

3 Women's rights are human rights

A concept in the making

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“Women’s rights are human rights” is a powerful concept that resonates globally today. Awareness of the routine violation of women’s rights has grown exponentially in recent years, particularly with regard to domestic and state-sanctioned violence. We know more about the range of this violence, its multiple manifestations, the extent and diversity of its geography, and the universality of its reach. The media now reports regularly on the matter and many organizations in different sectors carefully document its incidence.

Multiple UN agencies study the problem and fund programs to end it. UN Women, the UN Population Fund (UNFPA), and the office of the High Commissioner for Human Rights (UNOHCHR) all have violence against women (VAW) as a major pillar of their work. The World Health Organization (WHO) produces multi-country reports on intimate partner violence. The International Labor Organization (ILO) studies sexual harassment in the workplace. The Office of the High Commissioner for Refugees (UNOHCR) addresses the protection of internally displaced women and refugees. UNICEF deals with child marriage and violations of the girl child. In 2006, in response to a mandate by the General Assembly, the UN Secretary General issued a “Study on Ending Violence against Women: From Words to Action.”¹

There have been numerous changes in national law and policy as well. According to the UN Special Rapporteur on Violence against women, only a handful of countries had addressed the issue of

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domestic violence in any form in 1994, but nine years later every UN member state, except Bhutan, had passed legislation or formulated national programs to deal with it.²

However widely embraced today, the concept of VAW as a breach of fundamental human rights first came to light through the work of women's groups from around the world working collaboratively. The idea took root at the UN World Conference on Human Rights in Vienna in 1993, which first mainstreamed gender into human rights discourse and recognized VAW as worthy of universal response and condemnation.

Women organized for Vienna as part of an emerging global feminist movement that transcended geographies of North and South and looked to the UN as an important arena for advancing policies and programs. Global feminism in these years moved beyond traditional silos of "women's issues" and brought a gendered analysis to bear on concerns about peace and security, rights, development, health, and the environment. The UN World Conferences of the 1990s—Rio's Earth Summit, Vienna's on human rights, Cairo's on population and development, Copenhagen's Social Development Summit—provided key arenas for this work. They also prepared the way for a far more expansive treatment of women's issues than ever before at the UN Fourth World Conference on Women in Beijing. This paper briefly tells this story.

Global feminism and human rights pre-Vienna

Framing women's rights as fundamental human rights was an idea whose time had come. It surfaced through feminist organizing around the UN world conferences on women. Peggy Antrobus sums up the impact of the UN Decade for Women which encompassed three World Conferences on Women—Mexico City in 1975, Copenhagen in 1980, and Nairobi in 1985:

It was within this context that women from around the world first encountered each other in a sustained and ever-deepening process focused on their position and condition. The Decade was to nurture and expand this movement in a way that not even its strongest protagonists could have imagined.³

Occurring before the Internet transformed mass communications, these conferences were rare and precious opportunities that shaped a generation of civil society activists.⁴ At each of them women eager to work

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across cultures teamed up to advocate around specific issues and debated strategies for feminist theory and activism. This contact broadened understandings of the diverse conditions women face, as well as the common struggles. It also laid the foundation of personal trust and political awareness necessary to engage in collective activism across cultures.

Deconstructing this history uncovers valuable lessons. At the NGO Forum held parallel to the Second UN World Conference on Women in Copenhagen, for example, Bunch and Antrobus, of the Women and Development Unit (WAND) of the University of the West Indies collaborated on a video called “World Feminists,” shown daily.⁵ It generated considerable dialogue on linking feminism and other social movements and their critiques of power. In a section of the Forum on “International Feminist Networking,” sponsored by the International Women’s Tribune Center (IWTC) and ISIS International, informative cross-cultural discussions of VAW emerged.⁶ The Copenhagen conference has been remembered for its heated exchanges between North and South, but these sessions, by contrast, revealed commonalities, with an eager exchange of stories, laughter, and tears across what elsewhere seemed insurmountable cultural divides. VAW existed everywhere—no country was really “developed” on this, and no government had a solution. The convergence of prevailing social attitudes and of feminist strategies in response was striking—even as specific manifestations of violence varied by culture, race, class, religion, and other context-specific factors.

The process worked in two directions with local and regional activism also leading upstream to new global understandings. For example, in 1981, the Latin American women’s movement’s first regional “Feminist Encuentro”⁷ declared 25 November a day to call attention to VAW in commemoration of the Trujillo regime’s assassination of the Mirabal sisters in the Dominican Republic. The day quickly became a “classic” of the feminist calendar—an opportunity to raise consciousness and mobilize for action. Eighteen years later, the UN officially recognized 25 November as the International Day for the Elimination of Violence against Women.⁸

In Latin America, a region known for its struggles against military dictatorships, the predisposition to understand feminism as central to human rights and democratic practice was especially strong. Key conceptual breakthroughs on state responsibility for VAW, in particular, the decision by the Inter-American Court of Human Rights in *Velasquez-Rodriguez v. Honduras*,⁹ come from this region’s struggle to identify those responsible for the disappeared during the “dirty wars” of

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the 1970s and 1980s. This decision broke new ground in identifying states' duty to prevent, prosecute, and punish violent acts of private perpetrators.

