2000, during the 55<sup>th</sup> UN General Assembly. It was presented as a statement of values, principles and objectives for the international agenda for the 21<sup>st</sup> Century, building on the *Universal Declaration of Human Rights*, the *UN Charter* and the resolutions of the major UN conferences of the 1990s (i.e., Rio, Copenhagen, Vienna, Cairo, Beijing, Durban and Istanbul). Although a separate Millennium Forum was organized for civil society organizations in May 2000, the absence of meaningful participation by civil society in the MDG preparatory process has been much criticized.

The eight Millennium Goals (or "MDGs") form the 'road map' provided by the UN Secretariat for meeting the Millennium commitments by the year 2015. In collaboration with the IMF, the World Bank and the Organization for Economic Cooperation and Development ("OECD"), the UN also developed time-bound and measurable targets and indicators for measuring progress towards the commitments. The entire MDG process is under the leadership of the UNDP Administrator, Mark Malloch Brown, in his capacity as Chair of the UN Development Group. A Millennium Project including ten thematic Task Forces has also been launched to analyze policy options and develop an implementation plan. A Millennium Campaign aims to build political will and create a global movement in support of the MDGs. At the national level, the UNDP is also spearheading the production of country progress reports on policies and programs to meet the MDG targets.

The MDGs have taken centre stage in the international development agenda as well as in national development planning, and they are expected to become the yardstick for the content of economic policies. This focus results from the 'unprecedented commitment' of 156 Heads of States to promote their shared vision of "a much improved world by 2015 where extreme poverty is cut in half, child mortality is greatly reduced, gender disparities in primary and secondary



education are eliminated, women are more empowered, and health and environment indicators improve within a global partnership for development” (World Bank 1). Many have expressed concern, however, that this vision has been translated into a narrow and minimalist set of targets and indicators that do not reflect the spirit of the Declaration. Women’s organizations and feminists have been particularly critical of the way in which gender and women’s issues are being addressed in the MDGs. The criticisms include gaps in interpretation of the MDGs from a gender perspective, the prioritizing of some areas over key elements of the UN conferences mentioned above, the possible use of the MDGs as an additional conditionality for developing countries, broader concerns about risks of co-optation into the neoliberal agenda, and the need to reframe the development process and to transform global power relations in their different aspects.

In strategic terms, some women activists are doubtful of the MDGs’ potential to bring about meaningful progress and correlatively, of the efficacy of focusing resources and energy on the MDGs (Kerr, in WICEJ 25). Others see them as an important tool for holding governments accountable to their commitments, mobilizing social movements and advancing gender equality, social justice and equity. As one woman put it, “we can take over the MDGs and use them to advance our goals” (Pietila, in WICEJ 35). This strategic use of the MDG process would require engendering national reports, systematic and cross-cutting gender analysis, as well as linking the Beijing +10 and MDG +5 processes.

Against this backdrop, there is rising concern that nearly the majority of developing countries will not be able to achieve the MDGs. MDG indicators have actually worsened for many of these countries, especially in Sub-Saharan Africa. While there is no dispute that the lack of political will on the part of governments and donors largely accounts for this situation, an analysis of MDG reports from various countries also shows that the nature of national economic policies and specific constraints related to the levels of development are also among the key factors.<sup>4</sup> Thus, in regard to the MDG targets and indicators, there is increasing recognition that the same baseline cannot be used for all countries<sup>5</sup> and that countries should be able either to use the MDG targets and indicators or to develop other ones, based on their national context and priorities.

It comes as no surprise, therefore, that processes at the national level have become the focus of the MDG mechanisms spearheaded by the UNDP, either under the rubric of ‘ownership’ or ‘good governance.’ In the case of Africa, efforts are

being made to integrate MDGs into on-going Poverty Reduction Strategy Papers (“PRSPs”) and the New Partnership for African Development (“NEPAD”) processes. But what is ‘ownership’ when the countries concerned have already endorsed the MDGs? The UNDP itself recognizes the need to adapt the targets and indicators to the specific context of each country. Is ownership then about implementing the prescribed strategies, or about how to actually achieve the MDGs in each country?

