

## **CIVIL SOCIETY DECLARATION**

Within the framework of the Preparatory Regional Consultation for Latin America and the Caribbean for the 63rd. Session of the Commission on the Status of Women (CSW) meeting in Buenos Aires, from December 10 to 12, 2018, On December 10, around 80 representatives of NGOs and 17 regional networks of women organizations and feminists from Latin America and the Caribbean meet to discuss the main theme for the next CSW63, in order to contribute to the official statement of the consultation, and developed the following recommendations:

Latin America and the Caribbean countries we are experienced important challenges that require the political will of the governments to redouble their efforts and fulfill the commitments taken under the Convention on the Elimination of All Forms of Discrimination against Women - CEDAW, the Beijing Declaration and Platform for Action, the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women - Belem do Pará, the Montevideo Consensus and the 2030 Agenda.

As you have already affirmed, Gender Equality is today the main goal in the world and must be recognized as a good for humanity, therefore, there is an urgent need to protect it from attacks and negative propaganda that inhibit the progress made in terms of gender equality.

Democracy and peace are basic conditions for implementation of human rights, but in some countries of the region, democracy is threatened and violations of the rights of women and girls occur, an even the persecution, attacks, and assassinations of women's human rights defenders. This situation is worsened by the migration processes and the consequence of refugee crisis that, in our region, is predominantly female.

We are also concerned about the return of neoliberal, pro-market economic policies which feed a development model, based on extractivism, that promotes the accumulation of capital. These policies are incompatible with the sustainability of life and, as evidence has shown, especially harmful to women and girls.

This also threaten the partial progress made in the field of social protection, worsening the situation in terms of coverage, quality of benefits and adequacy of transfers.

Therefore, we believe that the link and articulation between civil society and governments should be strengthened, especially with regard to the effective fulfillment of the rights of women and girls based on the commitments taken.

At such a politically and economically complex time, it is necessary that women's social movements explore the various mechanisms that block these rights, which include the collective action and budget allocation of the social protection items and the defense of women's rights, with respect to all diversities.

Due to that which is noted above, and taking into account the theme of the next CSW, we suggest taking into account the following recommendations:

### **Recommendations in relation to work, social protection and care economy**

- It is necessary to generate affirmative action policies in a progressive nature to reduce labor segmentation.
- Countries have to establish the value produced by each job in order to demand equal salary for equal work of equal value, according to the convene 100 of ILO with the methodology to eliminate the gender bias.
- Advance in integral and universal systems of care, education and health that reach women of formal, informal and unpaid work, recognizing the trade unions participation and the collective negotiations.
- Promote the participation of more women in decision-making spaces and in the design of public policies, specifically those related to social protection, recognizing the right to free association.
- Guarantee universal and non-targeted support for families who have young children.
- Ensure the Right to pension, universal inclusion: social security and minimum retirement with access to healthcare.
- Intra-gender gaps: Prioritize coverage' extension for maternity leave, with criteria of universality. Prioritize the expansion of the number of people covered over the months of leave.
- Incorporate special licenses that assist women who suffer from violence and protocols of action and priority in housing and labour policies. Support the adoption of the ILO Convention and Recommendation on violence and harassment at work place.
- Eliminate legal and cultural barriers for informal and self-employed workers for access to universal social protection, especially in the cases of domestic workers, temporary migrants, sex workers / women in prostitution and other sectors.
- Incorporate the portability of rights for access to social protection for migrants, that is, recognition among countries of their qualification, work and contributions made on each country.

- That the States require companies that work with outsourced work platforms, including those working with virtual platforms and catalog sales (Uber, Avon, Natura) to comply with national labor, business and fiscal regulations, consistent with the agreements international organizations, especially the ILO.
- Equalize the birth and care licenses for men and women, same-sex couples, including the LGBTBI population, in conditions of obligation for each other.
- In considering the years of service to access retirement, include weeks quoted for women according to the number of children.
- Generate law reforms in civil codes to recognize the division of goods to the person who has been responsible for the care and that such person be compensated in the dissolution of the conjugal partnership.
- Eliminate the formal, legal and cultural barriers in informal work that prevent self-employed and informal workers from accessing social protection, including indigenous and afro descendants.
- As long as the gender-based wage gap persists, promote affirmative actions of a progressive nature to compensate wage discrimination, for example, establish a rate of return to define the retirement amount for women, which is greater than that of men.

