

**Report of the Expert Group Meeting on the CSW 62 Priority Theme:
Challenges and Opportunities in Achieving Gender Equality and the Empowerment of
Rural Women and Girls**

UN-Women

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*The views expressed in this document are those of the experts and do not necessarily represent the views of the United Nations.

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1. INTRODUCTION

The Expert Group Meeting (EGM), in preparation for the 62nd session of the Commission on the Status of Women (CSW), focused on the priority theme of “Challenges and Opportunities in achieving gender equality and the empowerment of rural women and girls.” The theme was considered particularly pertinent given the manifestation of rising gender inequalities and the impacts of climate change that are evident in the lives of rural women.

The expert group considered a wide range of challenges and opportunities to rural women’s empowerment as well as the relevance and importance of the 2030 Agenda for Sustainable Development to rural women’s human rights across three domains: land and other resources; food sovereignty for nutritional empowerment; and an adequate standard of living and social protection. Further, the experts asserted that the Beijing Platform for Action, and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and its subsequent General Recommendations, provide a strong and detailed basis to analyse progress and barriers to the achievement of rural women’s human rights.¹

Rural women are not a homogenous group: they may be small farmers with ownership rights, farmers or forest users on collective or common land, waged farmers, workers in secondary and non-farm industries, pastoralists, fishers, and peasants. They also may be girls, parents, widows, indigenous women, women with disabilities, women living with HIV or other diseases, and women of diverse sexual orientations and/or gender identities. Too many interventions target rural women as a singular, food producing identity, failing to consider the heterogeneity of rural women and the challenges they face including multiple and intersecting forms of discrimination.

The social and economic injustices rural women continue to experience should not be inevitable; they are the result of global and local policymaking intersecting with entrenched patriarchal practices. Therefore, it was decided by the expert group to focus this report on the most significant systemic barriers to advancing rural women’s human rights, and identify actions Member States could take to facilitate the redistribution of power, wealth, resources and provide the necessary opportunities to advance those rights.

2. KEY BARRIERS

2.1 Neo-Liberal Economic Model

Members of the Expert Group Meeting agreed that the prevailing neo-liberal economic model has been a driver of displacement and led to increased violations of rural women’s rights and is incapable of supporting gender-equitable sustainable development. Neo-liberalism is characterised by a shift towards privatization of public goods and services, deregulation of corporations, labour and financial markets and trade and investment liberalization, and the subsequent adoption of global regulations that protect foreign capital and constrain the State’s capacity to legislate in favour of human rights. Together, these prescriptions have shifted rural economies towards export-oriented cash-crops, enabled multinational agribusinesses to monopolize input markets, resulted in large scale acquisition of land and water resources by foreign investors and shifted profits, and subsequently potential local investment, out of the community and into tax havens. These prescriptions have had a significant impact

¹ Note on terminology: The expert group agreed that the term ‘empowerment’ must necessarily involve a process of increasing the power, collectively or individually, of rural women to make decisions in relation to their own bodies, in their families, communities and environments, as well as policies and practices that impact on them made at local, national and international levels.

on the human rights of rural and indigenous women, and are the result of growing and extreme levels of inequality including a stark and growing urban-rural divide.

Macroeconomic policies necessitated by the stock-liberal consensus facilitate a large flow of funds from developing to developed countries which undermine the possibility to close financial gaps and limit governments' resource base hindering them from effectively fulfilling their human rights obligations, specifically of women and girls. These funds take the form of illicit financial flows, trade and invoice mispricing, tax evasion and avoidance, the use of secrecy jurisdictions as well as profit repatriation. The expert group acknowledges that curbing illicit financial flows won't necessarily result in increased investment in the lives of women and girls. However, it is clear that increased public funds and increased spending on public services and goods, is essential to advance gender equality.

The proliferation of bilateral, plurilateral and multilateral trade and investment agreements, designed primarily to enable the unhindered flow of global capital, are a significant barrier to the realization of the rights of rural women. 'New-generation' trade agreements² threaten to expand global governance over an increasing number of economic issues outside of the United Nations and the World Trade Organization (WTO). United Nations experts have warned that trade agreements "are likely to have a number of retrogressive effects on the protection and promotion of human rights, including by lowering the threshold of health protection, food safety, and labour standards, by catering to the business interests of pharmaceutical monopolies and extending intellectual property protection"³ all of which pose particular threats to the livelihoods and human rights of rural women.

One of the most concerning elements of trade agreements has been the investor protections, or 'Investor State Dispute Settlements' (ISDS), which allow corporations to sue governments in specifically convened tribunals. Rural women have been at the forefront of movements to prohibit extractive industries in their communities or to seek remedies and clean-up of their environments, and are detrimentally impacted when investor protections are elevated above their human rights. The UN Independent Expert on the promotion of a democratic and equitable international order suggests that "far from contributing to human rights and development, ISDS has compromised the State's regulatory functions and resulted in growing inequality among States and within them."⁴

The progress of governments in many of the Beijing Platform's Critical Areas relating to rural women is constrained by the broader macroeconomic framework. The impact of specific provisions of trade agreements, as well as the broader embrace of neo-liberalism on women's resource rights, food sovereignty and adequate standard of living and social protection, is elaborated in sections 3-5 of this paper.

² The term 'new generation agreements' has been applied to large plurilateral and regional agreements which expand the scope of agreements, for example the Trans Pacific Partnership Agreement (TPP), the Regional Comprehensive Economic Partnership (RCEP), the Transatlantic Trade and Investment Partnership (TTIP).

³ UNOHCHR (2015). *UN experts voice concern over adverse impact of free trade and investment agreements on human rights*: <http://www.ohchr.org/FR/NewsEvents/Pages/DisplayNews.aspx?NewsID=16031&LangID=E>
Accessed on 25 October 2017.

⁴ UNOHCHR (2015). *International trade: UN expert calls for abolition of Investor-State dispute settlement arbitrations*: <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=16650&LangID=E+/1+sthash.RgV10oCc.dpuf>
Accessed 25 October 2017.

2.2 Climate Change

Rural women's human rights are undermined by the impacts of, as well as responses to, climate change. It is well documented that climate change impacts women differently and more deeply than men;⁵ it is recognized that women are exposed to increased risks because of their primary role in care work and agricultural production and that climate change increases the burden of water and food collection, particularly for rural women.⁶ Rural women are also likely to suffer higher disaster-related mortality and carry the burden of the long-term impacts of loss of land, livelihood and security as a result of climate change.⁷

Climate change can exacerbate existing gender inequalities in rural communities. For example, in Bangladesh, a persistent link has been identified between the loss of productive agricultural land due to climate change and early, child or forced marriage.⁸ Researchers have found that climate change has increased demands for dowry payments, and that child marriage and dowry may be forming local (mal)adaptation strategies.⁹ Similarly, in Nepal, rural women from remote, climate affected areas report increased levels of migration for marriage, as well as migrating for domestic work as a result of climate change-diminished livelihoods.¹⁰ Estimates show that climate-induced migration will reach up to 1 billion people by 2050¹¹ which may increase the risk of conflict in host communities as tensions and competition over land and resettlement areas arise. This exposes women not only to the traditional threats of living around violence but also increases the risk of displacement which itself exposes women and girls to a heightened risk of sexual violence, seriously restricting their employment and livelihood options, and increases the likelihood that families will be separated by further migration out of the area.^{12,13}

Climate change could potentially reduce agricultural production between 2-15 percent and decrease the nutritional value of crops as CO₂ emissions reduce the nutrient content of soil. Perversely, while there is a huge disparity in historical emissions between wealthy and developing countries, rural communities in developing countries have low or even negative emissions. Therefore, climate change necessitates a fundamental re-orientation of our economies and political systems to address the underlying, patriarchal injustices that frame globalized capitalism including the gendered division of labour. Climate change intersects with neo-liberalism and impacts on rural women's resource rights, food sovereignty and standard of living, elaborated in more detail in the following sections.

