

## INDIA FORWARD MOVING STRATEGIES FOR GENDER EQUALITY 2008

### Sixth South Asia Regional Ministerial Conference COMMEMORATING BEIJING

17-19 January 2008, New Delhi, India

1. WE, Ministers, Secretaries and Senior Officers of the Governments in South Asia, women's groups/networks, civil society, and researchers from – Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka, with representation from the SAARC Secretariat gathered at New Delhi from the 17<sup>th</sup> to 19<sup>th</sup> January 2008 for the Sixth South Asia Ministerial Conference “Commemorating Beijing” jointly organized by the Ministry of Women and Child Development, Government of India and UNIFEM South Asia Sub-Regional Office.
2. We continued the process of regional sharing and learning along with a regional prioritization of key concerns, drawing upon regional trends and analysis. In pursuance of the Islamabad Declaration 2005 which recognized the importance of “integrating the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Beijing Platform of Action (BPFA) into national indicators and all other processes to monitor achievement of the Millennium Development Goals. This meeting also brainstormed and strategized on some critical concerns related to gender equality especially ‘Substantive Equality and Gender Justice in South Asia’.
3. While recalling and reaffirming the commitments for the realization of women's human rights and gender equality made in the Beijing Platform for Action 1995, the outcome document of the Beijing + 5 and resolutions of B+10 review at the 49<sup>th</sup> session of the Commission on the Status of Women, the Paris Declaration on Aid Effectiveness, and the substantive framework provided by the Universal Declaration of Human Rights as well as CEDAW ratified by all countries of the region, all other relevant documents including UN Security Council Resolution 1325 on Women, Peace and Security;
4. **We acknowledge developments in the following areas:**
  - a) Increased commitment and established mechanisms to implement the CEDAW Committee's Concluding Comments
  - b) Increasing efforts to integrate gender equality and inclusive growth in recent developments plans
  - c) Increasing use of gender responsive budgeting as a tool to realize gender equality
  - d) Increasing efforts to incorporate a gender responsive approach in the process of constitution making and reform
  - e) Recognizing the contribution of women in the informal sector; launch of HomeNet South Asia and the adoption of the South Asia Regional Action Plan for Home Based Workers
  - f) Enactment of legislation on domestic violence in some countries and preparing of draft bill in others
  - g) Efforts to engender disaster management including through regional sharing
  - h) Acknowledgement of HIV as a development, security and human rights issue with differential gender implications and impact
  - i) Greater realization of the rights of migrant women workers and their contribution to the economy of their home countries
  - j) Recognition of the need for women's equal rights to property, land and other productive assets
  - k) Development of a jurisprudence on women's rights in conformity with CEDAW, BPFA and other relevant documents in some national courts
  - l) Increasing participation of women in new areas of Information Technology Communication (ICT)
  - m) A consensus among countries in the region on developing a SAARC Gender Data Base with support from SAARC Secretariat and UNIFEM to facilitate further peer review and achieve gender equality

5. We recognize the continuing **gaps and challenges** in the following areas:
- a) Inadequate implementation of plans, policies and programmes relating to women due to inadequate allocation of resources
  - b) Inadequate accountability in integrating gender equality into policies
  - c) Lack of expeditious enactment of legislation on gender equality and non-repeal and amendment of discriminatory laws, and failure to implement those laws that have been enacted
  - d) Inadequate progress in meeting the commitments under Article 9 of CEDAW on gender equality in citizenship laws.
  - e) The continued feminization of poverty and its further accentuation due to adverse effects of globalization
  - f) Inadequate progress in giving equal access to economic opportunity, land and livelihoods with dignity and personal security
  - g) Rising phenomenon of all forms of violence against women, including in conflict and disaster situations
  - h) Inadequate commitment, awareness, measures and resources to combat violence against women.
  - i) Inadequate attention to eliminating harmful traditional practices that continue to infringe the human rights of women
  - j) The increasing prevalence of HIV/AIDS among women, including exposure to infection from husbands
  - k) Lack of gender sensitive policies and interventions to combat communicable diseases, anaemia, TB, malaria etc.
  - l) Inadequate progress in achieving women's equal representation in national and sub national legislatures
  - m) Inadequate, and lack of gender sensitive reproductive and sexual health information and services and care to women
  - n) Inadequate efforts to create awareness amongst men and lack of meaningful male involvement and participation in promoting women's rights and substantive equality
  - o) Continued lack of gender perspectives in macroeconomic policies, trade negotiations, national plans, budgets and investment decisions
  - p) Lack of reliable and relevant sex disaggregated data and gender responsive indicators
  - q) Ineffective gender training and lack of accessible gender analysis tools
  - r) Insufficient resource allocations, authority status for national machineries on the advancement of women, and their marginalization
  - s) The increasing vulnerability and exclusion of women in marginalized groups, especially *dalits*, indigenous women and positive women
  - t) Inadequate initiatives to address the needs and concerns of women in remote areas and in disadvantaged communities.
  - u) Inadequate progress in adhering to and monitoring time bound commitments
  - v) Consistent and systemic failure to regulate and set decent work/employment standards for domestic work is a special concern particularly in the case of women migrant workers
  - w) Discrimination against women in recruitment, human resource development and career advancement in the formal workforce
  - x) Rise in militarization and terrorism
  - y) Increase in religious fundamentalism and its negative impact on gender equality
  - z) Inadequate efforts to integrate UNSCR 1325 on Women Peace and Security, in response to women's issues in conflict situations and inadequate participation of women in peace and conflict resolution processes.