#### **Recommendations regarding education and health**

- The progressive reduction of public budgets aimed at ensuring social protection, basic infrastructure and particularly public education and health services has become a trend in our region. We want to remind you that social protection, health and education are fundamental human rights and that the State has a non-delegable role to ensure the financing and provision of these, and that they should not be in the hands of private actors seeking principally to accumulate capital.
- We believe that public education and health services must be provided free of charge, with a gender perspective, intercultural and intersectional, and contribute to the transformation of the unequal power relations between women and men stereotypes and traditional roles and contributing to visualize the role of women in history. We recognize the strategic role of education policies to deconstruct hegemonic models of femininity and masculinity and prevent gender-based violence as well as that against women and girls.
- Public health and education services must ensure universal coverage following the principles of quality, accessibility, availability, and acceptability.
- We demand that our governments redouble their efforts to guarantee access to life-long, high quality, secular, public, free, inclusive, non-sexist education with a gender and intercultural perspective; in addition, we demand that such

education, which should include comprehensive sexuality education for girls, adolescents and young people, be provided in indigenous languages.

- It is necessary to adopt concrete and effective measures to ensure the right to comprehensive health, particularly in the area of sexual and reproductive health - including the right to legal, safe and free abortion, friendly services for young people and adolescents and access to modern contraceptives—within the framework of public health, sexual and reproductive rights, mental health, with a human rights perspective.
- We demand measures to accelerate the fight to eliminate all forms of violence against women and girls, gender-based violence, and violence against LGBTI groups, with special attention to groups suffering from multiple vulnerabilities.
- The current state of Latin America and the Caribbean demands special attention to girls, adolescents and young people and other vulnerable groups such as migrants, indigenous, afro-descendants, people with disabilities, those with HIV, the LGBTI population, sex workers, homeless women, and others.
- We recognize the diverse forms of families, ensuring that all family groups have the protection of the law and access to support systems.
- It is essential to strengthen the participation of civil society organized in the processes of formulation, design, monitoring, evaluation and implementation of public policies and budgets, with special emphasis on education and health and developing effective participatory mechanisms of accountability and transparency.
- The gradual expansion of the tax base should be promoted, considering the problem of tax evasion, to increase income and invest in social protection, recognizing the unequal distribution of unpaid work between women and men.

#### **Recommendations in relation to rural, indigenous and Afro-descendant women**

- To improve the social protection of women living in rural areas, it is proposed to deconstruct CEDAW, so that rural women can better understand their rights and have access to such rights in their native (indigenous) languages. Implement the CEDAW in Item 14 in its articles E, D, F.
- Adopt public policies so that rural workers, afro-descendants and indigenous receive the due protection of decent work, as it is promoted by the ILO, adopting and applying labor standards.
- Ratify and implement ILO Recommendations: 204 on the transition from the informal economy to formal economy, 201 on domestic workers and 202 on social protection floors; and Conventions 189 on domestic work, 111 on discrimination in employment and 102 on social security.

- The conditional cash transfer programs seek to serve the big sector of the population in the region, excluded from traditional social protection systems linked to employment. In the region are focus on households with children, and impose conditionalities (regarding school attendance and health care), are highly feminized, adding conditional compliance for women. These programs have had a positive impact in reducing extreme poverty and in improving the education and health coverage of children. However, they have also have had contradictory effects on women and therefore should be reviewed.
- It is proposed that Public Private Partnership programs, including trade unions and civil society organizations, involve and integrate rural, indigenous and Afro-descendant women, considering specially not to attempt any of public benefits existing.
- Governments must develop and subsidize the Cooperative System. The subsidies assigned must be accessible to women and include agricultural inputs, concessions, capital, water, land and not be neutral in terms of gender.
- Rural, indigenous and Afro-descendant women are producers and protectors of food sovereignty. States should protect intellectual property rights over their products and traditional knowledge and provide facilities for the marketing and storage of their products for their distribution and conservation. Technical assistance, training, outreach and follow up programs must be provided to design and implement marketing strategies.
- Climate change and natural disasters are seriously endangering agricultural production, with major effects on rural, indigenous and afro-descendant women. The State has the main responsibility to protect and care about natural resources, fauna and flora (such as forests and marine fauna), industrial logging, lands, territories of over-exploitation and mining. Governments must invest in programs and activities to prevent climate change and natural disasters and take appropriate measures to ensure the provision of basic social services in situations of natural disasters, emergencies and conflict.
- To improve rural women's access to benefits of Social Security, a partnership between the state and the university should be developed to establish a reciprocity of disaggregated data (indigenous, gender, age, need for access to social protection benefits, credits), for a better understanding of gaps. They must also ensure that the generation of data is disaggregated by sex, gender, geographic location, ethnicity, age and other relevant characteristics that facilitate social protection, public services and sustainable infrastructure that is to be both accessible and efficient.
- Strengthen and extend social protection mechanisms for jobs in rural areas in all forms, including informal, part-time, precarious employment and self-employment.