⁵ 52nd session of the Commission on the Status of Women (2008), 'Gender perspectives on climate change' Issues paper for interactive expert panel on Emerging issues, trends and new approaches to issues affecting the situation of women or equality between women and men: <http://www.un.org/womenwatch/daw/csw/csw52/issuespapers/Gender%20and%20climate%20change%20paper%20final.pdf>

⁶ UNFPA, Making NAPAs work for women,

https://www.unfpa.org/sites/default/files/pubpdf/climateconnections_4_napas.pdf

⁷ UNDP, Overview of Linkages between Gender and Climate Change 2013, p.3.

⁸ Margaret Alston et al (2014), Are climate challenges reinforcing child and forced marriage and dowry as adaptation strategies in the context of Bangladesh?, Women's Studies International Forum, <http://artsonline.monash.edu.au/oxfam/files/2014/05/Are-climate-challenges-reinforcing-child-and-forcedmarriage.pdf>

⁹ Also see Human Rights Watch (2015), Marry before your house is swept away, <https://www.hrw.org/report/2015/06/09/marry-your-house-swept-away/child-marriage-bangladesh>

¹⁰ APWLD (2014), Climate change destroying livelihoods and traditions of Mugal women in Nepal, <http://apwld.org/wp-content/uploads/2014/12/flyer-mwui-corrected-12-1.pdf>

¹¹ Morris, N (2008), Climate change could force 1 billion from their homes by 2050. The Independent, retrieved 15 September 2015, <http://www.independent.co.uk/environment/climate-change/climate-change-could-force-1billion-from-their-homes-by-2050-817223.html>

¹² APWLD, Climate Change and Natural Disasters Affecting Women Peace and Security, op. cit.

¹³ Radhika Coomaraswamy (2015). Preventing Conflict, Transforming Justice, Securing the Peace: A Global Study on the Implementation of UN Security Council Resolution 1325.

Recommendations

To redress the barriers to rural women's full enjoyment of their human rights, Member States and international development stakeholders are urged to take the following actions:

1. Recognize that the prevailing neo-liberal economic model has been a driver of displacement and violations of rural women's rights and is incapable of supporting gender-equitable sustainable development;
2. Take measures to curb illicit financial flows in effort to increase the resource base for gender responsive spending on public goods and services in rural areas;
3. Undertake ex-ante and ex-post human rights and gender audits on all trade and investment agreements and accede only to agreements that advance rural women's human rights;
4. Recognise the disproportionate impact of climate change on rural women and the intersections of climate change and other drivers of inequality;
5. Uphold, implement and fully fund commitments, including those made during CSW61 Agreed Conclusions¹⁴, to develop and adopt gender-responsive strategies on mitigation and adaptation to climate change to support rural women's adaptation to the impacts of climate change as well as benefit from global mitigation strategies.

3. RURAL WOMEN'S RIGHTS TO LAND AND PRODUCTIVE RESOURCES

3.1 Land and Tenure Security

The extent to which rural women have secure access, use and decision-making control over land and natural resources is a significant determinant of the level to which they can enjoy their full human rights. In addition to the importance of land to livelihoods, health, security, cultural and community rights, secure access and control over land can reduce the impact of discrimination and even reduce levels of violence against women. The UN Working Group on discrimination against women in law and practice recently found that "women are more harshly affected by land tenure insecurity due to direct and indirect discriminatory laws and practices at the national, community and family level."¹⁵

Insecurity of women's land tenure is compounded by the fact that there is little or no reliable sex-disaggregated data. Such data are key to getting an accurate picture of what the gaps are and where they lie so that policy interventions can be monitored to ensure they are impactful and relevant.

3.2 Land Grabbing

Rural women's land rights are not only threatened by discriminatory land ownership laws and practices, they also face significant and increasing threats from land-grabbing practices that impact all rural people. International and national investors have long dispossessed rural peoples of their land for investment purposes, so-called land grabbing, which at a global level is increasing and causing significant impact on all rural people with a heightened impact on rural women.¹⁶ Land acquired by investors is already being utilised by communities for farm and non-farm subsistence purposes including the collection of firewood, water, food, traditional medicine and remedies, and building

¹⁴ CSW61 (2017). Women's Economic Empowerment in the Changing World of Work: 2017 Commission on the Status of Women Agreed Conclusions. Paragraph 40.hh.

¹⁵ OHCHR (2017), UN Working Group on the issue of discrimination against women in law and in practice, 'Insecure land rights for women threaten progress on gender equality and sustainable development'.

¹⁶ The World Survey on the Role of Women in Development: Gender equality and sustainable development. 2014. Report of the Secretary-General (A/69/156).

materials. Rural women who were previously accessing these common lands will either be displaced, evicted or required to travel further to collect these critical resources.¹⁷ Thus, agrarian reform is a key element of a pro-poor and gender equitable sustainable development strategy.

A relatively new and increasing phenomenon driving land grabbing, as well as land and food prices, is land speculation. Investment firms have identified large potential gains for foreign investors in ‘emerging markets’ where they have found the strongest capital growth. Many countries restrict foreign investment in land, and provide leases or concessions to investors on a case-by-case basis. However, recent trade agreements incorporate a ‘national treatment’ provision which requires governments to treat foreign investors as they do locals. Consequently, unless governments provide a specific exclusion clause in agreements, foreign corporations and individuals can purchase land. Such provisions may also limit governments’ ability to employ policy instruments, such as reduced land taxes for women which are applied in India, Nepal and other countries, and is designed to increase women’s registration of land ownership.¹⁸

3.3 Gender-Responsive Framework for Land Rights

Women’s land tenure rights need to be promoted and protected by strengthening and ensuring that gender-responsive international normative frameworks address the gendered differences in the way that women and men access, use, and control land at the local level. Land rights go beyond simply the right to “own” land, and must provide for progress towards non-discriminatory holding of the full bundle of rights, including use, access, control, transfer, exclusion, inheritance, and all decision-making about land and land-related resources. Realization of the right to land would also include a gendered analysis of laws and policies that impact women’s land rights, and the eradication of gender-based discrimination. Gender-neutral legislation, implementation, and enforcement – when coupled with discriminatory social norms – can have high differential effects on women and men often leaving women with fewer and weaker rights than men. Thus, affirmative interventions are needed to ensure gender equitable outcomes in terms of levels of access and rights to land.

Key elements of gender-responsive land rights include *quality, legality (legitimacy) and effective implementation, participation, and enforceability* as outlined by the UN Working Group on the issue of discrimination against women in law and in practice:

- *Quality* means that the scope of the land rights is clearly defined, must not be terminated or limited due to gender-based legal, cultural or religious norms, or dynamics in a family or community, and must include all forms of tenure exercised by women and men, including ownership, access and use (e.g., right to use, lease, transfer, inherit, rent, occupation).
- *Legality, legitimacy and effective implementation* entails that equal land rights must be legally recognized and guaranteed by law whether or not they are recognized by customary or religious systems, by family members, by a woman’s community and its leaders. Legitimacy of land rights for women entails that the land rights are both legally and socially legitimate. Customary justice systems are also often dominated by men and therefore tend to perpetuate inequalities and patriarchal interpretations of culture, resulting in discrimination against women.

¹⁷ Behrman, J., R. Meinzen-Dick, and A. Quisumbing. (2012). ‘The gender implications of large-scale land deals’, *Journal of Peasant Studies* 39(1): pp49-79. <http://dx.doi.org/10.1080/03066150.2011.652621>

¹⁸ Financial Express. (2017). ‘Are you aware of the home loan benefits women enjoy in India?’:

<http://www.financialexpress.com/money/are-you-aware-of-the-home-loan-benefits-women-enjoyin-india/580642/> Accessed on 27 October 2017.