Here is one of the major pitfalls that feminist activists have underlined in the MDG process. In the words of one commentator, “while UNDP is calling for national reports on nationally set goals, the IMF and World Bank are incorporating the first seven goals into their negotiations for loan and aid agreements with developing countries, including through PRSPs”(Barton, in WICEJ 20). In addition, the ‘nationally-set goals’ proposed by UNDP are still expected to be achieved within the neoliberal macroeconomic policy framework which has proved to be detrimental to poor people’s rights and livelihoods, especially for women. This is evident in current efforts by the UN system to link the MDG process with PRSPs (which include the same macroeconomic conditionalities as SAPs). So far, it appears that the MDG process has been designed according to a minimalist scenario focusing mainly on the symptoms of poverty, gender inequality and the other issues that it seeks to address, without tackling their policy roots.

Thus, there is ample justification for the skepticism of many civil society and women’s organizations about the ability of the MDG mechanisms to address the causes of poverty and gender inequality that are embedded in the prevailing global macroeconomic framework and in patriarchal structures at the micro and meso levels. The MDGs fail to challenge the power relations that are at the heart of global inequities and imbalances against poor countries.

#### *Financing for Development*

The problems with the MDGs are exacerbated by the outstanding issue of their financing. In this regard, the MDG process has been the victim of its own success in diverting attention and resources from the FfD process. FfD was initiated in the late 1990s with the mandate to address national, international and systemic issues relating to financing for development in the context of globalization and interdependence.

Feminists and women’s organizations that participated in the FfD process have been very clear that they do not share the ‘Monterrey Consensus’ that resulted

from the International Conference on Financing for Development in 2002. It was no more than a ‘Washington Consensus with a sombrero,’ that is, a replication of the neoliberal macroeconomic framework which has undermined women’s rights and livelihoods. However, there was an agreement among women’s organizations and civil society that the FfD process was a unique opportunity to put key issues of gender and economic justice on the table for discussion and action by the international community.

Indeed, the FfD process dealt with issues related to global economic inequities, especially the reduction of poverty and the widening gap between rich and poor countries, with a view to addressing these issues in a coherent and transparent manner. It involved a broad range of stakeholders – official delegations, UN agencies, IFIs, WTO, civil society and the private sector – in discussions on the six key aspects of development finance: Mobilizing Domestic Resources; Mobilizing International Resources for Foreign Direct Investment (“FDI”); Trade; International Cooperation, including Official Development Assistance (“ODA”); External Debt; and Systemic Issues.

Women’s organizations worked intensively for the systematic integration of a gender perspective throughout the process – from the meetings of the Preparatory Committee in 2000 and 2001 to the International Conference on Financing for Development in Monterrey, Mexico, in 2002. The main result of their efforts was the inclusion of references to gender in the Preamble, and in the sections on Mobilizing Domestic Resources, Mobilizing International Resources for FDI and Systemic Issues of the outcome document (the so-called ‘Monterrey Consensus’), with the notable exception of the sections on Trade, ODA and Debt. In fact, the FfD process provides a typical illustration of the prevailing conception of gender mainstreaming in the UN, with references to gender equality and women’s empowerment in the key documents, but no attempt to ensure coherence between these principles and the major policy thrusts, which remain largely insensitive to gender issues.

In terms of implementation, the Monterrey Consensus requires developing countries to improve their own policies and overall governance conditions, while developed countries are called upon to support the efforts of developing countries, especially by providing increased aid flows, FDI, debt relief and more open access to their markets. By and large, the developing countries are abiding by the commitments made in Monterrey, many of which are already included in the conditionalities imposed by the IMF and World Bank, and the WTO trade regime. Developed countries, however, are providing very little evidence of their willingness to abide by their commitments.

In 2002, there was a US\$5 billion increase (up from US\$52 billion in 2001) in ODA from rich countries to the poor, but this is a drop in the ocean compared to the

US\$800 billion spent on military budgets worldwide and the US\$193 billion net transfer of resources from the South to the North (up from US\$111 billion in 1998-2000) as a result of debt servicing arrangements, asymmetries and imbalances in the global trading system, or because of inappropriate liberalization and privatization measures (Deen). As underlined by NGOs, “in the ‘new contract’ emerging from Monterrey, one side has still to meet its part of the deal. The developed countries are not meeting Goal 8 of the MDGs, and among them the members of G7 are those lagging behind. In fact there seems to be an inverse ratio, the greater and more powerful the country is, the slower it moves towards meeting its commitments” (Bissio, “NGO Statement”).

