

## SDG 5

Achieve gender equality and empower all women and girls

### Overcoming Global Structural Obstacles and Preventing Negative Spill-over Effects for Realizing Women's Human Rights

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The 2030 Agenda and the Sustainable Development Goals (SDGs) are a step forward compared to the Millennium Development Goals (MDGs). Unlike the latter, which included only one target by which to measure progress, there are several, interrelated targets under the stand-alone goal to achieve gender equality and empower all women and girls (Goal 5). In addition, there are also specific targets under 11 of the other goals which link women's rights to the three dimensions of sustainable development (SDGs 1, 2, 3, 4, 6, 8, 10, 11, 13, 16, 17).

However, the SDGs do not explicitly recognize the link between women's human rights, gender equality, and the structural reforms needed in global economic governance and policies. As a result, gender equality and women's rights are envisioned as 'domestic issues' rather than global ones. But gender relations are embedded in and reinforced by international financing and development patterns. Therefore, in the implementation of the SDGs a broader interlinkages approach needs to be applied in order to overcome global structural obstacles to realizing women's rights and gender equality.

#### A bold enough framework?<sup>1</sup>

While the language of some of the SDGs might be seen as supporting efforts to revert the trends towards financialization and global instability, as well as creating enabling conditions to realize women's rights and equality,<sup>2</sup> the 2030 Agenda does not overall explicitly recognize the links between women's human rights, gender equality, and global economic governance and policies. For instance, the dynamic of financialized globalization, which is at the root of macro-economic instability, persistent economic crises, and their negative impacts on women, is still not strongly challenged or confronted.

Furthermore, instead of providing targets to enhance the regulation of the private or corporate sector and to prevent a next phase of the 'global race to the bottom' in labour, human rights, gender equality and environmental standards, the 2030 Agenda explicitly endorses the private sector as the key 'development actor'. Within this framework, multi-stakeholder partnerships are being promoted, not only by governments but by the UN, with no accountability mechanism attached.

<sup>1</sup> This section draws on Bidegain Ponte/Rodríguez Enríquez (2016).

<sup>2</sup> See for instance Targets 10.5, 10.6, 17.5 and 17.13.

Finally, while there is a stand-alone goal to reduce inequality between and within countries, there is no clear quantitative commitment to mobilize additional and sufficient international public resources for sustainable, equitable and gender just development. One of the major inconsistencies in the rich countries positions during the negotiations was their portrayal of themselves as champions of human rights and gender equality while at the same time strongly resisting efforts to establish an intergovernmental tax body, to agree on binding regulations for the operation of transnational corporations (TNCs), to remove global obstacles to domestic resource mobilization and to ensure additionality, predictability and non-conditionality of Official Development Assistance (ODA). In practice, these are factors that will shape the realization of women's human rights in all countries, but especially in developing countries.

### Challenges in the implementation phase

In the implementation phase of the 2030 Agenda for Sustainable Development there is a need to tackle some gaps in this global framework. The first gap is that between the principles outlined in the Preamble and the goals and targets to achieve them. Another is the gap between the goals and targets and the indicators to monitor their progress. These two gaps can clearly be identified in SDG 5.

While human rights, including the right to development, are recognized in the Preamble and in different paragraphs of the 2030 Agenda, it is not possible to identify a human rights-based approach in all SDGs. SDG 5, for example, does not make explicit reference to women's rights, even though some of these are incorporated in the targets. This is the case with Target 5.6 on sexual and reproductive rights, and Target 5.a on women's rights to economic resources, as with targets in other goals, such as Target 1.4 on equal rights to economic resources, and Target 8.8 on labour rights, in particular for women migrants. Moreover, while the targets outlined in SDG 5 cover different dimensions of women's rights they are still limited compared with the comprehensive international women's human rights agenda agreed in the last decades, notably CEDAW and the Beijing Platform for Action.

### Preventing negative spill-over effects

An interlinkages approach can be used to avoid trade-offs between different goals and targets, and to prevent negative spill-over effects in the implementation phase. This approach is key to ensure that progress in achieving some SDGs is not made through means that may hinder achievements in other SDGs, especially in the goals and targets related to gender equality and the empowerment of women.

The use of an interlinkages approach can help to overcome the problems of the 'silos' approach identified by women's rights advocates<sup>3</sup> and to analyze the trade-offs and synergies, taking into account not only the impacts of policies on the 'here and now', but also those in other countries as well as in the future.<sup>4</sup>

### An interlinkages approach to taxes, gender, and international cooperation

Depending on how Target 17.1 on domestic resource mobilization is implemented, it can have either negative or positive impacts for the realization of SDG 5. Although stressing the need to strengthen domestic resource mobilization, the target does not specify that this should be done by progressive means, leaving governments the option of reaching it in ways that impede progress on gender quality. It is difficult for many countries of the global South to substantively mobilize additional domestic resources without international tax cooperation. Nor is it possible to reduce the gender gap without removing the gender bias of tax policies at national and international levels. If domestic resources are enlarged without taking this into account, it might happen that women, who are over-represented in the lowest quintiles of the income distribution, end up bearing a disproportionately high tax burden while big corporations and rich individuals continue to benefit from tax avoidance and evasion.

In order to avoid these risks, Target 17.1 should be implemented in line with SDG 5, as well as with Target

<sup>3</sup> Cf. Sen / Durano (2014).

