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45th Session of the Commission on the Status of Women

INTRODUCTION

Bringing together representatives of the Member States, United Nations agencies and observers as well as over 600 NGO participants from all regions in the world, the 45th session of the UN Commission on the Status of Women (CSW) met in New York from 5-16 March 2001. It discussed the follow-up to the 1995 Fourth World Conference on Women, held in Beijing (China), and to the 23rd Special Session of the General Assembly on Women 2000: Gender Equality, Development and Peace for the 21st Century (Beijing+5), held in June 2000 in New York. The Commission had before it an extensive agenda with two thematic issues: Women, the Girl-Child and HIV/AIDS; and Gender and All Forms of Discrimination in Particular Racism, Racial Discrimination, Xenophobia and Related Intolerance. The Commission also considered its multi-year programme of work for 2002-2006 and its working methods, as well as the communications procedure concerning the status of women.

Chaired by Dubravka Simonovic (Croatia), the Commission adopted, after lengthy negotiations, five resolutions, four decisions and one draft agreed conclusions before the session was suspended on 17 March. Unable to reach an agreement on the draft conclusions on Women, the Girl-Child and HIV/AIDS, the Commission decided to take action on the document during its resumed session, tentatively to be held on 9-11 May 2001 in New York, when it will also consider its system-wide medium-term plan. The Commission also began discussing its working methods but decided to postpone these until its 46th session in 2002.

The extensive list of items on the Commission's agenda was also reflected in the large number of documents before it, including a report of the Secretary-General on the thematic issues (E/CN.6/2001/9) and on the follow-up and implementation of the Beijing Declaration and Platform for Action (E/CN.6/2001/2). The latter report outlines both the efforts taken by the UN secretariat in support of gender mainstreaming and follow-up activities, issues related to the situation of Palestinian women, and the release of women and children taken hostage around the world, including those subsequently imprisoned in armed conflict. The addendum of the report (E/CN.6/2001/2/Add.1) discusses the situation of women and girls in Afghanistan.

PROGRESS AND FURTHER ACTION

In her introductory statement Angela King, Assistant Secretary-General and Special Adviser on Gender Issues and Advancement of Women, reflected on the outcome of the June 2000 Special Session and subsequent progress and setbacks. According to Ms. King, one of the primary challenges of the Commission in the post-Beijing+5 period is "the need to manage the globalization process to ensure that women do not bear the brunt of any negative effects." Ms. King said the adoption by the General Assembly of the Windhoek Declaration and the Namibia Plan of Action on Mainstreaming a Gender Perspective in Multidimensional Peace Support Operations was one of the most remarkable breakthroughs since the 44th session of the CSW. Building on these, in October 2000 the Security Council held its first-ever meeting on women, peace and security. It adopted a far-reaching resolution (S/RES/1325/2000) in which it stresses the importance of women's equal participation with men and full involvement in all efforts for the maintenance and promotion of peace and security. Ms. King also drew attention to the situation of women in Afghanistan, where despite efforts made there had been little progress in obtaining women's and girls' basic human rights.

Member States, UN agencies and observers and NGO participants highlighted progress made since the conferences, and reflected on further actions needed in order to achieve equality between women and men, particularly in developing countries and countries with economies in transition. All regions in the world were said to have shown progress in the form of increased participation of women in the labour market, increased access of women to education, development of legislation against gender-based discrimination and violence, as well as an emergence and diversification of NGO activities for gender equality. However, there was also recognition of areas that continue to be of concern in most regions. These phenomena included globalization, persistent gender discrimination in the labour market, unequal access to social services, conflicts and all forms of violence against women including trafficking. Poverty was identified by many as a major obstacle to the realization of women's rights in most developing countries. Addressing the issue of feminization of poverty, Nigeria called for a resolution of the debt problem. "We believe that an urgent and definite resolution of the debt problem," it said, "including outright cancellation will free resources for development in developing countries." This would in turn strengthen the capacity of developing countries to pursue development-oriented policies that would positively impact on the lives of women, it noted.