The Third UN World Conference on Women in Nairobi provided a venue for even more robust cross-cultural strategizing. At both the NGO Forum and the official intergovernmental conference, issues of gender-based persecution and violence were more visible than they had been five years earlier. In a number of countries, women were working against rape, domestic violence, sex tourism, forced prostitution, and female genital mutilation, and these issues were avidly discussed, although still not conceptualized formally as matters of human rights.

In Nairobi, feminists from the Global South became more visible, as did the expansion of women's movements everywhere. Regional women's events multiplied, and global initiatives emerged in many fields—women's studies, feminist publishing, lesbian rights, women's health and reproductive rights, etc. For example, Development Alternatives with Women for a New Era (DAWN), a network of Southern-based researchers and activists, was launched to promote Third-World feminist perspectives at Nairobi. Women in Law and Development sessions at Nairobi led to regional networks on this theme—Asia Pacific Forum of Women, Law and Development (APWLD) in Asia, Caribbean and Latin American Committee for the Defense of Women's Rights (CLADEM) in Latin America, and Women in Law and Development in Africa (WILDAF) in Africa.¹⁰ In 1987, the Network of Women Living under Muslim Laws (WLUML) was founded to create solidarity among activists.¹¹

Interest in the human rights framework grew among feminists looking for ways to hold governments responsible for the plight of women, demanding more effective mechanisms to lift gender-based violations out of the shadows. Why were women trafficked for sex tourism treated as criminals and not given refugee status in the countries in which they landed? Why were women raped in war not offered asylum elsewhere? Why had the sexual torture of female political prisoners in the “dirty wars” of Latin America, or the organized rape of “comfort” women by Japan in the Second World War, been excluded from international justice proceedings? Feminists everywhere were examining the gendered exclusion of women's experiences from mainstream human rights considerations.

The Gabriela Women's Coalition in the Philippines launched a campaign in 1988 under the banner “women's rights are human rights.” The Latin American Feminist Encuentro in Argentina in 1990 buzzed with discussion of this evolving paradigm. In 1992, Rebecca

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Cook organized a landmark consultation of lawyers at the University of Toronto to bring “legal theory and practice to bear on the relationship between international human rights and women’s rights.”¹² Immediately after, the North-South Institute brought together activists with these lawyers for an international conference: “Linking Hands for Changing Laws: Women’s Rights as Human Rights around the World.”¹³ Both events became mobilizing forces for subsequent advocacy at Vienna. The International Interdisciplinary Congress on Women in Costa Rica in early 1993 provided another global opportunity to expand on this perspective. Leading up to Vienna, feminists repeatedly discussed the idea that women’s rights and human rights are indivisible.

Women’s caucuses also formed within mainstream human rights organizations. Amnesty International and Human Rights Watch established Women’s Rights Divisions to research and document global abuses in the context of international law.¹⁴ The expertise of human rights specialists who brought a sophisticated understanding of human rights mechanisms was crucial to advancing methodology, documenting abuses, and demanding government accountability for violations of women.

Our own personal journeys converged at this time, and we co-organized workshops on global feminism in Latin America, South Asia, and at the Nairobi Conference. In 1987, we both went to Rutgers University in New Jersey, where Charlotte was a visiting scholar and Roxanna a graduate student. In Charlotte’s seminar on “Global Feminism and Human Rights,” we further developed our ideas and made contact with activists and scholars from around the world working on this topic.¹⁵ Two years later we founded the Center for Women’s Global Leadership (CWGL) to develop and advocate for women’s rights as human rights, using VAW as a prism. At the first CWGL Women’s Global Leadership Institute in June 1991, two key strategies emerged. We would organize for this concept at the upcoming 1993 UN World Conference on Human Rights and we would develop a “16 Days of Activism against Gender Violence” campaign. The 16 Days explicitly linked human rights and VAW during the period between 25 November, International Day for the Elimination of Violence against Women, and 10 December, International Human Rights Day.¹⁶

CWGL convened a working group on women’s human rights in the New York area, which brought together local activists, lawyers, and academics who regularly exchanged perspectives and strategies. We also organized similar conversations cross-culturally, and in February

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1993 held an international strategy meeting to coordinate plans for Vienna.¹⁷

Meanwhile at the UN itself, norm-setting initiatives on VAW were put in play by the Commission on the Status of Women (CSW) and the Division for the Advancement of Women (DAW), which produced an early UN study of domestic violence in 1989.¹⁸ The CEDAW Committee (the treaty body monitoring government compliance with the Convention on the Elimination of all Forms of Discrimination against Women) sought to remedy its earlier omission of VAW from the women's convention by developing General Recommendation 19,¹⁹ which interprets VAW as a form of discrimination as defined in Article II of CEDAW. The potential of a specific Convention on Violence against Women was explored, but political consensus and resources to do that did not materialize internationally, and instead an optional protocol for CEDAW was authorized.