- *Participation* requires the inclusion of women in policy making bodies regarding land ownership and use, which includes their full and meaningful participation in decision-making, management and governance, and dispute resolution bodies addressing land and natural resources.
- *Enforceability* requires that States must ensure that women be fully informed of their land rights and that they have access to justice to enforce them without discrimination, including in official bodies, courts, and other relevant dispute resolution bodies, such as customary institutions. Land rights enforcement and dispute resolution processes must be available, accessible, affordable and gender-responsive.

3.4 Access to Water and Water Grabbing

Rural women and girls, particularly in developing countries, are the most water insecure. They are disproportionately responsible for water fetching for domestic uses and for irrigation, but they often lack access to affordable and appropriate water infrastructure or quality. Growing competition for water resources by profit-oriented private water service providers and large-scale acquisitions of fertile land with water resources ('land and water grabs') contribute to an extremely unequal distribution of finite water resources. The expansion of agribusiness and mining has further violated the fundamental right of access to water for human use and consumption.

Unlike land tenure legislation, water legislation centralizes powers in governments, and individual water entitlements risk becoming semi-private property for foreign and national large, administration-proficient investors. Water entitlements can even be part of trade agreements, and corporations can sue governments if water resources are not made available.¹⁹ At the same time, customary water users are declared illegal if they lack permits; yet, States lack the logistical capacity to issue permits to millions of small-scale users, which exacerbates the marginalization of rural women.

3.5 Energy Democracy

Access to renewable, clean, safe, predictable energy has the capacity to alleviate some of the unpaid work burden on rural women and increase health and livelihood standards in rural areas. However, electrification has commonly been associated with mega-energy projects and extractive industries which disproportionately and adversely affect rural women. These mega-projects are primarily designed for the energy needs of industry and high paying customers. Despite the growth in energy production in the past two decades, the number of rural people without access to energy systems has barely altered²⁰ and some of the countries with large fossil fuel export industries, like Nigeria and Indonesia, are also amongst the countries with the highest number of people without access to energy or with a continued reliance on wood or biomass for fuel.²¹

The transition to renewable, clean energy should come with a transformation, not just in the source of energy but also the purpose, distribution and control over energy. As numerous countries phase out the use of fossil fuels, the price of solar energy is becoming lower, in many cases, than coal-based electricity. This is an opportune moment to galvanize momentum for a new gender-just renewable

¹⁹ Cotula, L. (2010) 'Investment contracts and sustainable development: How to make contracts for fairer and more sustainable natural resource investments', Natural Resource Issues No. 20. IIED, London.

²⁰ Angelou, Nicolina *et al* (2013) Executive summary. Sustainable energy for all. Washington DC; World Bank. <http://documents.worldbank.org/curated/en/250491468182351466/Executivesummary>

²¹ Lavelle, M 'Five Surprising Facts About Energy Poverty Business as usual "will not remotely suffice" to meet goals of clean and universal energy, says a World Bank-led report'. National Geographic: <https://news.nationalgeographic.com/news/energy/2013/05/130529-surprising-facts-about-energy-poverty/>. Accessed on May 30, 2013; and Angelou, Nicolina *et al* (2013) Executive summary. Sustainable energy for all. Washington DC; World Bank: <http://documents.worldbank.org/curated/en/250491468182351466/Executivesummary>

energy sector, which focuses on the 1.2 billion people estimated to be without energy, 80 percent of whom are living in rural areas.²⁸ Gender-responsive structuring for both the delivery of electricity and the industry has the capacity to change the situation for rural women and girls in developing countries, remote areas, and small island States.

The power of small-scale, low-cost alternatives, particularly in remote areas and poorer communities, has the potential to redistribute power and make energy democracy a reality. In Bangladesh, for example, 20 million people have benefited from such micro-solar projects that have provided opportunities for users to return excess power to the grid managed by local collectives or start-ups.²²

3.6 Instruments for Land, Water and Other Resources

Two instruments have been developed to guide investments in agriculture: The Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security²³ (the ‘Voluntary Guidelines’) adopted by the UN Committee on World Food Security (CFS), and the Principles for Responsible Agricultural Investment (PRAI), led by the CFS. Although the Voluntary Guidelines are grounded in a human rights framework and therefore should be regarded as guidelines to implement the legal obligations of States and non-State actors, the voluntary nature of both instruments means that communities impacted by such displacements have few remedies available. Further, the Voluntary Guidelines still omit water resources, despite States having a clear role in protecting and prioritizing water uses that contribute to the realization of the right to water, food and an adequate standard of living of all citizens. The ILO Indigenous and Tribal Peoples Convention 1989 (no. 169) considers land and related resources more holistically. Also, in a positive development, the International Criminal Court has indicated that land grabbing falls within the remit of the court and can constitute crimes against humanity.²⁴

Recommendations

To ensure rural women’s rights to land and productive resources, Member States and international development stakeholders are urged to take the following actions:

1. Implement land tenure reforms in a gender-equitable manner, ensuring that women have recognized equal rights with men on private or household lands, and that on communal and collective lands, communities have recognized security of tenure and women have representation in community decision-making bodies for such lands;
2. Recognize, guarantee, and protect women’s land rights by law, including in plural legal systems, whether or not they are recognized by customary or religious systems, by family members, by a woman’s community and its leaders and ensure rural women’s access to justice without discrimination, including in official bodies, courts, and other relevant dispute resolution bodies, such as customary institutions, and to gender-responsive dispute resolution processes that are available, accessible, affordable;
3. Ensure women’s full and meaningful participation in decision-making, management and governance, and dispute resolution bodies addressing land and natural resources and respect

²² Energy Transition. (2017), ‘Bangladesh emerges as a hotbed for solar microgrids’, p2p energy trading: <https://energytransition.org/2017/03/bangladesh-emerges-as-a-hotbed-for-solarmicrogrids-p2p-energy-trading/> Accessed on 27 October 2017.

²³ Available at: <http://www.fao.org/docrep/016/i2801e/i2801e.pdf>

²⁴ ICC, Office of the Prosecutor Policy Paper on Case Selection and Prioritisation, September (2016), p5: https://www.icc-cpi.int/itemsDocuments/20160915_OTP-Policy_Case-Selection_Eng.pdf

rural women's right to exercise free prior and informed consent (FPIC) as per CEDAW General Recommendation 34;

4. Regulate international financial markets and foreign trade agreements to protect against land and water grabbing by foreign corporations and individuals and prevent land and food speculation;
5. Ensure adequate investment in the collection of sex-disaggregated data and analysis for the implementation and monitoring of SDG indicators on secure tenure rights (1.4.2., 5.a.1 and 5.a.2), and other land related indicators at the country level with collaboration of CSOs and other stakeholders;
6. Recognize customary water tenure and protect water resources to realize women's human rights to health, food and an adequate standard of living;
7. Invest in water infrastructure, including the existing community-based water infrastructure investments for multiple uses and their water resource sharing arrangements as common property, developed with the full and meaningful participation of rural women;
8. Transition to renewable, clean, safe, predictable sources of energy that rural women can affordably access and participate in the distribution and control of energy;
9. Implement the Voluntary Guidelines and PRAI more rigorously, particularly those guidelines pertaining to women's land rights.

4. RURAL WOMEN'S RIGHTS TO FOOD SOVEREIGNTY AND NUTRITIONAL EMPOWERMENT

4.1 Food Sovereignty

The human right to adequate food is crucial for the enjoyment of all rights and protects the need by all human beings to live in dignity, free from hunger, food insecurity and malnutrition.²⁵ The expert group agreed that it is the responsibility of governments to create amicable, enabling and prosperous environments in which people can meet their dietary and nutritional needs whilst participating in decision-making over their own food production and consumption.²⁶ This would include people's ability to consume food that is acceptable by their cultures and produced through agroecological methods that sustain the natural environment. Many indigenous and rural women hold traditional and local knowledge of, inter alia, a diverse range of seed varieties and livestock breeds, natural enemies of pests, fodder and grazing land, forest produce, and wildlife, as well as knowledge about past climate variability which is indispensable for maintaining resilience to temperature increases and more extreme climatic events. However, this agroecological mode of production and food sovereignty often lacks State support.

