



# General Assembly

Distr.: General  
6 April 2023

Original: English

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## Human Rights Council

### Fifty-third session

19 June–14 July 2023

Agenda items 2 and 3

### Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development

## Annual full-day discussion on the human rights of women

### Report of the Office of the United Nations High Commissioner for Human Rights

#### *Summary*

In accordance with its resolution 6/30, the Human Rights Council convened its annual full-day discussion on the human rights of women on 27 June 2022. The discussion was divided into two panels, the first on the theme “Exploring the nexus between climate change and violence against women and girls through a human rights lens” and the second on “Human rights-based and gender-responsive care and support systems”.



## **I. Introduction**

1. On 27 June 2022, the Human Rights Council, pursuant to its resolution 6/30, convened its annual full-day discussion on the human rights of women. The discussion was divided into two panel discussions on: (a) “Exploring the nexus between climate change and violence against women and girls through a human rights lens”; and (b) “Human rights-based and gender-responsive care and support systems”.<sup>1</sup>

## **II. Exploring the nexus between climate change and violence against women and girls through a human rights lens**

2. The first panel discussion was opened by the United Nations High Commissioner for Human Rights and moderated by Reem Alsalem, Special Rapporteur on violence against women, its causes and consequences. The panellists were Melania Chiponda, climate justice and gender adviser at the African Women’s Development and Communication Network; Astrid Puentes Riaño, independent consultant on human rights and climate change; Rajib Ghosal, regional senior technical adviser and climate change and child poverty focal point in the Asia-Pacific region for Save the Children International; and Esmeralda, a girl advocate.

### **A. Opening statement**

3. In her opening statement, the High Commissioner for Human Rights pointed out that women and girls often suffered the harshest and most violent consequences of climate change. When women were displaced as a result of climate-related events, with social and security structures breaking down around them, they were at greater risk of violence, including sexual violence, while they slept, washed, bathed or dressed in emergency shelters, tents or camps. This was compounded with increased danger of human trafficking, child, early and forced marriage. Women who identify as LGBTIQ+ in situations of displacement were also more likely to face elevated risks of violence and abuse.

4. The High Commissioner noted that in the domain of agriculture, when climate affected harvests, land and livelihoods, women and girls faced socioeconomic insecurity and inequalities and became far more vulnerable to wide-ranging consequences, varying from domestic violence to child, early and forced marriage, trafficking and forced prostitution.

5. She highlighted that thousands of women around the globe have chosen to stand up and speak out against climate change, although women environmental human rights defenders did so at great personal risk. She noted that some defenders had been threatened and stigmatized, and often criminalized or silenced. They were also at additional risk of gender-based violence, and some defenders had been killed.

6. The High Commissioner welcomed the international attention to the impact of climate change on women and girls over the last decade and emphasized the urgent need to focus on the grave issue of violence against them, which had been exacerbated by the climate crisis. She underlined that it was important to ensure that climate change policies and approaches placed the human rights of women and girls front and centre.

7. The High Commissioner pointed out that there were five key steps to ensure that no one was left behind. The first step was recognition, that is, acknowledgement that climate change and violence against women, including indigenous women, women of African descent, women with disabilities, Roma women, women living in rural areas, women from religious minorities and LGBTIQ+ women, were linked. Second, the equal, full and effective participation and leadership of women on climate issues was essential; women must be fully involved in decision-making, planning and implementation on climate action. It was their

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<sup>1</sup> The webcast of the panel discussion is archived and can be accessed at <http://webtv.un.org>. Andranik Hovhannisyan, Vice-President of the Human Rights Council, was the Chair of the annual full-day discussion.

insights, experience and guidance on the issues directly affecting them that would enable better protection of their rights and stronger, more effective, climate action.

8. Third, the High Commissioner noted that States needed to strengthen the design and effective implementation of gender-responsive environmental and disaster risk reduction policies, programmes and budgets. This involved ensuring women's leadership in disaster risk management, providing sufficient financial resources and putting effective monitoring mechanisms in place. This also meant empowering women for disaster preparedness and building their capacity to secure alternate means of livelihood, if needed, prioritizing women's equal access to information and credit and guaranteeing that, in times of disaster, women had access to health care, sexual and reproductive health, support services, shelter and security. Fourth, the High Commissioner observed that States must enhance accountability frameworks, ensuring zero impunity for perpetrators of gender-based violence, including spouses, family members, religious leaders, relief workers and government officials. Fifth, States must take urgent steps to respect, protect and fulfil their human rights obligations to women and girls, in particular women environmental human rights defenders, including guaranteeing their rights to freedom of expression, assembly, association and participation in decision-making at all levels. The High Commissioner added that States must provide women with redress and accountability for threats and harm that they endured. In concluding, she stated that stakeholders needed to move from rhetoric to concrete action to protect the lives, safety and dignity of millions of women and girls.

## **B. Overview of presentations**

9. The moderator of the panel, Ms. Alsalem, the Special Rapporteur on violence against women, its causes and consequences, introduced the discussion by stating that women and girls often found themselves affected by the negative impacts of climate crisis owing to pre-existing, deep-rooted and persistent gender inequalities and structural discrimination. She noted that, as highlighted in her recent report to the General Assembly,<sup>2</sup> insufficient attention had been given to the issue of violence against women and girls in the context of the climate crisis.

