

COMMONWEALTH POLICY STUDIES UNIT: 14

**2004 Commonwealth Women's Affairs Ministers' Meeting:
Policy Brief**

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Policy Brief for the Commonwealth Ministers Responsible for Women's Affairs Meeting, 29 May-3 June, Nadi, Fiji Islands

Executive Summary

This year's Commonwealth Ministers Responsible for Women's Affairs Meeting (WAMM), has chosen the title, 'Critical Challenges Facing the Commonwealth.' It will focus on four areas of priority which were established at preparatory meetings held in New York in March 2003 and February 2004. These are: HIV/AIDS; gender macro-economic policies, including issues of trade and globalisation; women's human rights, including violence against women; and participation in conflict resolution, peace-building and decision-making. The meeting will also agree an updated Commonwealth Plan of Action for Gender Equality, 2005-2015. The draft of the new Plan is based on extensive consultations made by the Commonwealth Secretariat. Its critical areas for Commonwealth action are: gender, democracy, peace and conflict; gender, human rights and law; gender and economic empowerment; and gender and HIV/AIDS.

The timing of 7WAMM, which precedes the UN Conference on the implementation of the Beijing Platform for Action to be held in 2005, means that the meeting will be an important mechanism for reviewing progress in the Commonwealth. It can also make recommendations to advance the agenda into the next decade, 2005-2015, and to identify gaps in implementation. It can target priorities, and monitor the progress of activities by governments and the Commonwealth Secretariat for gender mainstreaming.

Executive Summary

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1 Status, representation, recent meetings

The seventh WAMM meeting will be held in Fiji, as originally suggested at 6WAMM in New Delhi, India. The meeting falls just before the UN Beijing Platform for Action +10 is to be held, allowing recommendations from this meeting to be tabled at the UN.

It is clear that WAMM is becoming a more structured forum, with better planning and contingency plans. However, papers relating to the meeting are produced very close to the start of the meeting giving little time for comments, amendments and the production of more timely papers, which could feed into the overall WAMM process. There remains inadequate coordination between government ministries and the Commonwealth Secretariat, which organises the meeting with the host government. Such contact is important to ensuring the presence of Ministers at the meeting, who can give greater commitment to recommendations made at WAMM.

Participation levels at WAMM meetings, held every three years are high, continue to improve, and compare favourably with other specialist meetings of Commonwealth Ministers. For example, 46 out of 53 member states attended the 6WAMM meeting in India. However, only 19 out of the 46 member states represented were led by a Minister. Effort needs to be made to get the larger member states to send high ranking Ministers or officials. For instance, it was anticipated that Baroness Margaret Jay would be leading the UK delegation at the 6WAMM meeting. However, it was Joan Ryan MP, Parliamentary Private Secretary to Chief Secretary of the Treasury who in fact led the UK delegation.

At 6WAMM there were only nine observers present, which was down on the previous meeting's figures, which was attended by 11 observers. Observers can informally provide a broader spectrum of interests and opinions, which can improve the prospects for recommendations by the Ministers. Notably, in India there were only two observers representing regional Commonwealth interests. If the Commonwealth is committed to engaging in gender mainstreaming at the national, regional and international level, it must make sure that they are all properly represented.

The provisional draft agenda for the seventh WAMM meeting was outlined at a preparatory meeting in New York, 2004, but the provisional annotated agenda was not made available until May 2004.

The Minister responsible for Women's Affairs of the host country always chairs the meeting; in Fiji this will be Hon. Adi Asenaca Caucau, Fiji's Minister for Women, Social Welfare, and Poverty Alleviation. Secretary-General Rt. Hon Don McKinnon will lead the Commonwealth Secretariat team.

WAMM remains a cost-effective and knowledge-based mechanism, which uses a multi-stakeholder approach for advocacy and action, training and capacity building. The cost of the meeting ranges from US\$50,000 - US\$80,000; the exact cost of this year's meeting will not be known until after it has finished.

It is likely that the format of the 7WAMM meeting will be different from previous meetings, as indicated by the provisional agenda, which is much broader than in previous years. The Commonwealth preparatory meeting for 7WAMM has recommended less formality and greater opportunity for dialogue.