Moreover, the FfD process critically lacks implementation and follow-up mechanisms at both international and national levels, while the identification of new financing mechanisms remains a key issue. The lack of coherence and coordination among the different institutional stakeholders is a major constraint that also impacts on the implementation of the Monterrey Consensus and the realization of the MDGs. Of note is the reform agenda of international financial institutions, which is key to the stability of the global financial system and its ability to support sustained growth and poverty reduction. This reform agenda is expected to address the institutional and policy issues of the global financing system, as revealed by the financial crises in Southeast Asia and Argentina. In this regard, it is of major concern that developing countries and women are excluded from the decision-making processes for reform. The existing institutional framework – composed of the IMF, World Bank, Basel Committees of the Bank for International Settlements and the Financial Stability Forum – is dominated by male representatives of powerful countries.

#### *Human Rights Treaties*

The *Universal Declaration of Human Rights*, adopted in 1948, is the basis of the series of UN human rights instruments that have been created since the mid 1960s. The core UN human rights instruments include the *International Covenant on Economic, Social and Cultural Rights* (“ICESCR”), the *International Covenant on Civil and Political Rights*, the *International Convention on the Elimination of All Forms of Racial Discrimination*, the *Convention on the Elimination of all Forms of Discrimination Against Women* (“CEDAW”), the *Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*, and the *Convention on the Rights of the Child*.

The implementation of each of these conventions is monitored by a Committee that reviews periodic reports submitted by States that have ratified the conventions,<sup>6</sup> and provides clarifications and/or recommendations on the human rights provisions. For some conventions, there are also Optional Protocols, which allow individuals



(and sometimes groups) to submit complaints directly to the relevant Committee. In this regard, the *CEDAW* and its Optional Protocol is potentially a powerful tool for promoting and protecting women's economic rights in relation to employment (Article 11), access to credit (Article 13) and land (Article 16). Some of the General Recommendations of the *CEDAW* Committee also deal with the inclusion of women's domestic work in the calculation of gross national product (No 17, 1991), the clarification of women's rights to marital property and inheritance (No 20, 1992), and the collection of gender-specific data (No 9, 1989), to take a few examples. *CEDAW* can also be used in domestic litigation, such as in 1990 when a woman who wanted to sell land inherited from her father used the government's ratification of *CEDAW* as a basis for her claim challenging the customary law, which prohibited women from selling land. The Tanzanian High Court declared that these rules were unconstitutional and violated the international conventions that Tanzania had signed (Landsberg-Lewis).

While economic rights are also addressed by some provisions of other UN treaties, notably the equality provisions, the *ICESCR* is the most directly relevant to women's economic status. Its provisions deal with work and working conditions, social protection, standard of living, physical and mental health, education and the enjoyment of the benefits of cultural freedom and scientific progress. In particular, the *ICESCR* offers a legal framework for three fundamental economic rights: the right to work and workers' rights (Articles 6-10), and the right to an adequate standard of living (Article 11).

The economic and social rights framework has gained more attention during the last few years, owing to the growing interest in the rights-based approach among civil society and development practitioners, and its promotion by high-profile personalities such as Mary Robinson, the former UN High Commissioner for Human Rights. This growing interest marks an important step in the evolution of human rights concerns which focused on civil and political rights in the past decades, and correlatively, on the negative obligations of States to refrain from actions against the freedom of individuals rather than their positive obligations to realize the economic and social rights of citizens.

This growing interest, however, has not yet led to the definition of an operational rights-based approach to economic policy-making. As underlined by a leading feminist economist,

"currently governments, courts and international financial institutions tend to think of economics strictly in terms of allocating resources efficiently, balancing budgets or reducing inflation, treating economic and social issues merely as optional policy objectives rather than matters of fundamental human rights" (Elson 42). There have been a few attempts to integrate human rights perspectives into economic policy-making, for instance the framework for applying the right to health to intellectual-property-rights negotiations on essential medicines at the WTO, proposed by the Special Rapporteur on the Right to Health (UN, "Health" Addendum). The Committee on Economic, Social and Cultural Rights has also addressed the power relations of globalization, through its statement to the WTO that international economic policy formulation and trade liberalization must serve the ends of economic, social and cultural rights as codified in international human rights instruments (UN/CESR, 1999: 2). However, much remains to be done to systematize and institutionalize the rights-based approach to economic policy-making.