Women small-scale farmers are increasingly undermined by agribusiness monopolies, both because of economies of scale and the benefits of large capital, and also because of pre-existing discrimination that means women are less likely to be able to access inputs, credit, technology and information, nor able to fulfil the regulatory requirements that come with cross-border, digitalized trade. A range of initiatives have been shown to strengthen food sovereignty; this includes rural women creating their own value chains. For example, the Self-Employed Women's Association (SEWA) in India established the RUDI business model to provide small and marginal farmers direct market linkages across 3,000 villages. The

²⁵ Pinto, J. N., (2011) 'Right to adequate food and Food and Nutrition Security in the CPLP Countries', Assessment Report. June 2011.

²⁶ Valente, F. (2014) 'Gender, Nutrition, and the Human Right to Adequate Food: towards an inclusive framework' Discussion Notes for deliberation at: Food Sovereignty: A Critical Dialogue International Colloquium. WFP.

programme enhances food security including through the provision of a nutritious food kit to 1,000,000 households. The RUDI supply chain includes procurement, processing, quality control and distribution which are taken care of by farmers, producers and distributors.²⁷

Governments use a range of policy techniques to advance rural women's access to land tenure and markets, and support their local production. Article 4 of CEDAW mandates governments to use affirmative action or 'temporary special measures' to eliminate discrimination against rural women. When the government is the largest buyer in most markets, pro-women procurement can benefit rural women's livelihoods and help to retain and develop their local industries.

4.2 Tariffs and Subsidies

The removal of tariffs on imports means that subsidised food can flood a local market, often with lower quality food, driving down prices and displacing local women's produce, which consequently threatens the food sovereignty and sustainable agroecology model. Correspondingly, the majority of the world's food is produced through the use of subsidies; from direct financial and input subsidies received by farmers in the US and EU, to the subsidies multi-nationals receive in the form of tax havens or transfer pricing, monopoly protections, the building of roads, ports, to drought and flood relief that is more commonly provided in rich countries. Subsidies can be used to the public benefit and directed in ways that reduce inequalities. Yet currently subsidies often serve to depress the price of grain and pulses²⁸ making it difficult for local producers to compete without significant support. Perversely, local, sustainably produced food receives the least in subsidies and developing countries are increasingly pressured to end the use of public stockholding food programmes that may guarantee local producers a fair price and provide food to rural communities at risk of hunger and malnutrition. To promote rural women's human rights Member States must endorse the full use of the "special and differentiated" provisions of the WTO Agreement in Agriculture, allowing any measures designed to support gender equality and women's human rights in local, small and subsistence production of food and agriculture to be exempted and permissible within the "green box" of the WTO.²⁹

4.3 Intellectual Property Protections

States and UN treaty bodies³⁰ have recognized the detrimental impact that the Trade-Related Aspects of Intellectual Property Rights (TRIPS) can have on rural women's human rights. Rural women routinely save and share seeds as a way of ensuring sustainability, resilience, and biodiversity, and reducing input costs. Several trade agreements include intellectual property protections that go beyond the requirements of the WTO's agreement on TRIPS. Recent agreements, like the Trans Pacific Partnership Agreement (TPP), require that States parties sign UPOV 91³¹, a convention for the protection of new plant varieties. The convention provides "plant breeder rights" resulting in monopoly rights over "the sale, reproduction, import, and export of new varieties of plants" effectively preventing farmers from selling or exchanging seeds or selling produce harvested from saved seeds. UPOV 91 allows agri-food companies to utilise both the plant breeder rights restrictions and patent protections.

²⁷ See more about the programme at <http://www.sewarudi.com/about%20us.htm>

²⁸ FAO: <http://www.fao.org/docrep/005/y4671e/y4671e09.htm>

²⁹ Anh-Nga Tran-Nguyen (2004), 'Trade and Gender: Opportunities and Challenges for Developing Countries', UNCTAD.

³⁰ United Nations Economic and Social Council. *Statement by the Committee on Economic, Social and Cultural Rights: human rights and intellectual property*. Geneva: United Nations; 2001 (Document E/C.12/2001/15).

³¹ The International Union for the Protection of New Varieties of Plants. See: <http://www.upov.int/portal/index.html.en>

For rural women in the Global South, “80 percent of the total seed supply is produced on farm”.³² While an exemption exists for small landholders who grow subsistence crops, the exemption applies only to those who can prove land holdings; the majority of women farmers do not have these secure holdings. Further, the convention urges States who utilise this provision to use it only “within reasonable limits” to ensure that it does not limit the “legitimate interests of the breeder” and it does not permit seed exchange (Article 15). As women farmers are particularly reliant on seed saving and exchange³³ and are less likely to enjoy secure land holdings, the convention could be seen to be discriminatory.

Furthermore, intellectual property rights have been awarded to large-scale multi-nationals for traditional plants and medicines that have been used by rural and indigenous women for generations, but which have been ‘discovered’ by foreign corporations (or where foreign corporations have purchased the rights from researchers). For example, women in Northern Thailand have used and sold a traditional root, *pueraria mirifica*, for various hormone related problems including menstruation, menopause, fertility and lowering the risk of breast cancer.³⁴ However, the United States awarded a patent³⁵ for the plant, which extends to simply drying or pulverizing the plant, which consequently may have a detrimental effect on the livelihoods of those women who have been traditionally using this root. A UNDP study purported that such cases where women’s contribution to seed and plant preservation, use and traditional knowledge development have been overlooked in the context of establishing intellectual property rights, may constitute a breach of CEDAW provisions.³⁶

4.4 Pesticides

Seed monopolies are closely linked to pesticide monopolies. In the chemical industry, three powerful corporations: Monsanto and Bayer, Dow and Dupont, and Syngenta and ChemChina, control more than 65 percent of global pesticide sales, as well as almost 61 percent of commercial seed sales.³⁷ The power of the corporations over both governments and the scientific community is extremely important. The pesticide industry’s efforts to influence policymakers and regulators, and their aggressive, unethical marketing tactics have obstructed reforms and paralysed global pesticide restrictions. According to the Special Rapporteur on the right to food, the assertion promoted by the agrochemical industry that pesticides are necessary to achieve food security is not only inaccurate, but dangerously misleading.³⁸

In principle, there is adequate food to feed the world; however, inequitable production and distribution systems present major blockages that prevent access for those in need. This violates rights to food, health and nutrition, not only for rural women and men in lower-income countries, but also for consumers across the world. The model promoted by global corporations promotes monocropping and

³² van Wijk, Jeroen. (2004) ‘Terminating Piracy or Legitimate Seed Saving? The Use of Copy-Protection Technology in Seeds’ p21., *Technology Analysis & Strategic Management* 16 (1): pp121–141.

³³ Gammage S. *et al* 2002. Trade Impact Review. The Coalition for Women's Economic Development and Global Equality (EDGE), Washington, DC, April.

³⁴ See collated medical research on the herb: <https://examine.com/supplements/pueraria-mirifica/>

³⁵ <https://www.google.com/patents/US6673377>

³⁶ UNDP (2010). Intellectual Property, Agrobiodiversity and Gender Considerations Issues and Case Studies from the Andean and South Asian Regions: http://content-ext.undp.org/aplaws_publications/2857545/Policy%20Paper%20%20Gender%20IP%20studies%20-%20FINAL.pdf

³⁷ Seeking Alpha. (2016). ‘Dow and DuPont, Bayer and Monsanto or Syngenta - which will succeed?’: <https://seekingalpha.com/article/4024476-dow-dupont-bayer-monsanto-syngenta-willsucceed> Accessed on 30 October 2017.

