

THE TIME IS UP TO DELIVER ON WOMEN AND GIRLS' RIGHTS

RECOMMENDATIONS TO UN MEMBER STATES ON THE 25TH ANNIVERSARY OF THE BEIJING DECLARATION AND PLATFORM FOR ACTION

This briefing document contains Amnesty International's recommendations for UN member states to ensure meaningful and rapid progress in the realization of women and girls' rights in the context of the 25th anniversary review of the Beijing Declaration and Platform for Action (Beijing+25).

INTRODUCTION

The importance of the Beijing Declaration and Platform for Action (BPfA) lies in the fact that it is grounded in international human rights law and was agreed by consensus by all 189 UN member states participating at the Fourth World Conference on Women. The previous comprehensive reviews of the BPfA registered the progress made to date and identified various gaps in implementation by national governments. Despite some significant gains in women's human rights, 25 years since the adoption of the BPfA, women continue to experience inequalities and discrimination on multiple and intersecting grounds in relation to access to rights, opportunities and resources. In addition, the core principles on which human rights are based, especially women's right to equality, are increasingly being challenged by various state and non-state actors and neglected or traded away for other concerns in the international arena. Governments are not doing enough to fulfil their existing legal obligations, and some states have even undermined their own commitment to women's human rights by reaffirming during the previous reviews their reservations to the BPfA.

Amnesty International takes the opportunity of the Beijing+25 review to draw attention to the urgent need for governments to acknowledge and respond to the critical gaps and emerging challenges in the implementation of the BPfA. The organization has identified the following priority issues which must be addressed in the run up to the Beijing+25 review during the 64th session of the Commission on the Status of Women (CSW64)¹ and the Generation Equality Forum² in 2020. They are of cross-cutting relevance to the effective implementation of several of the critical areas of concern of the BPfA. They are also vital for ensuring meaningful progress on the Sustainable Development Goals (SDGs)³ and for full implementation of the Women, Peace and Security (WPS) agenda.⁴ These priority issues are:

- Realizing sexual and reproductive rights
- Defending civil society space and recognizing and protecting Women Human Rights Defenders (WHRDs)
- Adequate financing and accountability for gender equality

¹ See UN Women, CSW64 / Beijing+25 (2020), www.unwomen.org/en/csw/csw64-2020

² See UN Women, Generation Equality Forum, www.unwomen.org/en/get-involved/beijing-plus-25/generation-equality-forum

³ [The 2030 Agenda for Sustainable Development](https://www.un.org/sustainabledevelopment/), adopted by all United Nations Member States in 2015, provides a shared blueprint for peace and prosperity for people and the planet, now and into the future. At its heart are the 17 Sustainable Development Goals (SDGs), which are an urgent call for action by all countries - developed and developing - in a global partnership. They recognize that ending poverty and other deprivations must go hand-in-hand with strategies that improve health and education, reduce inequality, and spur economic growth – all while tackling climate change and working to preserve our oceans and forests. See more at: sustainabledevelopment.un.org/sdgs

⁴ The year 2020 also marks the 20th anniversary of United Nations Security Council [Resolution \(UNSCR\) 1325](https://www.un.org/press/en/2019/201904132467.shtml)⁴, the landmark resolution which established binding obligations on states relating to the Women, Peace and Security (WPS) agenda. Since UNSCR 1325, the UN Security Council has adopted a further eight resolutions on WPS, the most recent in April 2019 ([UNSCR 2467](https://www.un.org/press/en/2019/201904132467.shtml)). These resolutions focus on advancing gender equality and women's rights in conflict-affected situations, including through addressing the gendered impact of conflict and promoting women's meaningful participation in peace and security processes.

- Addressing the climate crisis

REALISING SEXUAL AND REPRODUCTIVE RIGHTS

At the 1994 Cairo International Conference on Population and Development (ICPD), governments committed to the principle of reproductive autonomy, recognizing the right of all couples and individuals to decide the number, spacing and timing of their children and to have the information and means to do so, their right to the highest attainable standard of sexual and reproductive health (SRH), and their right to make decisions concerning reproduction free of discrimination, coercion and violence.⁵ The BPfA expanded this commitment to include individuals' right to have control over and decide on matters related to their sexuality, including SRH.

