

CARE Australia Submission to the Australian Government for the 61<sup>st</sup> Session of the United Nations Commission on the Status of Women focuses on the priority theme of 'Women's economic empowerment in the changing world of work'. We ask that the Australian Government use CSW61 as a critical opportunity to:

## 1. Advance gender equality through trade policy and agreements

Trade can improve women's empowerment and livelihoods, or it can exacerbate gender inequalities and hinder women's participation in the formal economy.<sup>i</sup> Women's participation in the workforce and community is often challenged by rigid social norms, legal and policy constraints, wage discrimination, labour market segmentation, limited access to productive resources and an unfair and disproportionate share of unpaid care work. These inequalities can be exacerbated by trade policies that cause some sectors to expand, and others to contract and where women may be clustered in fewer and more vulnerable sectors.

The Agreed Conclusions to CSW61 provide an opportunity to seek global consensus on the impact of trade on gender relations and the opportunities for trade policy and agreements consistently to advance gender equality. CARE recommends that Australia negotiate for the Agreed Conclusions to consider the different impacts of trade policies on women, men, boys and girls to identify the gender-based constraints that impede inclusive development, and devise strategies to overcome them.<sup>ii</sup> In this way, Australia can ensure trade policies better enable sustainable and inclusive development. This language would build on the commitments made by the Australian Government to advance gender equality in trade in the DFAT Gender Equality and Women's Empowerment Strategy.

## 2. Contribute to preventing and prohibiting gender-based violence (GBV) in the workplace

Women around the world experience high levels of GBV at work. GBV in the workplace is a human rights violation and a barrier to participation in paid work. It undermines equal participation in the workplace, reinforces negative and harmful gender stereotypes, reduces the quality of working life, and imposes significant costs on businesses.<sup>iii</sup> One of the most prevalent forms of GBV in the workplace is sexual harassment, and also includes emotional abuse, controlling behaviours and acts of physical and sexual violence.<sup>iv</sup> Workplaces are increasingly recognising that supporting victim/survivors of GBV is an important workplace issue.<sup>v</sup>

Australia should use CSW61 to advocate for UN member states to prevent and prohibit violence against men and women in the world of work, including GBV and sexual harassment.<sup>vi</sup> It is worth noting in this regard that the International Labour Organisation is also progressing this issue and will survey governments about their views on this issue in the lead up to the 2018 ILO Conference.

The final CSW61 Expert Group Meeting report includes recommendations for governments at CSW to: *Undertake concerted and immediate efforts to eliminate GBV in the world of work, recognizing that this violence increases gender inequalities, denies women workers voice and agency and imposes economic costs on women, families and economies.*<sup>vii</sup> This language could be used as the basis of negotiations for such a provision in the Agreed Conclusions.

This issue has been under discussion in Australia and domestically there is a good story to tell, particularly around the work of the Australian Human Rights Commission to address sexual harassment and in the increasing willingness of business to include domestic violence leave in enterprise agreements. Internationally, CARE Australia's development work in South East Asia, funded in part by the Australian Government, focusses on this issue and this work could be highlighted in side events or discussions by the Australian delegation. CARE Australia would, of course, be happy to provide briefing material.

In its efforts to implement these two recommendations, the Australian Government should continue to **promote and support the work of women's movements**, and to encourage the UN and member governments to continue to support international and domestic women's movements, which remain central to the long-term effort of shaping social and policy developments that advance gender equality.

Additionally, noting that Australia's role in promoting human rights institutions is well known and commended, CARE Australia encourages the Australian Government to continue to advocate for CSW to grant national human rights institutions direct representation.

CARE Australia supports the Agreed Conclusion from CSW60's (paragraph 30) that affirms the Commission's role as a review mechanism for progress on the Sustainable Development Goals. As stated in this paragraph of the Agreed Conclusions, the Commission can in this way 'exercise its catalytic role for gender mainstreaming so as to ensure that follow-up and review processes benefit all women and girls and contribute to the full realization of gender equality and the empowerment of all women and girls by 2030.' In the review theme for CSW 61, CARE Australia recommends that the Australian Government expands upon and advances this process. CARE Australia also looks forward to seeing Australia's reporting against the SDGs domestically.

Suggested language from the Australian Government's *Empowering Women and Girls* report, as well as the Beijing Platform for Action and past CSWs is attached for consideration for negotiations on the Agreed Conclusions.