³⁸ Carrington, D. (2017), ‘UN experts denounce ‘myth’ pesticides are necessary to feed the world’ *The Guardian*: <https://www.theguardian.com/environment/2017/mar/07/un-expertsdenounce-myth-pesticides-are-necessary-to-feed-the-world> Accessed 27 October 2017.

inflicts damage through excessive pesticide use, but also rapidly decreases biodiversity and reduces the prevalence of climate and extreme event resilient varieties, and fails to ensure food sovereignty.³⁹

4.5 Women's Nutritional Empowerment

Hunger, malnutrition and related conditions continue to be major concerns for women globally,⁴⁰ notably within sub-Saharan Africa and southern Asia.⁴¹ In addition to the high prevalence of undernutrition among women and girls, there is a growing prevalence of overweight and obesity among women in some parts of the world that in turn correlates to incidence of non-communicable diseases.⁴²

Women are more likely to be food insecure than men in every region of the world⁴³ and are often more likely than men to suffer from nutritional deficiencies, for reasons including, but not limited to women's reproductive biology. Adolescent girls are especially vulnerable to malnutrition particularly during adolescent growth spurts and menstruation which increase the need for iron and other micronutrients. Social settings and resource constraints can undermine the nutritional status of women and girls; they may eat the least and last in a household, deprioritize seeking care in matters of their own health and tend to bear a disproportionate burden of shocks by directing resources to other members of the household. Women heads of households (particularly those who are single or widowed) and elderly destitute women are especially vulnerable to hunger.⁴⁴

Nutritional empowerment is the process by which women acquire the capacity to be well fed and healthy, in a context where this capacity was previously denied to them. Multiple factors enable or hinder this empowerment process for rural women, and recognizing these is important for developing appropriate policy interventions. The challenges and obstacles women face in securing their nutrition stem from a large number of contextual constraints. Defining women's nutritional empowerment is key to ensure that any policy interventions aimed at increasing food production and promoting women's economic participation do not overlook those constraints which may prevent rural women from achieving well-being and good health even when they are engaged in income-generating activities. Factors which contribute to women's empowerment include food, health and institutions and these are outlined below:

- Contributing factors in the domain of food include: women's knowledge of nutrient content of food, nutritional requirements at different stages of the life cycle (e.g. during pregnancy) and cooking practices; terms of access to land and common property resources (as sources of food) and paid work (as potential source of both income and agency); availability of both markets for food and public provision of food; family norms about eating.

³⁹ UN General Assembly. Human Rights Council 34th session 2017. Report of the Special Rapporteur on the Right to Food. A/HRC/34/48.

⁴⁰ Anh-Nga Tran-Nguyen (2004), 'Trade and Gender: Opportunities and Challenges for Developing Countries', UNCTAD

⁴¹ Black, R.E. *et al* (2008), 'Maternal and child undernutrition: global and regional exposures and health consequences', *The Lancet*, 371(9608), pp.243-260.

⁴² James, P. T. *et al* (2001), 'The Worldwide Obesity Epidemic', *Obesity Research*, 9: 228S-233S. doi:10.1038/oby.2001.123.

⁴³ FAO, IFAD, UNICEF, WFP and WHO. (2017), 'The State of Food Security and Nutrition in the World: Building resilience for peace and food security', Rome, FAO.

⁴⁴ See for example: Smith, L *et al*, 'Why Is Child Malnutrition Lower in Urban Than in Rural Areas?' Evidence from 36 Developing Countries, In *World Development*, Volume 33, Issue 8, 2005, pp1285-1305, ISSN 0305-750X,

<https://doi.org/10.1016/j.worlddev.2005.03.002>; and Uthman OA, Aremu O. (2008) 'Malnutrition among women in sub-Saharan Africa: rural-urban disparity. *Rural and Remote Health*':

<http://www.rh.org.au/articles/subviewnew.asp?ArticleID=931>

Accessed 30 October 2017.

- Contributing factors in the domain of health include: the realization of the human right to water for drinking, cooking, personal hygiene and sanitation, as well as awareness of disease transmission and treatment, awareness of public health services, total workloads as well as paid/unpaid work ratios, quality and accessibility of health facilities (to also include facilities for pregnant and lactating women), decision-making power regarding fertility (when relevant), health-seeking and time-use.
- Contributing factors in the domain of institutions include: media access, acceptance of women's participation in public life as well as safety of public spaces, including water and sanitation facilities, extent of hierarchy in household structures, opportunities for collective action, availability and effectiveness of legal support specifically for women.

Recommendations

To ensure rural women's rights to food sovereignty and nutritional empowerment Member States and international development stakeholders are urged to take the following actions:

1. Recognize and commit to the Right to Water, Right to Food and Right to Highest Attainable Standard of Health, UN Decade of Action on Nutrition, and Working Group on Rights of Peasants and to gender just food security and food sovereignty;
2. Commit to the elaboration of a Global Treaty to Govern the Use of Pesticides and to the use of key principles, including the "precautionary principle," to address the specific risks for rural women's health and human rights;
3. Utilize the full range of Trade-Related Aspects of Intellectual Property Rights (TRIPS) flexibilities to enhance food sovereignty, sustainable development and gender equality;
4. Provide developing countries with technical assistance to establish the institutions and develop the technical capacity required to make recourse to provisions in the WTO Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 and the Agreement on Subsidies and Countervailing Measures that allow countries to impose anti-dumping duties and countervailing measures where appropriate;
5. Strengthen, conserve, and revive local and traditional sustainable food production and consumption practices through, inter alia, recognizing the importance of seed saving and refraining from acceding to conventions and agreements that make seeds subject to the rights of intellectual property rights holders and prevent women farmers from saving and sharing seeds;
6. Ensure women's land, water and natural resources rights are recognized and promoted as essential components of food security and food sovereignty policies;
7. Ensure rural women's access to subsidies, technical assistance and education to expand opportunities for ecological agriculture and diversification of crops;
8. Democratize and decentralize international food safety standards and align global trade agreements including certification systems for safe food;
9. Establish and strengthen global regulations around the exchange of food commodities in global financial markets, including futures markets;
10. Develop and strengthen green value chains and markets and promote women's engagement in value addition activities with strengthened local distribution networks;
11. Support in-kind food-based schemes through local procurement from women's cooperatives and farmers by national and local governments;
12. Invest in sustainable public and agricultural infrastructure, including roads, irrigation systems, accessible market infrastructure and agricultural extension services, ensuring women's collective representation in design, decision-making and control of public infrastructure;

13. Promote affordable access to labour- and time- saving technologies that reduce the burden of unpaid work on rural women and increase the outputs of sustainable, safe, chemical free, climate resilient agriculture;
14. Create databases to measure the economic contribution of food production for subsistence and for local markets, specifying the role of rural women.

5. RURAL WOMEN'S RIGHTS TO AN ADEQUATE STANDARD OF LIVING AND SOCIAL PROTECTION

5.1 Decent Work

Rural women's labour rights, whether paid or unpaid, are covered by the core ILO conventions, CEDAW, as well as specific conventions relating to women workers and rural workers.^{45,46} Yet in very few countries do rural women workers enjoy the rights afforded through the ILO conventions that comprise the right to decent work, and national labour codes rarely fully cover agricultural, seasonal workers, let alone own account workers.⁴⁷ Addressing this decent work deficit is critical in advancing rural women's human rights. Governments must make major changes to the regulation of labour and the provision of safety nets including by ensuring just and favourable conditions of work, including non-discrimination, equal remuneration for work of equal value, living or fair wage floors, right to secure work with regular hours, overtime rates, recreational, sick and carer's leave; to social protection including maternity leave, illness and disability, rights to form unions, organize, strike and assembly, right to safe and healthy workplaces including workplaces free from violence and the right to access to justice to protect all entitlements.