The thematic issues of Women, the Girl-Child and HIV/AIDS; and Gender and All Forms of Discrimination in Particular Racism, Racial Discrimination, Xenophobia and Related Intolerance were high on the agenda throughout the session, which reflected their relevance in light of forthcoming UN events. These include the General Assembly Special Session on HIV/AIDS from 25-27 June 2001 in New York, and the World Conference on Racism, Racial Discrimination, Xenophobia and Related Intolerance from 31 August to 7 September 2001 in Durban (South Africa).

The European Union (EU) stressed that one of the messages of the Commission to the upcoming General Assembly Special Session on HIV/AIDS should be to place gender at the centre of all analyses and HIV/AIDS-related activities. According to the EU, the spread of HIV/AIDS could not be fought without the empowerment of women and without ensuring their sexual and reproductive rights. States "must also emphasize the importance of the empowerment of women," it said, "which will enable them, if they so wish, to say no." On the issue of gender and discrimination, the EU noted that the aim to eradicate discrimination is not beyond reach, but that women are still confronted with discriminatory practices and prejudices often on multiple grounds including racial or ethnic origin, religion or belief, disability, age or sexual orientation. The EU called for the Commission to transmit a message to the World Conference on Racism to consider how gender interacts with other factors in the forms of multiple discrimination that women experience.

The Southern African Development Community (SADC), comprising Angola, Botswana, Democratic Republic of Congo, Lesotho, Malawi, Mauritius, Mozambique, South Africa, Seychelles, Swaziland, United Republic of Tanzania, Zambia and Zimbabwe, pointed out that despite achievements in gender equality, the region still faces major problems at national and community levels. The themes of HIV/AIDS and racism and racial discrimination were especially problematic for the SADC countries, where women and girls are among the most severely affected, it said.

Regarding HIV/AIDS, SADC stressed the need for a holistic and comprehensive solution and called for international cooperation and support to address the pandemic. SADC highlighted the importance of the upcoming General Assembly Special Session on HIV/AIDS and said it anticipated an "immediately implementable outcome," including the availability of affordable antiretroviral drugs. SADC informed the Commission that it had established a multi-sectoral HIV/AIDS Technical Sub-Committee, and had developed an HIV/AIDS Strategic Framework and Programme of Action for 2000-2004. Within this framework the countries had held a number of meetings and developed principles to guide negotiations with pharmaceutical companies on provision of drugs for treatment of HIV/AIDS-related conditions in SADC countries.

**BUREAU OF THE COMMISSION
ON THE STATUS OF WOMEN**

Dubravka Simonovic (Croatia), Chair; Vice-Chairs Kirsten Geelan (Denmark), Atsuko Nishimura (Japan), Loreto Leyton (Chile) and Mankeur Ndiaye (Senegal)

The Division for the Advancement of Women (DAW) of the United Nations Department of Economic and Social Affairs (DESA) serves as the secretariat for the Commission on the Status of Women. The DAW Director is Yakin Erturk.

Concerning Gender and All Forms of Discrimination, in Particular Racism, Racial Discrimination, Xenophobia and Related Intolerance, SADC recognized that the theme was equally important to the region. "The destructive policies of apartheid," it said, "which was declared a crime against humanity by the United Nations, brought about social, economic and political destabilization in the SADC region. Furthermore, SADC countries experienced long years of colonialization. As such, in the SADC region, our struggle against gender and all forms of discrimination, in particular racism, has been a common one." For countries that were victims of slavery and colonialism now facing economic and other setbacks, SADC called for states that it said had pursued racist policies to "assume their political, moral, economic and legal responsibilities and provide compensation and adequate reparation to those states, communities and individuals who were victims of such racist policies or acts, regardless of when or by whom they were committed."

The representative of United States recognized that the complex ways in which women experienced discrimination, disadvantage and inequalities had not been adequately explored. Combating HIV/AIDS, both on a national and international level, was of fundamental concern. The US affirmed its commitment to achieving a gender-integrated approach in its response to the pandemic, and said it is working to increase the availability of both male and female family planning methods, as well as promoting abstinence as a means of preventing HIV infection.

