

# Women's Rights as Human Rights: Local and Global Perspectives

Strategies and Analyses from the ICCL Working Conference on Women's Rights as Human Rights (Dublin, March 1997).

Edited by  
Niamh Reilly

## Acknowledgements

This publication presents the proceedings of the Working Conference on Women's Rights as Human Rights (Dublin, March 1997) convened by the ICCL Women's Committee. The event brought together more than 400 diverse women from all over Ireland to focus on human rights as a framework to advance women's rights internationally but especially here in Ireland.

Like all events of this scale, many women were involved in making it a success. In particular, the Organising Committee members worked extremely hard over a period of six months generously giving their time, office space, resources, and enthusiasm to ensure that the conference would be an inclusive and productive event for all participants. The Consultative Forum provided critical input on the agenda and played a vital role in ensuring that information about the conference reached women all over the country.

Thanks must also go to all the participants who made the conference and this publication possible by taking time out of their busy lives to spend a day and a half exchanging views, listening to each other, and strategizing about how to make women's human rights a reality.

This publication owes a special debt to the women, including our international guests, whose outstanding presentations (Parts 1 and 2 of this publication) moved and inspired us and fuelled the challenging and productive working sessions that followed. Also greatly appreciated, is the skill and hard work of the women who generously acted as facilitators, resource persons, and rapporteurs in 18 working sessions throughout the day; their contribution is reflected in the thoughtful and provocative discussions that are recorded in Parts 3 and 4 of this publication. Thanks too to Noreen Byrne and Grainne Healy who expertly moderated the opening and closing plenary sessions respectively. The conference closed with four lively wrap-up presentations by Mary Keogh, Caroline Mathews, Marie Mulholland and Niarnh Wilson all of who did an outstanding job reviewing the highlights and main concerns of the day. (See Appendix (i) for a contact list of the members of the Organising Committee, Consultative Forum and those who played roles in the conference programme as speakers, moderators, facilitators, resource persons, and rapporteurs.)

An invaluable team of volunteers from the LEA-NOW project, the Women's Education, Research and Resource Centre, and Women's Aid ensured that everything went smoothly on the day at Royal Hospital Kilmainham. Thanks also to Bernadette Ferguson and Evelyn Nolan who provided signing interpretation, and Denise Charlton and Fiona Tiernan who volunteered their time to work on media and logistics in the weeks running up to the conference.

Special recognition goes to the ICCL executive and the members of the ICCL women's committee for encouraging, supporting, and working on this conference, especially Ursula Barry and Melissa Murray. Special thanks are also due to John McDerrnott who shared the ICCL office with the conference organisers and gladly helped whenever

needed. last but not least, sincere thanks to Sophic Magennis whose expert assistance and good humour were invaluable both in organising the conference and in the production of this publication.

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***The Organising Committee for the conference included:***

Amnesty International (Irish Section) Banulacht  
Centre for Research and Documentation (Belfast) Committee for the Administration of Justice (Belfast) Forum of People with Disabilities - Women's Sub-Group Irish Council for Civil liberties - Women's Committee Irish Refugee Council  
National Traveller Women's Forum  
Irish Commission of Prisoners Overseas  
Lesbian Education and Awareness-NOW programme National Council of Women in Ireland  
NODE (Network and Outreach in Development Education) Pavee Paint  
Oxfam (Ireland) Women's Aid  
Women's Education, Research and Resource Centre (UCD) Women's Support Network (Belfast)

***The Consultative Forum included:***

Access 2000 (Waterford) Birr Women's Group  
Clare Women's Network  
Community Development Workers Co-operative Women's Sub-group  
Development Education for Youth (DEFY) Fermanagh Women's Network  
Irish National Organisation for the Unemployed  
Irish Penal Reform Trust Irish Rural link (Galway)  
Northern Ireland Women's Rights Movement  
Northern Ireland Women's European Platform  
Rita McNulty of the Programme for Peace and Reconciliation  
Tralee Women's Forum  
West Training and Development  
Wexford Women's Action Women of the North West  
Women's Resource and Development Agency (Belfast)  
Women's Studies Centre (UCG)

Niamh Reilly  
*November, 1997*

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## Introduction

Niamh Reilly

The idea to convene a Working Conference on Women's Rights as Human Rights emerged from a recognition of the vibrant international movement for women's human rights which has gained visibility throughout the 1990s. In particular, women from every region, including Ireland, have organised effectively to shape policy discussions and outcomes at United Nations from the World Conference on Human Rights (Vienna, 1993), to the International Conference on Population and Development (Cairo, 1994), the World Summit on Social Development (Copenhagen, 1995), and the Fourth World Conference on Women (Beijing, 1995).

The many successes of the movement for women's human rights are evident in the concrete commitments to women which have been secured in international human rights policy arenas as well as in the extensive global networking among women which has made the policy successes possible. The policy gains to date include the appointment of a UN Special Rapporteur on Violence Against Women (1994); the adoption of a UN Declaration on the Elimination of Violence Against Women (1993); the recognition that violence against women is a violation of human rights - whether perpetrated by a state actor or by a violent spouse - and a commitment to integrate gender throughout the UN human rights machinery (Vienna Declaration, 1993); and the development of an optional protocol," expected to be adopted in 1998, that will allow individual women and groups to make formal complaints against their government for failures to implement the women's human rights convention (CEDAW).

These policy commitments could not have been achieved where it not for the many networks and link- ages that were forged by women's groups across geographical and cultural boundaries in the name of making women's human rights a reality. The networking activities of the women's human rights movement took place in the corridors of UN buildings, in the foreign ministries of various countries, among local community groups, and in street marches designed to raise public awareness. One example is the "16 Days of Activism Against Gender Violence," a campaign linking International Day Against Violence Against Women (November 25) to International Human Rights Day (December 10), which underscores the fact that violence against women violates human rights and cannot be tolerated in any country that purports to care about human rights. Women in Ireland have used the "16 Days" since the campaign first started in 1991 to highlight the issue of domestic violence in this country.

In Part 1, Florence Butegwa and Shireen Huq also describe how women all over Africa and in Bangladesh have used the " 16 Days" campaign to address women's human rights concerns in their regions. Likewise, the worldwide petition drive calling upon the UN to address women's human rights concerns comprehensively was signed at local venues in 148 countries by well over one million people. The petition effectively linked local and global arenas; it was delivered to the UN in batches of hundreds of thousands from 1992 to 1995, sending a strong message to governments that the demands being made by women at UN fora had broad-based support. The current challenge for the women's human rights movement is how to translate commitments on paper into commitments in practice. Mary Lawlor poses some of the critical threats to women's human rights and highlights the pivotal role that women human rights defenders play in the process of realising rights. Similarly, Charlotte Bunch emphasises that just as organising at the local level was critical in achieving international policy commitments, persistent organising and lobbying is required by women locally and nationally to insist on the implementation of the gains that have been made. Towards this goal, the Working Conference on Women's Rights as Human Rights aimed to strengthen linkages among women, both across different sectors and diverse backgrounds within Ireland, and with groups around the world, such as those represented by Charlotte Bunch, Florence Butegwa, and Shireen Huq.

The conference also set out to explore what a feminist approach to human rights means in the context of Ireland and what it means to view women's concerns through a human rights lens. Ursula Barry, Catherine Joyce, Inez McCormack, Monica O'Connor, Catriona Ruane and Aibhe Smyth addressed the human rights concerns and crises affecting women in Ireland in relation to economic dependence and poverty, social exclusion and racism the denial of full citizenship, male violence, and reproductive and sexual rights. Their presentations are contained in Part 2. Part 3 records the lively working sessions which ensued where participants identified in more detail their priorities for a women's human rights agenda in Ireland.

It is important to emphasise that the women who work to challenge the injustices experienced by women around the world are human rights defenders, even though they have not been named as such. In large part this lack of recognition exists because of a narrow (albeit important) definition of human rights violations that has come to dominate the human rights system over the last fifty years. Dominant approaches to human rights focus on state-sponsored violations such as illegal detention or torture by security forces so that many violations of women's human rights which occur in private contexts or at the hands of non-state actors are rendered invisible. In addition, the focus on direct state-sponsored violations has made it difficult to tackle social exclusion and discrimination as human rights concerns. The mainstream human rights system has also fostered a minimalist and legalistic interpretation of human rights protection at the national level. The result is that as long as states are not directly violating or denying certain civil and political rights, little else is required of them. By insisting that women's rights are human rights, women are channelling this traditional approach to human rights. They are asserting that human rights apply inside as well as outside the home; that all perpetrators of human rights violations must be held accountable whether they are state actors or private individuals; and that human rights are indivisible - that economic, social and cultural rights are equally important as civil and political rights. Women are seeking accountability not only for what the state does, but for what the state fails to do to actively protect and promote women's human rights.

In addition to providing space to begin an ongoing dialogue on the meaning of women's rights as human rights in Ireland and to foster linkages among diverse women in this process, the conference also aimed to be a springboard for developing action strategies around the utilisation of human rights standards and tools and the implementation of existing commitments to women's human rights. Part 4 presents the outcome of these discussions covering the Vienna Declaration and the Beijing Platform for Action Feminist Approaches to Human Rights Education, Expanding Resources and Networking for Women's Human Rights, and Human Rights Instruments, Agreements and Lobbying. Together these sections constitute an ideal point of departure for building a women's human rights agenda in Ireland.

Finally, in moving forward beyond the conference and towards the realisation of human rights for women, the words of Radhika Commaraswamy, UN Special Rapporteur on Violence Against Women, underlie the nature of the path ahead:

The barriers to the implementation of women's human rights are two fold. First, the lack of proper implementation machinery to make rights real in the lives of women is an obstacle, as is women's lack of awareness of the rights machinery that would empower them. The second and more formidable barrier is the refusal to accept the values in and of themselves: an ideological resistance to human rights for women

*Niamh Reilly is an activist and academic in the field of human rights.*

## **1. Women's Human Rights in Global Perspective:**

The Status of Women's Human Rights Globally  
MARY LAWLOR, Amnesty International

International Human Rights: Challenges Posed by Women  
CHARLOTTE BUNCH, Center for Women's Global Leadership

Women Taking Action to Advance Their Human Rights: The Case of Africa  
FLORENCE BUTEGWA, Associates for Change

Acting Locally: Bangladeshi Women Organising as Part of the Global Campaign for Women's Human Rights  
SHIREEN HUQ, International Women's Rights Action Watch-Asia Pacific

## **The Status of Women's Human Rights Globally**

**Mary Lawlor**  
Amnesty International

Friends, it is with great pleasure that I welcome you all here tonight on behalf of the organising committee of this conference.

As women, the struggle for human rights has been underpinned by our need to challenge a particular concept, and reality, of power, which marginalises women. Whatever we have gained has been gained by the single-minded, often hidden, and unacknowledged work of women from all over the world. Nonetheless, it is important to value the

immense contribution of our three eminent speakers Shireen Huq and Florence Butegwa have both been at the forefront of the struggle for women's rights as human rights in Asia and Africa. And when you think of the road from Vienna to Beijing and the move finally to embrace human rights from a gender perspective, the name of Charlotte Bunch comes naturally.

When I look around this room, I am so conscious that in each of you is a unique history of living and hope; of perseverance and pain experienced through injustice in your personal lives or in your struggle to make human rights women's right. That is what we share. That is our power.

This room is full of stories and is like so many other rooms and spaces around the world where women have gathered painstakingly to build the bricks of equality, development and peace. Today, what unites us all internationally - transcending class, race, culture, religion, nationality and ethnic origin - is the vulnerability of women to the denial of our fundamental human rights and your dedication to claim those rights. Women are in double jeopardy: discriminated against as women, they are also likely to become victims of human rights violations.

At the onset of the Revolution, the French Assembly proclaimed the Rights of Man. Olympe de Gouges published her famous feminist "Declaration of the Rights of Women" (1791) - "Woman is born free and her rights are the same as those of a man." With prophetic irony, de Gouges had claimed in her declaration that women should have the right to stand for parliament if they have the right to go to the scaffold. Two months later she was guillotined.

We've travelled a long way since then - the Universal Declaration of Human Rights and then the whole series of intergovernmental conferences, the elaboration of a body of international law and principles along with the growth in strength of the worldwide women's movement.

But perhaps each gain is a new beginning.

Today we ask, what good is the Vienna Declaration and the Beijing Platform for Action to the mother of eight, trapped in poverty, without access to education or the hope of it? Or the women working twenty four hour shifts in Bangladesh, without a minimum wage, allowed only go to the toilet once a day for three minutes after which their salary is cut? What good is it to women here who have been raped and physically abused? Or to seventy-three year-old Faye Copeland, on death row in the United States, stripped of her dignity and will be an abusive husband who committed the murder?

How does it help those women with disability who every day struggle for visibility and recognition, or those countless women throughout Africa and Asia who have been mutilated by landmines while seeing to their families needs? How does it help those rural women overcome isolation and lack of access to economic power? Or Belen Torres, from Columbia, under death threat for her work against the mighty landowners and their paramilitary thugs, in her fight for families to be allowed remain to work on their land? How does it help the families and relatives of victims of killings in Northern Ireland, in their search for truth and justice, or those like Roisin Mc Aliskey whose basic dignity as a human being is being violated by the conditions of detention? Or the mothers of the "disappeared" in Vukovar, with sunken eyes from too much crying and too little sleep, in their struggle for truth and justice?

How does it help Travelling women in overcome endemic discrimination? Or the twenty Roma women in Bulgaria, detained and locked in a pigsty overnight and beaten? How does it help lesbians who are targeted in the first instance because they are women activists and them because of their sexual orientation? Or those women in some countries who, when they express their sexuality, pay for it with their lives?

Let us be clear. The only thing that will force governments and individuals truly to act out the commitments in the Vienna Declaration and the Beijing Platform for Action is the power of women everywhere, working in solidarity with each other. Women like Martha Ojeda Skeda, working for the rights of Mexico's million low-wage assembly workers. She knows the power of international solidarity and its value to her work. She says, "when I see the faxes that come into our office, that gives me courage and hope... I used to think I lived in a little town lost on a map, alone in the world. Now I know that workers everywhere are struggling for the same thing."

The growth in strength and depth of the truly global movement for women's rights as human rights has been marked by gatherings such as this one today. I am privileged and honoured to be part of this ongoing process which will no doubt be enhanced by this important conference.

Ding Zilin's seventeen-year-old son was shot dead in Tianamen Square on the night of 3 June 1989. He was not a "ruffian," a "rioter" or a "counter-revolutionary rebel." Despite the climate of terror which followed the massacre, she has tried to establish the truth about what happened that terrible night. When some of us were there in Beijing in September 1995, Ding Zilin was kept in detention and interrogated for the entire duration of the Women's

Conference. But she remains unbowed. "I am doing nothing illegal. ... It is what the government should be doing, but if they won't do it, then I will." And if Ding Zilin will not remain silent, how can we?

***Mary Lawlor is director of Amnesty International Irish Section.***

## International Human Rights: Challenges Posed by Women

**Charlotte Bunch**

### ***Center for Women's Global Leadership***

It is a particular pleasure to be at this conference, which, I feel, represents the best of what is happening post-Beijing. That is, it represents the effort of women throughout the world at the local and the national level to apply the principles, standards, instruments, and platforms that women have worked so hard for during these last years. This conference is also a great pleasure for me because it is an example of what it means for us to bring the global home, of what it means to make the local and the global connections that are the key to the success of women's networking internationally. It was indeed the local and the regional organising work done by women all over the world that enabled us to put women's human rights on the agenda in Vienna and to win a women's human rights platform at the Beijing World Conference on Women. I think we can all agree that this platform is one that affirms the human rights of women in all areas - the rights of women to education, to health care, to a life without violence, and to fundamental political participation and to first class citizenship in all countries of the world.

The issue of violence against women as a women's human rights issue has a particular importance because it is an issue that also emerged very much from the work of women at the local, grass roots level all over the world. This issue was on no one's agenda in 1975, despite the fact that the international women's year and the first decade for women had been declared. This issue wasn't even mentioned in the 1979 Convention on the Elimination of all Forms of Discrimination against Women. It was an issue that no government addressed in its policies. Indeed, the issue has really emerged in the past twenty years because of the efforts of local women - women who were seeking to end violence in all its manifestations - who worked to put the issue of violence against women on the international human rights agenda. This again I think is an indication of the strength of the women's movement a strength that lies in its grass roots and in the diverse projects that make it up. Many women in the women's movement are working on different topics in different areas, and yet together they have built an understanding of what it means to look at the world through women's eyes. This understanding is what many of us have been trying to take to international conferences. Indeed, I think the work of the 1990s really represents the effort to bring the perspectives that have grown out of women's movements locally into the global arena.