Agriculture is the single largest employment source globally and represents 80 percent of the world's working poor.⁴⁸ In excess of 400 million women work in agriculture, and in sub-Saharan Africa and South Asia this means that 60-70 percent of women work in agriculture.⁴⁹ The vast majority of this work is informal, seasonal, and difficult, dangerous and de-valued (DDD). A transformative approach to rural women's human rights therefore requires both agrarian reform and guaranteed labour rights.

The global supply chain of food is largely dependent on the low cost of un-unionised, expendable labour of women. Whether women are engaged in planting, harvesting, processing, storage or packaging, they are found in the lowest paid and least secure employment. The more labour intensive agricultural work is, the higher percentage of women workers.⁵⁰ Feminist economists argue that the competition from foreign trade is associated with wage discrimination carried out against women.⁵¹ In addition,

⁴⁵ Rural Worker's Organisations Convention, 1975 (No. 141) and the Rural Worker's Organisations Recommendation,

⁴⁶ (No.149), Labour Inspection (Agriculture) Convention, 1969 (No.129, Plantations Convention, 1958 (No. 110), Workers with Family Responsibilities Convention, 1981 (No. 156), Maternity Protection Convention, 2000 (No. 183), Safety and Health in Agriculture Convention, 2001 (No. 184), Domestic Workers Convention, 2011 (No.189).

⁴⁷ FAO Legislative Study 76 Rev. 1, Gender and law Women's rights in agriculture:

<http://www.fao.org/docrep/005/y4311e/y4311e05.htm#fn34>

⁴⁸ ILO (2015) 'Portfolio of policy guidance notes on the promotion of decent work in the rural economy', Geneva, http://www.ilo.org/wcmsp5/groups/public/---ed_emp/---emp_policy/documents/publication/wcms_437166.pdf Accessed 14 September 2017

⁴⁹ OHCHR (2017) *op cit*.

⁵⁰ FAO, 'Women's Contribution to Agriculture': <http://www.fao.org/docrep/009/a0493e/a0493e03.htm>

⁵¹ Berik, G., Rodgers, Y. v. d. M. and Zveglic, J. E. (2004), 'International Trade and Gender Wage Discrimination: Evidence from East Asia. Review of Development Economics', pp237-254.

driving down wages as a competitive advantage, the introduction of cash crops and the inclusion of large agribusiness exacerbates the marginalisation of women agricultural workers.⁵²

Freedom of association is the key enabling right to ensure workers can organize together in trade unions to bargain collectively for sustainable improvements in their living and working conditions. In the Agreed Conclusions of the CSW61, Member States recognized the importance of trade unions in “addressing persistent economic inequalities, including the gender pay gap”.⁵³ Trade unions may be the only experience rural women have in exercising democratic rights in ways that directly benefit them and their participation in a trade union may also have broader impact in fostering a sense of power and solidarity that can extend to everyday life, particularly when unions are run by, and accountable, to women.

In rural areas, women’s labour force participation rates are often reduced, and the gender wage gap widens when commercial mono-cropping is introduced. In India, the labour force participation rate of women has declined from 34.1 percent in 1999-2000 to 27.2 percent in 2011-12, with the most significant decline in rural areas.⁵⁹

Labour has become an export product in many countries with large numbers of rural women and men facing reduced opportunities in their communities. While labour migration has always occurred, migration patterns are changing in response to labour demands in countries of destination. Increasingly more people are migrating for temporary or seasonal work, and this includes higher numbers of women who are migrating autonomously for work. The increase in the number of migrant women reflects an increasing demand for domestic and care work which in many countries continue to be seen solely as women’s work.

5.2 Unpaid Work

All economies, in one way or another, depend on the unpaid work of women to function and this is particularly evident in rural economies where women’s unpaid work extends to energy production, water collection, food production including ensuring irrigation, production of household clothing or other products as well as household obligations cooking, cleaning, family care. While women’s labour force participation is low in many rural communities, rural women still work longer hours, much of it unpaid and is estimated to be equivalent to at least 13 percent of global GDP.⁵⁴

The commitment to recognize, reduce and redistribute unpaid care and domestic work must be facilitated by States. The failure of public infrastructure in care work and agricultural support, drives the high levels of unpaid work. Recognizing domestic work as work and ensuring domestic workers are paid a living wage is one way to elevate the value put on domestic work.

⁵² Sadasivam, B (1997), ‘The Impact of Structural Adjustment on Women: A Governance and Human Rights Agenda’, 19 Human Rights Quarterly 3.

⁵³ CSW61 (2017). *Women’s Economic Empowerment in the Changing World of Work: 2017 Commission on the Status of Women Agreed Conclusions*. Paragraph 21; Sher Verick (2014), ‘Women’s labour force participation in India: Why is it so low?’, ILO.

⁵⁴ Donald, K. and Moussié, R. (2016) ‘Redistributing Unpaid Care Work – Why Tax Matters for Women’s Rights’ IDS Policy Briefing 109.

5.3 Health Rights

Due to infrastructural barriers, high illiteracy rates and overall inequality in distribution of health resources, rural women and girls are unable to access comprehensive sexual and reproductive health rights information and services.⁵⁵ While some developing countries have been able to ensure access to contraception for rural women, in general access to contraception is lower among rural areas and the poor. Privatisation of public services affects those with the least resources and who need it the most. This holds true for rural women's health outcomes, which are further threatened by trade agreements and with the increasing costs of healthcare that come with privatisation. Evidence suggests that when healthcare is privatised, or in places where it is more costly, rural and low-income families are less likely to spend money on women's reproductive healthcare.⁵⁶ Trade agreements currently being negotiated award protections to pharmaceutical companies and remove flexibilities for developing countries to utilise generic medicines. These provisions will significantly increase the costs of medicines, which will particularly impact on the poorest. One study found that the TPP will drastically reduce the percentage of HIV-positive Vietnamese with access to antiretroviral therapy, from 68 percent to 30 percent.⁵⁷ In Malaysia, the price of the breast cancer drug Herceptin could go from USD 2,600 to USD 44,000.

5.4 Social Protection

Social protection programmes, including social assistance, social insurance programmes and labour market programmes, are crucial to support rural women. Ample evidence exists that social protection programmes contribute to reducing poverty, improving income security, mitigating hunger and malnutrition and enabling access to better nutrition, health care and education.⁵⁸ Reliable and well-implemented social protection measures reduce the risks faced by households, which in turn enables them to undertake activities with higher returns. Social protection is particularly crucial for women who may be destitute, those who are widows, and the elderly, with evidence demonstrating that social assistance programmes (like pensions and public works) are a lifeline for these women. An estimated 73 percent of the world's population have no access to social protection, most of whom are in rural areas. Less than 2 percent of the world's GDP would be necessary to provide a basic set of benefits to all of the world's poor.⁵⁹ Although there exist several social protection programmes where women are explicitly the beneficiaries, overall women tend to have less access to social protection than men because they work primarily in the informal sector.

The need for social protection or safety nets is widely recognized but there is less agreement on appropriate forms they should take.⁶⁰ There have been a number of examples of successful cash transfer

⁵⁵ Simeoni, C (2017) 'It's just location: Examining the intersections of rural women' Expert Paper.

⁵⁶ Schuler S, Bates L, Islam M (2002) 'Paying for reproductive health services in Bangladesh: intersections between cost, quality and culture. Health Policy and Planning' pp273–80.

