



## Economic and Social Council

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### Commission on the Status of Women

#### Sixty-first session

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**Follow-up to the Fourth World Conference on Women and to the twenty-third special session of the General Assembly entitled “Women 2000: gender equality, development and peace for the twenty-first century”**

### **Statement submitted by Catholic Institute for International Relations, a non-governmental organization in consultative status with the Economic and Social Council\***

The Secretary-General has received the following statement, which is being circulated in accordance with paragraphs 36 and 37 of Economic and Social Council resolution 1996/31.

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\* The present statement is issued without formal editing.



## Statement

In today's changing world of work women's economic empowerment has become a paramount focus of global efforts to lift millions of women out of poverty and to increase global economic growth. Catholic Institute for International Relations asserts that such empowerment cannot take place unless steps are taken at all levels to ensure that women's rights are protected and upheld by States in a context where work for women is becoming more dangerous and precarious, creating a trend of increased exploitation and abuse.

Business activities and operations, as well as the trade and investment policies that facilitate them, create heightened risks to women's rights and impact upon women in gender-specific ways, whether as workers, community members or human rights defenders. Women living in developing countries who are poor are particularly at risk to adverse impacts of business activities. These risks and impacts are increased further when gender intersects with other forms of identity-based discrimination, such as age, ethnicity, caste, sexual orientation, migrant and HIV and AIDS status.

Of particular relevance to the business and human rights agenda are the Convention on the Elimination of all Forms of Discrimination against Women, articles 11 and 14. Article 11 requires States to take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure their rights are fulfilled.

Article 14 is especially relevant for land-intensive industries, as it requires States to take into account the particular problems faced by rural women peasants and the significant roles they play in the economic survival of their families. This includes, among other areas, equal treatment of women in land and agrarian reform as well as in land resettlement schemes. An economic model based on resource extraction can lead to land dispossession which negatively impacts on women's rural livelihoods, and is in contravention of Article 14.

The United Nations Guiding Principles on Business and Human Rights affirm that under existing international human rights law, States have the duty to protect individuals against human rights abuses by all actors in society, including businesses. This includes enacting and enforcing laws that require businesses to respect human rights, creating a regulatory environment that facilitates business respect for human rights; and providing guidance to companies on their responsibilities.

While many States have made strong commitments to uphold women's rights, these commitments are not being translated into business and human rights policies and action plans. Of the limited number of National Action Plans on Business and Human Rights published to date, all lack a strong gendered analysis of the specific human rights risks and impacts on women arising from business activities, or the specific measures they will put in place to address them. Gender is either barely mentioned, or else is featured as one of several bases for discrimination, with "women" appearing on a long list of "marginalised groups" — who may be more at risk of being impacted negatively by business activity — despite the fact that they constitute half the world's population.

While the expansion of global trade has created opportunities for women in developing countries in export-orientated supply chains, these women are particularly exposed to infringements of their human rights. Discriminatory social norms ascribing what is deemed appropriate work for women and the lesser value placed on this work, means they are overrepresented in these typically low paid, precarious jobs, in which they frequently endure poor working conditions, limited social protection and exposure to violence, with little access to redress. International trade and investment agreements that promote deregulation of labour markets, particularly in export processing zones, coupled with limited political will and resources for enforcing labour standards, are leading to an erosion of labour rights in many contexts, with women particularly at risk.

States must employ gender-responsive macroeconomic policies that go beyond individual opportunities for women to contribute to an economic system in which they have a job, to a more comprehensive vision of women's rights and gender equality — addressing structural inequalities and stopping harmful practices that undermine women's rights in work.

Women make up approximately 80% of the world's garment workers and account for most of the work force in export processing zones, which in their nature exacerbate precarious working conditions. The young, poorly educated and migrant status of many of these women intersect with their gender to place them at greater risk of exploitation. Despite 171 countries having ratified the International Labour Organization's (ILO) Equal Remuneration Convention, women still are paid 10%-30% less than men for work of equal value, while the global gender gaps in wages and labour market participation are worth some US\$17 trillion every year. Long hours, cramped working conditions, exposure to toxic chemicals, poor building safety, denial of leave to attend ante-natal appointments, and low wages that inhibit women's ability to pay for medical treatment and sufficient nutritious food, impact upon their right to physical and mental health, including sexual and reproductive health. For example, mass "faintings" have been documented among garment workers in Cambodia, along with high levels of miscarriage. Women working in export factories in Central America and the Caribbean have been subjected to forced pregnancy tests, and even forced sterilization and contraception. Demand for cheap and flexible labour along with rapidly fluctuating demand and "just in time" production models are leading to a proliferation of outsourcing to smaller informal factories and homeworkers, where conditions and enjoyment of rights, as well as access to remedy, may be even more negligible. According to the ILO, more than half of the people in forced labour are women and girls — primarily in commercial sexual exploitation and domestic work, but also in textiles and garment supply chains.

Women workers' freedom to collectively organize to defend their rights is also undermined by social norms denigrating women's voice and limiting their societal participation, including unpaid care responsibilities, as well as the threat of violence. Trade and investment agreements, can also place limits on workers' rights to form or join trade unions and to engage in collective bargaining.

Land-intensive investments and the commodification of land for private investment and the increased focus on the extractive sector for economic growth in many developing countries has profound impacts on women's human rights. There

is a significant negative correlation between countries that are dependent on extractives and gender inequality, particularly in terms of women's employment and leadership positions. This is likely to result from the extractive sector being susceptible to high capital intensity, male domination, rent seeking and a declining share of manufacturing in national income. Women are rarely employed in the formal mining industry. When they are, the lack of gender-specific policies and regulations means that their reproductive health can be negatively impacted. Rape of female mine workers has been reported in South African mines. Evidence from mines in the Dominican Republic of Congo suggests that women are forced into sex work by the lack of other income-generating possibilities or to supplement their low salaries.

Many of the perceived gendered inequalities of opportunity and risk would be less profound if they were counteracted by efforts to promote holistic women's economic empowerment. But this will only happen with careful, gender-sensitive policies and planning that ensures women's voices are heard. The human rights risks posed to women by business activities and operations are magnified in situations of crisis or fragility. Such contexts can disproportionately impact on women's safety and wellbeing due to the displacement of communities, a breakdown in the rule of law, or the presence of authoritarian, highly militarized governments.

Catholic Institute for International Relations calls on the Commission on the Status of Women and all parties in the United Nations system to ensure that attention is paid to the specific expectations governments have of businesses where women's rights are mentioned in relation to women's economic empowerment or their right to work. States should also employ measures to ensure that women's increased labour market participation does not amount to increased levels of exploitation and abuse. This could, for example, be achieved by ensuring that the gender-sensitive human rights due diligence requirements already included in Organization for Economic Cooperation and Development guidelines for specific sectors where women's human rights are most at risk are made mandatory for companies.

Catholic Institute for International Relations is a member of the UK's Gender and Development Network (GaDN) Women's Economic Justice Group, and the Corporate Responsibility Coalition (CORE).