During the 25 years since the BPfA, substantial progress has been made in defining sexual and reproductive health and rights (SRHR) in international human rights law. However, at the same time the backlash against SRHR by anti-rights networks and groups, far right and populist politicians, and some governments has increased and intensified, to the extent that the very concept of gender equality has been challenged at some international forums in recent years.⁶

In addition, previous reviews of the ICPD and the BPfA have identified important gaps and challenges that must be addressed in order to facilitate the full realization of women's rights and gender justice, to achieve women's empowerment and gender equality and justice and enable women and girls to equally participate in sustainable development and in creating fairer societies. Furthermore, the BPfA implementation must guarantee effective realization of the human rights of all women and girls in all their diversity, taking on board the specific barriers and challenges women and girls experience due to multiple and intersecting forms of discrimination.

Achieving gender equality and women's empowerment is impossible without fully respecting, protecting and fulfilling sexual and reproductive rights of all women and girls, and people of all genders. To this end, Amnesty International urges states to strengthen their commitments in the following areas, where implementation and resource allocation to date have been inadequate:

- Revoke laws, policies and practices that criminalize or punish individuals for exercising their sexual and reproductive rights, including, among others, women's conduct during pregnancy, consensual sexual activity, same-sex relations, sex work, and the dissemination of information related to sexual and reproductive rights.
- Decriminalize abortion in all circumstances, and provide safe, legal, and effective access to comprehensive abortion care.
- Remove barriers to effective realisation of individuals' sexual and reproductive rights such as discriminatory attitudes and practices in state institutions, communities and families, and protect people of all genders from abuses of their sexual and reproductive rights committed by non-state actors.
- Prioritise the provision of comprehensive sexual and reproductive health services, commodities and information,⁷ as part of Universal Health Coverage, and in fulfilment of commitments made under the ICPD, the BPfA and SDGs 3 and 5. Address the legal, social, cultural, economic and structural barriers, which women and girls, particularly those experiencing discrimination, stigmatisation and marginalisation, face in accessing sexual and reproductive health services.

⁵ Beijing Platform for Action, paras 7.2 and 7.2

⁶ For example, in negotiations at the Commission on the Status of Women (CSW) in 2019, the USA tried to replace the term "gender" in the outcome document with references only to women and girls and tried to delete references to reproductive health and rights. Prior to that, similar attempts were made at the UN General Assembly Third Committee's session in 2018.

⁷ Comprehensive SRH services should include, among others, access to the full range of modern contraceptive methods, prevention and treatment of STIs/HIV, maternal health care (including ante- and post-natal care) and emergency obstetric care, as well as safe, legal and effective abortion services and post-abortion care, and prevention and treatment of reproductive cancers. SRH services should be available, acceptable, of good quality and accessible (including affordable), in particular to marginalised groups; they should be provided with respect to human rights and confidentiality, and without coercion or discrimination.

expression, association and peaceful assembly, such as restricting or banning sources of funding, travel, registration of nongovernmental organizations, and peaceful demonstrations.¹² These measures are often first directed against women-led and LGBTI groups because of their defence of women's rights, gender equality, sexual and reproductive health rights, all of which are increasingly contested. A renewed emphasis on "traditional values" and anti-feminist narratives are fueling efforts to redefine and weaken hard-won progress in national and international human rights law, based on intolerant views, propaganda and conspiracy theories.

Yet, despite being at the receiving end of discrimination, inequality and violence, and often because of it, WHRDs fight on, making positive change a reality by speaking truth to power, starting and strengthening grassroots movement, and advancing and expanding human rights and equality for all.

Amnesty International therefore calls on all states to ensure a safe and enabling environment in which civil society organizations, and WHRDs, collectively or individually, are effectively protected and able to defend and promote human rights free from violence and discrimination, and without fear of punishment, reprisal or intimidation. In particular, states must:

- Explicitly recognise the legitimacy of all WHRDs, and publicly support their work, acknowledging the particular and significant role played in advancing human rights and condemning any human rights violations they face.
- Investigate threats, harassment, intimidation, unlawful surveillance, physical attacks and unfair criminal prosecutions of WHRDs, particularly those facing multiple and intersecting forms of discrimination, bring the perpetrators to justice, and provide effective remedies to the victims, including gender-responsive reparations.
- Ensure that WHRDs receive the specific protection they need by establishing protection mechanisms which incorporate preventative, collective and gender-sensitive approaches; recognizing that security must be understood holistically and that it encompasses physical safety, digital security, environmental security, economic stability, and the mental and emotional well-being of WHRDs and their loved ones and their communities.
- Adopt and implement legislation which recognizes and protects all WHRDs (including WHRDs who face stigma, discrimination and criminalization such as sex worker human rights defenders).
- Repeal or amend legislation that may place obstacles in the way of WHRD's activities to promote and defend human rights such as laws that criminalize LGBTI people, sex work, abortion and sexual and reproductive health and rights.
- Ensure the meaningful participation of women, women's organizations and WHRDs at all stages of local, national and international decision and policy-making processes, including in the fields of peace and security.
- Ensure that domestic and international counter-terrorism and security policies are not used to target WHRDs and restrict civil society space.
- Take concrete actions, as part of foreign policy at both bilateral and multilateral levels, to protect WHRDs and civil society organizations, including by fully cooperating with UN and regional human rights mechanisms, promoting wider spaces and participation for WHRDs, and supporting international initiatives and legal reform that protects WHRDs and holds those who attack or arbitrarily restrict WHRDs to account.
- Ensure non-state actors, including businesses, religious groups and the media, do not hinder WHRDs' human rights work.
- Provide or increase funding to support WHRDs collectively and individually, ensuring the funding is core, long term and flexible so they can continue to defend human rights in a continuous, sustainable and effective manner.