10. Ms. Chiponda illustrated how climate change had exacerbated gender-based violence against women leaders and environmental human rights defenders. She noted that while attacks on women defending land and the environment had increased, cases continued to be underreported and, if reported, perpetrators were not punished. Moreover, most resources were directed towards the climate crisis and the coronavirus disease (COVID-19) pandemic, while less funding was targeted at protecting the rights of women defending their land and the environment.

11. Ms. Chiponda stated that when women stood up to challenge environmental destruction, pollution and dispossession, they were stepping out of their traditional roles to challenge the unjust use of power by political, economic, social and cultural institutions and that society oftentimes retaliated against them with violence. She added that women defenders of land and the environment were confronting powerful corporations investing in land-based economic activities in the extractives sector, including the mining sector, industrial agriculture and logging, particularly in Africa. She emphasized that existing mining-related frameworks substantively neglected the perspectives and interests of women. She further noted that an increasing number of countries in Africa had privatized water and that when corporations, with the support of Governments, took over sources of water, women, indigenous groups and peasants often tried to push back to reclaim access, sometimes endangering their lives.

12. Ms. Chiponda stated that industrial-scale mining and oil extraction companies, in taking over land and water from peasant producers, polluted land, air and water resources and diverted labour from food production as men migrated in a search for work in the mines. Actions by private companies to protect profits, through militarization and securitization of

<sup>2</sup> [A/77/136](#).

their operations, had resulted in increasing violence against women defending land and the environment.

13. In her intervention, Ms. Puentes Riaño pointed out that migration and forced displacement were some of the most serious impacts of the climate crisis, affecting millions of women. She noted that in 2020, 7 out of 10 persons had been displaced as a result of climate change. She stated that the risks and increase of violence against women had been highlighted by human rights bodies. Although there were no specific data that could determine the magnitude of the problem, it was known that migrant and displaced women faced higher risks, including sexual violence, ill treatment, victimization by networks trafficking in persons, femicide and forced disappearance.

14. Ms. Puentes Riaño stated that in some countries migration was tackled through repressive policies, with a focus on security, which increased levels of risk and violence, especially for women. For example, there were reports of migrant women who had reported suffering sexual violence having been imprisoned.

15. Ms. Puentes Riaño highlighted the irreversibility of the harms of climate change, which had left women and other migrant persons without a way to return to their places of origin. Further, the legal, cultural and policy barriers in some countries had become a barrier, blocking women's access to protection mechanisms. The detrimental impact of climate change was also directly related to the level of vulnerability that many women, including poor women, indigenous women, women of African descent, women living in rural areas, disabled women and LGBTIQ+ women, already experienced.

16. Ms. Puentes Riaño pointed out that climate change disasters were not natural, but rather linked to human activities related to the burning of fossil fuels and soil erosion. Therefore, actions directly linked to climate change were essential to prevent the resulting exponential increase in migration and displacement. She also emphasized, in this context, that it was important to implement an effective differentiated and intersectional perspective that was participatory and considerate of the needs of women; to ensure that their ideas and suggested solutions were taken into account, an approach that has already proven to be most effective; and to enable the effective implementation of plans and programmes to address the problems women faced. It was also essential to enhance political will, at all levels, and to implement international agreements, in particular the Paris Agreement on climate change.

17. In his presentation, Mr. Ghosal stated that the immediate and long-term impacts of climate change had taken a particular toll on women and girls, especially those living in vulnerable situations, who experienced intersecting forms of discrimination. This was particularly true for women and girls in low and middle-income countries who played a vital role in rural economies and were disproportionately impacted by climate change.

18. He noted that women and girls made up more than 40 per cent of the agriculture labour force in the developing world and were responsible for 60 per cent to 80 per cent of food production. Moreover, women and girls in rural areas bore the main responsibilities for taking care of children and the elderly. The work burdens borne by women and girls work were underestimated in official data, which did not capture unpaid work. Despite their vital role in rural economies, women and girls in rural areas were often even more affected by discrimination, exploitation and gender-based violence.

19. Mr. Ghosal highlighted that gender-based violence was primarily used to reinforce existing privileges and power imbalances in roles and access to resources. Conflicts over access to scarce resources could give rise to exploitation, violence and transactional sex. As limited natural resources grew even scarcer as a result of climate change, women and girls were obliged to walk further to collect food, water or firewood, heightening their risk of being subjected to gender-based violence.

20. He stated that extreme weather events, such as droughts and floods, also had a devastating impact on livelihoods, with women and girls bearing the brunt of loss and damage in terms of health, food security and greater risk of exposure to gender-based violence. In the first six months of the COVID-19 pandemic, 100 disasters had been recorded, the majority of which were climate and weather-related. During that time period, women and girls had

suffered increased violence and harassment, particularly women and girls from marginalized communities and backgrounds.

21. Mr. Ghosal emphasized that food insecurity and poverty in communities in the agriculture sector could lead families experiencing multiple shocks to consider child, early and forced marriage in order to conserve already limited resources, ease financial pressures and have fewer mouths to feed; in such circumstances girls were always the most affected. Because of fragile ecosystems, families may also resort to selling daughters in exchange for livestock.