On the operational side, the UN Development Fund for Women (UNIFEM), which had been created to support initiatives in the developing world, found its hands tied on this still volatile subject. Few development specialists and few national governments at the time saw VAW as part of "development," even as income-generating projects fell short of anticipated outcomes, and entrenched traditions of sex discrimination and domestic violence were recognized as obstacles.

UNIFEM therefore asked Roxanna to write a formal policy brief on the subject of VAW as an obstacle to development.²⁰ Some Southern governments were initially opposed, fearing that the stigma of the issue would unfairly attach only to them. Underscoring the universality of the problem, however, UNIFEM Executive Director, Sharon Capeling-Alakija, and her Deputy, Thelma Awori, won the day. UNIFEM directed funds to support groups working on it, and in 1991 Roxanna became the staff person with responsibility for this portfolio. With preparations for Vienna under way, she also became UNIFEM's liaison in interagency UN meetings with direct access to the official planning process.

A movement for women's rights as human rights

The Vienna Conference, the UN's first global human rights convening since 1968, took place soon after the demise of the Soviet Union, when new thinking on the subject became possible. As the Cold War waned, dictatorships fell, and democratic movements gained momentum in Eastern Europe, Latin America, and Asia, human rights gained greater influence as the world's shared ethical frame. At the same time, global

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media attention was exposing the brutality of rape as a weapon of war in Bosnia—in the heart of Europe.

The Global Campaign for Women's Human Rights kicked off in 1991 with a petition asserting simply that "violence against women violates human rights." It called on the forthcoming UN conference "to comprehensively address women's human rights at every level of its proceedings." Initially circulated by CWGL, the International Women's Tribune Center (IWTC) and the World Young Women's Christian Association (YWCA), the petition became the first action of the 16 Days of Activism against Gender Violence campaign. Seeking individual signatures as endorsements from around the world, it served as a vehicle for drawing women into the preparatory processes for the Vienna conference. Touching a nerve, it was translated at the grass-roots level into over 25 languages and circulated in 124 countries. In this pre-Internet age, boxes of signed paper petitions were soon mailed back to CWGL from faraway places, some signed with thumbprints by illiterate women. The process awakened widespread debate over women's rights in human rights discourse.

At local hearings women testified on how violence constitutes a human rights violation under covenants prohibiting torture or terrorism, and therefore demands state accountability. Women lobbied national governments and mainstream human rights groups, becoming a forceful presence at UN preparatory meetings for Vienna in Tunis, San Jose, Bangkok, and Geneva. Latin American feminists held a parallel event—"La Nuestra,"²¹ which developed demands and an advocacy strategy presented at plenary sessions of the governmental meeting. WILDAF held sub-regional meetings where participants contributed ideas and demands to a paper for Tunis. Through these experiences in caucusing, lobbying, and drafting text for inclusion in official documents, women learned critical skills, including how to present their demands persuasively in human rights terms.

UNIFEM made the collaboration of civil society and governments a central goal. It brought a dozen women from the Global South to Geneva where they formed a women's caucus and came to know the negotiators of the outcome document who would become key players in Vienna. UNIFEM also convened a meeting on "International Strategies to End Violence against Women," cosponsored by the government of the Netherlands and the North-South Institute of Canada.²² The Dutch underwrote the event, which brought some 80 women's rights activists, many from the South, to The Hague, most of whom then travelled on to Vienna

The Vienna conference and the VDPA

In Vienna, women worked across geographies and across sectors (UN staff, government delegations, and NGOs) to influence conference outcomes, and to gain media attention. The Global Campaign's initial background paper, and its work as rapporteur on women's issues in the NGO pre-event, guided a working group of over 200 who eventually agreed on demands endorsed by the NGO Forum as the basis for lobbying the official conference.

As a result of efforts by UNIFEM and the NGO Women's Caucus at Geneva, roughly half of all participants in the NGO space at Vienna were female. Many sessions were held on women's rights and a designated "Women's Rights Place" provided a hub for orientation, information-sharing, and networking. Global Campaign organizers also worked with a media team from the Communications Consortium Media Center in Washington, DC, led by Kathy Bonk, who trained a group of savvy spokespersons.

The campaign's key event was a day long "Global Tribunal."²³ Feminist networks from around the world selected key cases, and 33 women gave testimony covering a wide range of issues including domestic violence, rape in war, trafficking, compromise of bodily integrity, abuse of migrant women, and the political persecution of lesbians. This riveting event demonstrated in graphic terms that the simple fact of being female can be life-threatening—that the inhuman and degrading treatment women too often experience conforms to conventional definitions of torture, terrorism, or slavery prohibited under human rights accords. Four prominent judges from different regions—two male and two female, working with a diverse team of women lawyers—issued powerful conclusions on why women's rights should be a priority. This judgment, along with over 250,000 petition signatures, was presented at the official conference. The campaign did not present women only as victims, but also as activists with agency, claiming our place as a constituency that would strengthen and revitalize the overall movement for human rights.