Why is this important? Many people ask, "Why bother to work at the UN? Why bother to work internationally? There's so much to be done at home." The reason we have to bother internationally is that the decisions, concepts, and agendas that are being set at the international level shape the conditions of our lives locally. Those agendas and decisions determine the policies and the conditions in which we all live. There is no longer any part of the world that is unaffected by the global economy, by global culture, and by the kinds of decisions that are being made at the UN and internationally. Yet in almost all of those arenas women are underrepresented (if represented at all). Women are taking leadership locally, but when you move up the scale to look at power on the global level, women disappear. It is that problem that the women's human rights movement and many of the other global women's networks of the past decade have been trying to redress: how to bring women's perspectives and women's lives into the global policy arena and into redefining how we understand the issues. These efforts are clearly redefining all the major concepts that provide the basis for the way policy is made in the world today - concepts of development, understandings of peace, and so forth. Indeed, how can people talk about world peace without talking about violence in the home? How can we achieve real peace without bringing an end to the notion that peace exists if there are no "world wars"? In fact, since World War II there have only been forty-five days of "peace" in the world, that is, days when there wasn't a war somewhere. However, there has been no day of "peace" when there wasn't a war against women at home. So we don't have a peaceful world. We don't have a peaceful era.

Looking at other issues - issues such as development population, the environment, democracy - we have to ask, "What constitutes citizenship for women? What are the conditions necessary for women to exercise their human rights, to be able to enter the public arena as citizens with full and equal opportunity?" What this is all about is correcting the male gender bias of politics. When people say, "gender perspective?" I say, "Well, we already have a gender perspective in politics, but it only represents one of the genders." So we are not trying to create a gender politics - we are trying to correct a gender politics, to make it into a multiple gender politics. The politics would

incorporate women's experiences and women's perspectives into the centre of policy making and thinking and not simply embrace that which has usually been taken to be the norm - the male experience.

Why women's human rights particularly? Why bother with adding the concept of human rights? I have often been asked, "Aren't 'women's rights' enough? Why do you need 'women human rights' as well?" For us in the women's human rights movement this is an important question. In fact, some of us spent a long time arguing about it before we began this work. What I have come to see is that by claiming women's rights as women's human rights, we have taken another step in the process of establishing what women's fundamental rights to humanity are. After all, "human rights" is the term that today most expresses the effort across national lines to come to some agreement about basic ethical visions and principles of what it means to be human, of what it means to preserve human dignity and to defend and promote the right to citizenship. For this term to be defined and developed without hearing the voice of half of humanity, is simply not to have human rights. It is a very limited and narrow piece of the human rights vision. As women have claimed the right to be part of the definition of the conditions of what is basic to humanity in the world. We have claimed what Boutros Boutros Ghali, at the Vienna world conference on human rights, called "the common language of humanity".

Secondly we have also claimed access to some very specific international, regional, and national standards, treaties, and mechanisms that have been developed since World War II and by which human rights are defined and promoted. These mechanisms provide us with more effective tools for defending human rights of women. They also teach us some effective ways of reaching the goals that women have been working for over the last few decades. Finally, the concept of human rights has been an important one for women in our process of self-empowerment - in our process of really claiming for ourselves that our rights and our needs as humans are really, fully, and totally a part of the human community, that they are not something on the margin, that they are not something you add on to an already defined agenda. I have seen many women who took the petition that we did for Vienna to women in battered women's shelters or to women who do legal defence. When these women saw it, they said, "Yes. Not only do I have the right not to be battered, but that right is something that the international human rights community has addressed and has declared to be mine." This was an important step in the process of those women, as they moved to fulfil and claim their rights.

Basic to what I am saying is the understanding that human rights is not static, it is not something that somebody gives from on high, whether that be the UN or any other body. It is something that people claim and fight for and struggle for and keep redefining in every era as we all grow in our understanding of human dignity.

Other groups have fought to expand the concept of human rights throughout this century: national independence groups, groups working against racial discrimination, groups working for indigenous rights, lesbian and gay groups, groups working for labour rights. All of these groups are bringing this concept in line with the experiences of people everywhere.

So, what is a gender perspective on women's human rights? Well, that's what you will be discussing all day tomorrow. It is a question that you will bring to bear on the various issues you work on. Let me just give a couple of quick categories, though. First of all, in applying the principles of women's rights to women's lives and looking at human rights through women's eyes, we see that there are indeed some areas of violation of human rights where women's experience is much the same as men, but where women are less visible simply because we still somehow have the concept of the human rights activist as a male actor. One example of this would be a report on conditions of political activists in a particular country in which only the male political activists are asked to give their thoughts. In this instance, the issue is about making the women activists visible.

Secondly, and perhaps more importantly, in most areas of human rights violation - even those where the violation is not specifically based on gender, such as where people are violated for their political views or because of their race or ethnicity - you find that the actual violations are very gendered. That is, the violations that take different forms depending on the activist's gender. Women and men who are tortured as political prisoners are tortured in ways very specific to their genders. So if we want to fight torture we need to know about the ways in which gender affects the experience of torture. This is not to say that women's experience. Almost every woman refugee - well over 90 per cent - are actually abused. For example, women refugees are often sexually harassed in exchange for food or safe passage across borders. Unless we take these kinds of situations into consideration, the refugee experience will be defined according to male norms alone.

Finally, there are many areas of human rights abuse which are specifically based on gender. These are the ones that have traditionally been ignored by the human rights community and are the ones that have been left outside when human rights policy is made. These abuses involve a number of areas, but they particularly involve sexual discrimination - the ways in which women are discriminated against in education, or in access to jobs, food, or health care - and the understanding that this discrimination does not simply mean that a woman makes a little less money. Indeed, it often means that women have fewer opportunities to ensure the security of life. In many cases it

can lead to the death of females, resulting from infanticide or violence in the home, or because the paths leading to the financial resources necessary to sustain a family are denied to women.

The human rights area that we have talked about the most in this campaign is violence against women. The women's human rights movement has sought to show that violence against women is simply another expression of common human rights violations. For example, much of the battery, incest, and abuse that women experience at home are forms of torture and often involve the imprisonment of women in their homes. Much of the sexual harassment that women are subjected to on the streets - such as gang rapes that happen to women who go where women are not supposed to go - are forms of terrorism aimed at keeping women from exercising their right to be in public spaces, whether those spaces are bars or legislatures. Trafficking in women is another form of slavery - slavery often for sexual work as well as for domestic work - and leads to situations of bonded policies that respect the human rights of all people. Global solidarity will result in a new kind of human rights movement that crosses those national lines not by ignoring them, but by working at both the national and the international level. It's this global solidarity - something that we experienced in Vienna and Beijing - that leads all of us who are speaking tonight to see the women's human rights movement as both a local and a global movement that can play an important role in the building of human rights as a concept, a movement, and a reality that works for all humanity in the twenty-first century.

*Charlotte Bunch is director of the Center for Women Global Leadership, New Brunswick, NJ., USA.*

## **Women Taking Action to Advance Their Human Rights: The Case of Africa**

Florence Butegwa  
Associates for Change

It gives me a lot of pleasure to be here and to see the enthusiasm in your faces. I think that just to know that in one country alone you have so many women, so many men, who are determined to make women's human rights a strategy for progress in their own country is exciting.

I would like to present my contribution as a regional case study and deal with some of the issues that Charlotte has raised, but from the point of view of African women. Talking about women's human rights is something that has made a lot of people - globally and regionally and at national level - question whether we are actually saying that "women are not human." In other words, that we are claiming to be a category that is different from the "human" that we find in international human rights instruments. But these arguments are raised by both men and women because of a lack of understanding about what it is to talk about women's human rights.

Within the African context, for example, we found that the laws that have been passed by African countries actually have a lot of the principles that you find within the human rights instruments. Also our constitutions contain bills of rights that guarantee many of the rights that you will find in the Universal Declaration of Human Rights and in the other conventions. However, the manner in which these laws are applied in practice excludes women. So talking about women's human rights has made women say, "wait a minute, all these laws and human rights principles apply to women." That has meant taking on the challenge to articulate the issues that concern us as African women at the national, regional and international level and showing how those issues have not been covered by the practices of states and especially in the way that the laws of states are implemented.

So what are the major issues in this context which have concerned women? The first issue I want to highlight is the question of violence against women in its different forms. This includes violence in the family, particularly battery and incest, and violence of a sexual nature, such as rape and the defilement of girls who are below the age of maturity. Added to that, although somewhat different because of the context, is the violence against women that is occurring in situations of conflict. Over twenty African countries are undergoing internal armed conflict and increasingly it is clear that sexual violence, and physical violence which is gender-specific, is prevalent either as a instrument of war or as an offshoot to the conflict situations.

The second issue which has been a priority for African women is the area of economic and social rights. The social and economic aspects of human rights are important to women because we are starting from a situation where women are disadvantaged by cultural practices and customary laws which are still applicable, and, at the same time, we have yet to define very clearly how we work on these issues within the human rights framework. While we have been very concerned that the issues are real and urgent, we are still grappling with how to proceed. For example, how do we define the inadequacy of a health care system and the lack of access to health care as denials of human rights?

Another related critical issue for African women is the whole question of property rights. Property rights are important, not only in the context of social and economic rights, but because they determine the options for women in many other areas. For example, when a woman is trying to flee from a violent situation, whether she has her own economic means or is economically dependant on another person will dictate the options open to her. Ownership of property is also definitive in political participation (another area we have been working on to a significant degree) because running for election is something that requires money and resources, and access to property and credit would assist women who want to stand. In sum, the issues of violence against women, social and economic rights - including property rights - and political participation have been major areas of concern for the women's human rights movement in Africa.

Now I'd like to address why the human rights framework per se has been valuable to women in Africa as a tool in tackling these and other concerns. For several years, women have been working around legal rights in the domestic law context. But as we have gained experience in that area there has been a feeling that we are calling upon the benevolence of the state and the men who are in powerful positions - in the parliament and in the cabinet and therefore able to pass laws - to allow women to enjoy such rights. The fundamental difference with working within a human rights framework is the fact that you are starting from a position of entitlement - that you are not begging or calling upon someone's benevolence, that you are demanding something that you are entitled to by virtue being a human being. That recognition is extremely empowering for the women who are activists and facilitating the process, but it is also transformative for the women they are talking to and working with on a daily basis. When a woman starts to reflect on what it might be like to have freedom from violence in the home and in the community, the idea that we are entitled to that freedom can provide great motivation and energy to get through a difficult situation.

Secondly, by using the human rights framework women have been able to transcend national boundaries. It is possible to access the strategies of the women's rights movement in other regions and in other countries, and to adapt them to the human rights concerns in our own context. This can happen because the underlying human rights principles are the same. The way they have been translated to the national level may differ, but the basic principles remain the same. So this common human rights framework has facilitated networking, mutual support, and so on. Another reason why working within this framework has been important is that it has offered real opportunities for women to influence policy. In particular, the UN World Conference on Human Rights (Vienna, 1993) saw the presence of a very strong movement for women's inclusion in human rights agendas. For the first time governments were forced to pause and listen and to see what is wrong with the current system from a the perspective of women. Since then, women have worked to convert the momentum created around Vienna into opportunities for more gains, whether at the Fourth World Conference on Women (Beijing, 1995) or the commission on Human Rights in Geneva. And that momentum at the international level has been played out at the national level too. Organisations and women's rights activists have seized the opportunity to take advantage of the international momentum to make demands for changes in national policy and legislation in areas such as domestic violence and property rights.

As women in Africa have been utilising the human rights framework, they have also been redefining it and challenging traditional approaches to human rights. Firstly, the actors have been different. Traditionally, the actors have been states and then mainstream human rights NGOs (non-governmental organisations) who have tended to move on civil and political rights - but even in that context, very narrowly, ignoring ways in which gender specificity is a factor in civil and political rights abused or enjoyed. The first step has been to show how women can be actors and how in fact they are actors - that when they organise as women's rights groups they are also human rights groups and should be recognised as such both by officials and by the traditional human rights organisations. The other challenge to traditional human rights has been in trying to develop new methodologies for investigating, documenting and reporting abuses of women's human rights. Many of the instruments and methods used by organisations like Amnesty International and some of the other traditional groups don't work when you are investigating gender-specific abuses, so the challenge has been to those organisations to develop new tools for investigating and monitoring abuses of women's human rights. The challenge has also been on us - women's human rights advocates - to develop those tools so that we can use them as well. The third challenge has been in developing new interpretations of what certain human rights principles mean in the context of women. This is a challenge for academics, feminists and practitioners in the field. What does it mean, for example, when we say "personal integrity" ~ does the concept have different meanings when used in reference to woman or a man? While we don't have final answers in each of these areas, these challenges to traditional human rights thinking and practice are being taken on in Africa and some of the other regions.

Finally, I'd like to look at the ways that African women have participated in and shaped the Global Campaign for Women's Human Rights and how this has it been useful to the region. The participation of African women dates back to before the Global Campaign for Women's Human Rights was launched in preparation for the Vienna conference. The fact that in Africa, in the different countries, there was already an awakened movement of individual women and organisations working on legal rights in the domestic sphere meant there was a constituency

ready to participate in the Global Campaign when it was launched. Secondly, there were women like myself and others who were involved in designing the campaign itself and working on the petition, which was the first activity in the Global Campaign, and in strategizing on how we are going to build on the petition and how we are going to use it, not only to collect the signatures, but also how we were going to use it as an organising tool in our own local situations.\* Thirdly, at the height of the Global Campaign itself, at the World Conference on Human Rights in Vienna, there were indeed women from Africa whose input was very valuable and crucial because they were bringing a unique perspective. The issues were the same, but the way they looked at them and the kinds of solutions they were demanding from the international community had a lot to do with the circumstances in Africa.

The Global Campaign has been useful in many ways. One example already mentioned is the case of the petition, which we used for advocacy at the national as well as the international level. Many of the organisations that participated used it in education sessions at the community level, explaining what human rights were all about, what the main human rights instruments are and how they apply to local situations, and what demands women were making on the UN system. These sessions ended with the participants signing the petition if they agreed with its goals.

Secondly, other activities like the annual "16 Days of Activism against Gender Violence" campaign has been key to the Global Campaign and has also become a national tool for mobilising around the issues of violence against women. Kenya, Zimbabwe, Botswana, Tanzania, and Uganda, for example, have all commemorated the "16 Days of Activism" since 1992. It is amazing to see how people have been able to adapt and develop other tools like training videos and education materials as part of the "16 Days" campaign.

Thirdly, the Global Campaign has strengthened networking not only within regions but also internationally. The relationship among the key players in the Global Campaign in the different regions has strengthened its advocacy and lobbying role. Advocacy, particularly at the international level, requires mutuality - the fact that you can support each others issues, you can listen to each other, and maybe come to a consensus way of articulating the demands. But it hasn't stopped there. It has also strengthened the work at local level because when there are instances or threats of abuses of women's human rights, it is possible to call upon the network in the different regions to gain support even though the issue may be very local and confined to the national level.

There are a number of important reasons why African women have been able to link with women in other regions. Perhaps it is obvious, but it is important to emphasise the act of physically being there. One of the things I made a priority as co-ordinator of WILDAF was mobilising resources so that African women can be present at international and regional meetings so they can create personal linkages and articulate their own issues - that I think will remain very crucial. Another dimension has been, of course, using modern communication technologies - the fax, the telephone and email, for those who have them - to access information. One of the biggest problems for African NGOs is the lack of information about what is going on at the UN, what resources are available, and so on. So having some of these communications technologies has enabled, at least some of the key organisations, to access the information needed and to then disseminate it within Africa. All of the local, regional, global links I have mentioned are very important for the women's movement. Furthermore it is a two-way process. Those working at the global level need the links at the regional and the local level so that there is an element of legitimacy to what they are talking about and what they are advocating for.

*Florence Butegwa was a founder and co-ordinator of the network Women in Law and Development (WILDAF) and currently directs Associates for Change in Uganda.*

*\*The world wide petition calling upon the UN to comprehensively address women's human rights ran from 1991 until the fourth women (Beijing 1995). By 1995 well over one million gathered signatures in 148 countries.*

## **Acting Locally: Bangladeshi Women Organising as part of the Global Campaign for Women's Human Rights**

**Shireen Huq**

Naripokkho and International Women's Rights Action Watch - Asia Pacific

This is a very exciting opportunity for me, not only because this is my first visit to Ireland, but because of what this gathering represents - perhaps the beginning of the process in Ireland of bringing women together to work on a common human rights agenda. This is also very exciting for me because I am engaged in a similar process in Bangladesh, where we are trying to bring together 242 local women's groups scattered all over the country into

one national platform, which will be based on a rights agenda. So there is a lot that I want to take back with me from here.

"Women's Rights as Human Rights." The very title of this conference is what came to represent the women's agenda at the World Conference on Human Rights in Vienna in 1993. The slogan aimed to achieve, first of all, the recognition that crimes against women are also crimes against humanity; secondly, that violence against women constitutes a violation of fundamental human rights; and thirdly, that this understanding must be made integral to the overall concept of human rights and to the practices of international human rights bodies and mainstream human rights organisations.