22. Mr. Ghosal called on States and United Nations partners to promote rights-based, age- and gender-responsive approaches through climate-resilient agricultural policies. Gender equality was a human right and advancing it as a goal in the agriculture and allied sectors was crucial. It was important to ensure that women and girls had equal opportunities to enhance their voices and agency and to promote their participation in platforms and decision-making processes to influence climate change policies. He also emphasized the need to ensure a protective environment and safe spaces for women and girls affected by climate-induced disasters so that they could seek psychosocial support and lodge confidential complaints against perpetrators of violence.

23. Esmeralda noted that the consequences of climate change affected everyone, although women and girls were particularly vulnerable to gender-based violence and to economic, physical and psychological violence, as well as to human trafficking, child, early and forced marriage. She said that girls often became “currency” to exchange for goods so that families could survive or attain a higher level of income. She pointed out that in many regions, families did not have access to clean water, which increased diseases. In periods of drought, when land became infertile, and women and girls had to search for water in the rivers or in the jungle, which increased their risk of exposure to sexual violence. As a result of climate change, frosts and other drastic changes in temperature have forced women and girls to work harder to earn income and accumulate resources for their families.

24. Esmeralda highlighted that there was no State control in informal mining areas and that there had been reports of girls and adolescents being sexually exploited and trafficked in those areas. In this regard, women, girls and adolescents were the main target of criminal groups and numbers of women and girls have been reported as having disappeared. She further stated that women and girls were often excluded from schooling or were unable to join the workforce. As a result, many women and girls were dependent on their partners, increasing their risk of exposure to economic, physical and psychological violence.

25. She recommended that Member States and United Nations entities promote gender equality in agriculture, enabling women and girls to carry out such activities without fear of violence, and guarantee their labour rights. She emphasized the importance of ensuring safe spaces for the participation of women and girls in agriculture so that their voices could be heard and their cultures and ways of farming and caring for the land respected. She underlined that States should promote new and positive forms of masculinity, encouraging men and boys to change their attitudes and the ways in which they treated women and girls. She pointed out that a gender-sensitive approach was a new way of seeing life in a more egalitarian and equitable way. She concluded by stating that children were both the future and also the present and they should be a part of the process of change and the search for solutions.

### **C. Statements by representatives of States and observers**

26. Many speakers reiterated that violence against women and girls and climate change were two of the most pressing global emergencies and sustainable development challenges of the present time. The consequences of climate change on environmental human rights had led to food and water insecurity, environmental deterioration, political and economic instability, conflicts and poverty and had widened existing inequalities between women and men.

27. It was emphasized that the impacts of climate change were not gender-neutral. They threatened the human rights of women and girls, exacerbated gender inequality and

aggravated sexual and gender-based violence. Any form of violence against women impeded their participation in decision-making processes related to climate change policies. Moreover, in situations where women had not been able to achieve economic independence, they had often become more susceptible to violence and sexual exploitation. It was also noted that during the COVID-19 pandemic there had been an increase in sexual and gender-based violence worldwide. There was a call for prompt measures to ensure that the current climate crisis would not further amplify that negative trend.

28. Some delegates recalled Human Rights Council resolution 47/24, in which the Council expressed concern that the adverse effects of climate change were felt most acutely by those segments of the population that were already in vulnerable situations owing to numerous factors, including gender inequality. Several speakers also highlighted their commitment to climate change and gender equality within the framework of the Generation Equality Forum.<sup>3</sup>

29. Various delegates pointed out that inequalities and marginalization were key factors that heightened vulnerability to the impact of the climate crisis, with compounding effects on women and girls, in all their diversity. Some were of the view that combatting climate change was a duty but also an opportunity to reduce inequality and violence against women and girls. It was emphasized that efforts to find solutions to address climate change must have a gender focus, enabling the participation of women and girls in decisions and actions to eradicate poverty, manage conflicts and ensure sustainable development.

30. Participants emphasized that women were agents of change and that their participation enabled tackling the challenges of climate change in a more comprehensive and cross-cutting way. States must ensure their full, equal, effective and meaningful participation. When women and girls were active participants and changemakers, they were also better protected against all forms of violence. Children and youth, in particular girls, were also crucial agents of change in the global fight against climate change. They were aware of the climate-related risks they faced and their involvement in the search for solutions had generated positive results. It was important to ensure the participation of girls with diverse backgrounds, in particular the most marginalized, so that climate change mitigation and adaptation measures were informed by their needs and insights, enabling the implementation of targeted and fully funded measures. There was also clear need for child rights-based and gender-transformative approaches in environmental decision-making processes, as well as during the implementation of climate change adaptation and mitigation measures.

31. Speakers pointed out that cross-sectoral actions across the humanitarian, development, peace and climate continuum were urgently needed to address violence against women and girls, in all their diversity, ensuring access to an essential package of gender-based violence prevention and response services, including legal, psychosocial, mental, sexual and reproductive health and rights, as well as social reintegration services.

