

EMHRN Policy Paper on Gender Equality

1. The Political Context

1.1. International human rights treaties, in particular the Convention on the Elimination of All forms of Discrimination against Women (CEDAW) and its Optional Protocol¹, affirm the universal, indivisible and inalienable nature of women's rights. These instruments condemn all forms of discrimination and inequality to which women are subjected and draw attention to the urgent need to work towards the elimination of all gender-based discrimination of which women are victims.

1.2. Despite the progress accomplished by international bodies in defending and promoting women's fundamental rights, these rights are still not respected all over the world. Within the Euro-Mediterranean region, the environment – social, political, legal, administrative, economic and cultural – is characterised by deeply entrenched inequality between men and women. The superiority of fundamental rights over cultural and religious 'demands' is regularly challenged. This disparity takes on different forms and varies in intensity depending on the national context. However, it remains a reality in all the countries of the region. There is much discrimination against women in relation to their access to justice, and to defending and promoting their political, civil, economic, social and cultural rights.

1.3 Gender violence is violence perpetrated by men against women because they are women. It is one of the worst kinds of discrimination that women in the region are victims of. Violence rates in the public space as well as within the family are high in the region. In Southern and Eastern countries, cases of gender-based violence, a phenomenon which leads to the death of hundreds of women each year, are increased by difficulties in accessing effective protection, socio-cultural legitimisation of these violations mainly under the argument of defending family honour, and structural impunity of the aggressors. In the countries of the region, including in Europe, gender violence requires the adoption and implementation of legislation and systems of prevention and protection. Special attention should be given to migrant women taking their particular vulnerability into consideration.

1.4. Violation of women's rights and the persistent inequalities as well as the work of women's rights organisations and those who fight for human rights, have made the governments of the Euro-Mediterranean region adopt a declaration in November 2006 to reinforce the participation of women in society; the Istanbul Plan of Action. In Marrakesh November 2009, the Ministerial conference to follow up on this Plan of Action stated that "important obstacles exist in the 43 countries of the Union for the Mediterranean which hinder women in enjoying their fundamental rights on equal footing with men". They were "convinced that the participation of women and men on an equal footing in all areas of economic, political and public life constitute an essential element of democracy and sustainable development (...) and that new concrete measures need to be put in place to reach this objective and integrate gender in all areas of action, taking the diversity of the region into consideration".

1.5. These 'claims' meet opposition from social, cultural and identity groups, a manifestation of the socio-cultural patriarchal structures that dominate the whole world.

¹ This international treaty, among others, was adopted by the U.N. to encourage states to eliminate de jure and de facto discrimination against women; see: www.un.org/womenwatch/daw/cedaw/.

2. Concepts and Definitions

2.1. The gender-based approach highlights that feminine and masculine roles do not refer to a biological fact but that they are social and cultural constructions. The socio-cultural construction approach also entails a hierarchy and domination of men over women. The gender-based approach sheds light on the patriarchal system which has monopolised the interpretation of social realities and history, and organised societies. The roles assigned to men and women have encouraged the emergence, maintenance and hardening of discrimination against women.

2.2. The gender-based approach makes it possible to implement strategies for establishing equalitarian societies, capable of guaranteeing fundamental rights for everyone. It permits reducing inequalities of rights and to correct the disequilibrium of power relations.

2.3. To reach its ultimate objective, equality, the gender-based approach supports the adoption of affirmative action, such as the parity policies, empowerment projects, etc.

2.4. Gender mainstreaming is defined by the UN as “the process of assessing the implications for women and men of any planned action, including legislation, policies or programmes, in all areas and at all levels. It is a strategy for making women’s as well as men’s concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres so that women and men benefit equally and inequality is not perpetuated. The ultimate goal is to achieve gender equality.”

3. Why an EMHRN policy on gender equality?

3.1. The EMHRN’s mission is to promote and strengthen human rights and democratic reforms in the Euro-Mediterranean region. Women’s rights are an integral part of human rights. There is no democracy when half of the population cannot enjoy its rights.