**On women's economic empowerment and trade**

**2015 Report of the Joint Standing Committee on Foreign Affairs, Defence and Trade on the human rights issues confronting women and girls in the Indian Ocean–Asia Pacific region, *Empowering women and girls***

Recommendation 28

The Committee recommends that, in negotiating international and regional trade, mining and other development agreements, the Australian Government:

- have recourse to available research and data on the gendered impacts of this development to ensure it maximises opportunities for both men and women;
- require this research where it does not exist; and
- deploy relevant research and data to refine and inform programs developed with the purpose of supporting women's economic empowerment across the Indo–Pacific region.

**2016 CSW Agreed Conclusions on women's empowerment and the link to sustainable development, paragraph 23 (ee)**

The Commission [...] urges Governments [...] to take the following actions [...] Implement macroeconomic, labour and social policies that promote full and productive employment and decent work for all in order to benefit women and promote gender equality and the empowerment of women, as well as to enhance economic efficiency and optimize the contribution of women to economic growth and poverty reduction, promote processes to develop and facilitate the availability of appropriate knowledge and technologies globally, and increase awareness among decision-makers, the private sector and employers of the necessity of women's economic empowerment and their important contribution.

**2014 CSW Agreed Conclusions on the Challenges and achievements in the implementation of the Millennium Development Goals for women and girls**

**Paragraph 42**

The Commission urges Governments [...] to take the following actions [...]

**(jj)** Work towards ensuring that global trade, financial and investment agreements are conducive to the promotion of gender equality and the empowerment of women and the human rights of women and girls, and complement national development efforts to achieve the Millennium Development Goals for women and girls, including through reaffirming the critical role of an open, equitable, rules-based, predictable, non-discriminatory multilateral trading system, and strengthen the effectiveness of the support of the global economic system for development by encouraging the mainstreaming of a gender perspective into development policies at all levels in all sectors.

**(nn)** Identify and develop strategies to expand trade opportunities for women producers and facilitate the active participation of women in national, regional and global trade.

**(jjj)** Strengthen the participation and contributions of women in decision-making processes on national, regional and global trade.

**2013 CSW Agreed Conclusions on the elimination and prevention of all forms of violence against women and girls, paragraph 34, (dd)**

The Commission urges government [...] to take the following actions [...] Promote women's full participation in the formal economy, in particular in economic decision-making, and their equal access to full employment and decent work; empower women in the informal sector; and ensure that women and men enjoy equal treatment in the workplace, as well as equal pay for equal work or work of equal value, and equal access to power and decision-making, and promote sharing of paid and unpaid work.

### **1997 CSW Agreed Conclusions on women and the economy**

Governments, international organizations and the private sector should recognize the contributions women make to economic growth through their paid and unpaid work and as employers, employees and entrepreneurs. They should adopt the following: [...]

#### **Paragraph 23**

Development policies should focus on the economic empowerment of women. The interlinkage between national policies at the macrolevel and economic and social gender roles and relations at the microlevel should be clear in order to make the policies more effective. The impact on women of liberalization policies, which include privatization, financial and trade policies, should be assessed.

#### **Paragraph 27**

The international community, while strengthening international cooperation, should emphasize the importance of an open, rule-based, equitable, secure, non-discriminatory, transparent and predictable multilateral trading system that will also ensure the equal access of women to markets and technologies and resources at both the national and international levels.

### **On gender-based violence in the workplace**

#### **2013 CSW Agreed Conclusions on the elimination and prevention of all forms of violence against women and girls**

#### **Paragraph 34**

The Commission urges government [...] to take the following actions [...]

(v) Encourage private sector investment in programmes, campaigns and strategies to respond to, prevent and eliminate all forms of discrimination and violence against women and girls, including sexual harassment at the workplace, and to empower victims and survivors of violence.

(yy) Take measures to ensure that all workplaces are free from discrimination and exploitation, violence, and sexual harassment and bullying, and that they address discrimination and violence against women and girls, as appropriate, through measures such as regulatory and oversight frameworks and reforms, collective agreements, codes of conduct, including appropriate disciplinary measures, protocols and procedures, referral of cases of violence to health services for treatment and police for investigation; as well as through awareness-raising and capacity-building, in collaboration with employers, unions and workers, including workplace services and flexibility for victims and survivors.