At the same time that this slogan demanded a new awareness on the part of mainstream human rights organisations and activists, it drew the world's attention to the extent of violation and violence that women suffer in every culture, in every class, and in every situation they are placed in. Furthermore, it represented the demand for an end to the neglect this issue customarily received from state bodies, political parties, and civil society. Women's rights ARE human rights. The assertion was made in Vienna and it reverberated across the globe in women's marches on International Women's Day in various capitals around the world; in village meetings; in discussions in small towns all over the globe, and finally in the hall rooms of the Beijing International Conference Centre. In fact, this slogan was echoed throughout the entire preparatory process for Beijing, from the local level, to the regional level, and then to the international level. The document that was finally adopted and endorsed the Beijing Platform for Action - is testimony to that awareness and to an understanding of the interconnectedness of rights and disparity, of rights and disadvantage, of rights and discrimination and of rights and the possibility of achieving justice. Getting it into the document was one part of the struggle. Now to get it translated into practice requires our continued presence in the streets. The issues before us are neither simple nor small and certainly not without severe consequences.

What are the issues before us in Bangladesh, or for that matter in South Asia, a region that is generally characterised by widespread poverty and underdevelopment, high population density, and lower rates of literacy and education? It is very easy to say, "But everyone has problems. Why talk about women separately, why talk about women's human rights?" These are the questions that we in the movement face. There is however, enough evidence to suggest why. Four of the seven countries in the world that have a male population that is larger than its female population are located in South Asia. Male longevity is greater in South Asia. Women are at the short end of every imaginable social, economic, and political opportunity. Women have lesser access to services and public goods than men, but at the same time they continue to carry a greater burden of poverty. Women almost always have fewer rights and freedoms. This is possibly true of other parts of the world as well, not just South Asia. One important and emerging human rights issue for us in South Asia is the lack of protection and enforcement of rights for people in economically vulnerable situations. The two most obvious categories are refugees and migrant workers. Both are categories that affect a large number of people in South Asia, and a very large number of women. South Asian countries are some of the largest "sending" countries, that is, countries that send out people as migrant workers to other parts of the world. At the same time that the developing world is made to open its borders to the free flow of goods, the movement of people - particularly people in search of livelihoods continues to face severe restriction. In some cases the restrictions are getting worse. The plight of migrant workers, both men and women, and the families they leave behind defies minimum standards of protection. One aspect of this problem that particularly affects women and children in South Asia is trafficking. This involves situations where women and children in search of livelihoods fall into the traps of employment agents and then end up in exploitative job situations or in brothels in other parts of South Asia.

Currently, a large section of Bangladesh's ethnic minorities in the south-east are refugees in eastern India, while at the same time we have a few hundred thousand people from Burma (Myanmar) as refugees in Bangladesh. This is just one example. India has a lot of internal, inter-state refugees. Indeed, the issue of refugees and migrant workers is one that we in the human rights movement (and particularly in the women's human rights movement) have to take on.

A second key area of human rights concern is religious oppression and conflict. This includes the persecution of members of minority communities, not only religious minorities, but also ethnic minorities, linguistic minorities, and so on. At the same time that our constitutions enshrine equality between sexes and prohibit discrimination on the basis of sex, our personal laws - that is, the laws that govern marriage, dissolution of marriage, guardianship of children, and inheritance of property - continue to be governed by religion-based courts. The result is an unequal distribution of rights, not only between men and women, but also between different women citizens of the same country, depending on which religious group she belongs to. In this situation, the rhetoric of equal citizenship is completely under-mined. A third key area of human rights concern is the issue of violence against women. This includes increasing police and custodial violence. In 1993 the Bangladesh Bureau of Statistics - the official government statistical office - revealed that three times as many women were dying from what is categorised as unnatural causes, than of maternal mortality. Maternal mortality in Bangladesh, with an official figure of five per thousand

live births, is one of the highest in the world. These official figures tell us that three times this number of women are dying from homicide, suicide, poisoning, snakebite, and drowning. You can deduce for yourselves, which of those five categories are accidental and which are perhaps not accidental. Recently, the Ministry of Home Affairs, in reply to a question in parliament, informed the parliament that one rape is reported every 24 hours, and in every 48 hours the victim is a minor girl. This is in a context where actual reporting is very low because reporting of rape carries so much shame and social stigma. It is usually reported only when the victim has to go to a hospital or a health centre. Very rarely will women or their families directly report rape.

A particularly insidious form of violence prevalent in Bangladesh is acid attacks. This is when young men throw acid at young girls who have the "audacity" to reject their propositions. The face is targeted. The result varies from partial burns to complete disfigurement and loss of eyesight, and death in the case of severe burns. As we have succeeded internationally to make gains in our campaign for the recognition of women's rights as human rights, the concrete realities of women who are survivors of acid attacks or rape, women who have ended up in forced prostitution in brothels in India and Pakistan, or women who continue to be deprived of guardianship of children in the name of religion, remind us that these are but small gains. The challenge of translating these gains at the local level continues to be much greater than we had actually mobilised for. The challenge demands conscious political action not only on the part of women, but on the part of civil society at large. The women's movement has not in that sense gained the kind of support of civil society as a whole that is needed to actually make a difference.

Our activism has ranged from the struggle to make these issues visible in the media and on the streets, to lobbying governments to adopt proactive measures. I will now give some examples of the kinds of activism that we are now engaged in. One is the kind of activism at the local level carried out in response to international mobilisations. The most obvious example is the Global Campaign for Women's Human rights, which Charlotte Bunch and Niamh Reilly have been instrumental in fostering. What we did in Bangladesh was to translate the petition, publicise it widely, and collect thousands of signatures in duplicate, so one set was sent to the Global Center in New Jersey and the other set we actually took to the prime minister's office. This action gave us the opportunity to bring the international campaign to the attention of people in the streets and to the government. Sometimes it can be helpful to say "this is not happening only in Bangladesh, this campaign is worldwide because it involves issues affecting people worldwide." During the Vienna conference and again in connection with the campaign, we organised women to hold up banners on women's rights as human rights in ten different parts of Dhaka. We used this opportunity to attract publicity and to hand out badges that said "Resist Violence Against Women" and a leaflet that was based on the Global Campaign with specific additions on the Bangladesh context. This is one kind of activism which is trying to link up with and use an international entry point to mobilise locally.

A second example is trying to mobilise nationally. In 1991 we formed what was called the International Women's Day Committee, which brought together about twenty-six organisations. Not all of the organisations were women's organisations; some were development agencies working with women, some were social organisations. The aim of the committee was to celebrate international women's day and to organise a big march which would go through the city and create a lot of noise.

We used this opportunity to highlight a different theme each year. So over the years it provided an opportunity to build an agenda for the women's human rights movement. It was also an opportunity to include different kinds of women under a broader banner. In 1993, for the first time, women engaged in prostitution walked with other women through the streets of Dhaka. This year our focus was young girls. The theme was "Safety and Freedom for Girls" and so we managed to get younger girls involved. In 1994 the theme was "My Body, My Right." When women chanted "shorir amaar shiddhanto amaar" (my body, my decision) up and down the streets of Dhaka, there was quite a controversy. It was interpreted by many as advocating free sex, and as stating a woman's right to sleep with anybody she likes. At a training workshop for journalists, one of the organisers was asked if the slogan was advocating free sex. She responded, "No, actually what we are saying is that we will decide who we want to sleep with." In a socially conservative context, being able to take such issues to the streets is of course controversial, but it also creates an opening, a space to discuss such issues. It was very difficult until that point to actually have any discussion around sexuality or reproductive rights in public. In this way we have used the international women's day mobilisation to open up certain spaces, to take issues to the streets which otherwise are very difficult.

Similarly, when a constitutional amendment was proposed to introduce state religion, the women were the first ones to take the issue of secularism to the streets, to say NO to the issue of religion and state. As far as the political parties are concerned, it was too sensitive an issue. We, of course, had nothing to lose, so we could take the issue to the streets. And once we did, for the first time secularism and what it means to have an official relationship between a religion and a state, what it means for people from other religious denominations, was widely discussed in the print media and in student groups and other fora.

In addition to choosing a theme each year, we also do a write up on the theme, in the form of a two- page leaflet. In the last four years we have printed between twenty and forty thousand copies of the leaflets and distributed

these to different parts of the country. So although the main event may take place in Dhaka, smaller events are organised in other parts of the country on the same theme. This year, various events were organised in nineteen different places in the country. These events mark the beginnings of discussions. The diverse participation in these discussions and events by many different types of women helps to avoid the marginalisation of the issues by the media.

We responded to the issue of violence in several ways. One was to try to use the government statistics on female mortality to get the government to actually do something about it, because in order to make an impact you need a national programme. We tried to make the point that violence is the state's responsibility, that it is not up to women to give their voluntary time and labour year after year to do the work that needs to be done on this issue. The statistics did not tell us much about the nature of violence against women and girls, the consequences, the implications. However, what they said about the possible magnitude of violence spurred us into taking action on a research project on violence against women. The findings will enable us to go to the government with concrete information on where violence against women comes from and what measures are needed for victims and for survivors. In other words, to begin to tackle the issue of power relations between men and women. Another response to the issue of violence against women on our part has been to lobby the Ministry of Women and Children Affairs to adopt a multi-sectoral response to violence against women and girls and to work with an inter-ministerial group to formulate a programme. Last August, the Ministry convened a working group composed of representatives of the ministries of health, home affairs, law, justice, and parliamentary affairs, and social welfare. The organisation I work with, Naripokkho, was included in the working group which was composed of representatives from the health ministry, the ministry of home affairs, and the ministry of law, justice, and parliamentary affairs. The working group recently completed a preliminary report which was endorsed by the government.

And finally there is the work to be done directly with violence survivors. Survivors of acid attacks are far more isolated than survivors of other form of violence. These are women who do not have a nose anymore, who do not have a mouth anymore, whose injuries force them into a kind of isolation where families hide them and do not want them to come out. As we have been working, visiting the hospitals, getting to know these young girls - and they are young: fourteen, fifteen, or sixteen year old - we realised that they have had no opportunity to meet among themselves. So on April 25-26, 1998, we are organising a workshop which will bring eleven girls and their mothers together. Often acid attacks take place in the house of the girls, the acid frequently being thrown in through bedroom windows, and quite often a sibling or the mother is also injured. We are organising this workshop with the hope that will be the beginning of a forum for these girls and women to have a voice and some visibility.

In finishing, I would like to say that in all the work we have done locally or internationally to assert the slogan "Women's Rights as Human Rights," we have expanded the definition of violation and we have demanded this expansion for the last ten to fifteen years. But when it comes to translating our gains into concrete measures, we need to refocus on the realities of these women, the reality of having survived physical violence, and it requires far more work than we have actually done yet. Secondly, the realisation that women's rights go beyond legal rights, beyond legal reforms, and beyond talking about the law as being responsive to violations of women's human rights needs to find a place in this translation. We have to start thinking about what kind of services survivors and families of victims require, what kind of changes in health services we require, what kind of changes in the police stations we require, and most of all what kind of voice and visibility survivors themselves require.

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## **2. The Human Rights of Women in Ireland**

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## **Economic Discrimination and Exploitation**

### **Ursula Barry WERRC**

Women are systematically disadvantaged within global, national and local economic systems. The search for economic justice is fundamental to all our lives but particularly to the lives of women, in every part of this island and internationally. We are all too familiar with the economic realities of women's lives reflected in the facts of women carrying out the majority of the world's work for a fraction of the world's income and resources. This lack of recognition, the unpaid and undervalued nature of women's work everywhere, results in distorted economic imagery, understanding and policies.

Mainstream economic thinking and analysis excludes and marginalises women, their experiences and frequently their economic activities and contributions. Economic policies are male oriented, dominated by the interests of the economies of Western Europe and the United States, and obsessed with the promotion of markets and competition rather than the development and use of resources to meet human needs.

As Helen O' Connell' and Pauline Eccles' document in their different papers included in the resource pack for this conference:

- Women are 70% of the world's poorest people.
- Twice as many women as men cannot read or write.
- Women produce half the world's food but own only 1 % of the world's land.
- The number of women in rural areas living in poverty has increased 50% in the last twenty years compared to a 3% increase among men.
- Women rarely receive more than 70% of the pay men receive for comparable work.
- Women carry out the overwhelming majority of unpaid and low paid work in every part of the economic system.
- Most of the unemployed are women.
- Women are discriminated against in education and training, face sexual harassment in the workplace and are relegated to low-paid undervalued market jobs.
- Women carry the primary and often exclusive responsibility for child-rearing and are simultaneously subject to severe economic hardship.
- Women across the world have severely restricted access to legal, institutional and financial resources in their daily struggle for human dignity.
- In most countries women work twice as much unpaid time as men.

Economic systems are not gender-neutral - the position of women within the world economy is the outcome of patterns of discrimination and exploitation fundamentally shaped by the subordination and inequalities imposed on women. At a global level, the policies of financial and monetary institutions, together with the policies of trade agreements, perpetuate gross inequalities and exploitation of whole regions of the world economy. This must be effectively challenged - at least in part because these are practices and policies which particularly disadvantage and discriminate against women within exploited regions and countries of the global economy. For individual women economic justice is tied up with economic, and consequently social and personal, independence. Economic independence would

- Contribute to the liberation of women from sexual slavery
- Facilitate the freeing of women from situations of personal, family and State violence.
- Enable women to pursue our own personal and creative expression
- Allow women to determine our own sexual identity and sexual needs.

- Provide all sectors of women with the means to engage in the process of decision-making at all levels in society.
- Give women the resources to achieve the maximum control over our fertility and our health.

Socio-economic structures, constructed on the subordination of women, need to be fundamentally transformed so that women are recognised as independent, social and economic units entitled to their human rights both inside the family and outside.

The UN Universal Declaration of Human Rights does clearly state a commitment to socio-economic rights - but this is a commitment rarely translated into practice or met by governments, States and international institutions including the Irish and British which govern this island - and with respect to women it is scarcely ever addressed.

UN Universal Declaration of Human Rights says

*Everyone as a member of society, has the right to social security and is entitled to the realisation, through national effort and international co-operation, ...of the economic, social and cultural rights indispensable for the dignity and the free development of her/his personality (Art. 22). ... Everyone, without any discrimination, has the right to equal pay for equal work. ... Everyone has the right to a standard living adequate for the health and well-being of her/himself and her/his family, including food, clothing, housing and medical care and necessary social services (Art. 25).*

Yet, across the globe, migrant women, women of indigenous peoples, women workers, women involved in unpaid economic activity, women trade unionists, women of the Third Worlds and women living in poverty are the subject of economic oppression and exploitation. Structural Adjustment Programmes (leading to cut-backs in education and health services in many debt-trapped economies) have been applied under the dictates of international monetary organisations, and accountable to no democratic process, have impoverished increasing numbers of women, undermining their economic and human rights. The life chances, options and choices of girls and women everywhere are circumscribed and subordinated within existing power structures where the interests of corporations, First World economies, establishment institutions, governments, dominant races and individual men dominate over the needs and interests of women.

It is undeniable that the UN Convention on Social, Economic and Cultural Rights is a flawed human rights instrument. The aspirations of this convention are undermined by a statement that economic, social and cultural rights are to be achieved 'overtime'. Consequently, violations of the convention, even where life-threatening, are not viewed as 'urgent' within the established human rights framework. In effect there is a hierarchy of human rights within which economic, social and cultural rights are right at the margins and de-prioritised. Gender-based economic discrimination and exploitation cannot be dealt with through the present system for redress. However, countries who are signatories to the Convention are obliged to produce Reports to the UN and submissions and counter-Reports from NGO's or individuals can be submitted as part of this process. There is a lot more which we should be looking for, internationally and nationally:

- review of financial institutions with the aim of establishing greater economic justice within the world economy, to achieving sustainable development based on mutuality and co-operation
- the counting and valuing of unpaid work carried out by women in homes, in families, in businesses and in communities
- an end to anti-labour decrees and legislation structural adjustment policies and economic blockades which result in violations of human rights and impoverishment and discrimination against women extended use of social clauses in trade agreements (as argued by Pauline Conroy)'which would guarantee minimum labour standards and exclude discrimination,
- the direct involvement of women in economic planning and development at all levels of society
- specific procedures to implement economic and social rights - a protocol providing for individual and group complaints under the International Convention on Economic, Social and Cultural Rights and procedures which would ensure accountability of individual States and governments
- the direct involvement of women in economic planning and development at all levels of society in Ireland the removal by the Irish government of its reservations to the Convention on the Elimination of all Forms of Discrimination against Women
- Ireland to ratify ILO Convention No 11, establishing the principle of non-discrimination

We should also seek the active pursuit of economic and social equality in the legal, institutional and policy frameworks applied on this island and, in particular :

- independent and adequate social welfare entitlements for women
- statutory minimum wage, indexed from an appropriate level
- counting and valuing of women's unpaid work desegregation of the jobs market
- full access to training, education and employment for women
- revaluing of women jobs and skills
- comprehensive child and other care services

*Notes:*

1. Helen O'Connell, 'Going Global - Women and Economic Globalisation' in Mary Van Lieshout (ed), *A Woman's World - Beyond the Headlines*. (Attic Press & Oxfam: Dublin, 1996).

2. Pauline Eccles, *The Very Voices It had Silenced...*

- *Women and Development*, 'in Colm Reegan (ed), *75125 Ireland in an Increasingly Unequal World* (Dochas: Dublin, 1996).