Official conference negotiations leading up to Vienna often foundered and broke down completely between North and South over approaches to definitions of social and economic rights as human rights. An agreed draft document did not emerge until after the last preparatory committee meeting in Geneva in April, where concern grew that overall consensus could not be reached in Vienna. In this context, women's rights emerged as a rare area of agreement coming from all regions, with draft text that arrived in Vienna almost free of

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brackets, to the surprise of mainstream human rights organizations, which still viewed women's issues as marginal.

The final Vienna Declaration and Programme of Action (VDPA)²⁴ affirms that “the human rights of women and of the girl child are an inalienable, integral and indivisible part of universal human rights” not to be subject to limitations. It recognizes VAW as an abuse to be eliminated and recommends the appointment of a special rapporteur to report on it. The far-reaching implications of these changes were only barely understood by the governments who adopted them and even by many of us who advocated for them.

Beyond this landmark recognition of women's rights as human rights, the VDPA has also been critical in other respects.²⁵ Its affirmation that the “promotion and protection of all human rights is a legitimate concern of the international community” is crucial to global activism on behalf of women's human rights everywhere. Its defense of the universality of rights has also been central to women's rights defenders, who, in turn, have advanced the principle. If violating the rights of half of humanity can be conditioned in the name of culture, religion, or nationality, then the concept has little meaning.

The VDPA also reaffirms the indivisibility of human rights—civil, political, social, and economic—and underscores their interdependence. Again, women have advanced this concept, because the multiple violations of our rights are so often hard to distinguish and categorize. Feminists helped strengthen an intersectional approach to rights—understanding that discrimination in one area usually affects another—that violations on the basis of gender, race, class, and other factors intersect in the abuse most women experience.

Vienna opened the door to greater participation of NGOs in UN human rights deliberations, and particularly to those marginalized previously at the UN, including indigenous peoples, women, and groups from the Global South. This process continued with the creation of OHCHR, another outcome of Vienna, and as representatives of social movements gained greater access to the Human Rights Commission (now the Human Rights Council) and other human rights bodies and special mechanisms.

Vienna to Beijing

With feminists regularly lobbying in Geneva, New York, and locally, the UN advanced more systematic standard-setting on women's human rights, especially around gender-based violence. The UN General Assembly adopted the Declaration on the Elimination of Violence

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Against Women (DVAW) in December of 1993, and the Human Rights Commission at its first session after Vienna appointed a “Special Rapporteur on Violence against Women, its Causes and Consequences.” These appointees have produced a rich body of work codifying human rights standards on gender violence. In 1994, the UN Commission on Human Rights also adopted its first resolution on gender integration, which has since evolved into annual sessions on the topic at the Human Rights Council, as well as a range of efforts to integrate women’s perspectives more fully in all areas of human rights.

The success of the “women’s rights are human rights” claim in Vienna also became a guiding framework in arenas beyond the formal human rights system. It has influenced the health, population and development, and peace and security dimensions of UN operations. Language negotiated in Vienna framed the conceptualizing of women’s health, reproduction, and sexuality as rights matters at the 1994 International Conference on Population and Development in Cairo. In 1995, the Global Campaign reinforced specific gendered concerns as socio-economic human rights at the UN World Summit on Social Development in Copenhagen. In these settings, and then again at Beijing, a powerful backlash against feminist interpretations of human rights emerged, with conservatives strongly resisting the application of human rights principles to reproduction and sexuality.

The 1995 Beijing Declaration and Platform for Action (BPFA)²⁶ reaffirms Vienna language on the universality of women’s human rights and includes specific chapters on human rights and on VAW. Its 12 critical areas of concern broadly define women’s rights to encompass health, education, and development, and specifically addresses rights of girls, such as consent in marriage. Its section on women and armed conflict incorporates a human rights approach to VAW in war and other aspects of a “women, peace and security” agenda that have since taken center stage. Then-First Lady, Hillary Rodham Clinton’s famous speech in Beijing advocating “women’s rights are human rights” brought added legitimacy and global media attention to the paradigm, helping it become the new norm.

An explosion of activity followed Beijing as women’s groups and human rights organizations escalated their documentation of abuses and demands for change. Addressing issues from honor killings in Pakistan to reproductive rights in Peru, welfare and housing rights in the United States, or global questions of environmental justice, feminists have used human rights laws and instruments to try and hold governments accountable. At the same time, bilateral foreign aid, along

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with funding from multi-lateral institutions and agencies and some private foundations, now pay more attention to women's concerns.

