

May 2003

**Vienna Catalogue of Recommendations on
Women's Rights –
10 Years After the Vienna Declaration and
Programme of Action of the World Conference
on Human Rights**

**Wiener Forderungskatalog für Frauenrechte –
10 Jahre danach**

UNIFEM Austrian National Committee, Austrian Coalition for Women's Human Rights, Austrian Women's Shelter Network, Boltzmann Institut für Menschenrechte, Domestic Abuse Intervention Center Vienna, European Women's Lawyers Association, Feminist ATTAC, International Alliance of Women, Kreisky Stiftung, LEFÖ, Legal Aid Fund for Women, Österreichischer Frauenring, Republikanischer Club, Servas International, SOS Mitmensch, Verein österr. Juristinnen, WIDE, The Centre for Women, the Earth, the Divine, Soroptimist International, Socialist International Women

10 years ago, 171 States adopted by consensus the Vienna Declaration and Programme of Action (VDPA) of the World Conference on Human Rights. This document marked the culmination of a long process of review and debate over the status of human rights in the world. It also marked the beginning of a renewed effort to strengthen and further implement the body of human rights instruments developed since the adoption of the Universal Declaration of Human Rights in 1948.

In the meantime, we have passed into a new millennium. The international community has worked intensely during the 1990ies to reflect the changes in world politics by developing international standards in all fields of society, and by setting time-bound targets to reach these goals, most importantly the eradication of extreme poverty by 2015.

The international community has not set a date for a high level review of the implementation of the VDPA. Yet, 10 years after the World Conference on Human Rights, we believe that renewed vigor has to instill the international community in order to reflect on progress and obstacles so far, implement all provisions of VDPA, and to identify new areas in need of international action.

The United Nations Organisation has taken great strides in promoting and protecting human rights and fundamental freedoms since Vienna. The High Commissioner for Human Rights has become the indispensable moral authority in the consciousness of the international community. Landmark human rights instruments have entered into force that will shape and deepen our shared human values, most notably the International Criminal Court. Much insight and understanding has been gained and dispersed on the place of women in societies, and women speak with stronger voices at home, in the workplace, in politics and in public life.

The role of the United Nations is indispensable in advocating respect for the human rights of the individual, woman or man, girl or boy, rights that are guaranteed by the State. Moreover, the United Nations is the sole body to develop and expand on the rights of solidarity, rights which require the joint action of all members of society both nationally and internationally.

The supporters are a group of Non-Governmental-Organisations (NGOs) who feel the need to rekindle the spirit of the VDPA, a need felt more urgently at this symbolic time and place. While we agree that nothing would be gained by seeking cautious compromise or approximate solutions at best, we want to demonstrate - by focusing on the human rights of women - that there is work to be done by the international community, and that we are ready to stand up and reflect, speak, assist, explain, develop and agree on further steps to take, together with many who look to a functioning United Nations and a vibrant international community to protect the common language of humanity.

Human rights permeate the internal and international order. The State is the guarantor of human rights, and human rights call for cooperation and coordination between States and International Organisations. We therefore make reference to international and national standards in this manifesto.

The International Community achieved a lot for Women since 1993

Vienna was a decisive moment for women's human rights, and gave the impetus for many important developments since. The Cairo Conference on Population and Development 1994 took a new approach in calling for the empowerment of women and expanding their access to education, health care and employment. The Cairo Programme of Action stipulates that women must be guaranteed the exercise of their reproductive rights and must be able to manage their reproductive roles.

The Fourth World Conference on Women in Beijing 1995 comprehensively addressed the constraints and obstacles for the advancement and empowerment of women all over the world and made recommendations in these regards. Mainstreaming a gender perspective into all aspects of society was first called for in Beijing. The World Summit on Social Development in Copenhagen 1995 conceptualized a new paradigm of social development that centers on the needs of women.

The Declaration on the Elimination of Violence against Women (1993) cites violence against women as "one of the crucial mechanisms by which women are forced into a subordinate position compared with men". The Special Rapporteur of the Commission on Human Rights on violence against women, its causes and consequences collects data and recommends measures to eliminate such violence and its causes.

The Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) (1999) enables the Committee on the Elimination of Discrimination against Women to receive and consider complaints on violations of the Convention. The Protocol also creates an inquiry procedure enabling the Committee to initiate inquiries into situations of grave or systematic violations of women's rights. 51 States have so far become Party to the protocol.

In its resolution 1325 (2000), the UN Security Council highlights the plight of women in armed conflict, and for the first time urges to increase the role of women and to respect the gender dimension in questions of international peace and security. The Statute of the International Criminal Court (ICC) defines rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity as crimes against humanity. Two optional protocols to the Convention on the Right of the Child provide detailed requirements for the criminalization of violations of the rights of children in the context of the sale of children, child prostitution and child pornography, and seek limits on the abuse of children in armed conflict.

In Austria the following important steps towards full implementation of women's rights have to be stressed: the packet of laws on equal treatment for employees in the private sector, the federal law on equal treatment for civil servants with the mandatory proviso for affirmative action for women (1993), a first in Austria; this was followed by legislation in the provinces for its employees.

The Violence Protection Act providing for the banning from the joint domicile of the perpetrator, executed by the police and/or the court as well as the creation of Intervention Centres against Violence throughout the country (1997). Inclusion in the national constitution of the state's aim of de facto equality and the clarification of permissibility of affirmative action for women (1998). Furthermore the inclusion in the

family legislation of the shared responsibility for housework, childcare and other care, as well as the ratification of the Optional Protocol to CEDAW (2000).

Feminisation of Poverty, Globalisation, International Economic Policies

Access to employment and income, poverty reduction; access to skills, education, information, and resources; increased political voice; and the elimination of violence are socio-economic factors in women's empowerment without which women's rights will not be realized.

Women's access to, and control and management of natural resources are crucial aspects of sustainable development. Women, however, are often not permitted to own land, and even in countries where women have ownership rights, huge inequalities in access still exist. The current magnitude of land degradation poses an added threat to the livelihoods and survival of many families. The impact of increasingly scarce fresh water supplies has obliged women water carriers to travel longer distances. In many cases girl children have to assist their mothers to fulfil these and other related tasks.

Current processes, such as privatisation of land and other resources, population pressure and the dissolution of customary land tenure are undermining women's ability to use and conserve scarce land and water resources. The transformation of agriculture to meet the needs of a globalised market economy is also contributing to the gradual erosion of women's biological resources and knowledge systems. Privatisation also means that people have to pay high prices for formerly free resources on which they depend.

High rates of illiteracy affect women's economic opportunities and civil engagement. Women make up 65 percent of those without basic reading skills worldwide.

Women have different and unequal opportunities for the protection, promotion and maintenance of their health. These include unequal access to basic health services, disproportionate responsibilities in the family and society, discrimination and experiences of violence and unsafe pregnancies. Although gender differences in susceptibility to the risks of various toxic substances are still poorly understood, it is clear that these differences exist and are a particular threat to women's health.

Though there have been some „success stories,, about women's gains from globalisation - particularly women in middle and high-income strata of society - at the beginning of the 1990ies - the overall picture is bleak: The global economic order and neo-liberal macro-economic policies, transmitted through international financial and trade institutions, transnational corporations and the interests of powerful nations, manifested in a general dismantling of the social sector, in decreasing development assistance and international co-operation, have led to manifold negative consequences for women. Among these are loss of food sovereignty; lack of access to free or affordable basic services for water, health, education, sanitation, energy, transport; increases in female unemployment and precarious working conditions, violence and sexual harassment in the workplace; soaring up of prostitution and trafficking in women and girls.

Economic globalisation and privatisation have increased women's multiple responsibilities in paid and unpaid work and have enlarged their workload.

Multilateral organisations have failed to formulate and evaluate trade policies from a gender perspective, exacerbating women's economic inequality. Generally the economic, social, and cultural human rights of women are endangered, the feminisation of poverty is escalating, gains in the field of health and education are dwindling. We are not on track in reaching the Millennium Development Goals, particularly not for women.