3. Pauline Conroy, 'Women and the Inter Governmental Conference, 'paper presented to a seminar organised by Patricia McKenna of The Green Party in conjunction with the National Women's Council of Ireland, 19 September 1996.

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## **Political Discrimination and Persecution**

### **Catherine Joyce Pavee Point**

Before I start I would like to thank the organisers of the conference for inviting us to put Traveller women's rights on the agenda of human rights. Our inclusion in this conference is especially important given that today is UN Day Against Racism, this week is EU Week of Action Against Racism, and 1997 is EU Year Against Racism. Very rarely are the specific needs of Traveller women and Gypsy women taken into account in women's debates (although this is partly due to our own lack of organisation and resources). I would also like to acknowledge that we as women have a lot in common with women from other minorities -black women, disabled women, gay women, women in prison and women from Northern Ireland. But for today I want to focus on Traveller women.

Traveller women are faced with a triple burden; first because we are women, second because we are Travellers, and third because we are Traveller women. Naming this third dimension is proving very difficult. The issues of racism and discrimination and social, political and economic exclusion affect all Travellers- but they affect Traveller women in particular ways.

We have the responsibility of the home, family, and children. Therefore if there is no water and no toilets it impacts on Traveller women and Traveller men differently.

The women are also the ones most in contact with settled people including teachers, social workers and so on. Therefore we are often the ones who face racism directly and who must broker on behalf of our families and community.

Traveller women are the most vocal and often act as spokespeople for the Traveller community. If they say anything that seems to go against the community or that touches on a sensitive issue they can be blamed by other Travellers, both women and men.

Traveller women are blamed and held responsible by Travellers if something goes wrong with the family or if a child is involved in an accident.

There are restrictions on young Traveller girls. They have less freedom and less access to social life than young Traveller men - ironically it is often older Traveller women who are forced to implement these restrictions in order to control female sexuality.

Young Traveller women have less opportunities for education, employment and social life than Traveller men.

There is a problem of violence against Traveller women by Traveller men.

It is usually Traveller men who decide where we stay and when we move.

Discrimination affects all Travellers, but even pubs and hotels that do serve Traveller men won't serve Traveller women.

On a daily basis, Traveller women face being followed around shops and supermarkets and the women are the ones told in laundries: "Sorry we can't take your clothes".

The lack of accommodation affects most Travellers, but it affects Traveller women in a particular way. We are the ones with the responsibility of the children- making sure they attend school and do their home- work and that they are clean. The women have to make sure there is water, heat for the trailer, and food on the table.

If you are a woman and pregnant, and you live on an unofficial site, there are no basic facilities which makes arranging and attending appointments with doctors and hospitals more difficult.

If Travellers are evicted children may miss school or hospital appointments and the settled people blame the mothers.

In relation to health, the life expectancy of Travellers is fifty-five years. Traveller men have twice the risk of dying in a given year compared to settled males and for Traveller women the risk is threefold. The infant mortality rate is three times the national average per 1,000 live births - this has physical and mental consequences for Traveller women. Non-Travellers have been saying these problems are our own fault because we won't live like settled people.

To improve our situation the following actions are needed:

- Traveller women need to be informed of their rights as an individual and as a Traveller - otherwise how can you seek your rights or redress for abuses of your rights? Traveller women need to be included in the Traveller debate and also in the human rights debate - they need to include the gender dimension in both.
- We need to network with other Traveller/Gypsy women - particularly around our human rights as women.
- Non-Traveller women need to address the rights of Traveller women and our specific needs must be addressed in women's debates whether or not we are present.
- Travellers are not a homogenous group. Diversity among Traveller women needs to be acknowledged, there are different needs and issues for younger and older Traveller women, for example, or for Travellers with disabilities and able-bodied Travellers.
- Travellers need to be counted separately in statistics. How can we make our demands for services if we don't know the extent of the problem?
- All Traveller-specific policies need to target the needs of Traveller women.
- The EU Intergovernmental Conference (ICC) should ensure that the non-discrimination clause is included in the revised treaty. (Since the presentation was made this goal has been attained although the question of implementation remains.)
- Universal human rights must be implemented; the Government needs to bring in laws to protect Travellers' and Traveller women's rights.

- In particular the Government should ratify the UN International Convention on the Elimination of All Forms of Racial Discrimination (1969).

*Catherine Joyce is a community worker with Pavee Point and an active member of the National Traveller Women's Forum.*

## **Violence Against Women: The Irish Context**

### **Monica O'Connor Women's Aid**

On January 7th 1996 the body of Marilyn Rynn was found on a wasteland in Dublin near her home. She had been raped and strangled. The following Sunday, Independent Newspapers ran a feature article on her murder, headed "Betrayal by the Cause", the cause in question being the Irish Women's Movement of the 1970s which in this journalist's opinion had led to 'the absurdity that young women believe they can wear what they like, go where they like, say what they like and do what they like and always be understood in sexual terms by men'.

She goes on to say that "Women's behaviour no longer sends out clear signals. Girls can no longer be categorised as good or bad. That's dangerous for women"

What is dangerous for women are the views expressed by this journalist (which are unfortunately, commonly held views in this country) that women's behaviour can be used to justify physical and sexual violence by men and secondly that the challenge made by the women's movement to men are in some way responsible for the rape and murder of women.

It seems to me that the first principle of bodily integrity and security of person for women is the right to wear what we like, go where we like, say what we like and do what we like without fear of male violence and to negotiate as autonomous human beings our own sexual terms with a man or a woman as we choose. This is not an absurdity but an aspiration and a legitimate demand of all women.

Sexual harassment, assault, rape, battering, prostitution, sex trafficking and pornography are daily realities in the lives, minds and consciousness of all women. Feminist human rights activists have clearly demonstrated that, in the words of Lori Heise, "This is not random violence. ...The risk factor is being female." Most violence occurs in the context of the abuse and maintenance of power by one individual or group over another. It is usually a deliberate intentional means of control. It seems to me political activists have no problem seeing this clearly in an oppressive regime such as the old apartheid regime in South Africa, where violence was clearly a necessary and inevitable tool for the dominant white group to maintain political and economic control.

It does not mean that every individual white South African had to use violence, but it did demand their complicity, collusion, silence and it meant that the benefit accrued to them as the dominant group was welcomed, despite the fact that many could say at a personal level "I abhor the use of violence".

When it comes to gender-based violence, we would rather believe in random acts perpetrated by individual men against individual women, "the monsters and victim" mentality, rather than acknowledge that violence against women, as in any other situation of inequality and injustice, is clearly about the maintenance of power and control, in this case male power and the patriarchy, that it is systematic, endemic and deliberate enabling men in the private and the public arena to control all women physically, psychologically and sexually.

What feminist activists have succeeded in doing is to bring this analysis into international human rights discourse and to demonstrate that violence against women is inevitable as long as the historical inequality between men and women continues. Therefore, removing the political, economic and cultural structures which oppress women is, in the long term, the only way to eradicate male violence.

The fact that so many gross violations of women's human rights have occurred in the private world of intimate relationships with men and in the family, or in so called "chosen" contractual arrangements between client and prostitute or woman and pornographer have allowed the UN, national governments and international human rights agencies to ignore these abuses and evade responsibility.

Women's human rights lawyers have actively demonstrated the collusion and even endorsement by international and state law, the judiciary and the police, churches and social and cultural institutions with the abuse of women. There have been many examples in this country over the past years. For example, we have seen the disclosure of

widespread sexual abuse in the family and Church Institutions with the knowledge and silence of both State and Church.

We have also witnessed the consistent failure of the criminal justice system adequately to punish perpetrators in crimes of male domestic violence and rape, such as in the following cases:

- Vinnie O'Connell found guilty of four charges of assault on women, 2 of whom he attempted to strangle. The judges comments were that he was "a personable well dressed man who was holding down a job" and that he was setting him free as long as he went to another jurisdiction because the women he had assaulted were in such a state of fear. So much for the Irish judiciaries concern for the human rights of women in other jurisdictions.
- The famous X case, where the sentence was halved because, in the words of the judge, "he was a good family man". This was the man who over a period of her life from the age of eleven to four- teen had raped his daughter's friend.
- The case of Levinnia Kerwick who, now critically ill, was raped by her boyfriend and sought justice through the courts. The judge commented that the rape was not premeditated and the man walked free. It seems that in this case the relation- ship between the offender and the victim was seen as more pertinent than the nature of the crime itself of rape.

Finally, since Marilyn Rynn's death, nineteen\* more women have been murdered and two are still missing in this state.

Following a global campaign by women's human rights activists, the Irish government became (along with many more governments) a signatory to the UN Declaration on the Elimination of Violence Against Women. But moving the Irish government from signing to action is going to depend on the strength of the Irish Women's Movement against Violence Against Women.

For those of us who work in services - such as rape crisis centres, refuges and Women's Aid - dealing with the reality of violence in Irish women's lives, it is crucial that we gain strength from the international women's human rights movement and use the gains we have made at United Nations level to hold the Irish government and the institutions of the Irish state accountable for crimes of violence against women.

*\*On the date of the conference this was the statistic on female homicide in the Republic of Ireland. In the three months following this alone, four more women had been murdered.*

*Monica O'Connor is Training and Research Officer at Women's Aid, Dublin.*

## **Cultural Rights and Social Inclusion**

**Catriona Ruane**  
**West Belfast Flic an Phobail**

The passion with which native intellectuals defend the existence of their national culture may be a source of amazement; but those who condemn this exaggerated passion are strangely apt to forget that their own psyche and their own selves are conveniently sheltered behind a French or German (or "British" ) culture which has given full proof of its existence and which is uncontested.

In 1959 Franz Fanon addressed the Second Congress of Black Artists and Writers in Rome. I reread his speech before sitting down to write this talk, and so much he said has struck a chord in me. He could be writing about culture in Ireland today, or in Nicaragua, or South Africa or indeed his own Algeria. He understood perfectly the importance of culture and national consciousness and liberation. I think he would have liked the project I worked with for ten years, the Centre for Research and Documentation (CRD), and the project I am now working with Feile an Phobail (West Belfast Community Festival). I know that he would have been walking down the Falls Road on our St. Patrick's Day Parade with us last Monday. James Connolly would probably have been there as well. He understood the importance of St. Patrick's Day. Writing about our National Festival in the Worker's Republic, on March 18, 1916, he said:

*The Claim of the 17th of March to be Ireland's national festival, the claim of St. Patrick to be Ireland's national saint, the claim of the shamrock to be Ireland's national plant, ... rests not on the musty pages of half-fourteen history but on the affections and will of the Irish people. Sentiment it may be. But the man or woman who scoffs at sentiment is a fool. We on this paper respect facts, and have a holy hatred of all movements and causes not built upon truth. But sentiment is often greater than fact, because it is an idealised expression off act.*

And wouldn't I have been a proud woman walking alongside James and Franz down the Falls Road. The Countess might even have travelled up from Sligo to be with us and we would all have marched behind the banner "Women's Rights are Human Rights - Release Roisin McAliskey". They might even have come to this conference and we could have asked James Connolly and Countess Markievicz to give a keynote speech.

I do not think that I would have had to explain too much to any of them about the political, historical or cultural changes in Ireland since they left us for other worlds. They would have understood it perfectly. They would not have been bought over by the community relations industry or even looked for the balance in the situation.

They would understand the complexities, analyse the relationships and sum up the problem quite neatly - British Colonialism. They would analyse that every party to the conflict - Irish and British, settler and native, coloniser and the colonised - has its identity forged at the Colonial Nexus and that the colonial legacy continues to structure British and Irish lives in a way that is just as profound as gender, race or class.

They would know that "the colonial regime owes its legitimacy to force and at no time tries to hide this aspect of things". The North of Ireland is one of the most militarised societies in the world. There are approximately 10, 000 British soldiers, 5,500 locally recruited Royal Irish Rangers, 1,200 Royal Air Force, 250 Royal Navy as well as an unknown number of MI5 agents. There are some 13,000 RUC officers. There are 250,000 weapons in the North of Ireland including 130,000 licensed guns in private, mainly Unionist, hands. There are also the weapons and explosives held by the IRA and the UVF/UFF. The hypocrisy of the British government is astounding. They insist on decommissioning in Ireland while issuing export licences for the sale of electronic torture chambers to the United Arab Emirates and three twelve-foot hanging frames to Abu Dhabi. They provide arms and training 110 armies throughout the world. Ninety-nine countries attend military establishments in Britain. British Aerospace provided jet fighters and light tanks to the Indonesian government. Who do the British government think they are, taking the moral high ground after they have pillaged and colonised half the world? They provide the despots of the world with arms and wash their hands of the results of their sales. Alan Clarke (former minister in the Thatcher government responsible for the sale of the latest batch of Hawk aircraft to Indonesia) gave a telling insight into the criteria used by the British government when deciding who to sell arms to when he said, "My responsibility is to my own people. I don't really fill my mind with what one set of foreigners is doing to another".

And make no mistake about it, we are those foreigners, we are 'gooks', 'paddies', and 'niggers' and now, 'scum', according to the latest outburst by yet another British minister, Mr. David Mclean. His colleague, Mr. Evans, does not however, just chastise the Irish, he made headlines last week by referring to a "black bastard rapist", and referred to the labour candidate in his constituency's 'three bastard children'. He also declared that most of London's beggars were Scots who slept rough from choice. The most worrying thing about all this is that John Major and Michael Howard continue to support them and they are still in office, making policy on Irish *men* and women. Some of the Irish prisoners in England have not had a visit from their children in three years. Roisin McAliskey is due to give birth in the next few weeks and they have now told us that she will not be handcuffed and that she will be allowed to keep her baby and we are supposed to be grateful to them for that. They have built and sustained a culture of militarism on this island. The way they are treating Roisin and other Irish prisoners in England is not just a message to Bernadette and others who dared to defy them, it is much more that that - it is a message to the next generation, "crappy lie down and if you don't, this is what will happen to you and your children".

Well I have news for the British establishment - we are not scum, we are Irish people proud of our culture, our language, our history and our country. And I have more news for them; Feile an Phobail, CRD, Falls Women Centre, Tar Anall, Tullymore and Beechmount and Roden Street Community Centres, the Economic Forum, the Upper Springfield Resource Centre in West Belfast are dynamic, community- based organisations which celebrate our culture. We are building a culture of resistance to the racist ideology of the Tory Party and any other party which discriminates against Irish, Scots, English, Nicaraguan, South African, anywhere in the world. Feile an Phobail, along with other organisations in and outside West Belfast, will never accept the second class citizen role that they have mapped out for us. We will never accept a state that discriminates against us, we will not accept a police force that violates our human rights, we will not accept that our children cannot be educated in our language. We will not accept triumphalist marches through our areas. Feile an Phobail is celebrating its tenth anniversary and our new Teach na Feile is opening on Tuesday 25 of this month. We will celebrate the growth of

Irish Language Naiscoileanna, Bunscoileanna and Mean Scoileanna. We will celebrate the growth of women's groups, of prisoners rights groups, of anti racist alliances. We will celebrate and organise festivals, community drama and art. We will organise carnival parades and we will be on the picket lines and visiting the jails. We will open up dialogue with any and every community and deal with the hard issues instead of ignoring them and pretending everything is all right. Everything is not all right. We have a serious ongoing conflict with real issues that divide us. Communities are crying out for a negotiated settlement to the conflict, everyone should sit down and talk. The Tory party and the secretive anti-Catholic, anti-nationalist Orange order are redundant. The new government across the water must be made to hear our voices loud and clear. We want peace, we want negotiations, do not play politics with our lives, with our children's lives.

My final message is for the men who are struggling alongside us. We welcome you, we want to work with you, to march alongside you, but your words about freedom and justice ring hollow if you are not marching alongside us in the fight against violence against women and children. They are hollow words if you are not working with us in our homes minding your children, cleaning the toilets, and doing the cooking. They are hollow and useless if you do not actively join us in the struggle against sexism and patriarchy. I say to you go and read James Connolly's essay 'Woman.' We have been the 'slaves of slaves for far too long' and we are going to change that.

The Quilt is here today, Women's Rights are Human Rights was created by women from all sectors of Irish Society, North and South, East and West. It crossed class, ethnic and religious boundaries without diluting the message of any of the participants. We marched through the streets of China with it and we were visible, creative and loud. Each of us took home a little bit of vision from the forum and are trying to recreate it in towns, villages, women's centres, schools and jails throughout Ireland. In Belfast the women's groups, especially in working class areas, loyalist and republican, are leading the way slowly, painfully, talking to each other, looking at all the issues and accepting that different groups have different agendas and that there is a gulf between us. That is the beginning ~ dealing with the issues not pretending they do not exist.

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We are going to help build a new Ireland, an Island that makes space for everyone regardless of their colour, religion, sexual orientation, gender or ethnic background. And it will be a confident, assertive and creative Ireland, like our musicians, poets, writers, film makers and our president, Mary Robinson.