2 Record for policy

The Commonwealth, as a body representing one third of the world's population from the developed, developing, and the least developed countries in the world, is able to speak on behalf of a broad range of interests and views. It has the potential to influence gender policymaking at many different levels. It can and should be a force to encourage positive change at the sub-national, national, regional and international level. This is highlighted by the development of Commonwealth policy, which has increasingly led to practical change within countries. However, the new Plan of Action to be tabled at 7WAMM should further entrench the principles that have been sought by the Commonwealth by looking at issues of implementation, monitoring, capacity building, and national infrastructure.

All Commonwealth countries have now signed up to the Beijing Platform. However, only 50 members have signed up to CEDAW, and only 15 states have signed its optional protocol. Two member states are still to ratify the Convention on the Rights of the Child. The Commonwealth needs to examine why some countries have not yet signed up to these agreements, and seek to rectify this situation. In cases where current practice grossly contravenes the Beijing Platform, capacity building exercises should be undertaken.

In the past, the lack of a strong enough voice on gender issues has prevented the Commonwealth from exerting its full weight on the international stage in between WAMM meetings. Attempts are being undertaken to rectify this gap in Commonwealth efforts. The preparatory meeting for 7WAMM recommended that a meeting of Heads of National Women's Machineries should be held annually in the wings of the UN Commission on the Status of Women in New York. This will help Commonwealth governments, international partners, and civil society to share information and develop strategies which can then be incorporated into future WAMM meetings. However, the Commonwealth has to ensure that it speaks clearly and that there are links between practical efforts and the Plan of Action. Both gaps, and examples of good practice, need to be fed into the overall WAMM process in good time. While the development of annual meetings is an important one, the process must be further formalised so that there is greater transparency about Commonwealth gender decision-making processes, whilst guarding against over-bureaucratisation.

7WAMM provides an ideal opportunity to contribute to global gender policy. The Commonwealth Gender/Women's Ministers' Reference Book is being produced for 7WAMM. It will take into account emerging issues relating to MDGs and poverty eradication. It will include country reports, and it is hoped that the book will act as a one-stop reference on gender equality and mainstreaming in the 53 countries of the Commonwealth. This, together with the production of *The GMS Toolkit: An Integrated Resource for Implementing the Gender Management System*, will enable

the Commonwealth to enhance its function of improving training, information sharing and capacity building.

Some parts of the 1995 Plan, and its 2000 update, were never fully implemented, largely because of a lack of co-ordination of effort following the meeting of Women's Ministers. This suggests that the Commonwealth Secretariat, soon after the meeting, has to move faster to encourage governments and national women's machineries to take steps to implement the policies they have just agreed. Greater support and technical assistance may also be needed by developing countries, whose representatives will also need to speak more frankly about the difficulties they face.

3 Agenda for 2004 meeting

The provisional draft agenda, which will be confirmed or amended on the eve of the meeting, is as follows:

1 Opening plenary

2 Plenary on critical challenges facing the Commonwealth

Themes from the Plan of Action

- a Gender, democracy, peace and conflict
- b Gender, poverty and Millennium Development Goals

3 Simultaneous sessions for Ministers and senior officials

4 Plenary on the critical challenges facing the Commonwealth

Themes from the Plan of Action

- a Gender, human rights and law
- b Gender and trade

5 Plenary on critical challenges facing the Commonwealth

Final theme from the Plan

Gender and HIV/AIDS

6 Plenary on government – civil society dialogue on the Plan of Action

7 Senior officials drafting committee

8 Plenary for Ministers and heads of delegation to finalise the revised Plan of Action

9 Plenary for Ministers and heads of delegation on the 7WAMM communiqué and message to the Commonwealth Heads of Government Meeting

10 Any other business

- Papers for information

- Communiqué
- Acknowledgements
- Proposal to amend the title of future Women’s Affairs Minister’s Meetings
- Next meeting
- Close

