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In 1948, representatives of national governments recognised the equality, dignity and freedom of people worldwide. They recognised on paper the freedom to move about freely in the streets and in the country, but not in the home.

They set forth the right of citizens to elect and be elected as governors, but only for men. Women were denied these possibilities in over half the world. States were prohibited from harming the physical integrity of citizens, but women living in danger in their own homes were forgotten. Recognition of work was partial and given only to work performed outside the home.

As a result, recognition of these rights did not imply any change whatsoever in the lives of millions of women. Their work in the home and in the fields remained «valueless». In a theory of human rights born of a hierarchical vision of which rights were important and which were not, their rights were irrelevant.

From the inception of international human rights laws, women sought to participate in the preparation of provisions and mechanisms for equality. This participation grew in strength and in diversity of spaces and forms of involvement over the years.

From non-governmental spaces, women sought unceasingly to influence the discourse on human rights. As isolated individuals or in organised groups, women have participated in the definition of rights and in their interpretation and decodification. Women began to understand that discourse on rights provides a space for negotiation and political dialogue at national and international levels.

INFLUENCING THE THEORY OF HUMAN RIGHTS

Women are going from being defined to being definers. In this effort, we can point to two stages. In the first, women sought to enjoy full civil and political rights, dispose of property, etc. just like men, without questioning the content of the rights as set forth. In the second stage, the discourse on human rights was analysed and found to be male: it did not take into account or reflect the

HUMAN RIGHTS, MORE RIGHTS

In 1946, the United Nations Economic and Social Council created the Commission on the Legal and Social Condition of Women as an advisory body on the status of women. The Commission has carried out many activities, including preparation for the Decade of Women (1975–1985), which gave a big push to the promotion of equality between women and men worldwide. In 1974, work began on drafts for the Convention on Women, which would be signed in 1979 as the first comprehensive convention on women's rights. The United Nations 1967 Declaration on Elimination of Discrimination Against Women was the basis for the text. The Commission was responsible for organising four world conferences aimed specifically at women and at resolving the problem of discrimination, in Mexico (1975), Copenhagen (1980), Nairobi (1985) and Beijing (1995). These conferences brought together thousands of women from across the world (from the 6,000 who participated in Mexico to the 30,000 who went to Beijing) under the watchwords of equality, development and peace. At all of them, well-attended non-governmental fora were organised along with the official conferences. Women did not limit themselves to participating in conferences devoted exclusively to them, however. They became involved in all spheres, fora and conferences where they were allowed to attend. They did so at the UN Conference on Environment and Development in Rio de Janeiro (1992), the World Conference on Human Rights in Vienna (1993), the International Conference on Population and Development in Cairo (1994), the World Summit on Social Development in Copenhagen (1995), and the Conference on Human Settlements in Istanbul (1996).

specific experiences of women. Based on this analysis, the content of rights was questioned.

This second stage began in the late 1970s and culminated at the World Conference on Human Rights in Vienna (1993), where

hundreds of women from all regions of the planet actively participated. It was proclaimed in Vienna that the human rights of women and girls are an inalienable, integral and indivisible part of universal human rights. This constitutes progress not only toward the visibility of a broad spectrum of needs that had been prevented from becoming rights, such as those pertaining to sexuality and reproduction, but also toward a revision of all human rights from a gender perspective.

In Vienna, a remarkable change took place in the theory of human rights when, at women's initiative, it was accepted that human rights are to be enjoyed in both the public and the private spheres and, therefore, can be violated in both spheres. Violence against women was recognised as a violation of human rights. This is a revolutionary change, since prior human rights discourse was based on the notion that violations are committed by the State in public and social spaces. For the first time, private acts occurring in private spaces could give rise to public liability. Ethnic cleansing, forced pregnancies and systematic rape of women in situations of armed conflict were also condemned.

The following year (1994), a transformation took place in the rights of citizens when the Action Plan of the International Conference on Population and Development in Cairo proposed that «it is necessary for women and men to participate and intervene on equal terms in productive and reproductive life, including the division of responsibilities in child rearing and maintenance of the home.» The barrier between public and private was torn down, and the recognition of the problems of everyday life, of rights enjoyed or denied within the home, began to occupy more and more space in human rights' discourse.

These concepts were strengthened in the 1995 Beijing Platform of Action, the most complete document on women's rights produced by a United Nations conference. The Beijing Platform of Action incorporates the achievements of previous conferences and treaties, including the Universal Declaration of Human Rights, the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), and the Vienna Declaration.