ADEQUATE FINANCING AND ACCOUNTABILITY FOR GENDER EQUALITY

Chronic underfunding is the phrase that best defines the level and state of financing that goes towards the gender agenda. Adequate and effective financing is essential to close the gender gap and achieve gender equality. Lack of financing has consistently been identified as one of the biggest impediments to achieving gender equality. The UN Secretary General's report on the twenty-year review and appraisal of the Beijing Platform for Action (Beijing +20) noted that underinvestment in gender equality and women's empowerment has contributed to slow and uneven progress in all 12 critical areas of concern.¹³ The 2030 Agenda for Sustainable Development, committed that: "We will work for a

¹² See Amnesty International, [Human Rights Defenders under threat – a shrinking space for civil society](#) (Index ACT 30/6011/2017), 2017; See also Amnesty International, [Laws Designed to Silence: The Global Crackdown on Civil Society Organizations](#), (Index ACT 30/9647/2019), 2019

¹³ See [Review and appraisal of the implementation of the Beijing Declaration and Platform for Action and the outcomes of the twenty-third special](#)

significant increase in investments to close the gender gap and strengthen support for institutions in relation to gender equality...". This has been reinforced in various international commitments since including the Addis Ababa Action Agenda (Third International Conference on financing for Development, July 2015),¹⁴ among others. These important developments on the global front have contributed in shifting the discourse on financing for gender equality. Financing and budgeting now cannot be seen as gender neutral.

This growing consensus is reflected in the inclusion amongst SDG indicators, the particular indicator on gender responsive budgeting (GRB) (Indicator 5.c.1) which seeks to measure the "[p]roportion of countries with systems to track and make public allocations for gender equality and women's empowerment." The importance of this indicator is in making explicit the links between policies and laws for gender equality on the one hand with the importance of ensuring resource allocations for their implementation. While countries are undertaking GRB, gaps remain in translating their commitment to gender equality into adequate resources and monitoring systems.

Many countries have yet to establish a comprehensive system to track allocations for gender equality and to make data publicly available. More often than not, the practice has been for countries to issue circulars and directives on GRB and to conduct ex-post-gender-disaggregated impact assessments. Important though they might be, these measures alone will not suffice. By committing to track resource allocations on a regular basis, governments introduce deliberate measures to meet their gender commitments into the planning and budgeting cycle. By making these allocations public, governments commit to higher levels of transparency and accountability in budget decision making.

An analysis of 2018 data from 69 countries and areas found that 13 countries (19%) fully met those criteria, and 41 countries (59%) approached the requirements. The data also revealed a gap in policy implementation. Among the same set of countries, 90% had policies and programmes in place to address gender gaps, but only 43% reported adequate resource allocations to implement them.¹⁵

For the 25th year review of BPfA, states must be held accountable to the commitments made 25 years ago to women and girls globally. Strong financing and accountability mechanisms are required so that a Beijing+30 review is not required. Amnesty International urges all states to implement the commitments in the 2015 Addis Ababa Action Plan on Transformative Financing for Gender Equality and Women's Empowerment as a means to achieving full implementation of the BPfA, the SDGs and the WPS agenda. Specifically, Amnesty International calls on states to:

- Set in place mechanisms to track and make public allocations for gender equality to strengthen transparency and accountability.
- Ensure fair and progressive tax systems by addressing explicit and implicit gender biases in tax policies.
- Cost and adequately resource national policies, strategies and plans on gender equality across all sectors of public expenditure, and ensure they are integrated or closely linked to national sustainable development financing strategies.
- Prioritize investments in accessible, affordable, and quality social infrastructure and essential services that reduce and redistribute women's unpaid care and domestic work and that enable their full participation in the economy.
- Ensure that global trade, financial and investment agreements are conducive to the promotion of gender equality.
- Ensure that structures supporting the implementation of the BPfA, SDGs and WPS agenda within the UN system and at national level have adequate capacity, expertise, and funding.