Violence, Women and War

The 1993 World Conference on Human Rights represents a milestone in the efforts to address and eliminate violence against women. Violence is still a worldwide and severe threat to the human rights of women and girls. All violations of this kind, including in particular murder, rape, sexual slavery, trafficking, enforced prostitution, forced pregnancy, enforced sterilization, female genital mutilation, forced marriage, honour crimes, boy preference, and female infanticide require a more effective response.

Women often face the greatest risk at home and in family settings. Almost half the women who die in homicides are killed by their current or former husbands or boyfriends, while in some countries this rate can be as high as 70 percent. While exact numbers are hard to come by due to lack of reporting, available data suggest that nearly one in four women will experience sexual violence by an intimate partner in their lifetime. Most victims of physical aggression are subjected to multiple acts of violence over extended periods of time. A third to over half of these cases are accompanied by sexual violence. In some countries, up to one-third of adolescent girls report forced sexual initiation. So far, only about 44 countries have adopted specific legislation to address domestic violence.

Close to 90 percent of war casualties are among ordinary civilians, most of them women and children. During wartime they are subjected to rape, sexual and physical abuse, and harassment as a strategy of war. Women and children form the majority of refugees and the internally displaced who are forced to flee conflict situations.

Gender and disarmament linkages are not immediately apparent. Nor has there been much specific research on the gender perspectives of disarmament. The issues of disarmament remain the same; but looking at their gender dimensions cast them in a new light and can suggest effective and sustainable solutions.

Efforts to integrate women as active participants in peace-making processes have not yet yielded sustainable results. Post-war Iraq must not become another case in point. It is crucial that women be active and respected participants in peace-building and reconstruction. Gender issues have to be an integral part of conflict resolution, peace negotiations, reconciliation and reconstruction. Women and women's groups should be fully involved in the peace process and special efforts should be made to ensure that women's needs and interests are included in political negotiations.

Undoubtedly, the lack of political will of individual States is the decisive factor among others in the fight against trafficking in women. In this context, it would be essential that political attention is not directed primarily at the fight against organised crime but rather aims at understanding the basic logic of trafficking.

Participation, Decision-making

Currently, women make up around 15 percent of governments and parliaments worldwide. In 2000, only five heads of state worldwide were women. Among government ministers they make up just over 14 percent, but only 9.4 percent are in the legal areas and less than 5 percent in economic, political and executive positions. Women are also significantly underrepresented in corporate decision-making and in trade organisations such as WTO. The decisive factors to reach gender balance among the judges of the International Criminal Court were awareness and political will. It can be done again.

Women are producers as well as users of information. Women's indigenous knowledge and practice is crucial to sustainable resource management. Women's scientific knowledge, innovations and adaptations are demonstrated in many areas. However, the recognition and integration of this knowledge is still rare.

Reaching the goals contained in the Millennium Declaration, including the Millennium Development Goals by 2015, requires a vigorous gender approach, as 70 percent of the world's poor are women. In addressing the Millennium Development Goals, an analysis is necessary of the effects of policies and programmes on women and men, respectively. Honouring their right to development, women have to be fully integrated into the formulation and development of these policies and programmes to ensure cost-effectiveness, continuity, and to avoid discrimination or marginalization.

There continues to be a general lack of gender-specific data and benchmarks to evaluate women's situation at the local and global level and shed light on their specific concerns. Effective gender analysis provides information on how resources are allocated to women and men, highlights constraints imposed by women's roles, and proposes women-empowering policies.

Commitments towards a gender approach have been limited, and there is a general lack of institutional gender capacity in national machinery. These factors limit the impact of gender mainstreaming and confirm initial hesitations about the possible loss of impetus for women's programmes. While gender mainstreaming is an important policy for women's empowerment, the need for both gender programmes and mainstreaming has to be communicated with greater vigor.