32. Some participants highlighted the need to: create an enabling legal and policy environment for the elimination of violence against all women and girls, including environmental defenders, in the context of climate change; promote strategic cross-sectoral partnerships at global, regional, national and local levels, including with local organizations led by women and girls; generate data and evidence on the impact of climate change on violence against women and girls and analyse risk factors; and invest in gender-responsive and adaptive approaches to violence prevention and in social protection measures that build the resilience of women and girls to climate-related shocks. It was also noted that families should ensure that the rights of girls were protected in situations of climate change.

33. Speakers underlined that sexual and reproductive health and rights should be recognized as an important element in climate change measures. The climate crisis could affect the realization of reproductive health and rights and access to related services in many ways. For example, when critical infrastructure, such as clinics or roads, were destroyed during natural disasters women and girls lost access to health services. In climate-related

<sup>3</sup> See <https://forum.generationequality.org/home>.

humanitarian disasters, sexual and reproductive health services were often underfunded and underprioritized, despite pressing needs.

34. Several speakers emphasized that the risk of violence was most acute for women and girls facing multiple and intersecting forms of discrimination, including indigenous women and girls who were in particularly vulnerable situations as they tried to protect their communities from harmful projects. Many women and girls had been psychologically or physically attacked, arbitrarily detained, disappeared or killed. It was also emphasized that older women should not be left behind. Speakers noted that violence against women and girls remained largely invisible owing to the lack of consistent gender- and age-disaggregated data. In this regard, women who faced multiple and intersecting forms of discrimination because of their sexual orientation, gender identity, gender expression or characteristics were among the worst affected. Women and girls who were perceived as not conforming to the prevailing sexual and gender norms were often excluded from recovery, relief and response efforts and LGBTIQ+ women and girls often faced exclusion and discriminatory attitudes when trying to access safe shelters.

35. Participants highlighted that internally displaced, migrant, refugee and asylum-seeking women and girls were at particular risk of sexual and gender-based violence and human trafficking. Over the course of the last year, disasters had caused the majority of internal displacements and the adverse effects of climate change had increasingly contributed to displacement. It was pointed out that displaced persons often resettled in urban slums and settlements, making them vulnerable to further environmental risks. In such situations, women and girls faced additional challenges, including inequalities, insecurities and restrictions on movement as a result the risk of urban violence targeting them.

36. Many speakers stated that women environmental human rights defenders faced all kinds of attacks and violence and that it was vital to promptly and effectively ensure their protection. Women who took a prominent role in climate change protests had become prime targets of hate speech and verbal aggression, which often conveyed a distinctly patriarchal undertone of disapproval and women's disenfranchisement. Such actions impeded their activism in the fight against climate change and, as a result, global efforts to prevent and mitigate detrimental impacts of climate change had been weakened.

37. Several participants emphasized that perpetrators of human rights violations, including gender-based violence, must be held accountable. States must ensure essential services for victims and survivors of gender-based violence, such as access to sexual and reproductive health-care services, as well as psychosocial and livelihood support. It was also suggested that protection measures be enhanced and public awareness initiatives against climate change and its negative impact on women, girls and their families increased.

38. States were encouraged to adopt action plans for tackling climate change and to include a gender focus in comprehensive sectoral plans for climate change management. It was emphasized that it was important to have effective measures in place to empower women to participate fully and equally in programmes related to climate change. It was also noted that, in adapting disaster reduction methods and responding to climate emergencies, it was fundamental that States provide training, sensitization and awareness-raising for all authorities and service providers on multiple forms discrimination and gender-based violence, taking into account the human rights and needs of women and girls, in all their diversity.

39. Some delegates mentioned that Governments had taken steps to empower women socially and economically by developing training and leadership programmes to support women in taking up decision-making positions in the public and private sectors. In addition, training sessions were held for disaster responders, enabling them to identify and support women and girls experiencing family and domestic violence during and after natural disasters. Training in negotiation skills was also conducted to support women representing their communities and countries at international climate change meetings. Further, some countries had implemented programmes supporting the efforts of women environmental human rights defenders. Some Governments had also implemented measures promoting education, protection and health care for women and girls and had introduced savings and

micro-credit systems to increase economic opportunities and advance the empowerment of rural women, enabling them to fund small agricultural projects, trade and tourism initiatives.

#### **D. Responses of panellists and concluding remarks<sup>4</sup>**

40. Among many good practices of women-led actions for climate protection, Ms. Riaño highlighted the example of a group of Maya women in Guatemala who had implemented specific cooperative actions to improve the use and management of water for energy and human consumption. She noted that it was important to show the strength of women, in all their diversity, and the links between climate perspectives and environmental human rights. She pointed out that women's participation throughout the world and at all levels had been essential in climate negotiations, as well as in the implementation of various climate actions at national and international levels. Ms. Riaño observed that scientific data revealed challenges that had not been overcome and goals that had not been reached. She concluded that true changes were needed to make effective progress.

41. Mr. Ghosal pointed out that, at the grassroots level, women's participation was quite high, both in locally led and community-based projects, and at times in broader climate change projects. The share of women's participation was low at higher levels, including at the subnational, national, regional and global levels, and their participation in decision-making was very low. At higher levels in some committees, the maximum participation of women varied between 15 per cent and 25 per cent.