<sup>4</sup> Cf. OECD (2014), p. 16.

10.4, that calls for governments to adopt fiscal, wage and social protection policies, and progressively achieve greater equality, and with Target 16.4, which aims to significantly reduce illicit financial flows. All of these efforts would be more achievable if an inter-governmental body of international tax cooperation was to be put in place.

### An interlinkages approach to decent work, industrialization and trade

Target 8.5 commits governments to achieve full and productive employment and decent work for all women and men by 2030, and SDG 9 seeks to promote inclusive and sustainable industrialization and foster innovation (SDG 9). However, the implementation of both of these commitments entail complex challenges.

For instance, promoting sustainable industrialization in a world ruled by unbalanced international 'free trade' agreements might further the industrialization of one region through the de-industrialization, or 're-primarization' of other regions (which seems to have happened in some countries of Latin America in trade with China during the last decade).<sup>5</sup> This, in turn, results in less women's employment creation as well as the destruction of small-scale agriculture and local community production for domestic

<sup>5</sup> In the case of Latin America, the sustained growth of China over the past decade resulted in a high demand for commodities with strong impacts in the region in terms of production structure, sustainability, labor heterogeneity and socio-environmental conflicts, cf. ECLAC (2014).

## Targets for SDG 5

- 5.1 End all forms of discrimination against all women and girls everywhere
- 5.2 Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation
- 5.3 Eliminate all harmful practices, such as child, early and forced marriage and female genital mutilation
- 5.4 Recognize and value unpaid care and domestic work through the provision of public services, infrastructure and social protection policies and the promotion of shared responsibility within the household and the family as nationally appropriate
- 5.5 Ensure women's full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life
- 5.6 Ensure universal access to sexual and reproductive health and reproductive rights as agreed in accordance with the Programme of Action of the International Conference on Population and Development and the Beijing Platform for Action and the outcome documents of their review conferences
- 5.a Undertake reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resources, in accordance with national laws
- 5.b Enhance the use of enabling technology, in particular information and communications technology, to promote the empowerment of women
- 5.c Adopt and strengthen sound policies and enforceable legislation for the promotion of gender equality and the empowerment of all women and girls at all levels

consumption, thereby reducing their livelihoods, and restricting women's access to resources. Likewise, industrialization and economic growth can be based on export-led models that benefit from low wages and poor working conditions as a comparative advantage, as in the case of Export Processing Zones (EPZs) and maquila production, which have opened up jobs for women in some cases but at serious risk to their health and well-being.<sup>6</sup>

Furthermore, the key role given by the 2030 Agenda to the private and corporate sector as a development actor, with little commitment to regulating its operation, is also dangerous, given that positive links between private sector investment, job creation, gender equality and sustainability are far from automatic. In this regard, instead of promoting the effective regulation of TNCs, the 2030 Agenda promotes private sector engagement and multi-stakeholder partnerships. Two targets under SDG 17 explicitly promote multi-stakeholder and public-private partnerships (Targets 17.16 and 17.17).

Several such multi-stakeholder partnerships, including those initiated by the Secretary-General, have already been launched in key areas of women's rights such as health, education and food, without attaching clear accountability mechanisms. Two examples are the Secretary-General's Scaling Up Nutrition and Every Women Every Child (with its Global Financing Facility) initiatives, both of which have generated parallel processes of reporting that do not adhere to UN norms and standards, including CEDAW and the Beijing Platform.<sup>7</sup>

In order to avoid spill-over effects and to promote equitable patterns of production, trade, consumption and distribution there is an urgent need for international agreement on the regulation of the corporate sector. Instead, the 2030 Agenda is silent on three core issues: efforts in the UN Human Rights Council to develop a legally binding instrument to regulate the activities of transnational corporations and other businesses in international human rights law; the

need to establish mandatory *ex ante* and periodic human rights and gender equality impact assessments of all trade and investment agreements; and the importance of reviewing investor-state dispute settlement clauses to ensure that the right of states to regulate in critical areas for sustainable development is protected. Nothing in the new global development framework prevents foreign investors from suing governments for implementing policies designed to help achieve the SDGs, particularly those on health, energy and the environment but may limit potential corporate profitability.<sup>8</sup> A stronger commitment by governments is needed to ensure private sector compliance with human rights, including women's rights.

### Promoting positive synergies towards 2030

Using an interlinkages and rights-based approach to SDG implementation, the creation of positive synergies could also be assessed and promoted. Progress on some goals can contribute to the fulfilment of other goals. For instance, how progress towards more democratic global economic governance can contribute reducing systemic vulnerabilities and inequalities among countries or respect policy space can be analyzed. Assessments can also be made of how advancing universal access to quality early childhood development, care and pre-primary education (Target 4.2) can support progress in reducing the burden of unpaid work of women (Target 5.4).

Focusing on what is needed by the UN, stronger coordination mechanisms between the Financing for Development Forum, the Commission of the Status of Women and the High Level Political Forum on Sustainable Development should be promoted to tackle the structural obstacles that hinder women and girls' rights and promote positive synergies to realize human rights, equality and sustainability for all.

<sup>6</sup> Cf. for instance Giosa Zuazúa/Rodríguez (2010).

<sup>7</sup> Cf. Adams / Martens (2015).

<sup>8</sup> Cf. Bidegain Ponte / Durano / Rodríguez Enríquez (2015).

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