I will give the last word to my friend Franz Fanon. He says:

*I will say again that no speechmaking and no proclamation concerning culture will turn us from our fundamental tasks: the liberation of the national territory, a continual struggle against colonialism in its new forms, and an obstinate refusal to enter the charmed circle of mutual admiration at the summit.*

*Catriona Ruane is director of the West Belfast Feile an Phobail.*

# Democracy, Citizenship and Participation

**Inez McCormack**  
**UNISON**

Citizenship rights for women involve the right to access, and to actively participate in, the decisions which affect their lives and their communities. I am talking about "active citizenship" understood as the ability to participate in decision-making processes which are open and accountable, have fair and clear criteria, and where such rights have a statutory and enforceable base. This may seem a pipe dream at the moment, but it is at the core of the reshaping of relationships between the people and of whatever constitutional settlement is agreed on this island.

This is an approach to citizenship which understands that the language and practice of participation is the language and practice of equality and the stuff of real change. This approach also enables women to come to the debate with different identities and perspectives and to develop a common purpose, one which reflects not only an understanding of their own problems and aspirations but which also reflects the problems and aspiration of those with whom they have no daily bond, or of those with whom they profoundly disagree.

Fostering links between women in both communities in Northern Ireland and between the women in the North and the South is an important part of developing "active citizenship." However, what we don't need is the cosmetic exercise of getting some women into the room from across borders and traditions and patting that on the head as progress. Common purpose does not require common identity. It recognises divergent identities and views as well as certain issues on which we can work together. It requires the practice of respect. Those are the fundamental components of building trust. Relationships established in that way have within them the strengths to develop in new ways and directions.

I will give you a concrete example. I am involved in a cross border/cross community project called "Women Seen and Heard." The particular focus of the project has been marginalised women's groups examining the nature and source of their exclusion. Using a rights-based approach, the project seeks to list for organising each forum has been drawn up to ensure accessibility, representation and comfort. The project funds mini-buses, taxis and petrol allowances for car pools in those areas where the public transport is negligible. The project also organises child care for each event.

The fora have a specific agenda which is to stimulate women into thinking about how decisions affecting their lives and their communities are taken and to inform and equip them with the tools to challenge decision-makers in relation to fairness, transparency and the application of equity standards.

However, the unique opportunity to come together from rural isolated areas North and South, or across the traditional divisions in urban areas, is creating a number of new dynamics. In the Border County areas where the project has been active, women are using the facility to network with their counterparts across the most visible divisions whether sectarian or geographic. In one incident, two women's groups from areas only a mile apart met for the first time. Each group had been unaware that the other existed. One mile apart but with the border between them.

Another notable dynamic is the reappraisal taking place among the vast majority of women in each forum, who find themselves for the first time coming together, working with and listening to women even more marginalised than themselves - women with disabilities, women from ethnic minorities, or lesbians. The recognition of how little we all know about one another, of how difference has been manipulated and accepted as a means of creating our isolation from one another, leads to a clear awareness of the need to exercise and promote inclusion at the most basic levels of organising.

This is the practical, direct work of putting human rights into practice. It is an approach which holds that human rights are real only so far as they are owned by those who need them the most. It is not an approach based on deciding what rights the excluded may have but one that is based on enabling the practice of rights by them to tackle and dismantle their different exclusions.

The understandings that women have developed on different ways of doing business - networking and the sharing of responsibility rather than the control. Of position - are what we bring to this conference and to each other. It is about developing an understanding of a horizontal exercise of power. It brings to the present debate on partnership, for example, a recognition that while we can come together from different sectors, backgrounds and views to work with each other for a common purpose there needs to be a culture and context of rights in which we practice that purpose. Most who enter partnerships have different holds on power. I think part of the contribution that we can make is to develop new understandings of the exercise of power.

This means as we come into new space we need to enshrine practices and obligations within ourselves that make us open and accountable. It requires an understanding that fairness in practice is not that we are now at the table but that we constantly look to see who isn't there; that we exercise our ownership of decision making by enabling others to share that ownership. I see it in a very visual, physical way, that any space we take we need to turn round and see who is still outside and that our job is to widen that space not to hold it for ourselves.

In the work that I do I also see how the language of rights, equality and participation demands that those who hold power translate their mystified use of language and structures into human and accessible communication. The debate on common purpose cannot even start while the thought forms and language of the powerful and the powerless meet only on the common ground of bafflement, frustration and resentment.

That holds as true for a woman with a hearing impairment in Ballymena, a community activist in Ballymun, or a refugee from domestic violence in any part of this island, trying to understand the particular humiliations of impenetrable decision making structures which control their lives.

None of this is comfortable or easy work. In practice, a culture of rights requires of all of us an exhausting and exhaustive renewal of how and who we are. It is an international debate, but I think that the work of understanding a culture of rights as turning democratic imaginings into democratic practices is work we are already doing on this island across different kinds of borders and different kinds of communities; It is work that is contributing to the shaping of democratic relationships on the island of Ireland.

Further a culture of rights means respecting and seriously listening to those with whom we profoundly disagree. It means opposing the denial of rights to those with whom we disagree. That is very uncomfortable and difficult. The truth is that the willingness to be uncomfortable is shown quietly and regularly by those who have suffered the most, and by those who are most marginalised.

I have sat in cold and draughty rooms, listening and watching leadership for change being put into action along with an acceptance of the responsibility that we are all part of that change. I have also sat in warm and very comfortable rooms watching and listening to the demonising of change as irresponsible; it would bring public decision making to a halt, it is argued, or those seeking change have hidden agendas. This comes from senior public servants who put their comfort in doing things the way they always have been done - through the control of position way ahead of any acceptance that they must change how they do business. I have listened and watched different elite's try to determine this debate in the context of how rights should be accorded to the powerless.

The leadership I have seen for "a culture of human and women's rights" in practice is found in the oddest of places: When businessmen and women community activists make common cause to deliver resources through a local partnership to a community different from their own; When representatives from a human rights organisation sit round a table with low-paid women workers deep in discussion on how a ninety-year-old woman in a residential home can be helped to take a court case to establish her human right to be consulted about the possible closure of the home; When ex-prisoners groups from both communities come to a function organised by ethnic minority groups to support their demand for race relations legislation, and in the pleasure in the giving and accepting of the invitation; And most of all, in the laughter and warmth of the women in the "Women Seen and Heard" project, each contending with very different "dispossessions" and plotting vigorously with and for each other to dismantle those dispossessions.

*Inez McCormack is Vice President of the Irish Congress of Trade Unions and Regional Secretary of UNISON.*

## **Reproductive and Sexual Rights**

**Ailbhe Smyth**  
**WERRC**

I want to begin by quoting three clauses from articles in the United Nations Declaration of Human Rights, to remind ourselves that they are there for our use and benefit as women:

*All human beings...conscience'(Art. 1).*

*Everyone has the right to life, Liberty and the security of the person' (Art. 3).*

*Everyone - 'without distinction of any kind' (Art. 2).*

You might think that the two sets of rights I am talking about today - reproductive rights and lesbian rights - are poles apart from one another. But of course they are no such things. Each raises issues of the most fundamental kind for women about our bodies and our sexuality, and each is centrally about our human right to liberty.

What does liberty mean for a woman? What do we need in order to "be free and equal in dignity and rights" (Art. 1)? What do we need if those words are to translate into realities, if they are to become more than fine political speech?

A woman's freedom depends on many interrelated factors - adequate shelter, food, economic independence, physical and mental integrity, well-being and safety, social and political agency. And it depends on other far less tangible things too, such as creative and imaginative expression, sexual and emotional intimacy, friendship, love. To be free, we need to be able to make rational, informed decisions about the shape and meaning of our lives, and so long as we do not have the power of self-determination, we do not enjoy the right to liberty to which all human beings are entitled.

There can be no liberty for a woman who is not free to say "I make decisions for myself about my reproductive body. ["My body, my right" as Shireen Huq told us last night.] I decide whether or not I will have children, how many, and when." There is no liberty, and often no safety and security, for a woman who is not guaranteed reproductive self-determination and health as her fundamental human right.

Nor is there liberty for a woman who is not free to determine and express her sexual identity, and specifically, in a heterosexist world system, to say, without fear of repercussions of any kind, "I am lesbian". There can be no real freedom where there is social, cultural and political invisibility, self-censorship, fear, homophobia and discrimination.

There is therefore nothing abstract about rights and freedoms in either of the areas I'm talking about - they are our everyday realities in the most personal and immediate ways. So I am going to speak personally, because at the end of the day (and at the beginning and in the middle of every day), our human rights are about what happens to us, as people, as women, what we can achieve, how we can not only survive, but flourish in freedom in every aspect of our selves and our lives.

More than fifteen years ago now, a young Irish woman who is very dear to me became pregnant without intending to. She had been using contraception, but for some reason or another it failed. There is nothing unusual about this - it happens to women of childbearing age all the time, all over the world. And however safe, comprehensive and accessible reproductive health care provision becomes (and we have a long, long way to go for that to be achieved in this country, or almost anywhere in the world), it is going to go on happening. "Unwanted pregnancies may decline, but they will not vanish altogether."

This young woman went ahead with her pregnancy because she didn't see herself as having any option - she had to go ahead, whether she wanted to or not, and indeed she did not. She was just eighteen, and in no position financially or socially to raise a child - and certainly in no state of mind or maturity to take on the responsibility of raising a child on her own, the man having disappeared like snow off a ditch. She had to go ahead because the legal, social and cultural prohibitions against abortion in this country were so total and powerful that even the very notion of 'choice' was unthinkable and unspeakable for her. Her baby was adopted. This was not a "decision" she made in any real sense of that word, implying some ability to choose freely between one option and another. Her baby was adopted, because there was nothing else she could do. And she was devastated. I don't really know how she dealt with that, and she had to deal with it almost entirely on her own. I don't really know how she thinks and feels about it now, because she doesn't talk about it. I do know I will never forget the pain on her face, the pain that held every bone and muscle in her body tight and rigid, when I saw her a very short while after the adoption. I will never forget it because it was terrible and cruel, and because no woman, anywhere, should ever have to go through that.

I was committedly pro-abortion - pro-choice if you prefer the term- before this happened - but in my head more than my heart. Seeing that young woman's experience made me incandescent with anger. I am still angry about how we continue in Ireland to deny women the freedom to make our own reproductive decisions, because of the absence of adequate sex education (or any at all), and because there is still not easily accessible, safe and free contraception for all women throughout the country. I am deeply angry at how we turn our backs on women's needs by pretending that information and the "right to travel" are somehow enough for a woman who decides rationally and in the fullness of her own conscience - that she needs an abortion. A leaflet and a plane ticket are not an abortion. And they most certainly do not ensure the reproductive well-being, liberty and dignity which women are entitled to, as self-determining human beings. The reality is that at least five thousand women here in this country need an abortion badly enough, every year, to make a demeaning, bleak journey to England to get one. How many more don't go because they have no money, no information, no support - no sense of a choice?

I want to urge us today to pledge that we will work in solidarity for women's right to full reproductive well-being and freedom, in Ireland and throughout the world, including the rights to comprehensive sex education and reproductive health services, to free and safe contraception, to decide freely to be sterilised or not, to have a safe, legal abortion or not, and I call for an end to all laws, customs, attitudes and practices which interfere with women's right to full reproductive self-determination.

I want to speak even more personally now, and to say that when I came out as a lesbian over ten years ago, I really didn't come out at all, except, I suppose then quite timidly - within the lesbian and gay community. I didn't come out to my family and to very many of my heterosexual friends, or at work or in other aspects of my "public" life, because I didn't feel free to say I was lesbian, knew it would have a negative effect on my life, knew it would be too hard for me to say it - and as Inez McCormack has just told us, no woman has to be a heroine. It did indeed have an impact on my personal life, which I still cannot talk about in public, because it is still too painful. It has affected my working and public/political life too, although I have learned to live with that more easily, and to see it, in some ways, as even politically useful.

The fact is, I still don't find it easy to stand up in public and say "I am lesbian", even though I am a middle class, white, settled woman with a well-paid, high status job. These powerful privileges give me advantages and protections in all other parts of my life - but not here. I can be, and sometimes am, ignored, marginalised or discriminated against because I am lesbian. Yet my lesbian sexuality is an important part of my identity and the woman I am, and I want that to be acknowledged and valued in the same way as all the other connected parts of me.

Because of persistent and strategic feminist, lesbian and gay activism over many years, we are certainly making progress in this country, with new equality legislation coming on stream. But we all know that laws are often inadequate and are in any case never enough in themselves to radically change the deep-rooted myths and stereotypes, the attitudes and behaviours which maintain homophobia and discrimination.

For more than a quarter of a century, lesbians in Ireland have been to the forefront in the struggle for rights for all women. It is now time, and more than time, for all women - I am speaking directly to heterosexual women - to fight actively to achieve full rights and freedoms for lesbians - because the liberation and liberty of any and every woman, whoever and wherever she is, matters- must matter - to all of us.

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### 3 Identifying Women's Human Rights Issues

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***Each of the themes in Part 3 reflects important areas of concern in the movement for women's human rights. The range of themes, from Bodily Integrity and Social Exclusion, underscores the degree to which women are expanding the scope of human rights ideas and practice. In the traditional human rights framework, for example, the primary focus would be on Political Discrimination and Persecution, and even then not on gender-specific violations such as rape as a form of torture. Therefore, the working sessions were structured to encourage a broad and transformative approach to human rights. Participants were asked to identify and discuss the human rights issues from their own perspectives within each theme and to consider how human rights ideas or practices might benefit or strengthen their work on specific issues in different arenas. The resulting discussions presented here are often overlapping and complimentary and highlight the interconnectedness and indivisibility of human rights from the perspective of women.***

#### **Bodily Integrity and Security of Person**

The discussion began with the idea that "bodily integrity unifies women and that no woman can say that it does not apply to them." The group went on to explore what is meant by women's human right to Bodily Integrity and identified several key elements which are central to the concept:

### **Freedom of Movement**

This is a basic civil right which is often severely limited in women's daily lives. The threat of assault, rape, and other forms of violence against women, limits where women can go, who they go with, how they travel, and the time of the day or night they can enjoy "freedom of movement." Freedom of movement for women with disabilities requires greater access to public spaces and buildings. Racism and intolerance levelled against the Traveller community also have particular effects on Traveller women. In addition, the state can also directly impinge on women's freedom of movement. The intervention by the Irish state to stop the young girl in the "X case" travelling to the UK for an abortion is an example.

### **Security of Person**

The right to live in safety underscores women's right not to be subjected to physical, sexual, or emotional violence inside or outside the home, either by private individuals or by people acting on the part of the state. Sexual harassment of women prisoners, or the use of rape as a form of torture, are examples of state-sponsored violations of Bodily Integrity. Participants in the working session highlighted the issue of strip searching by security forces in Northern Ireland as a major area of concern in this regard. It was also stated that the right to Bodily Integrity and security of person includes mental integrity, that is, freedom from mental and psychological abuse.

The concern was also raised that violence is becoming increasingly normalised in Western society, which has an inevitable knock-on effect on how violence against women is perceived. One participant posed the question, "why should women always have to take on the responsibility for dealing with the violence perpetrated against us?" In this context it is also important to address the root causes of violence against women. It is not enough that services are geared solely towards dealing with the aftermath of male abuse, while no investment is being put into exploring why

### **Reproductive and Sexual Rights**

Control of reproductive and sexual rights was also put forward as central to the idea of Bodily Integrity. This includes "the right to information about our bodies and the idea that women do not have sole responsibility for contraception." Reproductive and sexual rights affirm the rights of all women- including women with disabilities and lesbians - to sexual expression and to make their own informed decisions about reproduction.

### **Women's Health**

The right of women to Bodily Integrity also includes the right to health and demands woman-centred health care. Reproductive and gynaecological health services are the largest part of women's experience within the medical establishment. Yet, the provision of these services continues to be male-defined and insensitive to women's rights and needs. The ongoing Hepatitis C scandal (brought about by the fact that thousands of women were given contaminated blood products after the birth of their babies and the inadequate government response to the crisis) was given as an example of a "major abuse of Irish women." The abuse of women's mental health was also raised as an area of concern; many felt that the psychiatric profession was too willing to label women as "mentally ill" and to prescribe drugs without looking at the causes of women's illness.

### **Breaking Women's isolation**

Participants in the working session also took a broader view of Bodily Integrity and Security of Person by including women's physical isolation from services and resources as an issue under this theme. The isolation of women living in rural areas needs to be taken on board. The isolation of lesbian women in rural areas was also noted. One woman said that "three out of three local newspapers in some areas were refusing to carry the Lesbian Helpline number."

In particular the group underlined the need for access to child care as key to breaking women's isolation in the private sphere. More extensive and more affordable child care facilities is essential if women are to have access to educational and employment opportunities and to become economically independent. Economic dependence on men is one of the main factors preventing women from leaving an abusive relationship. Further, women should demand more and cheaper access to child care facilities "so that attending conferences like today's, for example,

is possible." Participants also emphasised that women also should have the right to choose to stay in the home to rear children with financial backing from the state.

A broader interpretation of Bodily Integrity also insists on the right of women to an identity that is not defined in terms of men and the traditional nuclear family. As one participant put it, "i am tired of being called a 5ingle parent. I am a woman with a child and choose not to be with a partner. Yet I am seen as a woman without a man or a woman whom a man didn't want."