THE CAMPAIGN

An important landmark in this attempt to reconceptualise human rights is the Declaration of Human Rights from a Gender Perspective, which CLADEM (Latin American and Caribbean Committee for Defense of Women's Rights) has promoted since 1992. The idea emerged at a meeting of a group of women in Costa Rica that year in preparation for the Vienna Conference. CLADEM continued to work on the draft declaration and it was discussed and approved by the entire network. CLADEM printed the declaration and circulated it. In 1993, the declaration was discussed at all the United Nations world conferences. Suggestions, criticisms and comments were received from over 180 organisations and individuals worldwide. These inputs were incorporated in a new version that was presented to the United Nations Human Rights Commission in Geneva, where following the pertinent formalities it was accepted as number E/CN.4./1998/

ngo/3. CLADEM's objectives in promoting this declaration are: first, to make women visible in human rights discourse by including women's perspectives, needs and claims; secondly, to assume the right to draft the law, not only for women, but for all humanity.

For hundreds of years women were denied the right to draft laws. Attempts by women to change, amend or transgress laws often ended tragically. From time immemorial, our culture has repeatedly warned women not to meddle in law. In ancient Greece, this warning came through the theater, eg, in Sophocles' play *Antigone*. There the king of Thebes, Creon, punishes Antigone for trying to change his orders and bury her brother's corpse. Creon says: «As long as I rule this city, no woman shall make the law.» Antigone is punished for her daring by being buried alive in a cave. The penalty had to be stiff to teach women not to dare change the law.

During 1998, CLADEM organised a campaign in 17 countries in the region to promote the Declaration of Human Rights from a Gender Perspective. With the help of communications experts, advertising materials were prepared—videos for television, radio spots, press releases and other materials—and, with the little funding available, disseminated through the media. It was the first time that a proposal of this sort and scope had been launched. Carrying out a campaign on human rights from the perspective of women simultaneously in so many countries, and getting involved with the communications media, provided many important lessons for the women's movement.

On December 10th 1998 at United Nations Headquarters in New York, CLADEM representatives delivered thousands of signatures collected worldwide in support of the Declaration. It was presented to the Commission on the Legal and Social Condition of Women, with a request that governments support the proposal and take it to the General Assembly for adoption and promotion in the coming millennium.

SEXUAL AND REPRODUCTIVE RIGHTS: THE LAST FRONTIER

The Declaration of Human Rights from a Gender Perspective consists of a preamble and five chapters. Each chapter focuses on a specific axis of the spectrum of human rights: citizenship, development, the right to peace and a violence-free life, sexual and reproductive rights, and environmental rights.

In talks with governments to promote the Declaration, two issues were problematic in principle: self-determination of peoples and self-determination of bodies. In the chapter on citizenship, governments, particularly the European ones, questioned the article providing for self-determination of peoples. Other governments would have accepted the declaration, had it not been for the chapter on sexual and reproductive rights. This chapter addresses, among others, the rights to reproductive autonomy, freedom from discrimination based on sexual orientation, and access to safe and legal abortion.

Self-determination of bodies was most vehemently resisted by governments who were pressured and supported, in the

majority of cases, by conservative religious leaders or sectors. While there have been interesting conceptual developments in this area, these have taken shape in action plans or platforms, ie, in conference documents that do not have the binding force of conventions and treaties. Transformation of these rights into binding international and national provisions is still pending.

ITEMS FOR THE AGENDA

Even though we attribute great importance to human rights, we have to accept that internationally recognised human rights are considered subsidiary to national systems. That is to say, the primary responsibility for guaranteeing those rights rests with the State. Moreover, claims made in the international arena are often processed in a slow and complicated way. Mechanisms for legal redress are unknown to most people and generally require connections, money and time. This means that most victims of human rights violations receive no compensation whatsoever.

We know that laws are not magic wands guaranteeing the exercise of rights. We believe, however, that work in international law implies symbolic progress, not only by naming rights that still have to be defined, but also by legitimising claims in areas that formerly went unquestioned. This work can also have a positive influence on national legislation.

The challenges foreseen for the coming years in the human rights arena could be summed up as follows:

1. deepening theoretical development, especially in the area of economic, social and cultural rights;
2. strengthening the articulation between local, national and international organisations, for harmonious collaboration in use of resources and participation in international and national fora;
3. increasing feminist participation *vis-à-vis* and within the different human rights bodies;
4. creation of a gender-sensitive jurisprudence through preparation of comments and general recommendations, on the one hand, and prosecution of gender discrimination cases, on the other;
5. awareness-building among attorneys and judges as to international human rights provisions, encouraging their increasing use in local law;
6. dissemination and information on the existence and possibilities of international treaties and procedures.

The initiatives launched by women in the human rights field have enriched human rights discourse and broadened paradigms. As a result, they increasingly reflect the aspirations for justice of a humanity that cannot be truly human if it is divided against itself.

- CLADEM, Latin American and Caribbean Committee for the Defense of Women's Rights