⁵⁷ Moir, Hazel V. *et al* (2014) 'Assessing the Impact of Alternative Patent Systems on the Cost of Health Care: The TPPA and HIV Treatment in Vietnam', Asia-Pacific Innovation Conference, University of Technology Sydney, 27-29 November 2014. Available at SSRN: <https://ssrn.com/abstract=2536254>

⁵⁸ Alderman, Harold, Gentilini, U, and Yemtsov. R (2016), 'The 1.5 Billion People Question: Food, Vouchers, or Cash Transfers?', Washington, DC: World Bank. doi:10.1596/978-1-4648-1087-9.

⁵⁹ *Ibid*.

⁶⁰ See for example, Gentilini, U (2016), 'The Revival of the "Cash Versus Food" Debate: New Evidence for an Old quandary?', World Bank Policy Research Working Paper No. 7584. Available at SSRN: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2740118; See also Gentilini, U, Omamo, S, 'Social protection 2.0:

programmes, with or without conditions.⁶¹ There have also been a number of successful examples of in-kind transfers (of food grain, for example) or public works programmes contributing to strengthening natural resource base and enhancing livelihoods. Currently, there are debates on the forms that social protection measures should take. Social protection measures to enhance human capital investment should not detract States from investing in public facilities as the success of these programmes is more often than not predicated crucially on the existence of supporting infrastructure (i.e. hospitals and transportation) to enable the conditions as well as reliable payments infrastructure.⁶² More recent studies document the importance of combining cash transfers with employment training and nutrition information/knowledge. These complementary investments are essential to enhance the efficacy of social protection measures.

In general, many social protection measures are very inclusive of women – these include women’s participation in public works programmes or where cash transfers are to women within a household. The expert group’s view is that cash transfers, including basic income, are useful instruments but rather than replacing in-kind transfers they must instead supplement them. There has been a recent trend to roll back social protection programmes citing fiscal concerns and this trend needs to be reversed.

Recommendations

To ensure rural women’s right to an adequate standard of living and social protection, Member States and international development stakeholders are urged to take the following actions:

1. Recognize, redistribute and resource paid and unpaid labour of rural women, including by recognizing domestic work as work, ratifying and implementing ILO Convention 189 and ensuring that domestic workers are paid a living wage;
2. Ensure just and favourable conditions of work, including non-discrimination, equal remuneration for work of equal value, living or fair wage floors, right to secure work with regular hours, overtime rates, recreational, sick, parental and carer’s paid leave for all workers, including agricultural workers;
3. Review and revise national legislation that ensures labour protections are extended to all workers including rural women workers in the agricultural sector;
4. Guarantee a universal living wage as a wage floor for all, particularly rural women;
5. Guarantee the right to freedom of association as the key enabling right to ensure workers can organize together in trade unions to bargain collectively for sustainable improvements in their living and working conditions;
6. Implement capacity building programmes for rural women ensuring that they are aware of their rights, and key protection mechanisms including access to health and sexual rights;
7. Invest in social infrastructure, including child care, health and education facilities and services in rural areas;
8. Ensure rural women’s universal access to social protection programmes, including social assistance, social insurance and labour market programmes that guarantee paid maternity leave, illness and disability, right to safe and healthy workplaces including workplaces free from

Exploring issues, evidence and debates in a globalizing world’, *Food Policy*, Volume 36, Issue 3, 2011, pp329-340, ISSN 0306-9192: <https://doi.org/10.1016/j.foodpol.2011.03.007>

⁶¹ Alderman, H., Gentilini, U. and Yemtsov, R., (2016) ‘The 1.5 Billion People Question’; Adato, M and J Hoddinott (2010), ‘Conditional Cash Transfers in Latin America’, Johns Hopkins University Press.

⁶² Reviewed in Narayanan, S., (2011), ‘A case for reframing the cash transfer debate in India’, *Economic and Political Weekly*, pp.41-48.

violence through a life-cycle approach that ensures support at each stage of a woman's life, as a child, adolescent, maternity, senescence, elderly;

9. Ensure rural women have access to justice systems, including labour rights remedies, inspection and enforcement mechanisms through publicly funded legal aid services designed specifically for women and accessible locally.

6. ENABLING A JUST AND EQUITABLE TRANSITION TOWARDS A SUSTAINABLE FUTURE FOR RURAL WOMEN

It is increasingly recognized that climate change necessitates, not just a shift away from fossil fuel dependency, but a change in the extractive nature of our economy. It will require large shifts in agricultural modes of production, significant public investment and a fundamental reorientation away from the neo-liberal economic consensus to one that focuses on common good and a restorative, thriving natural environment. This necessity provides a significant opportunity to address the underlying, patriarchal injustices that frame globalised capitalism including the gendered division of labour.

Several governments have put considerable effort into planning transitions to more sustainable cities that focus on the “third industrial revolution”, integrating technology and shifts away from fossil fuels. To date these plans rarely extend to rural economies and nor are they designed to ensure the transitions are gender equitable or reduce inequalities of wealth and resources.

Rural and indigenous women can play an important role in facilitating a transition towards a more equitable and sustainable economy. They must not, however, be required to shoulder the burden of the world's mitigation and adaptation obligations. The most significant shifts must come in the role of the State and the restoration of the social contract as the foundational legitimacy of the State.

Elements of a just and equitable transition of rural economies include public investments in common goods and common knowledge including investments in public health, education, transport, child and elderly care, agricultural support, housing, emergency and disaster response, commonly held intellectual property in shared, safe technologies. To do this, States need greater domestic resource mobilisation whilst shifting the tax burden away from households and on to corporations and the wealthiest. A Global Tax body which facilitates global tax cooperation in data, agreement to close tax havens and a global corporate tax floor to end tax competition is necessary. A just and equitable transition of rural economies will only be possible if decision-making over these investments involves rural women. Key elements of a just and equitable transition are elaborated below.

6.1 Public-Public Partnerships (PuPs)

Public-public partnerships (PuPs) are emerging as alternatives to public-private partnerships (PPPs) that deliver far greater human rights outcomes. They are partnerships involving collaboration between public authorities (and may involve multiple public authorities at local and national levels) and organizations of citizens based on the principle of solidarity and with the purpose of public good, rather than profit. Partners build capacities to ensure local control and management, transparency and accountability to users and workers and have much higher satisfaction and human development outcomes.⁶³ PuPs offer far greater opportunities to facilitate shifts in gender relations and deliver benefits for women if they build in clear governance and accountability processes specifically for women which is often achieved in the case of water and energy.

⁶³ TNI (2009) ‘Public-Public Partnerships in Water’: <https://www.tni.org/files/download/pupinwater.pdf>

6.2 Public Investments in Health and Care

The risks of climate change also pose significant public health threats, particularly in rural areas where healthcare can be hours or days away. As investments must move away from consumption, governments must ensure employment is directed towards public goods that will provide women with decent work opportunities that advance women's human rights. Investment in public health and care facilities is a clear example of investments that would benefit rural women.

To meet the world's health and care requirements to a standard that satisfies human rights obligations and meets the sustainable development goal targets, it is estimated that another 663 million healthcare workers, 339 million childcare workers and 86 million elderly care workers are required.⁶⁴ Given the demonstrated discriminatory outcomes that arise from privatised healthcare, it is clear that these jobs need to be publicly funded.

Recommendations

To enable a just and equitable transition towards a sustainable future for rural women, Member States and international development stakeholders are urged to take the following actions:

1. Support global tax cooperation through establishment of a Global Tax body which facilitates global tax cooperation in tax and financial transfers data, works to close tax havens and establishes a global corporate tax floor to end tax competition;
2. Take measures to establish inter-regional tax cooperation;
3. Build and strengthen existing public-public partnerships (PuPs) based on the principle of solidarity and with the purpose of public good, rather than profit;
4. Support the transition to energy, water and resource democracy within the transition to universally available renewable, clean energies.