### **Education and Bodily Integrity**

All the groups identified a huge need for education from primary school onward. Children have the right to bodily integrity. As one woman asked, "who owns children's bodies?" The Stay Safe Programme (in the Republic of Ireland) was cited as an example of an important strategy in this area. However, while many felt it was useful, it was also noted that once-off programmes were not enough and that an integrated approach needs to be adopted by schools. Such an approach would not only address the dangers of violations of bodily integrity but would also foster "a celebration of our bodies as women."

As part of this much needed education the following areas were cited as requiring attention: children, especially girls, need to be educated about bodily integrity and to learn that no one has the right to violate that integrity; girls should be taught that they are not responsible for the sexual responses of men; girls should be encouraged to take pride in their bodies (yet the current value attached solely to girls/women's physical appearance needs to be redressed). It was noted that 1998 is the Year of the Girl Child and this could be used by groups to organise specific activities.

### **Networking**

It is vital that women have opportunities for coming together to talk and exchange perspectives. Such networking fosters solidarity and is an important tool for action. In addition to actual meetings, it is important to utilise newsletters and the internet to maintain communication and disseminate information. There is also a need for locally-based information and awareness centres as well as locally-based seminars and events.

## **Democracy, Citizenship and Participation**

### **Democracy**

In exploring what "democracy, participation, and citizenship" mean from women's perspectives, inclusiveness was a recurring theme in the working session. This theme was highlighted on at least two levels: first, the inclusion of women in the exercise of power and decision making throughout society and second, the question of inclusiveness within the women's movement.

Regarding the official institutions of democracy, participants felt that "we cannot wait for politicians to find ways of including women. We have to develop our own strategies and methods to introduce more women into underrepresented areas" and to lobby to "make women's voices heard." For example, with respect to party politics, we need to ensure that existing women party members are given greater visibility and are not passed over in favour of token or high-profile women torn outside. Some participant argued that the strategy of a women only party is a means of challenging the boundaries of the traditional male political sphere, and in doing so, supporting women in all parties.

On a general point, one woman expressed the concern that democracy is only "as strong as it allows the right to dissent and oppose" and yet "is this stir- ring up a hornets nest?" We need to recognise and address the fact that democratic practice does include conflict (or potential conflict) among individuals living in a given country as well as between them and the state.

The participants felt that there are "no hard rules" for defining democracy, but that from the perspective of women "it must mean equality." This includes 'equal rights for men and women' in a broader context of equal respect for all groups in society. The validity of any democracy is undermined if it does not reflect the diversity of the people living within it's boundaries. There was general agreement that current structures need to change to become more participative and more representative. At present, in terms of local government reform, there is no commitment to women's inclusion. To the degree that women have been included in community work and at certain political levels "it has been at the bottom." There needs to be a proper analysis of the obstacles to women's inclusion in these areas and "not just a numbers exercise."

### **Citizenship**

The working session argued that invalid without the framework to use it." Rural women living in isolation or young women - especially those in marginalized communities like West Belfast - often lack the resources needed to realise their citizenship. We need to acknowledge that "if the rights we fight for are not owned by women who are furthest out from the powerbase then they are not rights at all." The working session had mixed ideas of what citizenship is and some felt that the term can be used flippantly. Citizenship should not be understood solely in terms of "representative politics which does not lend itself to real participation."

### **Deepening Democracy**

Much of the discussion continued in this vein and focused on the desirability of developing deeper and more extensive models of democracy and citizenship. Some women advocated fostering "democracy in the home." Others underscored the need to "increase participation and democracy in our own spheres of operation" and organisations. One woman asserted that

*Democracy is not just about political parties. We must start with the structures of our own groups - are they democratic and inclusive? ... You don't look at who is in the room, but who is not in the room. Who are they and what are the barriers that exclude them?*

Full participation, however, means "taking power from some people and giving it over to others" and this can be very difficult. Another participant posed the question from a different angle: "are we gate-keepers or facilitators?" A number of suggestions were given as to how we can take the "facilitator" route. For example, bringing the expertise of professionals in the human rights field into local settings for use by grassroots groups. Another idea to maximise participation and bridge the urban-rural divide is to hold a number of smaller events region-ally/locally alongside major events in the cities. More generally, in order to achieve greater participation by women, women must have "ownership" of the agenda and a "clear vision" of what the issues are, what must be achieved, and how to proceed. We need to find "mechanisms" to encourage this sense of ownership - mechanisms that are "warm, generous and fair." One example given was of women from Cashel and Kiltyclougher who 'walked to each other across a closed border road singing ~ claiming the road to each other."

Extensive consultation with women to identify local issues and local concerns is a key to promoting women's citizenship and participation. In this context, community development processes are opportunities to give women ownership and power in agenda setting - as part of a general move towards democratising community development. Indeed, "developing a gender analysis of power at local levels is about changing structures" - modes of agenda setting and decision making - and not just a question of adding to the numbers of women involved. In response to the concern of some women about "excluding men" in the effort to secure greater participation of women, one participant reminded the group that while "women worry about excluding the men, you will never hear men worrying about excluding women."

When we talk about women's human rights, an important first step is "women owning rights" and participating in their definition. One part of this is providing the space and time for women to explore these issues, "allowing them to move from the personal explorative to the more collective activity" while "acknowledging the necessity of moving on from the personal."

Furthermore, there is an important discussion to be opened about how women use power. "Having power can be beneficial in our organisations." Women need to discuss "how we use power - not abuse it" and "not being afraid of power." Included in this discussion is the question of "whether women choose not to take power" and why.

A related topic is the politics of funding. All groups need funding to do their work. Yet we often must use "the language of the funders" to secure the resources needed and risk "losing sight of the issues" as they would be defined and prioritised by local groups and the constituencies they work with on the ground. We need to be aware that there can be a conflict between meeting funders' criteria and staying focused on our independent purpose and basic principles.

While many called for new approaches and revised definitions of democracy, there was also an acknowledgement that "there is a tension between maintaining democracy and opening it up further" and that advances to date should be consolidated. Another area of concern raised is the fact that citizenship can be "bought" in return for investment. Participants felt that this is questionable in terms of democratic principles and that the criteria for granting citizenship need to be examined.

### **Using a Human Rights Framework**

The realisation of human rights takes place on multiple levels. In many ways it is "a life-long process" in which human rights education plays a major role. Girls and young women need to be made aware of their human rights from early on. Likewise, policy-makers need to be educated about human rights standards and women need to use them to hold politicians and the state accountable. We also need education and training to learn how to use human rights as lobbying tools. Human rights documents and conventions must be translated into accessible language

and ways must be devised for using them more creatively. We need to demystify human rights so that complicated language is not used to "excite and to mask inaction."

A major challenge in utilising a human rights framework locally therefore is "translating the language human rights to actions which can take place at a local level." There is sometimes "a gap between the women on the ground and the women with the knowledge of human rights law and mechanisms." Instead there must be a two-way process. The Commission for the Administration of Justice (CAJ) community groups on the ground and the developing the action strategies." In the CAJ Racism Sub Group, for example, "representatives of ethnic minorities are to the forefront, and the lawyers assist with the campaign." To make human rights work at the local level, such networking is very important in fostering solidarity, providing access to information, and allowing for the exchange of skills.

The current situation of refugees and asylum seekers in Ireland raises many questions about human rights and citizenship in this country. In particular, there (gender dimensions to political asylum issues which need to be examined. Generally, the majority of asylum seekers are men even though the vast majority of refugees and displaced persons globally are women. Male refugees are more likely to have the economic and cultural resources to flee their countries and to seek political asylum in another country. Women are less likely to leave their children in addition to lacking the resources to flee - either alone or with children. Also, direct state-sponsored persecution which is more likely to be accepted as grounds for asylum (as compared to female genital mutilation or domestic violence, for example) affects men more than women. The situation of refugees and asylum seekers is a major human rights concern around the world and in Ireland. We need to ensure that laws and policies are implemented which respect human rights with special attention given to the plight of women refugees.

It is also important for women to be critical as they begin to utilise human rights language and frameworks. As one woman put it, there is a "risk of being sucked into a male-defined code of ethics." Women need to reinterpret universal human rights from their perspectives so that their human rights concerns are addressed. However, there was agreement that "Feminism can challenge the human rights agenda and produce genuine change".

### **Social and Economic Rights**

Social and economic rights have been marginalised within human rights. A debate needs to happen around how this affects women's citizenship and democratic participation. The links between women's lower economic status and their limited access to economic resources and women's poor representation in public life, for example, should be examined. There needs to be "a multi-faceted approach" to supporting women's entry into public life that includes pooling resources, education and other strategies. Access to education is a human right and needs to be recognised as such. But while greater access to education is important to women achieving "competence and power," some participants questioned the idea that "personal development is the road to empowerment." They also argued that "power is not given, it has to be taken."

The way in which national statistics are gathered and defined underscores a number of deficiencies with respect to women's social and economic rights in Ireland. Women's contribution to the economy through their unpaid work in the home is not recognised or given value in national statistics. Further, many women who work in the home but who would wish to have paid employment are not included in the unemployment figures. As a result, both women's role in the home and their needs with respect to paid employment are invisible. This failure to recognise women in national statistics diminishes women's citizenship and undermines their social and economic rights. The census figures best reflect the total citizenship of the country and these should be the basis for all economic and social statistics. Statistics should reflect the diversity of women.

The "changing nature of work and women's employment" also have human rights implications with "contract workers" and the "absence of rights" (in relation to employment) becoming more common. In the realm of cultural rights, given the strength of religious institutions in Ireland, one participant argued the need for feminist theologians to safeguard women's human rights in the interpretation of religious beliefs.

## **Political Discrimination and Persecution**

Participants in the working session identified several key issues:

### **Towards a Women's Human Rights Framework**

The definition of human rights must be broadened to include women's perspectives. It must also take account of different needs and diversity among women. A women's human rights framework must be broadened to include marginalised women. The implementation of women's human rights must explicitly take into account different

needs. The rights of marginalised women must be defended by those women themselves, but they must also be taken on board by the women's movement as a whole. It should be recognised that because marginalised groups may only have the resources to work locally, they must be represented at the national and international level by those who do have the capacity. There is also "a need to look inward as well as outward to ensure the inclusion of marginalised women."

### **Discrimination**

Discrimination in Irish society takes many forms and occurs on multiple levels. Women and members of minority groups are the main targets of discrimination. Travellers, lesbians, people with disabilities, those who are infected with HIV/AIDS, members of other racial and ethnic minorities, people with low skill/education levels, prostitutes, women in prison, and many children and teenagers are in large part "invisible" and vulnerable to systematic discrimination. Women who belong to marginalised groups experience "double minority status resulting in isolation."

Social exclusion and discrimination are fuelled by the perception people have that there are "normal people" and others who are "not normal" and who, as a result, are treated as second class citizens. There is a need for education to challenge this mindset and to ensure the right of marginalised people to express their points of view. The failure to stop discrimination against, and to take active measures to protect, minority groups such as the Travellers amounts to the destruction of culture and a denial of cultural rights.

Government policies, practices and procedures often allow discrimination against minority groups and/or condone discrimination by individuals. The refusal of access to "public" amenities such as shops and pubs, for example, is a common form of discrimination faced by Travellers and at present there is no legal protection against such practices.

Poverty often keeps women - "especially housewives and carers" - silent and without the means to express their concerns or demand their rights. The lack of status afforded to women in unpaid work must be recognised as an obstacle to realising women's human rights. There is a need to create opportunities "to find and use women's voices". This includes tackling patterns of discrimination which limit women's access to resources and capacity building.

### **Institutional and Individual Oppression**

We need to recognise both institutional oppression and discrimination and oppression by individuals and insist that both require an effective response.

### **Lack of Recognition of Cultural Rights**

The failure to recognise cultural difference and to protect minorities has serious consequences for the enjoyment of human rights. In the case of Travellers, there has never been recognition of their distinct ethnic identity. It was suggested in the working session that we need constitutional reform (in keeping with international human rights agreements) to recognise and protect cultural difference and Traveller culture in particular. In addition, lobbying campaigns and petitions for legal reform should be employed. It was noted that while "test" cases are being brought at present, a lack of funding for legal action is a major obstacle in pursuing this strategy.

Furthermore, participants in the working session emphasised that any process aimed at achieving constitutional and legal reform to ensure human rights for Travellers must involve Traveller groups - especially Traveller women's groups - and other supportive organisations in discussions at the local and national levels to discuss possible changes in the law and their effects on Travellers. All discussions around improving the situation of Travellers must take into consideration the discriminatory attitudes and practice that prevail in every aspect of Traveller women's lives.

However, the issue of securing human rights for Travellers must be tackled on many levels in addition to a drive for legal and constitutional reform. State services being provided to Travellers are inadequate and are failing to meet their specific needs. Some of the more obvious problems relate to the failure to provide appropriate accommodation: " Travellers are subjected to frequent evictions where women are specifically targeted; tenches are dug around caravans; and there are often no basic amenities." More generally, Travellers have to deal with widespread social stigma and discrimination. They are frequently denied access to facilities and services and women Travellers-as the primary care takers in their community-are often on the frontline of this abuse as they go shopping or seek out health and social services on behalf of their families. In addition, Traveller children are subjected to bullying at school by settled children, which undermines their human right to education.

### **Refugees and Asylum Seekers**

The status of refugees and asylum seekers is also of concern in this context. The human rights of refugees is not only about their legal status with regard to the state, but about the way they are treated by society and by

individuals more generally. The growing negative image of refugees in Ireland is a serious cause of concern. In addition to facing discrimination on grounds of race and/or ethnicity, we should also be vigilant about the gender-specific aspects of the treatment of refugees. Further, the fact that asylum seekers are not allowed to work or study while awaiting a decision on their application for asylum - a process which can take many years - also raises many questions the human rights status of refugees in Ireland.

### **Violence against Women**

Domestic violence must be brought into the public domain. The private must be made public in that we acknowledge such violence as a violation of human rights. We must insist "that the state is responsible - that what happens in the domestic arena is also political." Recognising violence against women as a form of discrimination and persecution demands that the state supports adequate remedial and preventive measures. However, the provision of refuges is grossly inadequate with many refuges having to turn women away. One participant, for example, told of a situation where a twelve year-old boy was denied entry to a refuge and the whole family then refused to go as a result.

There is also gender-based persecution in the public domain - either by individuals or by representatives of the state - which needs to be monitored and addressed. For example, the human rights of lesbians are routinely violated through marginalisation, added burden of family responsibilities is a form of discrimination.

### **Human Rights Education**

Programmes are needed to promote an awareness of rights among women. The language used to discuss human rights can be too legalistic and inaccessible. While we need to be familiar with our human rights and the human rights system, we also need to simplify it to make it accessible to all women. One suggestion made by participants was to produce a summary of the UN conventions that Ireland has signed and to organise workshops to discuss the implications - including levels of state and UN responsibility for the areas of discrimination that concern us. The working session identified two inter-connected levels of work in area of human rights education: first, the political level where dissemination of information aims to connect women at the local level to wider campaigns for change; and second, where human rights education is used as a tool to strengthen local work and to "set out our own agendas."

### **Rural women**

Women experience difficulty in accessing services in rural areas and this leads to their isolation. Again, participants highlighted access to childcare for women in rural areas as a significant aspect of what women's human rights mean. Further, women who are married to farmers experience the limits of economic dependence in specific ways; "Farming women in later life have no pension rights and there is no means-tested benefit system for rural women."

## **Economic Discrimination and Exploitation**

In identifying women's human rights concerns under this theme the working session participants emphasized the following:

### **Economic Independence and Access to Income**

Participants urged an examination of obstacles to women's education, training, employment, career advancement, and credit. For example, in Ireland, many FAS training programmes are "outdated or irrelevant," or community employment schemes may be unavailable to women because they tend not to register as unemployed and are therefore ineligible. In addition to having greater access for women to existing programmes, there must be "a wider vista of access routes" to economic independence that are more in tune with women's realities.

There is a need for more resources to develop lobbying and public awareness campaigns at the national and international level that would underscore the "need for women's economic independence." Such campaigns are vital in making women's human rights visible. The recent live Register Campaign, which was co-sponsored by the National Women's Council of Ireland and the Irish National Organisation of the Unemployed and aimed to educate more women about their entitlements as unemployed people, is an example of the kind of strategy needed in this context.

There is also a need to introduce measures that acknowledge the economic value of women's unpaid work and facilitate women receiving pensions in their own right whether or not they have worked outside the home.

More generally, we need to consider other areas where assigning an economic measure or value to an unrecognised area would serve to highlight the extent of a human rights problem and the need for action. For

example, if we were to measure the "downstream costs to society of violence against women" in terms of the resulting healthcare costs, work days lost, or the cost of additional social services for the women and children involved, government departments "would sit up and take notice."