42. Mr. Ghosal emphasized that protection measures for women and girls must be based on intersectionality and that, in this context, the human rights approach was very important. Protection efforts should also envisage compliance mechanisms that must be reinforced through strong litigation actions. He noted that it was critical to ensure that gender equality was understood as a human right, but also as a requirement that State parties needed to comply with, and that States parties that failed to do so should be penalized. If this was done properly, there would be a major progress in mitigating violence against women and girls and, more broadly, in mitigating gender-based violence.

43. Mr. Ghosal noted that more prudent approaches were needed with regard to protection, including those that had been tested in various countries. Social protection programmes and mechanisms were key to addressing the links between short-term to medium-term vulnerabilities and long-term resilience. Long-term resilience would include, for example, looking at ways that each social group would benefit from social protection measures to increase protection mechanisms against all kinds of violence.

### **III. Human rights-based and gender-responsive care and support systems**

44. The second panel discussion was opened by the United Nations High Commissioner for Human Rights, followed by opening remarks by Elizabeth Gómez Alcorta, Minister of Women, Gender and Diversity of Argentina. The panellists were Frances Raday, Professor of Law at the Hebrew University of Jerusalem and President of the Concord Centre for Integration of International Law in Israel; Rosario Galarza, intersectionalities officer at the International Disability Alliance; and Chidi King, Chief of the Gender, Equality, Diversity and Inclusion Branch, Conditions of Work and Equality Department of the International Labour Organization (ILO).

#### **A. Opening statements**

45. In her opening speech, the High Commissioner noted that all people needed care during their lives, all provided care for others, all were cared for by others, and all people needed to care for themselves. Care was fundamental for the full enjoyment of life and

<sup>4</sup> Ms. Chiponda and Esmeralda could not participate in the interactive discussion.

autonomy. Nevertheless, care and support systems across many societies were unrecognized, undervalued and dramatically underfunded, resulting in a flagrant neglect of human rights. She highlighted that children might not be able to develop their full potential without affordable and quality pre-primary education and care. Without adequate community support or respite care, people with disabilities or older people might be institutionalized, potentially subjected to abuse and a loss of autonomy.

46. The High Commissioner stressed that recipients of care were not only those who society considered to be the most vulnerable and that most people benefitted from care services, whether paid or unpaid. She noted that the provision of care was a shared responsibility between women and men and society. Despite this, in most societies it was taken for granted that women and girls provided this vital work for free or at low cost. Reliance on women and girls for their unpaid care work undermined their right to education, work and social security. As care workers, women were frequently less protected, less trained, less equipped and exposed to violence; in addition, their responsibility for care in the home was ignored.

47. The High Commissioner noted that while the COVID-19 pandemic had exposed the vulnerability of care systems, many countries continued to neglect the rights of caregivers and the need to provide quality public care services. She urged countries to invest in human rights-based and gender-responsive public care and support systems that respect the autonomy of people receiving care; to recognize the value of care work, to be reflected in economic policies; to reduce the care burden by improving infrastructure and providing assistive technologies and devices; and to redistribute care work by dismantling gender stereotypes and redistributing care responsibilities and support services among the family, the community and the State.

48. The High Commissioner stressed that a fair and equal system must be built, with the strong and meaningful participation of women and girls. She underlined the need to listen to women and girls, in all their diversity, as caregivers, as people receiving care and as people in need of self-care.

49. In concluding, the High Commissioner acknowledged ongoing efforts towards the transformation of care, such as the Global Alliance for Care,<sup>5</sup> and drew attention to the wealth of analysis and guidance on human rights standards provided by United Nations human rights mechanisms related to the matter of care.

50. In her intervention, Ms. Gómez Alcorta underscored the significance of the discussion as a milestone in the development of a joint agenda on care work at the international level, in guaranteeing the right to care, to be cared for and to self-care and in setting out guidelines for policies to modify the material basis of gender inequality. Ms. Gómez Alcorta noted that the pandemic had highlighted the central role of care in daily life, society and the economy. It had also revealed that the social organization of care work and the consequent and unfair distribution of time were factors that reproduced social and gender inequalities. She noted that globally the burden of care work fell mostly on families, and within the family especially on women and members of the LGBTIQ+ community. She also underlined that the unfair socialization of care work had an impact on people in vulnerable situations, making it crucial to adopt a broad and intersectional perspective, recognizing the issue not only as a vector of inequality for women and LGBTIQ+ persons but also as a construct that contributed to the impoverishment of vulnerable populations.

51. Ms. Gómez Alcorta stated that Argentina had decided to place care at the centre of State policies, recognizing it as a basic need, as value-added work and, above all, as a human right. She noted that Argentina aimed to be a true care society by redistributing care work between genders, between households, the State, the market and communities; by properly remunerating care workers; and by ensuring participation of the care sector in the political debate.