### **Recommendations on infrastructure and provision of public services**

- Infrastructure development should be based on principles of respect and the promotion of human rights, guaranteeing the right of women and girls to the city, housing, water, mobility, technology information and communication.
- The selection and prioritization of infrastructure projects should be guided by the needs of people and avoid generating processes of population displacement and dispossession of the territories, whose impacts are mostly felt by women, especially by rural, indigenous and Afro-descendant women. Therefore, it is essential to generate effective participation mechanisms, binding consultation and free prior informed consent according to ILO Convention 169, that ensure that women's voices are heard and taken into account during the entire process, starting before the design of the projects. Women who are a part of such organization should have timely access to relevant information about the projects. Governments must guarantee the necessary financing for the proper functioning of these mechanisms.
- Likewise, the safety of human rights defenders must be guaranteed in their defense of the territory and natural resources, respecting the intercultural nature of each area.
- Infrastructure projects must be guided by the principle of universal accessibility, which implies that the gender perspective (contemplating diversities and intersectionalities) is considered at all stages, from the design and implementation to the monitoring of their functioning.
- In order to guarantee the effective consideration of the gender perspective, it is essential to produce information that allows the ex-ante and ex-post evaluation about gender dimensions of infrastructure projects and the provision of public services. Likewise, it is necessary that professionals in charge of development of infrastructure projects and provision of public services be trained with respect to this perspective.
- Effective transparency mechanisms must be managed in all infrastructure and provision of services projects, avoiding the promotion of financing mechanisms that operate outside existing standards (as is the case of many public-private partnerships in our region).
- Corruption in the development of infrastructure deepens inequality and affects the women and girl's quality of life. Therefore, it is necessary to strengthen anti-corruption mechanisms that affect public work of sustainable infrastructure, by means of access to public information and binding mechanisms (for example, public hearings) that ensure the informed participation of women's organizations and girls.



- Infrastructure development and provision of public services projects must consider territorial differences and consider the diverse needs of women and girls, including the particularities of urban and rural spaces.
- Regarding transport issues, priority must be given to quality public transport, developing accessible and affordable systems that take into account the diverse needs of all people and those specific to women and girls (extended hours, appropriate frequencies, reserved seats, protection against harassment, access for women with reduced mobility, etc.).
- Adequate balances must be achieved between the development of transport infrastructure in central, peripheral and local areas, as well as in rural areas, with appropriate fare systems that consider inequalities, and, in all cases, focused on improving living conditions.
- Water is a public good and its access must be guaranteed as a right. The State is responsible for ensuring safety and cleanliness of water sources, as well as their accessibility for women.
- Implement effective mechanisms to manage the safety of women and girls in the use of public sanitation facilities and eliminate open defecation. Health services, as well as the rest of public services, must integrate management and information regarding menstrual hygiene.
- Generate a fiscal base for investments in sustainable health systems that take into account the needs of women.
- Ensure that the location of water sources is determined in consultation with the target users.
- Create infrastructure to guarantee the access of women and girls from rural and urban areas to information and communication technologies.

We reiterate that, in relation to economic, social and cultural rights, there is a principle of progressivity that has as its reverse the obligation not to back down. This principle means that there are not to be effects on the thresholds and standards of social protection already acquired, not repealing or modifying current regulations to the extent that this entails reducing, impairing or in any way adversely affecting the current level of protection. In order to fulfill this task, it is necessary to improve social protection, its maintenance, and, most importantly, avoid retrogression.