#### **2011 CSW Agreed Conclusions on access and participation of women and girls in education, training and science and technology, including for the promotion of women's equal access to full employment and decent work, paragraph 17**

The Commission expresses deep concern that discrimination and violence against women and girls, including sexual harassment and bullying, continue to occur in all parts of the world, including in education and in the workplace. The Commission notes that those are obstacles to the achievement

of women's and girls' equal access to and participation in education, including in science and technology education, and training, as well as impediments to the development of their full potential as equal partners with men in other aspects of life, including full employment and decent work

## 1995 Beijing Platform for Action

### Paragraph 124 (c)

Actions to be taken by Governments [...] Enact and/or reinforce penal, civil, labour and administrative sanctions in domestic legislation to punish and redress the wrongs done to women and girls who are subjected to any form of violence, whether in the home, the workplace, the community or society.

### Paragraph 126 (a)

Actions to be taken [...] By Governments, employers, trade unions, community and youth organizations and non-governmental organizations, as appropriate [...] Develop programmes and procedures to eliminate sexual harassment and other forms of violence against women in all educational institutions, workplaces and elsewhere.

### Paragraph 161

For those women in paid work, many experience obstacles that prevent them from achieving their potential. While some are increasingly found in lower levels of management, attitudinal discrimination often prevents them from being promoted further. The experience of sexual harassment is an affront to a worker's dignity and prevents women from making a contribution commensurate with their abilities. The lack of a family-friendly work environment, including a lack of appropriate and affordable child care, and inflexible working hours further prevent women from achieving their full potential.

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<sup>i</sup> IISD (International Institute for Sustainable Development): Beyond Barriers (2016) *The Gender Implications of Trade Liberalization in Southern Africa*. Accessible at: <http://www.iisd.org/library/beyond-barriers-gender-implications-trade-liberalization-southern-africa>.

<sup>ii</sup> UNCTAD (United Nations Conference on Trade and Development): Trade, Gender and Development (2016). Accessible at: <http://unctad.org/en/Pages/DITC/Gender-and-Trade/Trade,-Gender-and-Development.aspx>.

<sup>iii</sup> UN Women Expert Group: *Organising for Women's Economic Empowerment: Women at the coal-face of the changing world of work*. Expert paper prepared by: Chidi King for the International Trade Union Confederation, Geneva (2016). Accessible at: <http://www2.unwomen.org/-/media/headquarters/attachments/sections/csw/61/egm/chidi%20king%20-%20csw61%20egm%20expert%20paper.pdf?v=1&d=20161110T201220>

<sup>iv</sup> USAID: *GBV Toolkit for Integrating GBV Prevention and Response into Economic Growth Projects – Part 2: GBV Definition, Prevalence and Global Statistics*. Accessible at: <https://www.usaid.gov/sites/default/files/documents/1865/USAID%20Toolkit%20GBV%20EG%20Final%20Section%202.pdf>

<sup>v</sup> Australian unions have also been at the forefront in negotiating paid leave for women experiencing intimate partner violence, enabling women in many cases to both keep their jobs and take the necessary action to escape violent relationships. UN Women Expert Group: *Organising for Women's Economic Empowerment: Women at the coal-face of the changing world of work*. Expert paper prepared by: Chidi King for the International Trade Union Confederation, Geneva (2016). Accessible at: <http://www2.unwomen.org/-/media/headquarters/attachments/sections/csw/61/egm/chidi%20king%20-%20csw61%20egm%20expert%20paper.pdf?v=1&d=20161110T201220>

<sup>vi</sup> ILO (International Labour Organization): *Background paper for discussion at the Meeting of Experts on Violence against Women and Men in the World of Work (Geneva, 3–6 October 2016)*. Accessible at: [http://www.ilo.org/wcmsp5/groups/public/---dgreports/---gender/documents/meetingdocument/wcms\\_522932.pdf](http://www.ilo.org/wcmsp5/groups/public/---dgreports/---gender/documents/meetingdocument/wcms_522932.pdf)

<sup>vii</sup> *UN Women: Report of the Expert Group Meeting on the CSW 61 Priority Theme: Women's Economic Empowerment in the Changing World of Work (Geneva, Switzerland 26 -28 September 2016)*, page 13.