The Rio Group of Latin American countries highlighted the close link between HIV/AIDS and human rights and identified the pandemic as an urgent foreign policy issue, which had economic and development implications. Recognizing the pandemic as a challenge to the international community as a whole, the Rio Group emphasized the need for development assistance and additional financial resources to implement policies and programmes aimed at halting spread of the disease and providing treatment for all of its victims. According to the Rio Group, women and girl-children are particularly vulnerable to the pandemic as a result of, among other factors, poverty, lack of access to education, the inability to make decisions regarding their own bodies, and equality in relations with men.

Concerning gender and discrimination, the Rio Group referred to the Regional Conference of the Americas Against Racism, Racial Discrimination, Xenophobia and Related Forms of Intolerance, held in Chile in December 2000. It recognized that the different ways in which women experienced racism, racial discrimination and xenophobia impede their full enjoyment of human rights and result in deteriorating living conditions and various forms of violence against women. The Rio Group also called for special attention to be given to indigenous populations, as well as female migrants.

Negotiations on the agreed conclusions on the two thematic issues were complex because of organizational arrangements and the political sensitivity of some of the issues. This was especially true of negotiations on the draft agreed conclusions for Women, the Girl-Child and HIV/AIDS. Among divisive issues were prevention and care including condom use, abstinence as a method of prevention of HIV/AIDS, and the availability and affordability of antiretroviral treatments. Countries hardest hit by the HIV/AIDS pandemic pushed for a commitment by the international community to reduce the costs of pharmaceutical and anti-retroviral therapies; this was seen by some industrialized countries to conflict with international agreements on trade and intellectual property rights.

From the beginning negotiations on Gender and All Forms of Discrimination, in Particular Racism, Racial Discrimination, Xenophobia And Related Intolerance were less controversial. The negotiators emphasized the technical role of the Commission and focused discussions on gender aspects

related to discrimination and racism. This left more contentious issues such as colonialism and compensation outside the discussion. The Commission adopted a conclusion that calls on governments, the UN and civil society to take a holistic approach in addressing the multiple forms of discrimination against women and girls. The agreed conclusion stresses the importance of mainstreaming a gender perspective into the preparations, work and outcome of the World Conference on Racism and urges Member States to include women in their delegations to the Conference.

In their statements NGOs drew attention to the impact of globalization and poverty on women and underlined the need to look at "how class, gender, race, ethnicity, caste and national identity interact with and reinforce each other." Concerning HIV/AIDS, they underlined the importance of gender-sensitive education and awareness raising, and involving people living with HIV/AIDS in fighting against the disease. NGOs called for leaders to take measures to encourage destigmatization of HIV/AIDS, and they pointed out the need for governments to provide health services, education on HIV/AIDS, and voluntary counselling and testing.

COMMON WORK PROGRAMME AND WORKING METHODS

In a resolution the Commission recommended the following themes for the United Nations Economic and Social Council (ECOSOC) multi-year programme of work in 2002-2006.

- 2002—eradicating poverty, including the empowerment of women through their life-cycle in a globalizing world; and environmental management and mitigation of natural disasters: a gender perspective.
- 2003—participation and access of women to the media and information and communication technologies and their impact on and use as an instrument for the advancement and empowerment of women; and women's human rights, and elimination of all forms of violence against women and girls as defined in the Beijing Platform for Action and the outcome document of the 23rd General Assembly Special Session.
- 2004—the role of men and boys in achieving gender equality; and women's equal participation in conflict management and conflict resolution and in post-conflict peace-building.
- 2005—review of the implementation of the Beijing Platform for Action and the outcome document of the 23rd General Assembly Special Session; and current challenges and forward-looking strategies for the advancement and empowerment of women.
- 2006—enhanced participation of women in development; an enabling environment for achieving gender equality and for the advancement of women, taking into account, *inter alia*, the fields of education, health and work; and equal participation of women and men in decision-making processes at all levels.