The Vienna, Cairo, and Beijing conferences renewed interest in the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and gave impetus to the creation of an optional protocol, providing redress of individual grievances, which dramatically strengthens the document as a vehicle for implementation of women's rights. Increasing numbers of women's organizations now regularly engage the CEDAW committee and write shadow reports when their governments come up for periodic review. Improved national legislation and policies to help women exercise their rights have become benchmarks of government compliance with these treaties. And CEDAW now regularly informs national laws on issues of sex discrimination in civil status, political representation, employment, education, criminal justice procedures, and the like.

Collaboration among multiple constituencies of women from around the world has, of course, been fraught at times and not always easy. Success in working together—especially in the face of mounting backlash—was exhilarating at these conferences that resulted in strong outcome documents. Many challenges remain, and new obstacles have developed as a result of growing financial challenges, economic inequalities, health epidemics, and political unrest in many regions. Nevertheless, women have achieved a palpable sense of power and impact since Beijing. International organizations, donor resources and new information technologies have advanced this work, but its roots remain in women's movements on the ground. It is those movements that must rise up once again to address a still unfinished agenda.

Achievements

Hidden from view away from the drama of the use of force and international peace and security, there has been a quiet, creeping revolution in the area of women's and children's rights at the international level which may have far reaching consequences about how we think about international law and its place in the modern world.

Radhika Coomaraswamy, "Women and Children: The Cutting Edge of International Law," *The Grotius Lecture*, 2014

The legal advances and human rights mechanisms women achieved after Vienna and Beijing do indeed have revolutionary potential, if implemented. The Beijing call for an Optional Protocol to strengthen CEDAW implementation was adopted in 2000. The number of

countries ratifying the convention jumped from 119 in 1994 to 188 in 2014, and significant numbers removed some of their reservations to CEDAW, including a few in the controversial area of family law.

The women, peace, and security agenda has been the focus of considerable high-level attention since the UN Security Council (2000) adopted its first resolution on women. Security Council Resolution (SCR) 1325 reaffirms the importance of participation in the prevention and resolution of armed conflict, and highlights the role of women in peacekeeping and peacemaking. It also addresses VAW in conflict, calling all actors to take special measures for the protection of women and girls. Under pressure from NGOs, national plans of action on SCR 1325 have been drawn up, but implementation is minimal. SCR 1325 has several implementing resolutions (SCRs 1820, 1888, 1889, 1960, and 2106), including one (SCR 1820) that led to the creation of a Special Representative of the Secretary General on Sexual Violence during Armed Conflict, who monitors and reports on this issue to the Security Council. These, unfortunately, only address sexual violence in conflict, leaving aside other aspects of the groundbreaking SCR 1325 and other issues women confront in times of war.

Although these developments have brought greater focus to issues of gender and violence in war and conflict, they have not yet made much difference on the ground where militarism and armed conflicts are still rampant. Significantly, however, the Rome Statute that created the International Criminal Court (1998) includes gender-based persecution and sexual violence as crimes against humanity, and provides for the application of criminal as well as moral sanctions against them. Its rigorous application could have an impact.

Regionally, human rights mechanisms have been created to hasten realization of women's rights. In Latin America, the first ever Convention on the Prevention, Punishment and Eradication of Violence Against Women (Convention of Belem do Para)²⁷ was adopted in 1994, and has since been a major trigger for significant legislative reform in every participating country. Comparable regional advances include the Optional Protocol on Women's Human Rights to the African Charter on Peoples and Human Rights (2000), and in Europe, the Istanbul Convention on Preventing and Combating Violence against Women and Domestic Violence (2011).

Another promising area is the growth in diversity of women's constituencies claiming rights. Indigenous, Afro-descendant, immigrant, Dalit, disabled, lesbian, younger, and older women, as well as racial, ethnic, and cultural minorities, among others, have come forward with their particularized stories of discrimination and violence. Such

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diversification has complicated definitions of “women,” but also enriched and amplified the conceptual clarity necessary to deal with the intersection of gender and other factors, and thus make possible greater realization of rights for all. Women are also considerably more visible as leaders—often with a feminist perspective—in a range of social movements such as disability and land rights groups.

Given the more visible advocacy role of women on gender and other human rights concerns, the need for their protection and security as human rights defenders has become clear.²⁸ Feminists and human rights activists have collaborated over the past decade to address the increasingly precarious situation of all human rights defenders, and to understand the particular needs of those working on women’s and sexual rights.²⁹

Feminist and human rights movements have profoundly affected each other in this and other areas of theory and practice. Feminist thinking created a critique of the socially constructed separation of the public and private spheres, demonstrating how violations readily denounced in “public” spaces, such as battlefields or prisons, are often tolerated or excused in the private space of the family. This added to an expanding understanding of collusion by the state with ostensibly “private actors,” such as corporations, private militias, churches, or families.