Moreover, it should be noted that the *ICESCR* language reflects gender biases such as the assumption of a male breadwinner and male head of household (Article 11 states that there is a right to an adequate standard of living for "himself and his family"), and does not address all the issues of women's empowerment. Although the General Comments made by the Committee have brought about some improvement (e.g., clarification that Article 11 cannot be interpreted in a way that infringes on women's right to equal treatment), the very fact that such comments were needed confirms that the *ICESCR* has been influenced by the assumptions of the late 1960s though mid 70s, which were quite different from those of the current globalized economy. Rights language has also been influenced by the Women in Development (WID) approach whereby women are mainly considered as passive beneficiaries rather than full agents of development. Furthermore, as neoliberalism has progressively dominated development thinking within global institutions, the human rights treaties, which are fundamentally premised on a strong and sovereign State, have become increasingly disconnected from the evolution of the world. Today, States are not as strong and sovereign as it was assumed at the time of the elaboration of human rights treaties.

The absence of built-in sanctions and complaint mechanisms also limit the potential of the *ICESCR* as a strategic tool for women's economic empowerment.<sup>7</sup> This is especially since rights are expected to be 'progressively realized' (Article

2.1), while the minimum obligations from States are not clearly defined. Indeed, the notions of 'progressive realization' and 'minimum core content' are relative by nature, subject to differing interpretations in different contexts. At the same time, many developing countries are faced with a host of constraints, including unsustainable debt levels and stringent macroeconomic conditionalities, which further hinder their capacity to comply with the *ICESCR* obligations.

Thus, the conflicting nature of human rights obligations and the economic policies that currently prevail is clearly a basis for major concern. Feminists should acknowledge the complexity of this problem, which calls for creative engagement in the search for adequate approaches. The *ICESCR* has resulted, however, in significant advances in the formalization of women's economic and social rights. These include state-level recommendations concerning national constitutions, national budgets and plans for the implementation of the *Beijing Platform for Action*, along with recommendations for the definition of a 'minimum core content' in relation to the *ICESCR* and for IFIs and the WTO to integrate human rights and gender impact assessments into their policies and procedures (UN "Expert Group Meeting"). Whether and how these recommendations will be implemented and trickle down to the national and local levels remain to be seen. Since the human rights approach is fundamentally about empowering vulnerable groups so that they can demand rights, the mobilization of these groups is a prerequisite for the strategic use of the *ICESCR* and other human rights mechanisms.

#### *Women's Participation in UN World Conferences*

It is important to look at women's participation in UN processes from a historical perspective in order to have a comprehensive understanding of where women came from and where they might be headed. Thus, it should be noted that women's organizations have been involved in these processes for more than a quarter of a century, since the 1975 First World Conference on Women in Mexico, followed by the CEDAW in 1979, the Second World Conference on Women in Copenhagen in 1980, the Third in Nairobi in 1985 and the Fourth in Beijing in 1995. Women have developed and implemented advocacy agendas for bringing a gender perspective to the processes and outcomes of these conferences. This has allowed them to acquire valuable expertise and global political capacity in UN negotiations that very few NGOs and social movements currently have.

Furthermore, the significance of the shift from the 'women's only conferences' of the 1970s and early '80s to the inclusion of gender and women's issues in the major 'mainstream' UN processes should be fully acknowledged, both in terms of symbolism and strategic positioning. Women's involvement in these processes is a symbol of their recognition as agents, not mere

subjects, within the UN. Notwithstanding the need for women to have their own space for addressing their specific issues, 'women's only conferences' represented a form of marginalization from the global political arenas where power is located and key decisions are made.

Women's involvement has had a great impact on the outcomes of UN conferences, especially in terms of norms and procedures. In particular, "the idea that 'women's rights are human rights' and that violence against women contradicts universal norms that supersede either 'tradition' or national sovereignty was firmly established as a result of transnational women's organizing prior to and during the Vienna Human Rights conference" (Petchesky, "Prescriptions" 34). Similarly, women's groups were instrumental in the paradigm shift to a comprehensive reproductive health and rights approach in the Cairo Programme of Action that resulted from the International Conference on Population and Development ("ICPD") in 1994.

On a related note, another feature of the current wave of globalization which is related to conference participation is the development of transnational civil society movements, including women's movements. These movements have been triggered in large part by activism in UN fora. The global women's movements for reproductive health and rights is an example, building both on the work done by women's groups at world conferences and in other UN fora, and on protest and resistance against the negative impacts of neoliberal globalization at the national and local level, thereby linking activism at the global and local levels around a common platform.

The downside of this picture is that the very success of women's groups in injecting feminist ideas into the outcomes of UN conferences has given rise to the backlash by conservative and fundamentalist forces described above. This backlash became particularly visible during the review processes of major UN conferences such as the ICPD +5 and Beijing +5. Women's groups focused on defending hard-won gains, and then watched as most of their recommendations, especially those pertaining to resources, implementation and follow-up, were ignored in the official outcome documents.