7. ENABLING WOMEN'S COLLECTIVE POWER AND SELF-DETERMINATION OVER THEIR BODY, THEIR HOUSEHOLD, THEIR RESOURCES AND THEIR COMMUNITY

7.1 Enabling Women's Collective Power

The coming together of women in groups and social movements is central to the advancement of rural women's social, economic and political rights. The largest global study on violence against women found that the key to achieving progressive changes to laws and policies on violence against women is the existence of autonomous feminist movements.⁶⁵ These findings can similarly relate to other critical measures required to advance rural women's human rights. Organizing for collective power takes on various and diverse forms, ranging from farmers' cooperatives, labour unions, health care associations, education and welfare solidarity groups, political pressure and conservation groups. Farmer cooperatives are one of the largest documented example of rural women organizing that has served farmers and traders with affordable financial credits and markets in the absence of formal institutions.⁶⁶ There is less documentation and accounting of the extensive contribution made by organized groups of

⁶⁴ Chandrasekhar, C.P and Ghosh, J (2016), 'Care Work as the Work of the Future':

http://www.networkideas.org/wp-content/uploads/2016/08/Future_Care_Work.pdf

⁶⁵ Htun, M & Weldon, L (2012), 'The civic origins of progressive policy change: combating violence against women in a global perspective, 1975-2005', American Political Science.

⁶⁶ FAO. (2012) 'Cooperatives: Empowering women farmers, improving food security': <http://www.fao.org/gender/gender-home/gender-insight/gender-insightdet/en/c/164572/> Accessed 30 October 2017.

rural women in communities to accessing basic services and infrastructures like water, food, health, sanitation and roads, perpetuated by the poor state of development in rural areas.

The collective organizing by rural women is increasingly going beyond subsidising the delivery of goods and services, and now includes involvement in policy formulation, implementation and planning of development processes. The 2030 Agenda for Sustainable Developing provides an opportune moment to place rural women not only at the heart of national development agendas, but also into macroeconomic discussions and other political fora which influence local development policies. However, to do so calls for fundamental shifts in power and resourcing of rural women organizing at local, national and global levels.

Women Human Rights Defenders in rural areas are increasingly under attack, with 2016 the deadliest year for land rights defenders⁶⁷ and at least 2,000 conflicts over land, water, pollution, mining and evictions recorded globally. Women engaged in the defence of land rights and in opposition of mining, agribusiness, illegal logging and dam building or women organizing activists are most at risk according to the UN Special Rapporteur on Human Rights Defenders.⁶⁸ Consequently, rural women are particularly at risk and are less likely to have the protection of larger organizations, media or anonymity in rural areas. While both women and men are facing increased threats, women often face gendered forms of threats, with sexual violence and threats to family used to silence women. Consequently, they require specific forms of protection and support.

7.2. Democratic Decision-Making and Self-Determination

Rural women have the right to self-determination that allows them to decide their own acts without external compulsion. They need to enjoy the right to safety of their bodies without subjecting them to family ties or cultural influences. Governments, their development partners and the traditional leadership at all levels, need to protect the self-respect for rural women by fighting cultural, political or religious situations and beliefs that expose women's bodies to violations and exploitation. Rural women and girls may be forced into marriages and are thus unable to continue their education or make autonomous employment decisions; early, child and forced marriages often lead to a family environment where women are unable to make decisions around the number and spacing of children and are denied access to contraception, family planning or safe abortions. Rural women's reproductive rights therefore need to be protected and respected in order to give them the ability to exercise control over the entirety of their lives.⁶⁹

While the macro-economic issues set the broad context for rural livelihoods, the daily rhythm of rural women's and girls' lives are governed by deeply rooted gender norms and behaviours, power relations and social institutions at the household and community level. Challenges to the realization of the rights of women and girls living in the rural settings cannot be generalized, either across regions or within countries; however, the biggest barrier facing many women is the societal belief of what they should be, and how they should behave.⁷⁰

⁶⁷ Global Witness, Defenders of the Earth, 2017. <https://www.globalwitness.org/en/campaigns/environmental-activists/defenders-earth/>

⁶⁸ FAO (2017) 'Rural women: striving for gender-transformative impacts', Summary of online discussion, No. 142. <http://www.fao.org/3/a-i8222e.pdf>

⁶⁹ Centre for Reproductive Rights, (2014) 'Substantive Equality and Reproductive Rights. A Briefing Paper on Aligning Development Goals with Human Rights Obligations'.

⁷⁰ FAO (2017) 'Rural women: striving for gender transformative impacts', online discussion: http://www.fao.org/fsnforum/activities/discussions/gender_CSW

Cooperation and greater equality within the household – through joint decision-making and shared visions – enables households to become more viable and resilient.⁷¹ This process is more inclusive than solely strengthening women’s voice and agency in the household. Women are more successful as innovators, entrepreneurs and leaders when they secure the understanding and support of their extended family; many are able to manage intrafamily bargaining processes whilst maintaining social norms. This can be more challenging for women-headed households without support networks. Changes at the household level need to be under-pinned by broader community dialogue on social norms and engaging the support of community and religious leaders and local authorities to create a safe context for departing from the social norms. Men need to be supported to redefine masculinity which includes the need for developing a positive attitude towards the rights of women and girls. Although lifelong learning for all ages and contexts relevant to livelihood choices is important, the role of primary education for children is paramount; education about gender equality with the next generation – young girls and boys – will be a driving force for change.

At the macro level, governments and development agents ought to exercise, advocate for and reinforce democratic decision-making in order to achieve meaningful, sustainable and inclusive economic development and eradication of poverty⁷² especially among women. Governments therefore need the involvement of gender-balanced community representation that also respects the rights of women and girls. Only when such steps are undertaken can the governments increase their ability to effectively use available investment opportunities that help to alleviate poverty among the rural poor. A lack of time, traditional views towards the role of women, unreliable information and inadequate economic resources continue to be the main limitations on rural women’s ability to effectively participate in democratic decision-making. A meaningful way to effective development is to directly engage with those women whose contributions reflect the true situations of their communities.

Recommendations

To enable rural women’s collective power and self-determination over their bodies, households, resources and communities, Member States and international development stakeholders are urged to take the following actions:

1. Protect and promote rural women’s organizing as a key strategy to strengthen their capacity to influence policy, and legislative and governance frameworks that advances women’s human rights and their empowerment;
2. Fully Implement Human Rights Council resolution 33/22 that calls for public participation in Political and Public Affairs, including facilitating transparent and free flow of information on public financing and budgets;
3. Guarantee the participation of rural women in the collection, analysis and utilization of data and technology, to monitor the quality of public investments and to ensure the sustainable and equitable utilization of natural resources;
4. Systematically address the underlying social norms which perpetuate gender inequalities through social and behaviour change communication and methodologies, including in school curricula;
5. Design and implement national policies and programmes that address the roles and responsibilities of men and boys to work towards achieving gender equality;

⁷¹IFAD (2014) ‘Household methodologies toolkit’ https://www.ifad.org/topic/household_methodologies/overview

⁷² Committee on Food Security, (2014) ‘Principles for Responsible Investment in Agriculture and Food systems’.

6. Refrain from threatening, harassing, criticizing rural WHRD's and develop national protection policies designed to protect WHRDs from attacks from both state and non-state actors and creates an enabling environment for WHRDs to do their work free from harm;
7. Investigate thoroughly and independently violations against WHRDs by all perpetrators, and ensure that such violations do not go unpunished. The State should provide victims with access to effective judicial remedies and reparation;
8. Ensure WHRD's have access to remedies in countries where corporations are domiciled, in addition to the country in which the violation took place;
9. Develop and strengthen statutory regulation of private security actors in line with international human rights standards, and establish appropriate reporting mechanisms for complaints of violations, including both the threat and the occurrence of violence and sexual assault, committed by such actors.

ANNEX I: LIST OF PARTICIPANTS

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