To enhance its efficiency and productivity in policy formulation and monitoring of the Beijing Platform for Action and Beijing+5 Outcome Document, the Commission also discussed its methods of work. Member States called for increased flexibility in this area. They also said the Commission should set out practical and action-oriented strategies that would result in concrete outcomes. The role of the Commission as a catalyst in mainstreaming gender into all areas of work of the UN was underlined, and it was urged to cooperate more effectively with other UN entities. The importance of selecting themes for the Commission's multi-year programme of work that would be relevant to UN conferences and processes was also emphasized. The EU stressed that the CSW's future agenda should link with major processes underway in the UN system, and it should define the gender perspective in human rights and

fundamental freedoms, population and development, poverty eradication and social development. The Commission, which recognized the need for thorough discussion of work methods, decided to discuss the issue at its 46th session in 2002.

OTHER DECISIONS

In her closing remarks, Ms. Simonovic said she hoped the working methods of the Commission would be further considered in order to make meetings more efficient and to produce more concise documents. In addition to adopting its multi-year programme of work and the agreed conclusions on Gender and All Forms of Discrimination, in Particular Racism, Racial Discrimination, Xenophobia and Related Intolerance, the Commission took action on four resolutions and four decisions. These include the following.

Situation of and Assistance to Palestinian Women

According to the resolution, ECOSOC would call upon the concerned parties, as well as the international community, to exert all necessary efforts toward ensuring immediate resumption of the peace process on its agreed basis, and call for measures for "tangible improvements in the difficult situation on the ground and living conditions faced by Palestinian women and their families."

The resolution was adopted by a vote of 31 in favour to one against (United States) with one abstention (Rwanda). The US said it voted against the resolution because it addressed the issue of refugees in Jerusalem, which both sides had agreed to address in the permanent status negotiations, and therefore it was inappropriate to mention it in the resolution.

Release of Women and Children Taken Hostage, Including Those Subsequently Imprisoned, in Armed Conflicts

In this resolution the Commission condemned violent acts in contravention of international humanitarian law against civilian women and children in areas of armed conflict, and called for an effective response to such acts including immediate release of women and children taken hostage and subsequently imprisoned in armed conflict. The Commission strongly urged all parties of armed conflict to fully respect the norms of humanitarian law in armed conflict, and to take all necessary measures for the protection of women and children taken hostage and for their immediate release. It urged all parties to armed conflict to provide safe unimpeded access to humanitarian assistance for women and children, and asked the Secretary-General and all relevant international organizations to use their capabilities and make efforts to facilitate the release of women and children.

The resolution was adopted by a recorded vote of 31 in favour to none against, with two abstentions (India and

MEMBERS OF THE COMMISSION ON THE STATUS OF WOMEN

Argentina, Azerbaijan, Belgium, Benin, Bolivia, Brazil, Burundi, Chile, China, Côte d'Ivoire, Croatia, Cuba, Democratic People's Republic of Korea, Denmark, Dominican Republic, Egypt, Germany, Guinea, India, Iran, Italy, Japan, Kyrgyzstan, Lesotho, Lithuania, Malawi, Malaysia, Mexico, Mongolia, Netherlands, Pakistan, Peru, Republic of Korea, Russian Federation, Rwanda, Saint Lucia, Senegal, Sri Lanka, Sudan, Tunisia, Turkey, Uganda, United Kingdom, United Republic of Tanzania, and United States.

United States). The EU said it regretted that a vote had to be taken on such an important issue, which up until then had been adopted by consensus. The US said it abstained because it found the resolution's wording inconsistent with existing humanitarian law. The US delegation had suggested minor changes to the resolution's text, which had not been considered. It said that it hoped the matter could be resolved if the resolution came before the Commission again. Lacking instructions from its national government, India had abstained.