Globalization and the associated fragmentation of the global South (coupled with the impoverishment and marginalization of a large number of its peoples, including a majority of women) have made feminist strategizing and organizing more difficult, as feminist activists have to simultaneously take up many challenges on different fronts and at different levels. Some of these challenges are related to old issues such as personality conflicts, power relations between young and old feminists, political orientations and competition for scarce resources, while some are new ones resulting from globalization processes (and related issues of militarism and fundamentalism, in addition to HIV/AIDS, migration, racism,

just to mention a few). UN conferences have also been at the centre of the war waged by the conservative and fundamentalist forces that have been reactivated by globalization in many parts of the world. These forces present diverse faces in different contexts, but they share a common foundation in systems of patriarchal control over women. In UN negotiations, the most visible manifestation of such forces is their consistent opposition to women's reproductive and sexual rights. Thus the overall context of feminist activism has changed dramatically, and these changes call for subsequent changes in feminist strategy with respect to world conferences.

In this regard, the on-going debate about the Beijing +10 review (that is, ten years after the 1995 World Conference on Women on the implementation of the Beijing *Platform for Action*) should be contextualized within these dramatic changes. Gains ought to be protected from any kind of renegotiation. There is a need to take stock of past gains made through the UN mechanisms, as well as the new challenges arising from these changes. The stakes for women in the shifting political context of the post-September 11<sup>th</sup> world are directly linked to global discussions and decisions on critical issues of globalization, governance, poverty, peace, security and human rights. The feminist agenda therefore will be affected by processes both within the UN (such as the MDGs process) and outside of the UN (such as trade negotiations). Thus, identifying and addressing the connections with other global processes should be an important part of the Beijing +10 review.

### The missing link

UN economic-related mechanisms as well as conference commitments and human rights treaties critically lack effective institutional mechanisms for implementation and monitoring at the national and local levels. By contrast, the IMF, World Bank and WTO have readily available implementation mechanisms at the national level through the concerned governmental bodies, not to mention the political and legal means to impose their policies and rules. In the new global governance framework, accountability is no longer attributable to governments alone. Accountability for women's rights and economic justice now also lies with other agents such as corporations and rule-making institutions at the global, regional and sub-regional level. A case in point is the Global Compact, which has become a highly valued UN mechanism despite protest against this outrageous relationship between the UN and some notorious corporate human rights offenders.<sup>8</sup> When accountability mechanisms are

voluntary, as is the case for the Global Compact, feminist engagement is a requirement for keeping gender and economic justice on the international agenda and ensuring effective accountability.

It is also important to understand the dynamics of UN negotiations, especially the positions of and alliances between the different negotiating bodies. As an example, during the FfD negotiations, trade became a prominent issue as a result of attempts by major trading powers led by the European Commission to advance the 'new issues,' which they had failed to put on the agenda at the Fourth WTO Ministerial Conference in Doha in 2001.<sup>9</sup> These attempts were strongly denounced by NGOs and opposed by the G-77.<sup>10</sup> Because of their negative implications for poor women's livelihoods and rights, women's organizations at both national and global levels also joined campaigns against the so-called 'new issues' in the run-up to the Fifth WTO Ministerial in Cancún (2003). The alliance between women's organizations, other NGOs and developing countries was a key factor in the collapse of the Cancún Ministerial.

Understanding the dialectical links between local and global realities is critical to identifying the main targets and devising adequate strategies for change. The long-held belief that sooner or later, the outcomes of UN conference commitments and human rights conventions will automatically trickle down to the national and local levels should be abandoned. The main strategic value of the recognition of certain formal rights for women through the UN human rights conventions is the provision of women's human rights standards as reference points for the improvement of women's legal status at the national level. At the national and international levels alike, the enforcement of human rights law critically depends on political pressure. The active involvement of women's human rights advocates at the local and national levels is required for building pressure and ensuring compliance, especially since governments may not comply in the absence of built-in sanctions in human rights conventions.

Thus, the mobilization and activism of women at the local and national levels is the crucial link that enables the effective translation of both UN human rights provisions and national commitments into concrete results in peoples' lives. This link between the local and global also gives legitimacy to global movements for gender and economic justice. It is therefore critically important for feminists to establish and strengthen this 'missing link.'