Feminists have, in turn, adopted key human rights concepts like “due diligence.” All three UN Special Rapporteurs on Violence against Women (Radhika Coomaraswamy, Yakin Ertürk and Rashida Manjoo) have delineated state responsibility for working to prevent and respond to acts of VAW committed by private actors, and due diligence is now an accepted international obligation of governments.³⁰ The NGO Due Diligence Project has spelled out state obligations as the “Five P’s—prevention, protection, prosecution, punishment and provision of redress.” This framework is aimed at bringing practice in line with norms and standards.³¹

A major contribution of feminist analysis has been to recognize the body as a key site of rights violations. The conceptualization of sexual rights links reproductive rights to rights of sexual expression and pleasure, including sexual orientation and gender identity. It recognizes that many violations are centered on the control of women’s sexuality—from criminalization of contraception and abortion, to the practice of female genital mutilation, stoning and “honor killings,” or the “corrective rapes” and forced marriages imposed on women who transgress gender norms. Gender constructions are now also understood as a dimension of abuse of gay men and transgender people and

as a factor in shaping how all men experience torture, rape, and abuses intended to humiliate them by treating them like women.

Another area of considerable, but insufficient, progress is the growth in resources for women's rights work. In 1996, the UN established a Trust Fund to End Violence against Women, which has since funded cutting-edge initiatives, many of them later replicated by national governments and NGOs. Women's funds have been created in a variety of countries bringing new resources, but total revenues still remain small. The establishment of UN Women in 2010 was meant to create a more powerful and coordinated voice for women's rights and to galvanize more resources. However, the precarious global economic climate leaves UN Women's budget substantially below expectations and far smaller than other operating agencies like UNICEF.

Some global foundations and corporations have increased their interest in women, but not necessarily in funding advocacy around rights or to shift cultural norms. The Association For Women's Rights in Development (AWID) in two recent reports uncovers the disturbing finding that only 18 percent of new resources "for women" fund women's movement organizations and advocacy,³² but rather fund charities, education, and services. This is disturbing given that supporting women's groups has been shown to be the most effective and efficient way to use such resources, especially in combating VAW.³³

Backlash and challenges

Norms and laws have changed dramatically in the 40 years since Mexico City and the 22 years since Vienna. Women have claimed their human rights and now play a greater role in the public realms of most countries. However, as we all know too well, the existence of laws and mechanisms, although important, does not mean our work is finished. Closing the gap between the setting of standards and their implementation remains our collective challenge. As the Geneva Academy of International Humanitarian Law and Human Rights concluded in its review of women's rights, "[A] global snapshot of women's enjoyment of their basic human rights in 2014 appears bleak."³⁴

Tragically, despite dramatic changes in awareness and even in laws, VAW has shown no discernible decrease in actual prevalence. The UN now estimates that gender-based violence is experienced—often repeatedly—by one of every three women in the world.³⁵ Rashida Manjoo, the current UN Special Rapporteur on Violence against Women, summed up the problem in a 2013 report on state responsibility:

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Despite numerous developments, violence against women remains endemic, and the lack of accountability for violations experienced by women is the rule rather than the exception in many countries. Some challenges as regards state responsibility include: lack of acceptance of violence against women as a human rights issue; inadequate state responses; minimum time, effort and resources are devoted to the problem ... also lack of response to addressing both individual and structural aspects of inequality and multiple and intersecting forms of discrimination, which are a cause and a consequence of violence against women.³⁶

The forces of backlash against fundamental social change have also grown stronger, especially in intergovernmental negotiations at the UN. Fundamentalist backlash against women's claims to equality, and especially to sexual and reproductive rights, has seized on claims of national, cultural, and religious sovereignty as excuses for perpetuating socially constructed patriarchal practices. Ironically, many who agree on little else will claim that women's rights threaten their "unique culture," and that some aspect of control over women's bodies is intrinsic to their national or cultural identity and/or faith, including, for example, Southern Baptists in the United States, Iranian mullahs, Zulus in South Africa, Russian Orthodox priests, and the Vatican. As Pregs Govender of South Africa has put it, "[p]atriarchy, as a globally shared culture, expresses itself differently in local contexts."³⁷

VAW is not some marginalized, exotic practice in remote places, but a critical factor in maintaining the domination of small groups of men in virtually all societies. So strong is the backlash against gains, that previous UN consensus over VAW is now faltering. For example, at the 2003 UN CSW review of the VAW section of the BPFA, no agreed conclusions on it were adopted—the first time the CSW failed to reach consensus in its Beijing reviews. Again at the 2013 session of the CSW on the same topic, agreement was barely reached after endless negotiations watered down the link between VAW, culture, and control over women's bodies.

Conflicts around women and sexual rights are now also threatening past agreement over the principle of universality in human rights. Universality does not mean that all women's lives are the same, or that their choices will be identical. It simply means that every woman is entitled to claim rights and live a life free of discrimination and violence justified in the name of culture or religion.