4 Comments on numbered agenda items

1 Report back from Senior Officials’ Meeting (SOM) to the opening plenary: SOM recommendations on progress in the implementation of the 1995 Plan and its 2000 update, and on the new Plan of Action 2005-2015

It is likely that the report tabled by the senior officials will contain implicit acceptance that there are gaps in implementation of the last Plan. It will urge improved implementation, most likely through capacity building efforts, the monitoring of current activities, and lobbying. There has been a great deal of progress in advancing gender mainstreaming activities, which attempt to redress imbalances in social, economic, political and health rights. However, in real terms, the outcomes of the 1995 Plan and its 2000 update fall short of its vision. Reality has not met the standard set by Commonwealth Heads (CHOGM), who advocate that women should be “equal partners in shaping the economic, political and social development of their countries.”

Women cannot participate equally in national development, because their basic rights are not yet equal to those of their male counterparts. Women cannot therefore exert an equal influence over decision-making processes. WAMM meetings have tended to make policy recommendations for gender mainstreaming based on lobbying, knowledge, and the sharing of information. However, it is important that its focus turns now to the building of institutional capacity for gender mainstreaming in governments, regional institutions, national bodies and sub-national groups. This must include training and information-sharing on accessing finance, so that practical work can be undertaken.

In 1997 Commonwealth Heads set a target of 30 per cent, to be the women’s proportion of those working in political and decision-making roles. Seven years later only twelve Commonwealth countries have achieved a representation of between 20 and 30 per cent, with only three reaching the 30 per cent target -- New Zealand, South Africa and Mozambique. It is therefore most unlikely that the 30 per cent goal by 2005, for women decision-makers in the political, public and private sectors, can be fulfilled. On average, women constitute 13.4 per cent of parliamentarians in the Commonwealth as a whole. This remains slightly lower than the world average of 15.1 per cent. Commonwealth countries still have a long way to go. The Fiji WAMM will encourage national women’s machineries to place more pressure on political parties to increase their uptake of women candidates.

One recommendation to enhance the quality of implementation and reduce gaps, is likely to be an improved dialogue with member countries, civil society and

development organisations. This will facilitate multi-sectoral capacity-building, and improve monitoring by getting more stakeholders involved in gender mainstreaming in the Commonwealth. It will also deepen the impact of policy changes by filtering it down to the grass roots level, which thus far has had less importance at WAMM meetings, which have favoured change through strengthening national women's machineries. The latter continues to be central to any gender mainstreaming strategy, but the recommendation in the new Plan for a fuller, multi-sectoral approach, is an important one. It encourages wider partnerships for gender equality, rather than an approach which excludes informal and local level organisations. These informal and local groupings more often include women in decision-making.

It has also been recognised that, in order to realise full and equal rights for women, the Commonwealth must take account of gender gaps for both men and women, identify their underlying causes and address them fully. Commonwealth activities must look at male participation in the achievement of gender equality as a mechanism for changing relationships between men and women to one of equal partnership, rather than one gender dominating the other. The need to look at this issue has been highlighted in the new draft Plan, but it continues to frame inequality as only occurring between men/boys and women/girls. Unequal relationships exist among men, and among women as groups. These can fall along gendered lines, such as the social pressure from men on boys to take up arms during civil conflicts. This not only recruits more violence, but has ramifications for realising gender equality within a country: boys are denied their right to a childhood free from violence. This sentiment has been recognised as a right for girls, but has not been clearly identified for boys, who are also the subject of gendered inequality.

2 (a) Gender, democracy, peace and conflict

Women and children constitute 80 per cent of the world's refugees and displaced persons, according to the United Nations High Commission for Refugees. However, their involvement in the decisions made about them continues to be small, particularly during peace processes. The Commonwealth has advocated that women should be included at the highest levels of peace-building, peacekeeping, conflict mediation, resolution, negotiation, post-conflict reconciliation and reconstruction activities. 6WAMM encouraged a 30 per cent target for women's participation in peace initiatives by 2005. However, its impact in this area has not been entirely successful, particularly in international conflicts. The Commonwealth does have the potential to effect change at the national level, and should build its capacity in this area. For example, a consultative workshop -- Partnership for Post-Conflict Reconstruction -- was held in post-conflict Sierra Leone in May 2001. The Commonwealth Secretariat then collaborated with a range of national and international partners, in a workshop for women and men in post-conflict reconstruction, and on political participation. Women subsequently increased their representation in the parliament from 8 to 15 per cent. The Commonwealth Secretariat could do more in this area, with other countries experiencing conflict. Also, because women are often involved in peace building activities in informal ways, the Commonwealth needs to show support for local level peace and reconciliation activities.