6. In light of the above and the importance of integrating the norm of substantive equality to achieve gender justice, we agree to prioritize our efforts and actions on a two-year plan on the following areas:

- a) To introduce mechanisms to ensure follow-up on the CEDAW Concluding Comments
- b) To prevent violence against women and adopt gender sensitive legislations/amendments and effectively implement existing legislations to end violence against women (VAW)
- c) To strengthen women's participation and leadership capacity in decision making at all levels
- d) To promote women's economic security and rights
- e) To ensure that women have the right to pass their nationality to their children
- f) To protect the human rights of women in conflict and disaster situations and ensure the participation of women in peace and conflict resolution and disaster management processes.

7. In pursuit of the above priorities we will:

- a) **Strengthen national mechanisms and institutions for gender equality and women's empowerment**
  - i) Ensure sufficient resource allocations, authority and status for national machineries for women including women's ministries and national commissions as articulated in the Beijing Platform for Action and the CEDAW Committee's Concluding Comments
  - ii) Ensure that mainstream institutions integrate women's human rights and gender concerns into their policies, programmes, activity design and implementation; establish appropriate gender management systems such as gender desks etc and conduct gender impact assessment of all development interventions
  - iii) Ensure ownership of gender equality goals and strategies across line ministries so that they incorporate gender equality objectives into activity, programme or project objectives and periodically monitor gender aspects in line ministries
  - iv) Repeal/amend discriminatory laws against women and initiate integrated efforts to implement laws
  - v) Strengthen capacity of all stakeholders for gender responsive and participatory analysis, planning budgeting and implementation
  - vi) Ensure gender responsive budgeting and identification of allocations and expenditures at all levels needed to support women's advancement
  - vii) Promote mechanisms for meaningful participation of men and boys in creating a gender just society
  - viii) Enhance and encourage corporate social responsibility to minimize the gendered effects of globalization especially among marginalised groups
  - ix) Further strengthen partnerships with women's movements and civil society organizations to hold institutions accountable for addressing gaps between commitments and practice
  - x) Support and promote regional women's networks and ensure that the needs of women and realities of women's lives are reflected in national policies and actions
  - xi) Acknowledge and appreciate the positive contribution of UNIFEM in sustaining and carrying forward the Beijing process and advocating women's rights in the region and lobby for sufficient resource allocations for the organization and appropriate status for it within the UN system.

8. **Address violence against women (VAW) and girls**

- a) Ensure that international commitments under CEDAW and Beijing Platform for Action and the outcome document of the Beijing + 5 meeting are fulfilled in regard to elimination of violence against women.
- b) Enact and enforce gender-sensitive laws and human rights norms to address the root causes of the problem, including adoption of domestic violence laws, laws prohibiting honour crimes, criminalization of marital rape, working towards eliminating harmful traditional practices and eliminating under-age and forced marriage practices, and enforcing laws on trafficking in persons and commercial sexual exploitation, with a view to re-integrating and protecting the human rights of victim/survivors and persecuting the perpetrators.
- c) Prioritize in the following areas for law reform :
  - i) Law and administrative reforms and actions to address violence against women, through health and other relevant initiatives
  - ii) Use existing research in law reforms, policy formulation and programmes and encourage further research for effective advocacy and action.
  - iii) Reform of the criminal justice system and provision of adequate resources to make it more responsive to violence against women and sensitization of the judiciary, the administrative and law enforcement machinery particularly the police and health professionals to violence against women.
  - iv) Enact or revise general anti-discrimination laws compatible with international human rights instruments, as well as the International Guidelines on HIV/AIDS and Human Rights (HR/PUB/98/1), in particular concerning all persons living with HIV/AIDS, protect against involuntary HIV testing, guarantee confidentiality of results in all sectors and ensure women's rights to sexual and reproductive health, including their reproductive choice;
- d) Promote concrete actions - safety nets, support systems and leadership development to address the reality of violence in women's lives which exposes which inter alia women to HIV/AIDS, and build institutional and professional capacities to deal effectively with VAW,
- e) Introduce curriculum changes in schools to sensitize boys and girls to the issue of VAW and the critical importance of having zero tolerance towards VAW
- f) Conduct gender-sensitivity campaigns to address violence against women as a product of larger power imbalances between the genders, and dispel female and male stereotypes in men and women that encourage violent behaviours;
- g) Promote and strengthen gender sensitive community based interventions to address the intersection of HIV/AIDS, VAW and resource less status of women
- h) Complement legislative reforms and empowerment programmes with inter-faith dialogue and "cultural negotiation" campaigns to raise awareness of the oppressive and discriminatory nature of certain practices pursued in the name of culture and religion.
- i) Research and monitor negative forces that contribute to VAW and strengthen holistic community based initiatives to eliminate VAW
- j) Implementation of the SAARC Regional Convention on Combating the Crime of Trafficking in Women and Children for Prostitution by all member countries.