Cultures are not static or apolitical or unaffected by outside forces. Nor are they detached from prevailing material conditions. Claims

called “cultural” or “religious” are also political—reflecting fear of and resistance to prevailing secular and globalized tendencies. Challenging the appropriation of culture by conservative forces and reclaiming women’s right to participate in how cultures evolve is an important feminist strategy, long advanced by groups like WLUML, whose global campaign proclaims: “Violence is not our Culture.”³⁸ Backlash is also personal, as witnessed in the increasing number of defenders of women’s human rights attacked and recently jailed in places like Azerbaijan, Colombia, and Egypt, or even worse, assassinated in Libya, Somalia, Honduras, and other sites of conflict. The defense of such women by the international community is crucial to women’s advancement.

Progress in realizing women’s human rights is also threatened by economic challenges in much of the world, resulting in austerity policies bringing reduced public programming and spending to redress inequalities. Conditions of extreme poverty foster deeply entrenched traditions denying women equal rights to education, formal employment, and property ownership, as well as making them vulnerable to abuses such as child marriage, domestic violence, and trafficking. Women’s personal and social status will not continue to advance unless the growing gap between extreme rich and poor can be closed.

Finally, we must reassess the role of the UN in advancing human rights and justice. Recent UN meetings and forums have primarily been about preserving past achievements, not advancing new gains or raising questions about the use of valuable resources for minimal results. Further, privatization of many governmental services requires new thinking about non-state actor accountability to human rights norms. These challenges are currently playing out in UN talks over the Post-2015 Sustainable Development Goals.

Conclusion

The world conferences of the 1990s still stand as beacons of hope that concerted collective action can advance respect and the realization of women’s rights. Networking across boundaries and dividing lines was key to those achievements, and the challenge today is to find new forms for such collaborations. New generations of women around the world must now carry this message forward. Fortunately, they are rising up everywhere, often in surprisingly brave ways, and frequently with support from young men. The challenge is to build on past gains with new energies and insights.

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Notes

- 1 United Nations, *Ending Violence against Women, From Words to Action: Study of the Secretary General* (New York, NY: United Nations, 2006).
- 2 Radhika Commaraswamy “Women and Children: The Cutting Edge of International Law” (The Grotius Lecture 2014, Annual General Meeting of the American Society for International Law, Washington, DC, 9 April 2014).
- 3 Peggy Antrobus, *The Global Women’s Movement: Origins, Issues and Strategies* (London: Zed Press, 2004), 37.
- 4 See “UN Activist Forum” section of the *Journal of Women’s History* 24, no. 4 (2012) for a series of reflections by women involved in these conferences. Note also *The Proceedings of the International Tribunal on Crimes against Women*, compiled and edited by Diana E.H. Russell and Nicole Van de Ven, (CA: Frog in the Well Press, 1984) for testimony from women around the world involved in the 1977 NGO tribunal held in response to the UN International Women’s Year.
- 5 The *World Feminists* video directed by Martha Stuart as part of her series called “Are You Listening?” was the product of an international workshop sponsored by the Women and Development Unit of the University of the West Indies (WAND), and the United Nations Asian and Pacific Centre for Women and Development (APCWD), held in Stony Point NY in 1980. See Charlotte Bunch, *Passionate Politics* (New York: St. Martin’s Press, 1987), 285–292.
- 6 Charlotte organized this part of the Forum with two key global women’s groups: IWTC based in New York (founded out of the Mexico City conference in 1975) and ISIS International (founded in 1976) based in both Geneva and Rome.
- 7 Latin American feminists have been meeting in an *Encuentro Feminista Latino Americano y del Caribe* (EFLAC) every two to three years to exchange information and strategies, and to affirm regional solidarity. The first meeting took place in Bogota, Colombia in 1982.
- 8 In December 1999 the UN General Assembly passed resolution 54/134 declaring 25 November as International Day for the Elimination of Violence against Women.
- 9 The Honduras government argued that it did not have any responsibility for the crimes of the paramilitaries that caused the death of Velásquez Rodríguez, because the perpetrators were “non-State” actors. The Inter-American Court of Human Rights decided against the Honduras government in the judgment of July 29 1988.
- 10 The acronyms stand for Asia Pacific Women Law and Development, Comité Latinoamericano por la Defensa de los Derechos de la Mujer, and Women in Law and Development in Africa.
- 11 Charlotte Bunch, Peggy Antrobus, Samantha Frost, and Niamh Reilly, “International Networking for Women’s Human Rights”, *Global Citizen Action*, eds. Edwards, M. and Gaventa, J (Lynne Reiner Publishers, 2001).
- 12 Rebecca Cook, ed., *Human Rights of Women: National and International Perspectives* (Philadelphia: University of Pennsylvania Press, 1994), 3.