ADDRESSING THE CLIMATE CRISIS

The climate crisis is one of the most daunting global challenges of all times. It threatens the enjoyment of a wide range of rights. As recognized by the Global Compact on Migration¹⁶, it will have a drastic impact on global displacement and migration. It exacerbates gender inequality and other forms of discrimination. It is a fact that people most vulnerable to

[session of the General Assembly - Report of the Secretary-General](#) (UN Doc. E/CN.6/2015/3)

¹⁴ See [Addis Ababa Action Agenda of the Third International Conference on Financing for Development](#) (Addis Ababa Action Agenda), endorsed by the General Assembly in its [Resolution 69/313](#) (A/RES/69/313), 27 July 2015

¹⁵ See UN Sustainable Development Goal indicators website, Goal 5, unstats.un.org/sdgs/report/2019/goal-05/

¹⁶ Global Compact for Safe, Orderly and Regular Migration, as adopted by [UN General Assembly Resolution 73/195](#), (A/RES/73/195)

the impacts of the climate crisis – including sudden and slow onset disasters – are frequently those whose human rights are less well protected.

Women and girls are disproportionately affected by the climate crisis, as compared to men and boys, due to pre-existing discrimination, for example denial of equal access to food and secure tenure to land and housing. Climate crisis-related harms exacerbate pre-existing gender inequalities due to higher workloads, the harmful effects of relocation and displacement (compounded by discriminatory barriers to access to relief), increased occupational threats, and health risks (including higher mortality), which disproportionately affect women and girls. In the aftermath of natural disasters, women and girls face greater physical insecurity, including greater risk of sexual and gender-based violence and other violations of their sexual and reproductive rights.

Due to the climate crisis' disproportionate effects on women and girls, and its negative impact on gender equality and human rights, states are obliged under international law (including Articles 2 and 3 of the Convention on the Elimination of all Forms of Discrimination Against Women to take all appropriate measures, including reducing greenhouse gas emissions to the greatest feasible extent, to prevent and mitigate climate change.

To respond effectively to the climate crisis, states must embrace solutions based on the full protection and realization of human rights, including women's rights and gender equality. States must commit to working together in the spirit of multilateralism and international cooperation to make this a reality and work urgently to avert a humanitarian and human rights crisis on an unthinkable scale.

States have an obligation to prevent climate breakdown and reduce the climate crisis' negative impacts. To this end, Amnesty International calls on all states to:

- Take the most ambitious measures possible to reduce greenhouse emissions within the shortest possible time-frame – both nationally and through international cooperation. This means that by early 2020 at the latest states must announce new Nationally Determined Contributions (NDCs) which will align their emissions reduction targets for 2030 and 2050 with the imperative to keep the increase of global average temperature as low as possible and no higher than 1.5°C above pre-industrial levels. Wealthier countries, especially those most responsible for the climate crisis due to their current and previous emissions, have the duty to act at a faster pace, halving emissions well before 2030 and reaching net zero emissions well before 2050.
- Adopt the necessary measures to protect individuals from the unavoidable effects of the climate crisis, including by taking into account the specific needs of all women and girls and other groups most vulnerable to the impacts of climate breakdown, and ensuring that adaptation and relief efforts are informed by gender and intersectional analysis.
- Ensure that measures to address the climate crisis do not negatively affect women and girls and instead are used as an opportunity to correct existing gender and intersectional inequalities, taking into account the specific challenges, needs and rights of different groups of women such as, among others, Indigenous, migrant and displaced women and girls, and those with disabilities.
- At the international level, based on states' capacity, capability and respective responsibility in causing climate change, facilitate human rights consistent climate initiatives, including capacity-building, financial support and technology transfer for states with fewer resources to assist them to mitigate and adapt to the climate crisis and to provide means, support and access to legal remedy to people whose rights have been negatively affected as the result of loss and damage caused by the climate crisis.
- Ensure meaningful and broad public participation throughout the design, implementation, monitoring and evaluation of climate policies and strategies, including by removing all barriers to women's effective participation in line with SDG 16: peace, justice and strong institutions. In this context, states must refrain from and prevent restrictions on the right to freedom of information and attacks on human rights defenders, including environmental and women human rights defenders and all those who face multiple and intersecting forms of discrimination. Women and other human rights defenders protecting their land, territory and the environment must be enabled to continue their legitimate work, without fear of reprisals.