### **Education and Training**

Training programmes for women must prepare them for more high-skilled jobs so that women are not trapped in low-skilled, low-paid work. However, efforts to develop women's capacities and to ensure job opportunities for women must address the needs of women from diverse backgrounds, including the inner-city, rural areas, or the Traveller community, for example. The concerns of women from marginalised groups must be incorporated into all strategies (governmental and non-governmental) aimed at improving the economic status of women. Therefore consultation and networking across social and class divides is essential to the realisation of women's rights as human rights.

Human rights education that would "empower women to know their situation and to name their rights" is a critical part of advancing women's human rights, including economic rights. Further, gender training and awareness should be incorporated into curricula for all young people throughout the education and training system to discourage gender stereo-types which limit both women and men. At the same time, gender-aware development education should also be incorporated into all curricula in order to foster greater international solidarity in a global era.

### **Child Care**

If all women are to have equal opportunities in education, training, and employment, more affordable and extensive child care facilities are required. However, the issue of child care is not just about enabling women with children to work, it is also about "getting unpaid work recognised" whether the mother chooses to work outside the home or not. A review of the current situation is required whereby women are expected to be the primary care takers in families and to bear the burden of the parenting role. Greater sharing and recognition of child care and household work is central to realising women's economic rights.

### **Exploitation of Women Workers**

Because women are more likely to undertake part time and/or informal work to accommodate the demands of the family, they are vulnerable to low-paid and insecure work without benefits, such as pension plans and health insurance. Women are also more likely to face discrimination with regard to hiring and promotion to senior positions because they take time out for maternity leave, child care and so on. Also the failure to measure and value women's unpaid work must be addressed along with broader issues around the exploitation of carers in the home.

### **Sexual Exploitation**

Sexual exploitation needs to be examined. Why do women become prostitutes or work for the pornography industry? The links between poverty, women's lack of choice, and the sex trade need to be understood.

### **Lack of Representation and Access to Decision Making**

There is inadequate representation of women at decision-making levels in trade unions. In addition there is a lack of representation of certain areas of employment within the trade union movement so that there is a need to organise women home workers, for example. More generally, in the political system women are severely under-represented. The fact that there are few if any female ministers for finance anywhere in the world, for example, is indicative of women's systematic marginalisation from power.

Participants argued that more women in decision making positions does have a positive impact on policy. One example cited was the EU Working Time Directive, which emerged as a result of an initiative by unions and businesses where women were well represented. However, the fact that this directive has been somewhat diluted at the level of national implementation underscores how, when using regional or inter-national agreements to advance "domestic" goals, there is a need for continued lobbying from the various social partners.

In order to "challenge the oppressive systems" women face, we need to engage in extensive networking to "ensure the political power is there" in the form of elected representatives who are supportive of the changes that are required. It was suggested that 30% support reflects the critical mass needed to achieve change.

### **Impact of Globalisation and Global Education**

There are benefits and losses for women in the current drive towards globalisation. On one level, globalising forces can undermine and threaten human rights, and on the other, they afford the possibility of global solidarity around important issues. The situation of the Ogoni people is a case in point. The Nigerian government, driven by the

imperative of attracting multinational corporations, in this case, the Shell Oil Company, committed a series of atrocities against the Ogoni people to clear the way for Shell's operations in Nigeria. While illustrating the threats posed by a globalising economy, this situation also prompted an effective international boycott against Shell, which is a good example of using such opportunities to build global solidarity and conduct global education. We need to develop similar strategies in response to gender-specific violations around the world.

Furthermore, in the context of globalisation, there is a need for greater economic literacy - through initiatives that would "bring global economics to the level of the household, linking the local and the global." In this way women can better understand how global economic trends are affecting their lives and can exercise more leadership in this area. Also, gender perspectives must be brought to bear on Development Education programmes and in understanding development issues per se. In addition to providing the financial resources needed for such initiatives, steps must be taken to ensure that women are able to effectively use the resources available.

## **Cultural Rights, Human Expression and Social Inclusion**

### **Education about Difference**

The working session stressed the need for information exchange and education "across issues." However, the provision of the information and education should not be the sole responsibility of excluded groups; all women and all women's groups should inform and educate themselves about the concerns facing other issue-based groups.

Education about difference, both ethnic and cultural, but also difference in relation to disability, should be incorporated at all levels, from primary school onwards, in the formal and informal sectors. The group stressed the need for information and education on different cultural backgrounds in order to foster respect for difference.

The participants underscored the importance of "making difference visible," particularly in relation to deaf women and argued that "not being heard" means "not being visible."

However, the need for information can "pressurise members of discriminated-against groups." We need to be aware of this and make the effort to inform ourselves. A member of the lesbian community said that "lesbians are continually expected to provide support for themselves and information for those outside, on top of the pressure of the decision of whether, when and how to come out." Participants felt strongly that it is up to women's groups to inform themselves within their work about the human rights of other women and to embrace the needs of women from minority groups including those of lesbians. Likewise, four members of the deaf community in the working session strongly stated their frustration that deaf women are expected to take on the identity of the hearing community. Hearing people rarely approach deaf people for information. The burden remains with the deaf community to pay the price for their lack of access-both economically and socially in terms of a lack of knowledge of "deaf culture" in the hearing community. The lack of awareness among hearing people is a major obstacle to deaf women accessing their human rights on many levels. Deaf women, for example, face particular problems in relation to health and access to health services.

Deaf women must be acknowledged and supported in the role they are playing in providing information to hearing people so that they do not continue to bear all the costs. It is important to recognise that "disseminating information is often a matter of resources"- the politics of scarce resources where the least visible communities have the least access to resources and are therefore more likely to remain invisible. Shireen Huq pointed out that in Bangladesh, for example, there would be no resources to fund and provide signing services for deaf women to take part in any political gathering.

The group discussed possible strategies to "inform ourselves of the problems facing excluded groups." Education has a large role to play as a tool for change. However, education can also act to reinforce the status quo and we must guard against this possibility. The formal education sector needs to learn from the informal education sector which by definition is more inclined to be responsive to the needs of marginalised groups and individuals.

In the context of communities that are deeply divided, as in Northern Ireland, or where social exclusion is systemic, as in the case of the Traveller community, there is a particular need "to reach beyond the actual curriculum" and to create situations where "we can learn from each other."

Furthermore, there is a need for action-oriented research around issues of difference and social exclusion that will inform mainstream education. For example, Ronit Lentin reported on a research project she is engaged in for the National Committee for Development Education on "Experiences of Ethnic Exclusion in Ireland" which will lead to the production of teachers' action packs to be used in primary school classes.

### **Networking across Issues**

Networking among women within specific communities is an important means of communication, information dissemination, and building solidarity. One example given was of Traveller women who get the information they need from other Traveller women - this points to a strength within the Traveller community which can be built upon to advance human rights objectives.

In this context, women networking across issues is also important. In particular, as a central means of "building solidarity among women, informing ourselves and sharing and increasing our power," participants in the working session proposed a focused strategy of working with women across Issues. Traveller women's groups, for example, would link with deaf women's groups in order to increase solidarity and power.

The working session concluded that the most effective strategy to advance human rights in relation to cultural difference within our own work is to collaborate with other groups that are focused on a specific issue or that work with a particular community. This would

- give support to other groups
- pool ideas and other resources
- encourage communities (e.g. lesbians, Travellers) to come out or be visible more comfortably

Working with other issue-focused groups requires respecting the diversity and difference while working together on common human rights goals. Such work across issues can be done through art, for example, which does not recognise borders or through religion (although the Christian message alone was thought not to be adequate). In the context of working together we also need to recognise the constraints that may be present for different groups; working with rural groups, for example, may involve addressing problems of isolation, access and transportation.

### **Using a Human Rights Framework**

Although Human Rights is a Western concept and, within Ireland, a concept of the "dominant ideology," we should not be put off by it. Shireen Huq (who participated in the working session as a resource person) argued that the human rights framework must not be condemned because of its Western origin. However, we must address not only civil and political rights, but also social and economic rights. The two cannot be separated even as we engage in human rights work. In the first instance the dissemination of information and provision of education about our rights need a financial base. But there is also a need for economic means to obtain the rights at a practical level - knowing your rights is not sufficient without the economic resources to access and enjoy those rights.

Another important idea that needs to be further developed and advanced is the indivisibility of human rights. For Traveller women, for example, not having access to basic facilities is a major human rights issue. Similarly, people with disabilities experience social exclusion because of the failure of government and society to ensure access to basic amenities. However, a number of participants pointed out if even traveller women did enjoy greater economic rights, they would still be discriminated against because they are Travellers; they need their political and civil rights to fight discrimination and yet one set of rights (political and civil) is not more important than the other (social, economic and cultural).

### **Resources**

Resources are needed in order to provide information, education and other services, such as telephone help lines. However, resources ought to be sufficient to ensure that services are made accessible to everyone, for instance deaf women and children. Another example given was that of refuges for women who experience violence. Often they do not cater adequately for Traveller women; they are constructed by and within settled communities.

### **Building Solidarity and Affirming Differences among Women**

Shireen Huq shared the Bangladesh experience of International Women's Day when women with different political beliefs marched together. For example, mainstream members of the women's movement marched together with women working in prostitution despite the ongoing debate and lack of consensus within the women's movement in relation to prostitution. This was the first time this was achieved in Bangladesh. Such a strategy offers an opportunity of visibilising difference and showing that it need not automatically mean conflict.

The group recognised that in Northern Ireland "different ways of growing up make it difficult to discuss beliefs across the divide." Furthermore, "in order to be able to conduct open and honest conversations across divides people need to feel safe." We need to focus on what is required to foster that sense of safety and ask ourselves "what happens when women do not feel safe?"

## **4 Strategies for Action**

## General Strategies

Implementing the Beijing Platform for Action and the Vienna Declaration

Feminist Approaches to Human Rights Education

Expanding Resources and Networking for Women's Human Rights

Using Human Rights Instruments, Procedures and Lobbying: Political and Legal Strategies for Action

The thematic working sessions covered in Part 3 focused on identifying the gender-specific human rights issues within each theme in the context of Ireland - North and South. Each session also highlighted the kinds of actions and strategies that are needed to address the issues raised and to build a campaign for women's human rights in Ireland. The first section in Part 4 summarizes the general strategies that emerged in these discussions. The remaining sections report on the second set of conference working sessions, which focused on possible strategies and important issues in the areas of implementing international human rights agreements, feminist approaches to human rights education, and advancing networking and resources for women's human rights.

## General Strategies

### Networking and Solidarity

Networking to share ideas, experiences, and resources and to identify common concerns is vital to building a women's human rights campaign in Ireland. In this context we need to "pioneer" new ways of working together.

Networking needs to take place between local groups, as well as among local, national and international groups.

Networking should create concrete spaces for women to come together to express their needs and to formulate their own strategies for action.

Networking must also cut across issues, such as violence against women and the concerns of women with disabilities, and across sectors such as community development, academia, mainstream human rights groups, women's groups, the legal profession and so on.

Communication, consultation, and the two-way flow of information is key to effective networking around women's rights as human rights. Local groups, for example, need to learn about human rights instruments while human rights groups need to listen to local perspectives on important issues and act as a resource to those groups.

Women's groups and mainstream human rights NGOs that have access to the international arena need to ensure that smaller local groups are represented and informed.

In the context of Ireland, more North-South meetings are essential to develop discussions, widen perspectives, and create common ground for action.

While working locally, it is important to keep the national, regional and international dimensions of our concerns in sight and to take this need into account when planning projects.

Networking around women's human rights involves informing ourselves about, and expressing solidarity with, women in diverse groups.

### Education and Awareness

There is a need for global education programmes that would look at issues such as poverty or reproductive health, for example, and highlight the common ground between women in Ireland and other regions.

Human rights education is needed to create awareness about human rights ideas and practice in relation to women's lives. Such programmes should be action-oriented, use accessible language and formats, and look at local agendas in light of human rights instruments and tools.

A human rights handbook is required that would give summaries of all the treaties and agreements signed by the government along with discussion topics and questions.

Personal development programmes that foster women's skills, capacities and self esteem are an important step in the wider context of promoting women's human rights. This includes developing a sense of ownership and entitlement with regard to setting policy agendas and asserting demands.

Education campaigns and programmes are needed to challenge prevailing attitudes and practices that undermine women's human rights—either on the part of individuals or government, or that are widely held throughout society.

NGOs that have more experience working within the human rights system like Amnesty International, the Irish Council for Civil Liberties and the Commission for the Administration of Justice should work in partnership with other groups that are now developing human rights analyses and actions.

We need to be innovative about women's human rights education and how to mobilise different constituencies of women. Women working in the home, for example, can be isolated and politically invisible. They are unlikely to see such concerns as childcare, access to jobs, or domestic violence as human rights issues. Informal venues such as coffee mornings or parent-toddler groups should be used to foster discussion and to make the issues of women in the home more visible.

### **Lobbying**

When lobbying elected officials at the local, national or regional level, NGOs and individual women can use particular articles and paragraphs of human rights treaties and agreements that the government has signed (including the Beijing Platform for Action and the Vienna Declaration) to strengthen their recommendations. Using the language of human rights is an effective way of giving local issues more credibility.

In addition to using human rights agreements to backup local agendas, NGOs need to lobby the government to ratify outstanding treaties and to remove reservations and fully implement treaties already ratified.

Further, the government must be lobbied to develop national plans for the implementation of non-treaty human rights agreements like the Vienna Declaration and the Beijing Platform for Action.

In addition to lobbying elected officials and government departments, there are opportunities each year to lobby at intergovernmental human rights gatherings where key decisions are made about human rights practice and procedures, including the annual meetings of the UN Commission on Human Rights (Geneva) and the Commission on the Status of Women (New York), and the meetings of various committees overseeing different UN human rights.

### **Some Suggested Areas for Action**

Seek the recognition of women's economic rights, for example, including women's unpaid work in calculations of the Gross Domestic Product, making provisions for women to receive pensions whether they have worked inside or outside the home, and investigating obstacles to women's access to credit.

Seek the development of national childcare and early childhood education policies that would provide comprehensive, affordable and accessible services.

Target gender equity in education and training; call for research into the obstacles to women's education, training and employment, and for policies that will increase women's participation in high-skilled and high-tech employment.

Develop co-ordinated national media campaigns to combat negative gender stereotyping and racism.

Seek legislative reforms including a renewed campaign for comprehensive equality legislation, and calling for the implementation of the Refugee Act, and the immediate reform of the Incitement to Hatred Act which is ineffective and is often used as an excuse not to bring in other legislation.

Call for equality within government structures - elected and administrative - and seek plans of action to accomplish this goal. One suggestion for advancing women's representation in politics is the formulation of women-only political parties. There is also a need for in-depth research into the obstacles preventing women from taking up public office.

### **Suggestions for Conference Follow-up**

Plan regional meetings to bring the conference proceedings closer to the local level.

Circulate the list of all who attended the conference to facilitate the formation of an ongoing women's human rights network.

Publish and disseminate the conference proceedings along with useful information to facilitate networking among the conference participants and others.

# Implementing the Beijing Platform for Action and the Vienna Declaration

## Information

Groups can request a copy of the Beijing Platform for Action (PfA) and the Government's Report on Implementation of the Platform for Action, from the Department of Justice, Equality and Law Reform. However, we should also request that copies of the PfA be made available to schools and libraries and so on. Copies of the Vienna Declaration are available from the Department of Foreign Affairs.

In addition, a co-ordinated approach to providing information on women's human rights is needed. There are many "pockets of activity" at present around implementing women's human rights. There is a need for a single coordinator to gather and disseminate information to help focus and develop activities in this area; the language of international documents can be complex and it is important that information is available in "plain words" so that everyone can understand it and participate in related activities. In addition to "exchanging information among ourselves" therefore there is a need to undertake co-ordination of information dissemination at the national level and to consider how to resource this type of activity.

## Lobbying

The Platform for Action (PfA) or Vienna Declaration are not going to be implemented or taken seriously at the national level unless there is sustained lobbying from a broad range of women's groups to do so. However, the PfA is a lengthy document and in order to be effective in lobbying for its implementation it needs to be "broken down into achievable tasks." It is important to highlight that the PfA "is there to serve groups and should be used to lobby on each group's specific issue" in the relevant government departments. Therefore, groups do not have to take on the whole PfA in order to use it in their work. However, coordinated lobbying strategies are also a good idea and NGOs could agree among themselves to tackle specific areas of the PfA in order to ensure that all the areas are covered. Another example given was of women's groups in Northern Ireland who used "ten key questions" to challenge politicians during the UK election campaign - a similar strategy might be taken with regard to the PfA. The PfA also contains useful data that can be used to support groups' recommendations.

## Involvement of NGOs

One of the commitments explicitly made by the Irish Government while in Beijing was to "provide for the appropriate involvement of Irish NGOs in the implementation of the Platform." Yet, the first report on implementation of the PfA was produced without the participation of women's groups. This raises questions about the Government's commitment to NGO participation and underscores the need for NGO vigilance if international agreements are to be implemented nationally in a meaningful way.

A co-ordinated NGO response to the Government's report on implementation of the PfA is needed. This would include input from all NGO sectors and provide of a list of short-term and long-term actions that NGOs want to see taken in order to realise the PfA in Ireland.