## Where to and how to get there?

### *Some implications of the Cardoso Report*

“We the Peoples: Civil Society, the United Nations and Global Governance” was released on June 21, 2004 by the 13-member Panel of Eminent Persons on UN-Civil Society Relations chaired by former Brazilian President Cardoso. This panel was appointed by the Secretary-General in 2003 to provide recommendations for the improvement of the UN’s relationship with non-state actors, including civil society, parliaments and the private sector. It has generated diverse reactions from civil society, including women’s organizations that have expressed deep concern that “although the document mentions the need to involve women’s organizations and take gender issues into account, it does not explicitly address the importance of gender-balanced composition in the proposed units or activities that the recommendations encompass, leaving into question whether gender analyses and perspectives would be adequately addressed” (WEDO).

The Panel’s proposals are part of the follow-up to an earlier report of the Secretary-General in 2002 on “Strengthening the United Nations: An Agenda for Further Change,” in which “the growing importance of non-governmental organizations to the work of the United Nations” was highlighted (Cardoso Report 2). It also mentioned that the relationship between the UN and NGOs is as old as the Charter itself. The Panel’s proposals to reconsider the intergovernmental nature of the UN system, giving seats to non-state actors, would directly affect the basis of the organization set out in Article 71 of the 1945 UN Charter. This revolutionary attempt is not likely to be welcomed by member States, many of whom already resent the increasing involvement of civil society and women’s organizations in UN processes, as feminist activists know all too well from their experiences.<sup>11</sup>

While the Cardoso Report provides a good description of the context which has mandated its proposals, it is disappointing that the majority of the 30 proposals focus on forms, procedures and mechanisms at the expense of critical issues such as the imbalances in the Security Council and inequities in the international financial and trade systems. The general thrust of the report does not address the fundamental question of the UN’s future role in relation to global arrangements and policies, and to the dominant economic paradigm underlying them. The report seems to assume a definitive consensus on this paradigm and the related systems. Under present power relations, the report’s proposals are akin to asking the UN to surrender to the increasing pressure from the most powerful member countries, to accommodate the growing asymmetry between member States of the South and these major powers within the organization, and to become an instrument for legitimizing and

promoting their economic and political agendas. In other words, the UN would not remain true to the very purpose and spirit of its Charter.

In addition, the report implies that its proposals will have the same impact on all so-called civil society organizations, and its all-encompassing definition of civil society allows for the inclusion of interest groups from the private and public sectors, in contradiction with its own criteria based on the exclusion of “profit-making activity (the private sector) or governing (the public sector)” (Cardoso Report 13). This confusion adds to the growing concern among civil society and women’s organizations about ‘corporatization,’ further opening the door to the institutionalization begun with the Global Compact. Similarly, the Panel promotes the private sector as the ideal candidate for partnerships. Issues of good governance, accountability and transparency are at stake when dealing with such partnerships, which have led to the undermining of women’s rights and gender equality in sectors like water and health.

The political commitment to increase civil society involvement in the UN system is commendable, as is the aim of the report to provide more opportunities and space for civil society to engage in global policy dialogue. The proposals contained in the Cardoso report, however, are not likely to transform the democratic deficit of the UN system, nor will they establish the enabling conditions for UN mechanisms to become a real platform for promoting gender and economic justice.

### *Rethinking feminist strategies*

The debate over globalization seems to have concluded – at least temporarily – with a consensus within women’s movements that an alternative is needed. Now, civil society and feminist activists alike are confronted with the challenges of defining and bringing about alternatives. And just like globalization, ‘alternatives’ means different things to the different stakeholders.

Clarity in terms of political engagement is an important preliminary step towards the definition of appropriate strategies. Feminists must balance the need to make strategic inroads into different political arenas with the need to keep their eyes on the goals of gender equality and economic justice, and also to remain true to key principles of autonomy, democracy, transparency and accountability. Stakes are particularly high for women and girls in the dynamics of global forces as they deploy themselves in the post-September 11<sup>th</sup> world. As mentioned by some feminists, “at stake are future directions of our world in terms of war, economic inequality, racial and sexual justice, the role women will play in our societies, etc. and how the globe will be ‘governed,’ including what the role of the UN will be in this. This includes questions of how the various forces that affect people’s lives at multiple levels will be held

accountable and what will be the role of the nation state in relation to global forces... This includes at the United Nations which we see as an important contested space where key issues are debated and decisions made” (Center for Women’s Global Leadership 2004).