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- 13 Joanna Kerr, ed., *Ours By Right: Women's Rights as Human Rights* (London, Ottawa: Zed Press in association with the North-South Institute, 2003).
- 14 Human Rights Watch, Worden, M. ed. *The Unfinished Revolution: Voices from the Global Fight for Women's Human Rights* (New York: Seven Stories Press, 2012).
- 15 Some of the earliest writings on women's rights as human rights include: Georgina Ashworth "Of Violence and Violation: Women and Human Rights" *Change Thinkbook II* (London, 1986); Alda Facio at Mujer Fem-Press (ILET) Santiago, No.97, especial "Contraviolencia", December, 1988; Lori Heise, "Crimes of Gender" in *WorldWatch* (March-April 1989): 12–21; Gail Omvedt *Violence Against Women: New Movements and New Theories in India* (New Delhi: Kali for Women, 1990); Roxana Vasquez and Giulia Tamayo, *Violencia y Legalidad* (Lima: Concytec, 1989).
- 16 Rutgers Center for Women's Global Leadership, *The Activist Origins of the 16 Days Campaign*, <http://16dayscwg.l.rutgers.edu/about/activist-origins-of-the-campaign>.
- 17 Center for Women's Global Leadership, *International Campaign for Women's Human Rights, 1992–93 Report* (New Brunswick, N.J.: Center for Women's Global Leadership, 1993).
- 18 United Nations Centre for Social Development and Humanitarian Affairs. Division for the Advancement of Women, *Violence against Women in the Family*. Prepared by Jane F. Connors. (New York: United Nations, 1989).
- 19 See all General Recommendations to CEDAW and more specifically General Recommendation 19 <http://www.un.org/womenwatch/daw/cedaw/recommendations/recomm.htm>.
- 20 Roxanna Carrillo, *Battered Dreams: Violence against Women as an Obstacle to Development* (New York: UNIFEM, 1992).
- 21 "La Nuestra" as the feminist regional meeting was called, took place 3–5 December 1992 in San Jose, Costa Rica.
- 22 Report of the *International Conference on Strategies for the Elimination of Violence against Women*, June 1993 in The Hague. The Netherlands Ministry for International Development and Cooperation, in collaboration with UNIFEM and The North-South Institute; Vienna Declaration and Programme of Action (VDPA), Adopted by the World Conference on Human Rights in Vienna on 25 June 1993.
- 23 Charlotte Bunch and Niamh Reilly, *Demanding Accountability: The Global Campaign and Vienna Tribunal for Women's Human Right*. (New Brunswick, NJ: CWGL and NY, NY: UNIFEM, 1994). This event is captured in the film *The Vienna Tribunal*, directed by Gerry Rogers, the National Film Board of Canada.
- 24 *VDPA*, op.cit, 33.
- 25 *Ibid*, 34.
- 26 *Report of the Fourth World Conference on Women* (E.96.IV.13), 4–15 September 1995.
- 27 Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women.
- 28 See the 27 February 2002 groundbreaking report on women human rights defenders prepared by Hina Jilani, Special Representative of the Secretary

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- General on the situation of Human Rights Defenders to the 58th Session of the Commission on Human Rights (E/CN.4/2002/106).
- 29 Women Human Rights Defenders International Coalition, *Global report on the Situation of Women Human Rights Defenders* (January 2012); Association for Women's Rights in Development (AWID), "Our Right to Safety: Women Human Rights Defenders' Holistic Approach to Protection" (Toronto, Ontario: Association for Women's Rights in Development, 2014).
- 30 Radhika Coomaraswamy, *Violence Against Women in the Family* (E/CN.4/1999/68), 19 March 1999; Yakin Ertürk, *The Due Diligence Standard as a Tool for the Elimination of Violence Against Women* (E/CN.4/2006/61), 20 January 2006; and Rashida Manjoo, *State responsibility for eliminating violence against women* (A/HRC/23/49), 14 May 2013.
- 31 Zarizana Abdul Aziz and Janine Moussa, *Due Diligence Framework: State Accountability Framework for Eliminating Violence against Women* (Malaysia: International Human Rights Initiative, 2014).
- 32 AWID, "New Actors, New Money, New Conversations: A Mapping of Recent Initiatives for Women and Girls" (Toronto, Mexico DF, Cape Town: AWID, 2013).
- 33 Mala Htun and S. Laurel Weldon, "The Civic Origins of Progressive Policy Change: Combating Violence against Women in Global Perspective, 1975–2005," *American Political Science Review* 106, no. 3 (2012): 548–569.
- 34 Alice Priddy, *Academy in Brief No. 4.: The Situation of Women's Rights 20 Years After the Vienna World Conference on Human Rights* (Geneva, Switzerland: Geneva Academy of International Humanitarian Law and Human Rights, 2014), 11.
- 35 WHO, *Global and Regional Estimates of Violence Against Women* (World Health Organization, 2013).
- 36 Rashida Manjoo, *State responsibility for eliminating violence against women*.
- 37 Pregs Govender, "When 'Traditional Values' are a Stick to Beat Women", *Times Live*, 28 February 2010.
- 38 WLUML campaign "Violence is not our Culture," www.violenceisnotourculture.org.