

NGO Collective Statement

Prepared for the Opening of the 77th CEDAW Session, 26 October 2020

Part I

Delivered by Lia Burbano, Executive Director of Mujer & Mujer Foundation

Thank you Madam Chair,

This statement is informed by the valuable contributions and inputs of 27 national, regional and international women's rights defenders, organisations and coalitions whose participation in the 77th CEDAW Session has been limited due to the postponement of the constructive dialogues.

In these challenging times, we want to especially thank the Committee for its efforts to uphold women's rights. Its expertise and commitment is essential to guide states and civil society to protect against the violations of women's human rights arising from responses to the COVID-19 pandemic. We express our concern about the difficulties that have led the Committee to postpone its reviews for this year.

This and other treaty body postponements mean there will be no space for women to discuss their terrible experiences of torture, inhuman degrading treatment, discrimination and arbitrary arrests for exercising their freedom of expression and challenging the status quo, including reprisals for exposing corruption, defending human rights, and protesting against femicide, sexual violence, and economic disparities. These violations are traumatic and have psychosocial impact on their wellbeing.

We reiterate our commitment to continue working with you in searching for a creative solution for the reviews postponed this year, to make them possible in 2021. Please count on us.

The COVID-19 pandemic has disproportionately impacted the lives of women around the world, exacerbating pre-existing inequality, discrimination and exclusion. Women are on the frontlines of medical services, household and family care, responsible for keeping communities running.

At the same time, due to lockdown and collapse of sectors occupied mostly by women, many women have faced not only financial difficulties, but increasing domestic violence, as they could not go out to escape from aggressors. Numerous cases remain undocumented and unsolved due to widespread support for 'traditional values' and victimisation of women, as well as public acceptance even of such extreme forms of violence against women as honour killings. Some governments have not provided support to victims of domestic violence or taken preventive measures, with very low shelter provision compared to population numbers. Difficulties are reported in access to contraceptives, especially in rural areas.

Las mujeres afrodescendientes continúan enfrentando distintas formas de violencia en el ámbito cultural, político y económico.

Los Estados no promueven eficaces políticas de protección ante los femicidios, elevados índices de mortalidad materna, embarazos en adolescentes y las violaciones sexuales. Enfermedades como el cáncer, VIH/SIDA y la diabetes, entre otras, no son tratadas oportunamente. Permanecen la trata y el tráfico de personas con fines de explotación sexual comercial, y el afán de proyectar la imagen de la mujer como objeto sexual, así como los obstáculos para su acceso a la justicia y la tutela de sus derechos.

Persisten obstáculos importantes para que accedan por igual a la educación, empleo, servicios públicos, propiedad y los créditos. Esta situación motiva a las mujeres a migrar, o desplazarse internamente.

La pandemia también trajo un recrudecimiento en las agresiones a personas defensoras, producto de medidas autoritarias de los gobiernos escudadas en acciones de restricción de movimiento, y a la libre expresión e información, esto último afectó en particular a comunicadoras y periodistas. También el personal de salud ha sido víctima de despidos, amenazas y agresiones en el contexto de la crisis sociopolítica agravada por la Covid.

Preocupan las campañas de odio que funcionarios de Estado impulsan contra defensoras, que con frecuencia tienen eco en redes sociales mediante perfiles desconocidos, impactando en el apoyo a defensoras al poner en duda su liderazgo e imagen pública, junto con amenazas de violencia (incluyendo amenazas de violencia sexual a defensoras y sus hijas).

Es alarmante la exacerbación de grupos fundamentalistas y sus ataques a organizaciones y defensoras que trabajan en pro de los derechos sexuales y derechos reproductivos, así como campañas de odio hacia la comunidad LGBTIQ+ que ha impactado en asesinatos de defensoras trans.

Inquieta el uso que los Estados hacen de marcos internacionales de prevención de lavado de dinero y narcotráfico para criminalizar y restringir el derecho de asociación, dando cabida a acciones de control y fiscalización que afectan particularmente a organizaciones de sociedad civil y de derechos humanos.