More than ever, the UN is a critical site of struggle in the face of unilateralism and unfettered corporate power. It plays a unique and valuable role not only in norm-setting at the multilateral level, but also as a buffer for “we, the peoples” against unrestrained capitalism and hegemonic political and economic power. Its effectiveness in this role can certainly be improved; however, the key question for assessing its effectiveness should look at where global governance and “we, the peoples” would be without the United Nations. Moreover, as women and their organizations are facing new and even greater challenges in the current context, capitalizing and building on the achievements and assets that have been accumulated during decades of feminist activism at the UN is critically important.

Feminists must also ask themselves hard questions about their own assumptions, bearing in mind that neither the UN nor feminists themselves can pretend to be outside of the ideological influence of global capitalism. Given the increased commodification of rights and values and the primacy of the market, does the fact that feminists have voiced concerns about these trends really grant them immunity from ‘all-market syndrome’? Do feminists belong to a presumed pure and autonomous space that has not been contaminated by these trends?

In this regard, complaints about the ineffectiveness of UN mechanisms might have to do with the underlying assumption that the UN is something like a shop or service provider which is expected to ‘sell’ specific products (like, say the MDGs or the *ICESCR*) on the global market. Such a market-oriented conception of engagement with the UN would be a serious conceptual error; it misses the essence of the UN mandate as expressed in the founding principles of its Charter.

We must also be on guard against an obsession with ‘effectiveness.’ Admittedly, effectiveness is a major concern in the current context of fundamentalist backlash and feminized poverty. In the case of the UN mechanisms, the disturbing trend is to adopt an instrumental approach not only to the mechanisms but also to the principles and values underlying them. It is critically important to safeguard the ethical framework that structures the

UN system and that is being undermined by the neoliberal agenda and militarist and fundamentalist forces. Feminists should be at the forefront of this endeavour, paying special attention to the distinction between UN principles and values, and UN mechanisms. Feminists would agree that the lack of enforcement mechanisms for human rights treaties does not disqualify women’s rights. Similarly, the perceived lack of effectiveness of the UN mechanisms does not disqualify the UN as the unique global institution that builds on universal principles and values of equity, human dignity, solidarity, freedom and justice.

For a constructive engagement with UN economic-related processes, feminists need to make the conscious decision to contribute to the reform and consolidation of the UN at the multilateral level, and to make the necessary linkages at the national and local levels. In this regard, feminists must fully understand the implications of the current crisis of the multilateral system, not only its undermining by US unilateralism but also the structural biases in its functioning. For example, while the General Assembly is the most democratic forum and the highest decision-making body in the UN system, in practice its role is confined to debating broad principles concerning gender equality, poverty, social development, health, labour and racism. Meanwhile, the so-called ‘hard issues’ – such as the funding for enforcing these principles, global finance, trade and security – are monopolized either by the international financial institutions or *ad hoc* bodies outside the UN like the OECD and G-8, or by the Security Council. The Security Council in particular has dramatically increased its activity since 1990 to encompass military operations, economic sanctions, arms inspections, human rights elections monitors, and more.

Feminists’ engagement with the UN must be critical and coupled with a constant re-assessment of strategies and positions in order to avoid co-optation and to stay focused on the ultimate goals of the engagement. It should be based on sound analyses and requires increased collaboration between feminist researchers and activists. In particular, more theorizing is required in order to formulate a clear conceptual framework for the feminist agenda for gender and economic justice. A starting point could be the deconstruction of the links between current parameters of the globalized economy and the resurgence of patriarchal values and behaviors. This process has begun.

Moreover, self-criticism would be most useful to feminists who should be as critical with themselves as they are with IFIs or the UN. Some of the criticisms addressed to these institutions also apply to feminist activists and gender equality advocates. Among these is the lack of coherence in feminist

actions, which accounts for a considerable waste of resources and energy and the limited impact of many actions. In light of the number of challenges and fronts facing feminist activists, a clear division of labour among women's movements appears to be an indispensable strategic element. Currently, most women's organizations tend to focus on a single issue or at best a narrow set of issues (e.g., reproductive health, education, economic empowerment, violence, etc.) with few links to one another. This creates a structural fragmentation of global women's movements, which is quite different from a conscious and strategic division of labour. The lack of a division of labour in relation to the different issues also accounts for the North/South divide within global women's movements. For instance, with regards to the multilateral and bilateral trade agreements that are being negotiated, there are many instances where Northern organizations could better focus on educating the public and lobbying their own governments instead of coming to Southern countries 'to build capacity.'