Civil conflicts in countries such as, Uganda have centred on manipulating civilian access to rights and resources. Gender inequalities are exacerbated during conflict situations because people are less able to negotiate personal security and access to

basic rights. This has been acknowledged by the Commonwealth, but the way in which gender inequality is applied at WAMM meetings is too narrow. The Commonwealth is yet to recognise the impact that unequal relations among men as a group, has on gender based violence during conflict. Chris Dolan has written an important article examining conflict in Uganda, and has identified how militia gangs used violence, and the threat of violence (including rape) against women and children, to force husbands and sons within families to fight in the conflict. The new Plan does not recognise the inequality that exists among men, which has direct ramifications for women and men, in this case, in terms of personal security during conflict.

The use of the term 'girl-child' has been an extremely important one, recognising girls who are forced into early marriages, or who are trafficked (often during conflict) and forced to become sex workers, as children, not adults, and should be accorded the rights of children. However, the make-up of child soldiers is predominantly male. Therefore, there is a need to recognise the 'boy child' who also has a right to be seen as a child, and not a soldier, and to recognise that his gender is part of the reason why he is forced to fight in conflicts. The term child soldier fails to encompass issues that are faced by young boys such as, social and cultural pressures that prescribe specific modes of behaviour for males during conflict. The term 'boy child' also has reference for the child sex industry, which though predominantly female, also involves boys as child sex workers, because of their sex.

As well as seeking to empower women as a group, the Commonwealth needs to pay more attention to marginalised groups, whose lack of access to rights and resources within their countries undermines the democratic process, poverty eradication, and the achievement of gender equality. The Commonwealth has had limited success in encouraging governments to respect the rights of Indigenous peoples who account for 150 million people living within the Commonwealth (a topic on which the Commonwealth Policy Studies Unit has published extensively). The United Nations International Decade on the World's Indigenous People (1995-2004) ends this year. If the Commonwealth is seriously committed to the realisation of the MDGs it must put greater pressure on governments. The Commonwealth Secretariat has incorporated a small section on the rights of Indigenous peoples into the new Plan. It is clear that more research must be undertaken by the Commonwealth Secretariat in this area, as the new Plan only expresses a commitment to the achievement of rights for Indigenous peoples; it does not detail how it will achieve this objective.

(b) Gender, poverty and MDGs

The Commonwealth has taken a number of positive steps, in working towards reducing poverty among its member countries. For example, Uganda has reduced the number of people living below the poverty line (defined as less than US\$1 per day) from 56 per cent in 1992 to 35 per cent in 2000. However, Uganda Poverty Status Reports also highlight the fact that fewer women than men have moved out of poverty during this time. This reiterates the importance of using data which are disaggregated by sex, for macro- and micro-economic policies are not gender neutral.

Poverty is not simply about low income, but about lack of access to political, social, and economic rights and resources. Gender inequality exacerbates the impact of poverty on women because they have less access to these rights and resources than men. The eradication of poverty is a Millennium Development Goal (MDG), yet, the

realisation of all the MDGs is inextricably linked to the eradication of poverty. In this sense, poverty eradication must be treated as a prerequisite to realising all the MDGs.

The Commonwealth has led research in gender responsive budgets, designed to reduce the negative effects of structural inequalities that cause poverty among women and girls. WAMM is likely to recommend the extension of these budget processes within member countries, the amendment of national laws to ensure equal rights to productive resources, and promote policies to increase the retention of girls in primary and secondary education. It is also hoped that WAMM will recommend the development of stronger social safety nets within countries to protect women and vulnerable groups from the negative consequences of globalised markets.