Discrimination Against Women and Girls in Afghanistan

According to the resolution, ECOSOC would strongly condemn the continuing grave violations of human rights of women and girls in Afghanistan, including all forms of discrimination against them in all areas of the country, particularly those under the control of the Taliban. ECOSOC would also condemn continued restrictions on women's access to health care and the systematic violation of their human rights in Afghanistan, including restrictions on access to education and employment outside the home and freedom of movement, and their right to freedom from intimidation, harassment and violence. ECOSOC would also appeal to all states and the international community to ensure that all humanitarian assistance to Afghanistan "is based on the principle of non-discrimination, integrates a gender perspective, and actively attempts to promote the participation of both women and men and to promote peace and respect for human rights and fundamental freedoms." ECOSOC would also demand that all factions in the country, particularly the Taliban, ensure the safety and protection of UN and humanitarian workers in Afghanistan. The resolution was adopted without a vote.

The Commission adopted a resolution on mainstreaming a gender perspective into all policies and programmes of the United Nations. It also requested that a decision for enhancing review of progress in implementation of the Beijing Platform for Action and Beijing+5 Outcome Document be taken by ECOSOC in coordination with the conference reviews of other functional commissions. Regarding communications procedures of the CSW, the Commission took into account a report by the Secretary-General submitted to its 44th session, which assesses the implications of reforms of human rights mechanisms (known as the 1503 procedure) for communications concerning the status of women. The Commission requested an additional report from the Secretary-General on communications procedures of the Commission and ways to make it more effective.

OBSERVANCE OF INTERNATIONAL WOMEN'S DAY

To commemorate International Women's Day on 8 March 2001, an event entitled Women and Peace: Women Managing Conflicts was held at UN headquarters in New York. The event focused on Security Council resolution 1325 adopted in 2000 on women, peace and security. Speakers included UN Deputy Secretary-General Louise Fréchette, President of the General Assembly Harri Holkeri (Finland), and President of the Security Council Volodymyr Yel'chenko (Ukraine). They highlighted the lack of women in peace-keeping leadership positions, and the importance of involving women at all levels of peacekeeping and peace-building.

Former Special Representative of the Secretary-General in Bosnia and Herzegovina, Elizabeth Rehn (Finland), spoke about the importance of including women in peace processes. Peace negotiations traditionally were conducted by men, she noted, and focused on building up industries and infrastructure. However, all material reconstruction is useless unless efforts are made to recognize the humanity of those suffering. There is now a gap between peace negotiations and the real situation at the grassroots level, and women and their organizations could provide early warning about emerging frictions "if only somebody would listen to them seriously."

NGO PARTICIPATION

In their statements NGOs drew attention to the impact of globalization and poverty on women. They said inequitable and gender insensitive trade and investment laws limit women's right to resources and opportunities in many developing countries. NGOs also emphasized that in many parts of the world, women are still disproportionately represented in decision making. The African Women's Caucus pointed out that while many countries in the region are undergoing processes of democratization, there is still little evidence that women and organizations can effectively and equally participate in decision-making processes at all levels.

Concerning HIV/AIDS, NGOs emphasized the close link between the pandemic and poverty and pointed out that the existing inequalities in societal structures and processes render women particularly vulnerable to the disease. They underlined the importance of information campaigns and women's access to education and information about the disease, and called for Member States' support for information dissemination at the grassroots. NGOs also called for leaders to take measures to encourage destigmatization of HIV/AIDS, and pointed out the need for governments to provide health services, education on HIV/AIDS and voluntary counselling and testing.

Concerning racism, NGOs underlined the need to look at how class, gender, race, ethnicity, caste and national identity intersect and affect the lives of millions of women. NGOs stressed the importance of formal and informal education in combating racism. They urged Member States to take appropriate measures to curb dissemination of violence and hate propagation through the media, especially the Internet, and to eliminate expressions of racism and xenophobia from all educational material.

CONTACT

Denise Scotto
NGO Focal Point
Division for the Advancement of Women (DAW)
Room DC2-1204
United Nations
New York NY 10017, United States
telephone +1-212/963 8034
fax +1-212/963 3463
e-mail <scotto@un.org>
website (www.un.org/womenwatch)

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