52. More concretely, she mentioned that the Ministry of Women, Gender and Diversity had presented a bill on equality in care (*ciudad en igualdad*) in order to create a

<sup>5</sup> See <http://alianzadecuidados.forogeneracionigualdad.mx/?lang=en>.

comprehensive system of care policies that recognized the right of all people to be cared for and the right of all people to self-care. The Ministry, together with the Economic Commission for Latin America and the Caribbean, had developed a tool (*Mapa Federal del Cuidado en la Argentina*) that gathered information on care spaces, training centres and educational and service institutions to make care work visible. Furthermore, the Ministry had established an interministerial committee on care policies to plan and coordinate policies on care from a human rights-based, gender and diversity perspective. Lastly, a registration programme had been launched to promote job retention for women domestic workers. Thus far, 127,000 workers in private homes had been registered.

53. Ms. Gómez Alcorta underscored that gender inequality was a problem that went beyond geographic borders and required a strong political agenda and international legal framework. She stated that Argentina, together with Mexico, had presented a joint statement at the forty-eighth session of the Human Rights Council on the importance of care work, which constituted the starting point for the development of international human rights law in this area.

## **B. Overview of presentations**

54. Ms. Raday stated that the provision of care and support for those in need of care, including children, older persons and persons with disabilities, was an essential condition in order for humanity to thrive. Traditionally, social responsibility for the provision of care services had not been fully integrated into macroeconomic planning nor had it been included in the human rights agenda. Unequal distribution of care services imposed heavy costs on women as caregivers. Women's income-generating opportunities had been reduced because they were characterized by the duality of production and reproduction, including a gendered burden of unpaid care. This posed a major barrier to women's equal economic opportunities in the labour market and in entrepreneurship.

55. She noted that the COVID-19 pandemic had brought women's unequal economic opportunity into sharp focus. She observed that there had been a global trend towards privatization and individualization of care responsibilities that devolved heavily on families, usually on women. In developed countries, with notable exceptions, the reduction of public care services and social benefits had resulted in the privatization of care, accentuated by the introduction of austerity policies after the 2008 financial crisis. In the Global South, a result of massive urbanization entailing the break-up of communities and extended family support for child rearing, had resulted in the individualization of care responsibilities.

56. Ms. Raday stated that there was growing recognition at the international and State levels that caring functions should not be the sole domain of women. Nevertheless, even though there was an emergence of parental childcare leave to be taken by both fathers and mothers, such measures did not extend to other care needs, nor did it affect economic activities outside the formal labour market. In this regard, she emphasized the importance of having State provisions for quality care and support services.

57. Ms. Raday emphasized the importance of addressing the rights of service providers in care and support services. She underscored the importance of the ILO Domestic Workers Convention, 2011 (No. 189), which called for States to guarantee decent work for domestic workers, most of whom were women, many of them migrant women. She deplored the fact that only 25 countries had ratified the Convention and pointed out that it still had a loophole allowing for exceptions, for instance, permitting 24/7 on-the-job responsibilities for workers caring for persons with disabilities. She suggested that payment for the long hours of work often required for caring should be assumed by the State through a social protection floor providing decent working conditions for caregivers and human dignity for recipients of care and support.

58. Ms. Raday stated that in addition to advancing gender equality, the costs and trade-offs associated with care subsidies were often long-term investments for countries, creating new jobs and increasing family incomes. She concluded that care and support services must be a public good and that basic health services and education must be regarded as a core aspect of the economic and social obligations of States.

59. Ms. Galarza, from her perspective as a woman living with a disability, elaborated on why support systems needed fundamental transformation. She underscored that gender equality and the rights of persons with disabilities should be at the centre of rethinking care, in a shift away from charitable and medical approaches. She pointed out that women and girls with disabilities were both the recipients and providers of care and support. In support systems and in providing support to persons with disabilities, States should address the specific support needed by individuals, acknowledging the different layers of identities within the disability community.

60. Ms. Galarza elaborated that the neglect of the support needs of persons with disabilities had become a crisis during the COVID-19 pandemic, with severe and sometimes fatal consequences. Most persons with disabilities had to rely on informal forms of support, primarily from their families or personal networks, which negatively impacted the rights of all involved, in particular women and girls. The lack of support and care for women with disabilities caused a lack of control, choice, freedom and autonomy, which often led to sexual and gender-based violence.

61. Ms. Galarza explained that women with disabilities often had their children taken away from them owing to lack of care and support, including the belief that women with disabilities did not have capacity to care for their children. Furthermore, because of the lack of support and care, numbers of women with disabilities had lost their lives giving birth.

62. Ms. Galarza called on States to invest in support services to enable the full and effective participation of women and girls with disabilities in society and to guarantee them a life free of violence. She pointed out that too often women and girls with disabilities were not consulted about the support and care they need, resulting in the provision of inappropriate support or support violating their privacy and dignity. Such failures in care often occurred in the context of humanitarian emergencies. As a solution, Ms. Galarza urged States to “just ask us, and listen to us when we say what we need”.

63. Ms. Galarza recommended three key actions States could take to transform care and support systems. First, to implement a comprehensive system, ensuring that persons with disabilities have access to community-based support systems. Second, to design support systems enabling direct choice and control by persons with disabilities by actively involving them and their representative organizations in relevant decision-making processes. Third, to guarantee that all national budgets contain necessary resources for a human rights-based care and support system.