3.2. The EMHRN has explicitly affirmed its commitment to fight against gender discrimination by including in its statutes the goal of working in support of ‘equality between men and women’² (Article 2.1).

3.3. The EMHRN has adopted provisions in its statutes and bylaws that are aimed at promoting parity between men and women in its structures and representations³.

3.4. The EMHRN has also adopted measures that contribute to gender mainstreaming in the development of its policies, planning and programmes, in particular through its Working Group on Gender and the participation of its political referent in the Quartet.

² ‘To work in support for the development of democratic institutions and the promotion of the Rule of law, in particular freedom of association, equality between men and women, sustainable development and respect for economic and social rights’ (Article 2.1).

³ The EMHRN’s statutes state that the Network ‘must strive’ to include an equal number of men and women in its decision-making bodies (General Assembly, Executive Committee) (Articles 4.1.2. and 4.2.1). The statutes also establish the principle of equality of opportunities in several articles dealing with EMHRN structures (Executive Committee, management group [Quartet], Secretariat, Working Groups). Moreover, the statutes include affirmative action mechanisms such as in Article 4.2.4. on the election of members of the Executive Committee. Additionally, the bylaws mention the application of the principle of gender parity to the admission of new members. The participation of the Executive Committee’s political referent for gender in the Quartet is also a step that ensures mainstreaming.

3.5. The EMHRN has amended its statutes in order to add gender-sensitive language in its core documents.

3.6. Gender equality, promotion of women's rights and their participation in public life are the fundamental objectives of the EMHRN Strategy. Gender mainstreaming and women's rights have also been recognised as decisive elements in the human rights and democracy programme.

3.7. Within this framework, the EMHRN has adopted gender parity⁴. It has decided to appoint a political referent to ensure the implementation of these commitments.

3.8. The EMHRN conducted a gender audit in 2008 recommending the adoption of a gender policy. The audit states that the principles and values of gender equality are present in the Network's statutes and bylaws. However, it highlights the absence of a core document defining its policy with respect to integrating gender parity and equality, and its strategies in this regard.

3.9. The aim of this policy paper is to make EMHRN's political commitment towards women's rights durable, to clarify its commitment to gender equality and to guarantee the application of gender mainstreaming in its principles, structures, activities and documents.

4. References of EMHRN Gender Equality Policy

4.1. The international instruments and conventions on women's rights, and first and foremost the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) and its Optional Protocol, are the fundamental references of the EMHRN.

4.2 The Istanbul Plan of Action 2006 and Marrakesh Conclusions 2009 and the recommendations of the EMHRN Shadow Report represent important regional instruments for advocacy on women's rights.

4.3 The gender dimension must be integrated into all activities, missions, publications and reports on the promotion and protection of human rights undertaken by the Network and its members. The EMHRN will ensure that its members and its technical team receive the training and resources needed to achieve that goal.

4.4. The EMHRN will have to encourage its member organisations to guarantee women and men equal access to protection of their human rights. To reach this goal, the EMHRN will define cases of gender-based discrimination and deliver recommendations to improve the protection of fundamental rights of both women and men.

⁴ Gender parity means there are equal numbers of men and women at all levels of a structure, as a government, parliament, party, organisation, network, etc. It must include significant participation of both genders, particularly at senior levels and decision-making positions. As an example, in order to achieve gender parity in politics, women have defended and pushed for the adoption of quotas.

4.5. Gender equality must be considered an integral part of all programmes, policies and activities of the EMHRN. To ensure gender equality, gender mainstreaming must be applied to all the structures and activities of the EMHRN⁵.

4.6. Contributing to gender equality implies acknowledging that policies, programmes and projects affect women and men differently. The EMHRN will have to take the steps necessary to analyse how its activities impact women and men in different ways (gender impact).

4.7. The empowerment of women is a basic condition for achieving gender equality. The EMHRN will favour it.

4.8 Programmes, policies and activities of the EMHRN must aim toward gender equality. In all cases, the EMHRN should not promote any actions which directly or indirectly lead to discrimination.

