

## MICRO ANSWERS DO NOT SOLVE MACRO PROBLEMS

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The states of Latin America and the Caribbean *have acted positively toward fulfilment of the international treaties that protect the human rights of women*, among these, the Convention for the Elimination of All Forms of Discrimination against Women (CEDAW) and the Inter-American Convention for the Prevention, Sanction, and Eradication of Violence against Women. Also positive is the recent approval of national laws to sanction and eradicate violence against women in all of the countries in the region except Brazil and Paraguay. Other achievements are the creation and/or maintenance of institutional mechanisms promoting gender equity and the programmes to secure equal opportunity for women and men in most of the region's countries. In some countries, reproductive health laws have been passed, including family planning programmes.

Nevertheless, these advances have not been enough to reverse the situation and women of the region continue to suffer discrimination. The most serious problems are:

**1. Human Rights theory continues to ignore the experiences and needs of women. Therefore, its vision remains partial.**

Human Rights are still anchored in the traditional hierarchy of public over private. Despite efforts by feminists to demonstrate that rights exist—and can hence be violated—in both public and private realms, human rights violations in the public sphere receive more attention than violations occurring in the private sphere.

**2. There remains a gap between the rights guaranteed by international human rights treaties and actual enjoyment of these rights.**

Formal achievements toward the recognition of women's rights are positive steps, but they have not been accompanied by the political, cultural and social transformations that are needed for eradication of gender discrimination. The implementation of

international treaties on women's rights requires state action at all levels. Even in countries where these treaties are at the constitutional level (Argentina, Brazil, Colombia), the commitment of the governments to the problem of gender discrimination remains partial.

**3. The non-recognition of the integrated and interconnected character of all human rights (civil and political rights must be implemented together with economic, social and cultural, reproductive and sexual rights).**

While some civil and political rights have been recognised (quota laws for parliamentary participation, laws against violence toward women), women are quickly losing their economic and social rights. Despite small steps forward in civic citizenship, we are retreating in social citizenship, and that means that the rights we have won are enjoyed by fewer and fewer women.

Women are still at a crossroads between economic activity performed in the labour market and services given in the domestic sphere. In reality, the *domestic economy* (the administration and maintenance of the home), the *reproductive economy* (reproduction, nutrition, and education of children) and the *attention economy* (care given to other human beings) demand long work hours, which are not recognised by the State,<sup>1</sup> and which remain invisible. Economic value is attached to these services only when they are performed by persons hired from outside the family.

The governments of our region do not have decision-making power in the World Trade Organisation, and they are limited to signing agreements designed in the North. Those agreements condition national policies and impact women, who have no voice in this discussion.<sup>2</sup> The efforts of our governments to attract investment have been limited to the weakening of labour protection. This decrease in protection, defended on the basis that new jobs will be created, has resulted in some places in the

<sup>1</sup> These tasks were expressly made visible by Hanna Arendt, who called them Labour (occupations necessary for the maintenance of life, to meet needs). See *eg, The Human Condition*. Paidós, Barcelona, 1993.

<sup>2</sup> It is urgent and imperative to strengthen women's ability to participate in discussions on international commercial agreements and investment. A gender perspective toward the WTO and the impact of these agreements on women's lives is indispensable, as is the accompanying activism that exerts social control over the multilateral commercial agreements.

reappearance of slave labour<sup>3</sup> and child labour. Working conditions vary depending on the ethnic and racial characteristics and migratory condition of the workers.

The full exercise of sexual and reproductive rights is denied because of the influence of fundamentalist religious sectors. This has motivated women's organisations to demand «the reaffirmation of the secular character of the state (as) a condition *sine qua non* for the reaffirmation of the democratic institutionality of the countries of the region.»<sup>4</sup>

#### 4. *The exclusion of women from the design of national policy.*

The absence of women in the creation of security policies, for example, is not compensated by a law against violence, a police department for women or a shelter for battered women.

In the same way, our lack of participation in judicial reform is not compensated by a training course on gender for male judicial officials.

And the lack of participation of women in the strategic economic plans of every country is not offset by isolated programmes of micro-enterprise pretending to be micro answers to macro problems.

We must insist on the integration and interconnection of human rights, as well as on the multiplication of our efforts for the implementation of economic, cultural, social, sexual and reproductive human rights.

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## HUMAN RIGHTS AND SOCIAL DEVELOPMENT

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The Declaration and Programme of Action arising from the World Summit for Social Development (Copenhagen, 6-12 March 1995) is organically and inextricably linked to human rights principles.

The heads of State and Government gathered in Copenhagen committed themselves to a political, economic, ethical and spiritual vision for social development that is based on human dignity, human rights, equality, respect, peace, democracy, mutual responsibility and cooperation, and full respect for the various religious and ethical values and cultural backgrounds of people.

Human rights are referred to explicitly in, *inter alia*, Commitments 1 (on an enabling environment), 4 (on social integration), 5 (on equality and equity between women and men), and 6 (on universal and equitable access to education and primary health care etc.).

In addition to these explicit references, human rights principles permeate and undergird the whole concept and framework of social development. The focus on human dignity, non discrimination, participation, self determination and **people centred** development contained in the Copenhagen Declaration and Programme of Action can be traced directly to pre existing human rights principles and instruments, and in particular to the Universal Declaration of Human Rights (UDHR) and the Declaration on the Right to Development. In addition, many of the concrete objectives of social development are directly mirrored in specific obligations under human rights law. This applies in particular to the social development goals of eradication of poverty, full employment, access to education and to primary health care, adequate shelter, participation in social and cultural life, economic and social protection during unemployment and disability etc., equality and equity between women and men, and an enabling environment.

Insofar as these correlated human rights principles constitute binding legal obligations upon States, and especially where such obligations arise from a treaty which also establishes a monitoring mechanism, the relevant human rights monitoring mechanisms can provide a powerful parallel means of promoting social development goals.

In particular, the International Covenant on Economic, Social and Cultural Rights (ICESCR) and its monitoring mechanism through the Committee on Economic, Social and Cultural Rights is of very direct relevance to the promotion of social development goals. Other UN human rights treaties of close relevance to social development are the International Covenant on Civil and Political Rights (monitored by the Human Rights Committee), the Convention on the Elimination of Discrimination Against Women (monitored by the Committee on the Elimination of Discrimination Against Women) and the Convention on the Rights of the Child (monitored by the Committee on the Rights of the Child). The Declaration on the Right to Development, although lacking binding legal force or any monitoring or enforcement mechanism, also warrants closer examination in terms of its mutually supportive relationship with the social development process.

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<sup>3</sup> In Argentina, in the federal capital alone, more than 1,000 people were found working in slave labour conditions in the textile industry. See investigation published by *Clarín*, February 27th 2000.

<sup>4</sup> Declaration of the Coalition of Women's and Feminist Organisations of Latin America and the Caribbean to the Plenary of the VIII Regional Conference on Women in Latin America and the Caribbean, ECLAC. Lima, February 10th 2000.