Women human rights defenders denouncing actions of extractive industries and facing multiple forms of discrimination face heightened threats and attacks from both state and non-state actors.

The COVID-19 pandemic has exacerbated systems of oppression and racism. WHRDs have lost their livelihoods, access to health services has been reduced and they have been excluded from participating in pandemic responses. Opportunism and politicisation of the pandemic have exacerbated violent conflicts and risks faced by WHRDs working in and on conflict to build peace. Action to address the pandemic must apply a feminist, rights-based, intersectional lens, and promote and protect WHRDs' rights.

Part II

Delivered by Deidre Palacios, President of the Swedish Federation for Lesbian, Gay, Bisexual, Transgender, Queer and Intersex Rights (RFSL)

Negative impacts on the right to health, together with the rise in violence against women, obstruct women's access to food, particularly in rural areas, and especially because such situations exacerbate patterns of discrimination and violence. Unpaid and unrecognised care work undertaken by rural women also sustains food production and food systems. Moreover, female informal workers face a disproportionate impact on their daily income, which exposes them and their families to food insecurity, especially if they belong to marginalised groups.

A considerable increase in teenage pregnancy is projected due to the COVID-19 emergency, as access to contraceptives, sexual and reproductive health, and sexual education has decreased. Teenage pregnancy highly affects girls' opportunities to attain socioeconomic autonomy and break cycles of poverty and violence. They will likely be forced to stop studying, become more dependant on their families/partners, remain in violent relationships, face unsafe abortions (if they decide to terminate their pregnancies), face an increase in reproductive work, and face subsequent pregnancies. Intersectoral public policies to prevent teenage pregnancy should be prioritised and sufficiently funded.

Cis and transgender women sex workers are in many countries criminalised, marginalised and in financially precarious situations. They have been severely impacted by the economic fallout of losing their livelihoods during the pandemic, as well as harsh and punitive governmental responses to sex workers during this emergency. Sex-worker-led organisations report a lack of access to national social protection schemes and emergency funds, and express grave concern about punitive crackdowns against sex workers, including the raiding of sex workers' homes and evictions, compulsory COVID-19 testing, arbitrary arrest and detention, and threat of deportation of migrant sex workers. Governments must respect and protect the health and human rights of sex workers and address the disproportionate impact of COVID-19.

Lesbian, bisexual and queer women, as well as trans and intersex persons also face disproportionate impacts. Many LGB persons live alone; and many, rejected by their families of origin, form new strong bonds with chosen families which are not legally recognised. This exacerbates vulnerabilities, risks and isolation experienced by LBTI women during COVID-19. Many LBTI women, especially young people, had to return to hostile families because of the pandemic, which exposed them to more domestic violence and abuse.

Intimate partner violence remains catastrophically invisible in relationships formed by LBTI women. Most countries still do not include LBTI women and persons in their laws and policies on domestic violence.

Gender-based violence, hate crimes, inadequate access to healthcare and discrimination are obstacles to queer rights. Gender marker change must be allowed for transgender persons who do not require medical interventions but have socially transitioned. Hate crimes must be taken seriously and thoroughly investigated. Lack of implementation of protective and queer-inclusive laws results in failure to uphold the basic human rights to dignity and respect that gender binary populations enjoy. This has very visible implications in

the form of higher unemployment among the LGBTQIA community and the prevalence of homelessness in the queer community. The system must have a stronger alignment to queer-run and -managed programmes to tackle the socioeconomic issues at hand.

The fight against gender-based violence has long excluded LGBTQIA people and this is very visible in government committees' lack of communication with LGBTQIA organisations, which are the lifeblood of the queer community and social justice movements.