4.9. Promotion of equal participation of women as agents of change in the economic, social and political processes is essential for the realisation of equality. The EMHRN acknowledges that it is necessary to continue to work towards parity in its structures and its activities. It will have to monitor and evaluate the participation of women in its programmes, structures and activities and the degree of parity within the EMHRN.

4.10 Contributing to gender equality requires the adoption of specific measures. The EMHRN will adopt all *affirmative actions- measures* at its disposal to ensure equal participation of men and women in its structures, its programmes, its policies, in its decision-making process, and in its missions and activities.

4.11. The EMHRN should guarantee that its budgets are gender sensitive. The EMHRN will allocate the funds needed not only to conduct specific activities (developing plans, strategies, activities and publications related to the dissemination, monitoring and implementation of the treaties, the Istanbul Framework of Action and Marrakesh Conclusions and other activities of the Gender Working Group) but also to ensure that the gender dimension is integrated into all the activities of the Network and all of its other Working Groups.

5. Objectives of the EMHRN Gender Equality Policy

The general objective of the EMHRN Gender Equality Policy is to promote gender equality in order to contribute to the transformation of the societies in the Euro-Mediterranean region. To do that, it is a prerequisite that the EMHRN is able to achieve gender equality in its structures and activities.

The specific goals pursued by the EMHRN's Gender Equality Policy are the following:

5.1. To highlight the question of gender equality in the global fight for human rights.

⁵ Gender mainstreaming means that equality between women and men must be integrated at all levels of policy. From the planning to the implementation stage of a programme, gender-sensitive policy and gender equity must be mainstreamed. This notion is based on the reality that no policy is gender-neutral. Economics and politics must contribute to the elimination of inequalities and injustices between men and women. Gender mainstreaming seeks to establish equality of opportunities as the basis of the whole policy and the duty of all leaders. Thus equal opportunities will become a core mission (EMHRN definition)

5.2. To promote the adoption of measures, actions and specific programmes aimed at the defence and promotion of women's rights and gender equality by the EMHRN and its members.

5.3. To make the EMHRN and its members aware of the importance of gender mainstreaming; train members of the technical team on the gender-based approach, and acquaint them with the tools and techniques needed. The EMHRN Gender Kit will be a fundamental tool in the pursuit of this goal.

5.4. To contribute to the distribution, awareness and adoption, by the EMHRN and its members, of the conventions, texts and tools used to promote the rights of women.

5.5. To ensure that the EMHRN's commitment to gender equality is clearly expressed in the Network's core documents and possible amendments (statutes, bylaws, strategy, work plans, staff collective agreement, etc.).

5.6. To ensure that women and men participate equally in the EMHRN's structures and activities, and that the Network's capacities and human resources be used to the fullest extent possible by involving women as much as men in its work, and resort to affirmative action if necessary.

5.7. To encourage that EMHRN member organisations adopt equal participation and affirmative actions- mechanisms.

5.8. To ensure that the gender dimension is incorporated into all of the EMHRN's activities, documents, publications and decisions, in terms of their impact and their recommendations, as well as in terms of gender-sensitive language.

5.9 To ensure that women and men equally take part in political decision-making processes within the EMHRN and its member organisations, and by extension throughout the Euro-Mediterranean region.

5.10. To encourage synergies and partnerships with feminist organisations, networks and campaigns, and with those fighting to protect women's rights, and encourage them to join the EMHRN and the EMHRN to join such networks.

5.11. To ensure that the values and principles affirmed in this policy paper in favour of equality between women and men are incorporated into the Network's new strategy, as well as in its planning, programmes and budgets, and that the goals outlined here are incorporated into them as well.

5.12 The Quartet and the Executive Committee are responsible for the adoption, distribution and implementation of the Gender Equality Policy.

5.13 The political referent for gender on the Executive Committee will be responsible for following up on the EMHRN gender policy.