## 9. Promote women's economic security and rights

- a) Provide adequate infrastructure to support women's economic opportunity, asset based, independence and livelihood that ensures dignity and personal security
- b) Provide and strengthen adequate economic security systems.
- c) Ensure that women's contribution to agriculture and the informal economy is visible in the national accounting system
- d) Protect the rights of women workers in both the formal and informal sectors especially those of home-based women workers

- e) Support women's right to own and control property and land, to inheritance, to equal access to credit, insurance, decent work and employment and equality of wages and earnings
- f) Ensure the participation and voice of women and gender advocates in the formulation of macro- and micro-economic policies global and regional trade agreements and treaties and strengthen business and leadership skills training
- g) Address the need to promote shared responsibility in care-giving roles in the family and prevent women from being overburdened by fragmented and multiple tasks and responsibilities.
- h) Recognizing the contribution of women migrant workers to national economies and ensure the protection of their human rights

**10. Strengthen women's participation and leadership capacity in decision making at all levels in harmony with the concept of substantive equality**

- a) Secure political will of the States, political parties and other actors along with mechanisms for implementation of gender sensitive electoral codes and legislation for affirmative actions for women in the legislatures and to prevent any reversal or dilution of affirmative actions already taken.
- b) Work towards ensuring that women have opportunities to be directly rather than indirectly elected / nominated to legislative bodies
- c) Create an enabling environment to allow women legislators to participate in and contribute to the deliberations and decisions of the elected bodies of which they are members
- d) Ensure greater representation of women as office bearers and candidates
- e) Adopt affirmative action measures to ensure gender balance and that eligible women have access to all levels of decision making and to build their leadership capacity
- f) Ensure gender analysis of budgets and identification of allocations and expenditures at all levels needed to support women's advancement in the political arena

**11. Ensure equality with regard to citizenship rights**

- a) Enact legislation to eliminate discrimination against women, enabling them to pass citizenship to their children and to their spouses on the basis of gender equality and Article 9 of CEDAW

**12. Ensure gender sensitive responses to conflict and disaster**

- a) Formulate policies and develop programmes and interventions in accordance with UNSCR 1325, thus protecting the human rights of women in conflict and post conflict situations.
- b) Ensure the adoption of gender sensitive approaches in rescue, relief and rehabilitation in post disaster situations and also in disaster preparedness plan.

**13. Concrete Immediate Actions**

- a) Ensure that the SAARC gender database housed at the SAARC Secretariat is operationalised at the level of Member States as agreed in the 'Way Forward Plan' adopted at the 2<sup>nd</sup> Review meeting of the SAARC Gender Data Base held in January 2008.
- b) Ensure gender responsive budgeting and auditing at all levels with a view to achieve gender equality and women's empowerment
- c) Enact and ensure effective implementation of legislation to protect women from domestic violence
- d) Enact and ensure effective implementation of laws to prevent trafficking of women and children and to put in place programmes for prevention of trafficking and rescue and rehabilitation of survivors of trafficking.

- e) Support women's right to own and control property and land, to inheritance, to equal access to credit, insurance, decent work and employment and equality of wages and earnings
- f) Enhance political participation and adopt affirmative action measures to ensure gender balance and that eligible women have access to all levels of decision making and build their leadership capacity
- g) Enact legislation to eliminate discrimination against women, enabling them to pass citizenship to their children and to their spouses on the basis of gender equality and Article 9 of CEDAW
- h) Formulate policies and develop programmes and interventions in accordance with UNSCR 1325, thus protecting the human rights of women in conflict and post conflict situations
- i) Ensure the adoption of gender sensitive approaches in rescue, relief and rehabilitation in post disaster situations and also in disaster preparedness plans.

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