Differences in positions have always existed, but they have taken on new dimensions with the hold of globalization. As a prominent women's rights activist rightly pointed out, "existing global inequities determine that, like the countries and regions they inhabit, Southern-based women's [health and human rights] NGOs struggle against the dominant voices of Northern-based women's NGOs, which have greater resources, ease of movement, communication capabilities, and access to key information ..." (Petchesky, "Global Prescriptions" 65). There is no such thing as a homogenous global women's movement, but nonetheless, it is possible to have distinct movements with specific agendas and strategies that can share the same platform for gender equality and economic justice. A conscious willingness is needed to address the structures of power underlying global women's movements.

It is also indispensable to be clear about the different processes and their potential, and to bear in mind that UN mechanisms are primarily tools among other possible strategic tools. (The values and principles of

the UN, on the other hand, should be upheld in any case.) What will be achieved through these tools will depend on how feminists use them to effectively advance the common gender and economic justice agenda. For instance, the MDG process should be seen as a tool that can be used in various ways by different actors to address key issues of gender and economic justice. For example, the MDGs could be used as criteria for debt sustainability or as objective standards in negotiations on trade and investment (Bissio, "Civil Society"). The MDG process, however, currently lacks the political dimension and content that women have succeeded to inject in other UN processes.

The FfD process urgently needs to be re-activated with effective follow-up mechanisms at the multilateral level and implementation mechanisms at the national level. Feminists can play an important role in raising awareness and demanding action on key issues such as the scandalous outflow of resources that makes poor countries subsidize rich countries through debt repayment and structural inequities in the global economic system. Millennium Goal 8 ("to develop a global partnership for development") could be a good entry point for raising the broader issues of power relations in international cooperation, and the biased interpretation of the Monterrey Consensus according to which the burden of its implementation is mostly borne by developing countries.

The *ICESCR* is interesting, but rights without laws to formalize their realization at the national level and in different contexts are not very useful in operational terms. More work at the national level is needed for such formalization, together with popular education on how the *ICESCR* relates to people's concerns and needs in their daily lives. This will be even more effective if it is combined with concrete advocacy and lobbying activities.

Real change is possible through the UN system; history demonstrates this conclusively. "We the women" need to reclaim the UN as a critical forum for global policy making that we have helped shape. We need to engage with its economic mechanisms so as to determine the nature, the direction and the final aims of change.

## Endnotes:

<sup>1</sup> Especially with respect to trade negotiations.

<sup>2</sup> The Bamako Initiative was a programme adopted by the Health Ministers of the WHO African Region at their Regional Committee session held at Bamako, Mali, in September 1987. It was intended to provide needed support for health issues in Sub-Saharan Africa by mobilizing community and domestic resources as well as support from bilateral agencies, the WHO, the World Bank and the African Development Bank.

<sup>3</sup> The group composed of the eight richest and most powerful countries.

<sup>4</sup> The country reports on MDGs are prepared with technical assistance from the UNDP, and available for review on-line at the UNDP's website at <http://www.undp.org>

<sup>5</sup> The proposed base year is 1990, which marks the start of the implementation of the plans of action that resulted from the major UN conferences.

<sup>6</sup> Every five years for the *ICESCR* and every four years for the *CEDAW*.

<sup>7</sup> An Optional Protocol is currently under negotiation.

<sup>8</sup> The Global Compact of the UN Secretary-General was launched officially in July 2000. It challenges individual corporations to advance basic values within their sphere of influence, including principles relating to human rights, labour and the environment.

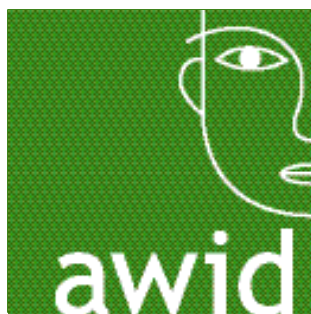
<sup>9</sup> Also known as the Singapore Issues, the 'new issues' are investment, competition policy, trade facilitation and government procurement.

<sup>10</sup> The G-77 ('group of 77') is the negotiating group of developing countries at the UN.

<sup>11</sup> It is telling that the Secretary-General felt the need to re-affirm the inter-governmental nature of the UN in his response to the report, reframing the panel's proposals in the less controversial "context of the ongoing process of modernization and institutional change that this Organization has undergone in the last decade." (par. 3, p.2)

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