

Issues Paper
CSW Interactive Panel Discussion on
“Synergies between national-level implementation of the
Beijing Declaration and Platform for Action and the
Convention on the Elimination of All Forms of Discrimination against Women”
3 March 2005, 10.00am – 1.00p.m.

Background

The Convention on the Elimination of All Forms of Discrimination against Women elaborates the meaning of discrimination against women. It identifies the scope of States parties' obligations to eliminate such discrimination and for the practical realization of the principle of equality of women and men through all appropriate measures including legislation, in the political, economic, social, cultural, civil or any other field. The Beijing Platform for Action (1995) is the global community's most comprehensive policy document for the empowerment of women and gender equality. In twelve critical areas of concern, the Platform highlights women's rights in many different contexts and outlines, under its strategic objectives, concrete and detailed actions including legislation, policy, and programme measures, to be taken by Governments and other actors for the promotion of gender equality. One of its critical areas of concern is specifically devoted to the human rights of women, including through the full implementation of the Convention. Taken together, the Convention and the Platform aim at the elimination of discrimination against women on the one hand, and at ensuring the achievement of equality for women on the other.

Significant synergies in substantive content can be found between the Convention and the Platform for Action. For instance, many of the critical areas of concern of the Platform for Action such as education, health, the economy and employment including social security, and participation in political life and decision making, are also explicitly covered by the Convention. Implementation of actions outlined in the Platform in these areas contributes directly to the promotion and protection of the respective Convention rights. Other issues, such as violence against women, have been given prominent attention in the Platform for Action including extensive measures to prevent and combat such violence, as well as to support victims. While not explicitly addressed in the Convention, the Committee has clarified that violence against women is integral to the understanding of discrimination as covered by the Convention. The Platform puts forward detailed actions necessary to ensure that women can enjoy their rights in practice, including through legal literacy and effective means of redress for violations.

The Platform for Action invited the Committee on the Elimination of Discrimination against Women to take into account the Platform for Action when considering reports submitted by States parties. The Committee, in turn, has clarified that reports of States parties should contain information on the implementation of the Platform for Action and the outcome document. It also regularly invites reporting States to widely disseminate the Platform for Action at the national level.

Responses to the questionnaire for the 10-year review indicated that some Governments take advantage of the synergies between the two documents in their efforts to achieve gender equality. For instance, a number of Governments established or strengthened national institutional mechanisms to promote gender equality and enhance gender mainstreaming across Government and to monitor and evaluate implementation of both the Platform and the Convention. A number of Governments also indicated that both documents had been instrumental

in the development of national plans of action and policies focused on the advancement of women. States parties reporting to the Committee increasingly provide information on measures taken to implement the Platform for Action.

At the same time, the responses to the questionnaire suggest that in many instances either the Platform for Action or the Convention served primarily as basis for the formulation of legal, policy and programmatic measures for the promotion of gender equality. Thus, further opportunities should be sought by Governments and other actors towards an integrated implementation of both instruments. The Convention constitutes the legal basis for gender equality in succinct articles, while the Platform for Action, as a policy instrument, provides detailed guidance for action on achieving both instruments' complementary goal of gender equality. Emphasis on such synergies would also strengthen an understanding of the promotion of gender equality as an issue of women's human rights.

Issues for consideration

The discussion should focus on opportunities for better synergies in national-level implementation in a number of areas, as outlined below. Panelists and participants in the discussion should aim to present examples of such synergies that led to greater visibility for gender equality issues, more effective policies and legislation, and greater participation of a broader range of stakeholders in gender equality work. The panel would thus result in a better understanding on the effective and simultaneous use of both instruments, by a diverse range of actors, to achieve gender equality.

Substantive aspects: legislative review and reform efforts for enhanced conformity with the Convention are not always informed by, or linked to the implementation of the Platform for Action. Yet the Platform provides detailed guidance on the types of legislation that should be put in place in many regards, for example in the field of the economy and employment, or violence against women. Participants could provide examples where legislative initiatives for compliance with the various articles of the Convention drew on recommendations from the Platform, and the processes used, and actors involved in creating such successful linkages.

Institutional arrangements and issues of collaboration: institutional mechanisms – within Government and outside – may have a focus on policy or programme development and implementation for different aspects of gender equality – for example work and employment or education, but pay little attention to their rights-dimensions and enforceability through effective means of redress. A ministry for education may use the Platform for Action in developing a national education policy, but not the Convention. In the NGO realm for example, organizations devoted to the promotion of human rights may place emphasis on women's enjoyment of their human rights as enshrined in the Convention, but may not use the Platform as a means for further illustrating the content of these rights. Participants could present strategies for developing successful collaborative efforts across institutional mandates, and between Governmental and non-governmental mechanisms, that resulted in improved adherence to international obligations through the use of global policy instruments.

Awareness raising, advocacy and outreach for gender equality: institutions and public officials, such as NGOs, Ombudspersons, parliamentarians, or national machineries for the advancement of women/gender equality ministries, may choose to place emphasis on either the Platform for Action, or the Convention, in their public information, advocacy, lobbying and awareness raising efforts on gender equality. Participants could discuss the reasons for such

compartmentalization, its benefits and disadvantages, as well as suggestions for a more holistic approach to the promotion of gender equality.