Religious practice, traditions and cultural patterns still carry prejudices and stereotyped roles for women and men, which are based on the idea of the inferiority or the superiority of either of the sexes. These harmful stereotypes have to be addressed by governments, schools, the media, civil society, and the business sector to enable change.

Achieving gender justice requires a strong gender focus in electoral, constitutional, legal and judicial frameworks and support for the ability of women to be actively involved in implementation at the national level. Worldwide, women remain underrepresented in political and decision-making positions, which results in the perpetuation of policies and practices that do not serve the needs of women and men equally.

The Situation in Austria

While Austria has made progress in the fight against violence and equality measures have been included in the legislation, as it were, the economic conditions for women have not developed positively. Furthermore affirmative action for women is viewed with ever growing skepticism. There is therefore a danger that the *de jure* achieved non-discrimination of women in Austria may not lead to *de facto* equality.

Globalisation affects all, but has gender-specific consequences. Statistics in Austria show that trade liberalisation exacerbates the disparity of women's and men's salaries, which in Austria is greater than the European Union average: women in Austria earn an average 40 percent less than men. Women run an over-proportional risk of being hit by poverty or to have to give up economic independence.

Flexibilisation and outsourcing in less well paid industrial sectors or in cheap labour markets, or the transformation of full-time jobs into part-time or freelance work are situations which affect women both in the North and South. These developments deteriorate the economic situation of women also in Austria. These changes also increase and encourage the illegal employment of women workers as domestics and in the health and care sectors at the worst possible conditions.

The participation of women in political decision making in Austria is also weak. For example: while 34 percent of Austrian Members of Parliament are women, there are only 45 Mayoresses in over 2300 communities.

The Migration to Austria has been increasingly restricted in the last years, which i.a. promotes illegal migration under inhumane circumstances and trafficking of women. Families are torn apart, and women become even more dependent on their husbands as they remain excluded from the labour market. Violence against women becomes more prevalent in such circumstances.

It is women who have to bear the brunt of the burden which are caused by the withdrawal of the state from welfare policies, and of the wealthiest of this world from social responsibilities, and women pay the price for austerity, structural adjustment programmes and zero deficit policies.

Recommendations

- Convene a Fifth World Conference on Women as soon as possible to focus on the new dangers to women's equality and to reengage the world's women in the international agenda, without jeopardizing the international consensus reached
- All States shall accede, ratify, and ensure full implementation of existing women's rights instruments, most recently the United Nations Protocol on Trafficking in Persons, Especially Women and Children (2000)
- Develop and fund concrete actions to implement the important findings and recent work of the Security Council, the UN-Secretariat and UNIFEM on women, peace and conflict
- Ensure the full implementation of the four Geneva Conventions also from a gender perspective
- Ensure that a gender perspective is fully taken into account in implementing the Millenium Development Goals
- Make the Vienna Declaration and Programme of Action of the Human Rights Conference in 1993 a legally binding document
- Ensure a gender perspective in multilateral trade negotiations, and ensure that a gender and human rights clause is applied to World Trade Organisation rules
- In order to solve the gender disparities of paid and unpaid work, the idea of basic income as a strategy for social change should be explored
- Achieve full literacy for women and girls to enable them to participate in all spheres of life, including new communication technologies
- Explore and implement the gender-specific findings with regard to medical treatment and pharmaceutical products
- Fight all forms of violence against women at home, at the workplace, and in society with greater vigilance with regard to the legal, security and judicial bodies
- Reopen the international dialogue on questions of reproductive rights, sexual exploitation, the feminization of migration and trafficking of women
- Intensify research and legal debate about the justifiability of economic, social and cultural rights, in particular by clarifying the content and scope of the articles of the International Covenant on Economic, Social and Cultural Rights
- In implementing existing equality legislation, introduce and intensify temporary special measures aimed at accelerating *de facto* equality between women and men
- Link governments' commitments to gender equality and women's human rights to the distribution, use and generation of public resources by making gender responsive budget analysis mandatory
- End the statistical gender blindness which hides inequality and forstalls sound political decision-making.