64. Ms. Galarza concluded that women and girls with disabilities have the right to have care and support on the same basis as others, and that those rights are key to providing an appropriate response to the promise of autonomy, independence and full participation in society for women and girls with disabilities around the world.

65. Ms. King stated that investing in the care economy and promoting a balanced sharing of care at home, as well as between families and the State, was a pillar of the ILO human rights-based and gender transformative agenda, which was grounded in international labour standards. She highlighted that women spend up to 10 times more than men in unpaid care work. She observed that discrimination in paid care work and vertical and horizontal segregation meant that women’s work was concentrated mainly in care-related jobs that were less well paid, more precarious and less protected in terms of occupational safety and health, including in relation to violence and harassment, social protection, insurance and care jobs in the informal economy. This was especially true for migrant women, who experienced multiple, intersecting forms of discrimination.

66. Ms. King noted that ILO had issued a report entitled *Care at work*, which called for large-scale investments in a package of transformative care policies, including social infrastructure, workforce investment and leave policies. ILO estimated that such investment could generate almost 300 million jobs by 2035. As examples of joint initiatives, she referred to a care economy cluster of the Global Accelerator on Jobs and Social Protection for a Just Transition,<sup>6</sup> co-led by ILO, the United Nations Entity for Gender Equality and the

<sup>6</sup> See <https://unglobalaccelerator.org/>.

Empowerment of Women (UN-Women), the World Health Organization and the Global Alliance for Care. Concerning parental leave, Ms. King highlighted that 120 countries had met or had exceeded the requirement of 14-weeks of maternity leave and that 123 countries provided fully paid maternity leave. This meant that 98 per cent of States members of ILO had maternity leave schemes in line with its maternity protection system. However, 649 million women worldwide still lacked adequate protection, or any maternity protection at all, including the self-employed, informal workers, migrants, adoptive and LGBTIQ+-parents and others who were affected by discrimination. As for fathers, while there had been a positive trend towards recognizing their right to paternity leave, there were still over 1 billion potential fathers with no right to paternity leave at all, perpetuating social norms in relation to care responsibilities.

67. Concerning childcare, only 57 out of 178 countries had a mandatory provision of early childhood educational development and only 21 countries granted universal childcare services for children from birth to two years of age. Long-term care services remained inaccessible or inadequate for the majority of those who needed them, particularly for long-term care services for older persons and persons with disabilities. Only 89 countries granted public long-term care services. The *Care at work* report also revealed a “global childcare policy gap” between the end of parental leave and the start of public childcare services or compulsory education. This policy gap amounted to an average of 4.2 years; in 91 out of 175 countries the gap exceeded 5 years.

68. Ms. King recalled that in 2020, 2 million mothers had left the workforce due to additional high demands for unpaid care. She concluded that there was a need to invest in transformative care services that were country specific and included leave policies and income security based on the human rights of both caregivers and care recipients. She called for care policies that were universal, based on solidarity, representation and social dialogue.

### C. Statements by representatives of States and observers

69. There was consensus among speakers that women and girls carried a disproportionate burden of unpaid and underpaid care work and that the COVID-19 pandemic was a reminder of how economies relied on such work. The pandemic had seen women and girls further assuming the greatest share of unpaid care work, resulting in women and girls sacrificing or limiting their employment or livelihoods and education, as well as their engagement in professional development activities and public life. Special note was made of the unique position women in rural areas, women of colour, women with disabilities, women from marginalized socioeconomic backgrounds and migrant women who were disproportionately affected by the pandemic in the context of care work. Speakers also reaffirmed that this disproportionate burden and its consequences affected the enjoyment of human rights, especially the rights to education and work, by women and girls and hindered progress in achieving the Sustainable Development Goals set out in the 2030 Agenda for Sustainable Development.

70. Some speakers emphasized the need for targeted investment in women and girls and that the realization of full sexual and reproductive health and rights needed special attention. The ability to choose the number and spacing of children and access to free, safe and legal abortion were examples of how sexual and reproductive health and rights could contribute to gender equality in general as well to equality in the context of care work. Reference was made to Human Rights Council resolution 47/5 on the realization of the equal enjoyment of the right to education by every girl, noting the need to recognize, reduce and redistribute girls’ disproportionate share of unpaid care work, which deprived them of their childhood.

71. Several speakers noted the need for policies to redistribute care work and to create a strong social infrastructure, including universal health care, affordable childcare, care for the elderly and paid leave. Importantly, it was pointed out that fiscal and policy spaces should allow for the funding of quality public services through public resources, with fair and progressive redistributive tax regimes. It was emphasized that all such policies needed to be gender-responsive, to consider gender norms and gender inequalities and to adopt a human

rights-based approach. It was pointed out this would not only promote gender equality but would also make societies more resilient during future crises.

72. In this context, the joint report, entitled *Government responses to COVID-19: lessons on gender equality for a world in turmoil*, published by UN-Women and the United Nations Development Programme, was cited. The report showed that while countries with stronger social protection systems and public services scored better in terms of gender equality in times of crisis, nearly 60 per cent of countries and territories had not taken any measures to support unpaid care work and only 7.3 per cent of all social protection and labour market measures had addressed unpaid care work.