3 Simultaneous sessions for Ministers and Senior Officials

4 (a) Gender, human rights and law

The new Plan is set to reaffirm a rights-based approach to the realisation of gender equality. International human rights instruments impose obligations on states to guarantee equal rights between women and men, such as the UN Declaration on Human Rights and CEDAW. However, women and girls continue to have their basic human rights violated, and are the subjects of different forms of discrimination throughout their life.

Ministers should persuade their governments to comply with international human rights obligations, and ratify international conventions where they have failed to do so. States should be encouraged to update laws on violence against women and children, which are often outdated, and should be encouraged to re-examine the adequacy of national legislation to protect vulnerable groups, in light of changes in international law, such as trafficked women and Indigenous peoples. As part of their strategies, governments must take into account that, in many countries, customary laws and traditions impact on the lives of people more than statutory laws, on a day-to-day basis. Finally, anti-trafficking legislation at the national level needs to adopt a human rights approach. It should protect the rights of victims and those who are vulnerable to abuse, recognising that they are often unable to access social safety nets within a host country, and can face persecution if they attempt to return home.

Ghana has successfully passed the Children's Act, amended the criminal code on rape, defilement and indecent assault, and has developed a draft bill on domestic violence. Further, Women and Juvenile Units have been established across the country to address violations of women's and children's human rights. This is a good example of a policy backed up by a developing institutional capacity. Such efforts deserve support both by the Commonwealth Secretariat, and by regional experts.

The institutional capacity of Commonwealth legal systems must also be strengthened: by constitutional reform, judicial training in gender equality, and the appointment of more women judges. Access and opportunity in human rights must be established at an early age, which means more activities must be undertaken with young people.

(b) Gender and Trade

Macro-economic policy can worsen or improve the living standards of different groups of women. With the globalisation of capital markets and the liberalisation of

international trade, macro-economic policy can increase or reduce the gender gap in income, healthcare, education, and nutrition. The Commonwealth has spearheaded research into the implementation of gender responsive budgets by governments, particularly during economic liberalisation. The Commonwealth has initiated over half of the 50 known initiatives undertaken by international agencies. Hence it can exert a great deal of influence at the international level. It is imperative that the Commonwealth uses its expertise in this area to make recommendations at Beijing +10 in 2005. Commonwealth Women's Ministers and the Secretariat can ensure that the use of gendered budgets becomes an international standard which all countries should adopt. A good example of a multi-sectoral approach to producing gendered budgets comes from the Canadian Center for Policy Alternatives (CCPA). CCPA centrally co-ordinates the involvement of 50 organisations across the country, including civil society groups and trade unions, which produce the Alternative Federal Budget. It is a complete budget within a macro-economic framework, which is presented to government. It incorporates gender analysis into the report.

There is a close inter-relationship between structural adjustment, trade liberalisation and globalisation, and the growing level of privatisation of healthcare, education and employment in a number of Commonwealth countries. This can increase the gender gap, as women are less likely to use privatised resources, because they are poorer. Liberalised economies often have fewer social safety nets in order to facilitate faster economic growth. Globalisation has also impacted on the informal sector, which has a high concentration of women workers. Macro-economic policies do not take into account the unpaid work that women contribute to the care economy, and the unequal valuation of women and men to production.

It is likely that Ministers will recommend to governments that gender analysis be incorporated into the negotiation of liberalisation processes in the economy. They will also recommend that multi-lateral trade processes should be engendered.

5 Gender and HIV/AIDS

Women continue to be less able than their male counterparts either to get adequate healthcare or to determine the nature of their sexual relationships. The HIV/AIDS pandemic is a gender issue, which has different consequences for men and women. For example, women are more susceptible to the HIV infection because of their biological nature. Also, women are often less able to negotiate safe sex because of their lower status, economic dependence, fear of violence and fear of consequences of trying to negotiate safe sex. Finally, men and boys need to be encouraged take a positive role in HIV/AIDS prevention; this includes encouraging safe practices from an early age, and altering the nature of unequal sex-relations between men and women through education.