## Using Key Dates to Take Action

Use key dates during the year to link with other groups to organise events and lobby around a particular issue in the PfA. For Example, International Women's Day (8 March), International Day of Action for Women's Health (May 28), International Day Against Violence Against Women (November 25), and International Human Rights Day (December 10).

The 50th Anniversary of the UN Universal Declaration of Human Rights will be celebrated by the UN and member governments throughout 1998 (beginning on December 10, 1997, and concluding December 10, 1998). This will provide opportunities to ask the government what it is doing in this context and to make recommendations and secure national level commitments to implement the PfA and other UN commitments to women's human rights.

For example, women might call for:

- A review of particular national laws and policies for their consistency with international commitments to women's human rights, for example in the areas of women's poverty, women's health, and gender-sensitive social welfare policies.
- Gender balance (no more than 60% and no less than 40% of either sex) on all state boards
- Renewed efforts to implement equality legislation as promised by the Government in Beijing
- remove existing reservations to the Convention on the Elimination of All Forms of Discrimination Against Women.

# **Feminist Approaches to Human Rights Education**

## **Challenging Structures of Power**

Feminist human rights education seeks a transformation in the way that power is exercised throughout society, locally and globally, in public and in private, so that women's human rights can become a reality. It includes education about civil and political rights such as the right to run for public office, as well as economic and social rights such as the right to equal pay, to belong to a union, or to have access to adequate health care and child care services. It also looks at gender specific human rights issues such as violence against women, reproductive rights and women's poverty, and promotes the use of human rights language and tools to bring about change.

It is also important to acknowledge the need to work at different levels. While a systemic social analysis ought to inform our work, some actions might not necessarily challenge power structures. There is also a need for the personal development of women.

## **Combining Human Rights and Feminism**

Feminism and human rights are similar in that they can both be seen as a "world view" and as an ethos or analysis that can be brought to bear on any situation. It is a useful strategy to link the language of feminism to that of human rights because "it is more difficult to oppose a human rights issue than a feminist one." The human rights model also allows us to name the different aspects of oppression - for example, the discrimination from the settled community faced by Traveller women because they are Travellers, and the domestic violence some Traveller women experience because they are women. At the same time it underscores the commonality of our experience in our expectation and entitlement to be treated with respect and equality by virtue of our humanity.

## **Recognition of Difference**

The recognition and acceptance of difference within the women's movement must form a cornerstone of any human rights education strategy. It is important to include women from diverse backgrounds and not to make assumptions on the basis of labels. An example given was the assumption that all lesbians are feminists or that all feminists are lesbians. As part of human rights education, for example, it is important to examine the homophobic attitudes which prompt many to reject feminism because they fear the label "lesbian" and to recognise the pervasive hostile attitude to lesbians in our society as a human rights concern. Similarly, feminist human rights education will incorporate the concerns of women with disabilities and Traveller women, for example, and work to ensure that they have greater visibility.

Concrete applications of feminist approaches to human rights must be developed. We need to include more women and we need to look at ways we can access women who are outside women's groups. It is very important to "find ways of working with women where they are at." This involves discussing feminism and "demystifying the word so that we can discover all that we have in common." Some felt that the term "women's human rights" as opposed to "feminism" is more acceptable, especially where women are working in contexts where there is a "distrust of gender." However, while the "human rights label" encourages people to take women's issues seriously, it should not provide an excuse not to address "feminist issues."

Gender awareness education should be encouraged and developed in primary and post primary schools and greater resources must be allocated to this end. School policies need to be challenged at board of management level, if necessary, to implement gender policies and to encourage the training of staff in such issues.

Further, each person should take responsibility to educate those people around them by challenging myths. Gender-aware human rights education is also needed for professionals in all areas, including governmental, medical, legal, social work, and teaching institutions, "in order to humanise their approach."

## **Gender Proofing**

Beginning within our own organisations, we should adopt equality/gender policies and not allow the gender issue to be pushed into the background. One suggestion was to draft Equality Statements - a process which can be an effective human rights education tool. The women's subgroup of the Community Workers Co-operative, for example, is in the process of drawing up such a statement in which all difference would be accepted and supported. The importance of learning how best to implement such a statement was also stressed.

## **Making Local-Global links**

The annual international campaign of "16 Days of Activism against Gender Violence," which takes place between November 25 (International Day Against Violence Against Women) and December 10 (International Human Rights Day), is designed to raise awareness about all forms of violence against women as human rights concerns. Because hundreds of women's groups in dozens of countries take part in the "16 Days" each year, it is an opportunity to make links with groups working in other countries and to conduct human rights education activities which highlight the commonality of women's concerns across different regions. Women's Aid has been very active

in the campaign around the issue of domestic violence in Ireland. (For more information on the "16 Days" campaign at the international level, contact the Centre for Women's Global leadership - see Appendix ii).

## **Expanding Resources and Networking for Women's Human Rights**

### **Networking**

Participants in the working session viewed networking as central to increasing women's power and capacity. However, it is important to try and limit duplication and to connect to existing networks. Recognising the diversity of groups, there is a need to be aware of and to "break down language barriers." It is also important to acknowledge that "there are many different contexts in which women's groups operate" - at the local, regional and national level - and networking activities should serve to link these different contexts in a way that is mutually supportive to the women in each. Because there are many different interests and focuses, especially in relation to human rights, "there is always a need for practical information about the different groups that exist." The human rights framework, and the idea of "women's rights as human rights," offer an opportunity to "create solidarity with all the diverse interests."

### **Expanding Resources and Networking**

There is need to develop a resource pack detailing the processes involved in networking; information exchange, action alerts, collaborative activities and so on.

A directory of existing organisations at local, regional and national level should be compiled where organisations are categorised. The directory should be widely available and made accessible to people with disabilities and reading difficulties.

Establish a database/document library in a single location that would contain human rights documents and information on human rights organisations, current human rights concerns, and human rights policy discussions.

Resources must be made available to organise workshops, training sessions, and discussion groups where individual women and groups can develop a clearer understanding of what a human rights framework is and how it can benefit their work. In this context, "human rights issues must be promoted at the local level and in a context relevant to that locality."

An effective way of building any network is to mobilise support around a particular case. In the case of women's human rights, the case of Roisin McAliskey, for example, could be used to look at the gender-specific aspects of state-sponsored abuses of human rights.

A women's human rights network should be developed linking the local, regional, and national levels where "local strategic networks play a crucial role" and each group "takes responsibility for organising in their own areas of interest."

Art and creative tools should be used to raise awareness of human rights issues.

The government should be pressed to exercise its responsibility and expend more resources on human rights education at local and national levels through informal education and in the schools.

## **Using Human Rights Instruments, Procedures and Lobbying: Political and Legal Strategies for Action\***

### **Human Rights Treaty Monitoring Bodies and NGO Input**

Many human rights bodies (such as the committee that oversees the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)) welcome the direct input of NGOs, especially when they are due to review the official government report for a given country. This is an opportunity for NGOs to provide information on human rights violations and concerns that the CEDAW committee may not receive in the official report.

Preparation of NCO shadow reports to accompany official government reports under various conventions (for example, CEEDAW or the International Covenant on Civil and Political Rights) can also be an effective strategy to

encourage more attention to human rights domestically and not only as a "foreign affairs" issue. It is also an opportunity for human rights education and to encourage public debate about human rights. An NCO shadow report should ideally follow the same structure as that of the government report to allow for ease of comparison. A collective co-ordinated NCO report in a particular state, rather than a series of individual and issue-based commentaries, is more likely to be effective. It was also suggested that the international committees which examine state reports prefer that NGOs do not contribute to the government report, but make independent comment on it.

### **Co-ordinating the Lobbying of Human Rights Committees**

When the official government report is coming up for review it is a good idea for NGOs to coordinate their lobbying efforts so that the committee in question asks the most crucial and relevant questions at the time of the presentation and examination of the report; often members of an international committee may not understand the key issues facing a country or they may misinterpret the most pressing needs. Furthermore, an NGO's physical presence at the committee hearing is extremely effective with much of the most useful work being done during informal encounters with the members of the committee.

### **Individual Complaints to the CEDAW Committee**

Shireen Huq spoke of the particular importance of CEDAW. She argued that its content and spirit go beyond traditional approaches to non-discrimination by concentrating on both the legal and informal recognition of rights, emphasizing equality of outcome rather than just equality of opportunity. One of the main drawbacks of the convention has been the lack of an "individual complaints procedure" which would allow women whose rights under CEDAW have been violated to present their cases to the CEDAW Committee and have a public inquiry into their claims. However, there are efforts underway to introduce such a procedure and it is expected that this avenue will be available to individual women and groups by 1998. This will strengthen the CEDAW convention enormously.

### **The Special Rapporteur on Violence against Women**

Florence Butegwa noted that Radhika Coomaraswamy, the Special Rapporteur on Violence against Women, also represents an important avenue to advance women's human rights. The mandate of the Special Rapporteur is to gather information (largely from NGOs) and to make recommendations to the Commission on Human Rights on the issue of violence against women in the home, in society and in situations of conflict. The Special Rapporteur is open to receiving information from NGOs, so working with her office is a potential human rights strategy for those who want to bring attention to particular deficiencies in the protection of women's human rights in relation to gender-based violence.

### **Limits to the Effectiveness of Human Rights Agreements**

Pauline Conroy pointed out that with respect to all human rights instruments there is a need closely to examine the extent of to which governments dilute their responsibilities under human rights conventions by retaining "reservations" either to the conventions themselves or to the "protocols" which would make them effective. To encourage full accession, states must be lobbied to improve national legislation - bringing it in line with international commitments - and to remove reservations. In this regard it is to be remembered that access to the European Court of Justice, for example, for an individual, is protracted, costly and complicated. There is also an obligation on NGOs to monitor the circumstances surrounding the accession of new states to regional instruments or associations, particularly the EU where permission to opt out of key human rights agreements regarding woman's rights may be granted in order to facilitate entry of a state which does not promote women's rights as human rights.

### **The Need for Information**

There is a need for accessible and clear information in relation to the extensive array of human rights agreements, mechanisms and processes which may be utilised by individuals or groups. This could include a calendar of important human rights meetings and deadlines, as well as information on dates and methods for submission of reports to the various mechanisms. It is also important for NGOs that are familiar with the human rights systems (such as Amnesty International, the Irish Council for Civil Liberties, the Commission for the Administration of Justice, and other human rights experts) to share their knowledge with other NGOs.

### **Lobbying Domestically for Human Rights**

In addition to providing shadow reports under different treaties, NGOs can also lobby for the full ratification of all the UN human rights treaties including, in the case of Ireland, the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. In addition there are a number of reservations to the CEDAW which should be reconsidered.

### **NGO Diplomacy**

It was suggested that it is important to avoid "confrontational strategies" when dealing with international human rights bodies; there are examples of incidents where "direct and adversarial action on the part of an NGO forced a backlash by the international bureaucracy against the cause itself." Political and diplomatic dialogue are important in these contexts, including the use of accepted institutional language when discussing the issues within the frameworks of the mechanisms.

### **Access for NGOs in Developing Countries**

Some NGOs in developing countries have great difficulty accessing copies of documents - often even those produced by their own governments. It is important for NGOs in different states to assist and show solidarity in exchange and networking. The Internet is a very valuable tool in this regard.

*For more practical information on many of the issues discussed in this section, see Jane Winter, **Human Rights Human Wrongs: A Guide to the Human Rights Machinery of the UN** (British Irish Rights Watch, 1996); Christine Bell (ed.), **Women's Rights as Human Rights: A Practical Guide** (Centre for International and Comparative Human Rights Law, 1997); and **Women's Human Rights Step by Step** (Human Rights Watch Women's Rights Project, 1997)*

*' See Appendices iii and v for an overview of the UN system.*

## **Appendices**

- i Organising Committee and Resource Persons Contact List
- ii International Human Rights Resource List: UN/EU and NGO
- iii Overview of UN Human Rights Tools
- iv List of Human Rights Agreements Signed or Ratified by Ireland
- v Chart of Principle UN bodies Concerned with Human Rights Protection and Promotion
- vi Short Bibliography / Documents List

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### *Appendix iii*

#### **Overview of UN Human Rights Tools\***

##### **The limits of the System**

Formal processes for filing complaints of human rights violations are constrained on a number of levels. Documentation submitted for consideration to UN international human rights bodies must name the state or states responsible for the violations. Where violations or patterns of human rights abuse do not result from direct state action, but from the state's failure to take preventative action or to actively ensure justice, it can be difficult to establish state accountability and to clarify who is the violator. A complaint is more readily processed and a ruling of human rights given when the violations are carried out by individuals acting as state agents, as in cases of arbitrary arrest or torture in police or military custody. This focus fails to address many of the violations women experience at the hands of non-state actors and/or in private settings.

A further limitation to securing legal redress on the basis of a particular covenant or treaty is that the mechanisms of accountability are entirely voluntary. The state must have signed up to the treaty and it must also agree to cooperate with the treaty body overseeing the state's compliance before the state can be held formally and publicly accountable. Also, when individuals are submitting complaints in reference to specific covenants, they must show that all domestic remedies have been exhausted before appealing internationally. Nevertheless, where a situation exists that is recognised as involving gross violations of human rights, then the international community can take

action on the grounds that the conditions in question undermine the tenets of the Universal Declaration which every state is morally bound to uphold.

### **The Optional Protocol or Individual Complaints Procedures**

The most well-known "Optional Protocol" is a companion mechanism to the International Covenant on Civil and Political Rights (ICCPR) and affords the highest degree of public accountability and effectiveness. It allows individuals to make formal complaints to the Human Rights Committee, the body overseeing the treaty. However, the Human Rights Committee can only process non-anonymous complaints concerning those states that have signed and ratified the ICPCR and its optional protocol. Once a case satisfies the committee's criteria, the person making the complaint will be informed of, and may respond to, developments along the way including responses made by the state in question. However, the entire process may take up to three years to produce a ruling. While the final ruling is not legally binding, it does send a strong political and moral message to the offending state, and if remedial action is not taken pressure will be escalated when the state is next up for review.

The fact that the civil and political covenant has an optional protocol, while other human rights instruments like the economic, social, and cultural covenant (ICESCR) and the Women's Convention do not, underscores the hierarchy built into human rights practice. Further, the rights delineated in the ICESCR are qualified as aspirations to be achieved over time so that violations - even when life-threatening - are not treated as urgent. This represents a particular obstacle for women who wish to remedy violations that are perpetrated in the name of culture or religion, or are the result of gender-based economic exploitation. However, in response to women's lobbying in recent years, the 1997 meeting of the UN Commission on the Status of Women convened a working group to draft an optional protocol to the Women's Convention which is expected to be adopted in 1998.

In addition, the committees overseeing the Convention on the Elimination of Racial Discrimination (ICERD) and the UN Convention against Torture (CAT) do receive individual communications regarding human rights abuses. The Commission on the Status of Women (CSW) also prepares two lists each year of human rights violations affecting women, one of which is public and the other confidential. Two of the UN specialised agencies, the International Labour Organisation (ILO) and the United Nations Educational, Scientific and Cultural Organisation (UNESCO), have also created international legislation in defence of human rights within their mandated areas and supervise its implementation.

### **Government Reports under UN Treaties**

Whether or not a treaty or convention has an optional protocol, all states are required to submit regular reports to the treaty-monitoring committees detailing the steps they are taking to implement the treaty provisions. The treaty bodies also welcome alternative reports from non-governmental groups which they will consider when reviewing states' compliance with the treaty. Not only can non-governmental submissions influence the policy recommendations and official statements of international bodies, but they may be used to shame the government involved into taking action on a particular case or issue.

### **"1503" Procedure**

Another major avenue to register complaints of human rights abuse is the "1503" procedure that allows the UN Sub-Commission on Prevention of Discrimination and Protection of Minorities to receive reports of any "consistent pattern of gross violations of human rights and fundamental freedoms ... affecting a large number of people over a protracted period of time." Under this procedure, an individual or group can submit a report. The Sub-Commission may then enter into dialogue with the state or states in question, undertake an investigation based on the complaint, establish a thematic working group, and/or appoint a special Rapporteur. However the process is completely confidential and the person or group making the submission will not receive an official response and may never know the impact of their complaint.

### **Special Rapporteurs and Working Groups**

There are dozens of thematic and/or regional special rapporteurs, representatives, and working groups within the UN human rights machinery which depend upon non-governmental sources to carry out their investigations into human rights abuse. These special procedures cover topics such as discrimination against AIDS/HIV infected individuals, violations relating to extreme poverty, indigenous peoples' rights, human rights abuse in occupied territories, and several with gender specific mandates such as the Working Group on Contemporary Forms of Slavery, the Special Rapporteur on Traditional Practices Affecting Women and Children, and now the Special Rapporteur on Violence against Women. More recently the Special Procedures Branch of the UN Centre for Human Rights has established a Human Rights Hotline for victims of human rights violations, relatives of victims, and non-governmental groups.

*\* An earlier version of this overview was published in Niamh Reilly, State Accountability for Women's Human Rights in Ireland (WERRC, 1997).*

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