73. In addition to policies regarding the distribution of care work, several speakers highlighted the need to address inequality by eliminating gender stereotypes and harmful norms in the public and private spheres and by addressing patriarchal structures in society. Institutional and social frameworks should allow for the elimination of such stereotypes. Examples of how this could be achieved included communication campaigns, access to education on gender equality and cultural activities and artistic expressions related to uprooting the patriarchy.

74. Speakers asked how the attention given to a human rights-based and gender-responsive care system could be translated into significant policy changes, including in future crises similar to the COVID-19 pandemic; how gender-responsive support could be utilized in support of conflict-affected displaced populations; how States could address the fact that women often benefited less than men from social services and social welfare, including in the context of employment; what practical interventions were possible to promote the social and economic rights of rural women and women working in the informal sector; and how a system built on the exploitation of reproductive labour could be dismantled.

#### **D. Responses of panellists and concluding remarks**

75. In her concluding remarks, Ms. Raday noted the strong consensus from all participants on the urgent need to set a transformative agenda for the right to care and the right to be cared for as a social and economic human right. A transformative agenda was crucial both for humanity at large and for women's equal opportunity and empowerment. She further stressed that there seemed to be an added urgency for the implementation of such an agenda in view of the COVID-19 pandemic and how it had exposed women's vulnerability as a result of their care responsibilities.

76. Ms. Raday made three final remarks. First, a transformative agenda for the right to care must be holistic, addressing all care workers in both the formal and informal labour markets and in entrepreneurship, and must include care workers in rural areas as well as unpaid and underpaid care workers. It also needed to address all populations in need of quality care and support, including but not limited to newborns, toddlers, school-aged children, older persons and persons with disabilities. Second, the implementation of a transformative agenda required diverse measures, varying from paid leave for women and men in employment; the provision of services that were free or affordable for working adults in all economic activities; recognition of the care and support expenses undertaken by working adults as tax deductible; decent working conditions for care workers; and reproductive rights, allowing women and girls to autonomously plan their assumption of care responsibilities. Third, she concluded that the subsidizing of care and support was a win-win situation as increased affordable care and quality care services represented a long-term investment that created jobs and encouraged economic growth.

77. Addressing the question as to how to make support systems more inclusive, Ms. Galarza responded that care and support needed to include human support, assistive technologies, transportation, individualized support for housing and personal budgeting and support in decision-making so that care and support systems could be more efficient and effective. Services regarding care and support needed to be transformed, in compliance with the Convention on the Rights of Persons with Disabilities, to enable the full and effective participation of persons with disabilities, in particular women and girls with disabilities, in decision-making processes.

78. Ms. Galarza further stressed the importance of a shared responsibility between families, communities and the State for care and support systems in order to ensure a fair and sustainable distribution of care and support work. She highlighted that all barriers that prevented women and girls with disabilities from having access to affordable, accessible, acceptable and available support services needed to be removed. It was especially important to remove attitudinal barriers, including misconceptions, negative stereotypes and prejudices, environmental barriers regarding physical access, access to information and communication and institutional barriers related to discriminatory policies, such as laws restricting the legal capacity of persons with disabilities that prevented their exercise of supported decision-making. Ms. Galarza concluded by stating that the realization of human rights-based and gender-responsive care and support systems should be included in efforts to attain sustainable development goals.

79. Ms. King emphasized that the issue of care was central to addressing structural barriers that blocked the advancement of gender and equality issues. The care economy encapsulated why women fared so poorly in labour markets when it came to the question of pay and related discrimination. Often, women's work was segregated in service provision sectors and limited by the reproductive responsibilities attributed to women. The undervaluation of such work was reflected in the remuneration received by women.

80. When looking at gender-based violence and harassment, Ms. King stated that many of the deep-rooted norms and unequal power relations at play in wider society contributed to violence and harassment, which represented another structural barrier to women's ability to enter, remain and advance in the world of work. This was clearly apparent during the COVID-19 pandemic, with care workers being subjected to higher levels of violence and harassment and an exponential rise in domestic violence, all of which remained a huge barrier to the advancement of women's rights in society.

81. Ms. King stressed the importance of intersectionality and that care policies needed to consider the full diversity of women. This meant that there was no "average" woman and that a full range of women's experiences existed. This included the different socioeconomic situations faced by women, for example, the existence of intergenerational poverty and its impact.

82. Ms. King further stated that care was central to social protection systems that were inclusive, gender-responsive and responsive to the needs of populations, both in so-called normal times and, particularly, in times of crisis. The COVID-19 pandemic had shown that societies that already had resilient, robust and inclusive social protection systems, covering larger groups of the population, had fared better in responding to the socioeconomic impacts of the pandemic.

83. The informal economy was the sector in which the majority of women participated. This meant that women in that economy tended to fall outside labour protections, including social protections. Transitions from the informal to the formal economy were thus vital to addressing these structural barriers. The role of the care infrastructure was extremely important, as in many parts of the world, in the absence of a care infrastructure, women often ended up working in the informal labour market in order to balance income generation and unpaid care responsibilities. Ms. King concluded by saying that addressing the structural issues relating to care could be a critical lens in terms of advancing women's human rights and dealing with the structural barriers to women's full enjoyment of political, social and cultural life.

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