Commonwealth efforts must focus on empowering women as to their sexual and health rights, and taking a community approach. Women and girls known to have HIV/AIDS are more likely to be rejected, expelled from their family home or excluded from their communities. But the good news is that prevention can be effective. For example, the report of the Secretary General on the implementation of the 1995 Commonwealth Plan of Action, and its update in 2000, recorded that, in the Ugandan capital of Kampala, determined efforts saw HIV prevalence rates among teenage women drop from 28 per cent in 1991 to 6 per cent in 1998.

6 Government-civil society dialogue on the Plan of Action

In the past there has been limited dialogue between civil society groups and governments at WAMM meetings. The new Plan recognises the need to change this. A government-civil society dialogue, within the main framework of the WAMM meeting in Fiji, is an important step in establishing a multi-stakeholder approach.

5 Interaction with other bodies

It is common practice for the Secretariat to invite several observers to attend the Women's Affairs Ministers Meetings. This includes UN agencies, regional organisations, NGOs and professional organisations. The sixth WAMM was attended by nine organisations including: the Commonwealth Parliamentary Association, the Commonwealth Women's NGO Network, the Commonwealth Human Rights Initiative, UNIFEM, UNDP, UNICEF, ILO, CARICOM, and the South Pacific Forum. Unfortunately, not all the regions of the Commonwealth were represented, and in future organisers of the event must make greater efforts to ensure that all Commonwealth stakeholders are heard.

It is likely that 7WAMM will have greater interaction with other bodies working with the Commonwealth than previous meetings. This will be thanks to a Commonwealth Partners Forum, coordinated by the Commonwealth Foundation. It will bring together representatives from 200 civil society organisations from across the Commonwealth, as well as magistrates and judges, parliamentarians, entrepreneurs, and donors. Many of the participants in this event will also be taking part in the government-civil society dialogue on the Plan, and it is hoped that the Forum will enrich the depth of that discussion.

A Commonwealth Gender Reference Group emerged from a preparatory meeting for this WAMM. It is made up of representatives from each region, including heads of national women's machineries and from civil society partners from the regions. The group is centrally coordinated by the Commonwealth Secretariat, and its tasks were to formulate the 7WAMM agenda and format, to prepare the Commonwealth Gender/Women's Ministers Reference Book, and to help develop the new Plan. It is likely that Commonwealth governments will request the UN to produce another report on the Status of the World's Women for Beijing +10.

The first meeting of the steering committee of the Global Coalition on Women and HIV/AIDS was hosted by the Commonwealth Secretariat in February 2004. This is an informal group of partners and organisations that seek to advance action, facilitate collaboration and support the scaling up of innovative efforts that involve women and girls. The coalition will work to mobilise resources for activities which can prevent HIV infection, but will also be concerned with reducing violence against women, equal access to care and treatment, and universal education for girls.

6 Other issues

While 50 Commonwealth countries have now signed up to CEDAW, Tonga, Brunei and Tuvalu are yet to ratify the agreement. Pressure needs to be put on these countries to do so. Also, only 19 members states have signed up to the optional protocol --

South Africa, the UK and Australia are among those which have not -- and many countries have attached reservations to their acceptance of CEDAW.

The Commonwealth must pay closer attention to the concerns and lack of rights of marginalised communities, in particular the lack of rights for Indigenous peoples within the Commonwealth. Contravention of their rights undermines attempts to eradicate poverty within Commonwealth countries, to establish substantive democracies, and to deal effectively with issues of gender equality.

WAMM has to devise a tight proposal to be submitted in time for next year's UN meeting on the Beijing Platform for Action +10. WAMM can contribute significantly to global gender policy, particularly in the area of gender responsive budgets, where the Commonwealth is at the forefront. However the WAMM process must establish greater continuity between meetings, in order to influence global policy more effectively, and to institute change at the national and regional level. Steps are being taken to assist this, through the development of interim working groups, and better links between the Secretariat and the heads of national women's machineries. However, Women's Ministers must do more than establish policy directions. WAMM must now focus more on implementation, monitoring, training and capacity building. Otherwise its recommendations and commitments will fail to effect real change in the level of gender equality in Commonwealth countries.

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