The missing element in healthcare is access to hormone replacement therapy for the transgender community in rural communities and small towns. Professionals in the healthcare sector need training on queer inclusiveness, and this is not applied equally across the board. Due to private sector discrimination, queer persons often resort to starting small businesses, which requires support and training as well as education. Government support programmes for queer communities must be rooted in programmes that involve existing queer organisations which align with the community's needs.

The situation of LGBTI asylum seekers remains dire globally, especially given the current pandemic and increasing political hostility, leading to particularly negative consequences for women and children with intersecting experiences of marginalisation and vulnerability.

Asylum claims are frequently rejected, with many documented cases of lesbian and bisexual women being deported to countries where same-gender relations are criminalised, or where the authorities do not protect LGBTI women, even persecuting them.

Migration authorities use ineffective and inconsistent methods to establish how safe a country is for LGBTI people, ignoring evidence of lack of implementation of human rights and hostile approaches towards LGBTI people.

The stories and identities of LGBTI women are being systematically disbelieved. The credibility assessment of the person's sexuality and/or gender identity is based on stereotypical and Western notions of what sexuality and gender is and does not take into account how cultural differences can play a role in how one's identity is described or expressed.

All countries must ensure the right to asylum for LGBTI women. It's a matter of humanity and dignity.

Part III

Delivered by Virginia Gómez de la Torre on behalf of the National Coalition of Women (Ecuador)

La despenalización de la homosexualidad en algunos países ha sido un avance importante en términos de derechos humanos a nivel global. El reconocimiento de la sexualidad en sus múltiples dimensiones como una categoría que atraviesa las vidas de las mujeres ha permitido que las ideas y creencias estereotipadas en torno al género comiencen a derrumbarse en las nuevas generaciones otorgándole a la sociedad la oportunidad de reconocernos en nuestras diferencias.

No obstante, el cumplimiento de la equidad social que se pretende aún requiere que las mujeres lesbianas, bisexuales y trans sean más que reconocidas como sujetos de derechos; las tareas que aún nos quedan por hacer se instalan en las dimensiones de la redistribución de recursos, la representación política y sobre todo el reconocimiento social de nuestras existencias.

La multiplicidad de formas en que la desigualdad de género obstruye nuestras vidas se agudiza cuando se intersecan diferencias étnicas, raciales, etarias, de clase social, migratorias, de diversidad corporal, territoriales, entre otras.

En un contexto de crisis sanitaria mundial, no podemos permitir que se invisibilicen vidas, más bien apostamos por el reconocimiento de mujeres lesbianas, bisexuales y trans como ciudadanas del mundo para potenciar referentes transformadores en el futuro.

Concluimos con el reconocimiento de que los derechos sexuales y derechos reproductivos tienen cuerpos concretos, se ejercen en entornos habilitantes, familia, comunidad, estado, que permiten que su ejercicio se convierta en poder.

Los derechos sexuales y derechos reproductivos están en el cuerpo físico, mental, social; su ejercicio expresa los momentos más intensos de placer corporal y espiritual. El goce sexual percibido en todas las corporalidades sexuales que existen, no es solo el sexo genital; es todo, es el placer más íntimo de saberme amada y acompañada por mí misma o en libertad con el otro o la otra.

El goce del embarazo deseado, del parto respetado expresan la misma libertad del aborto seguro, legal y gratuito. La maternidad será deseada o no será.

Ejerzo mi derecho reproductivo cuando no me reproduzco, frecuente en un mundo insostenible legado del patriarcado capitalista.

Cuando las mujeres y los cuerpos del mundo vivamos libres de violencia, discriminación, odio misógino, cuando nuestra capacidad reproductiva no sea objeto de consumo capitalista, cuando acunemos desde la dimensión del poder feminista en todos estos cuerpos todos los derechos, podremos decir que el mundo está logrando la paz.

Gracias. Thank you.

This collective statement was created with contributions from:

Alianza de Pueblos Indígenas y Afrodescendientes de Nicaragua (APIAN)

Anti-Discrimination Centre (ADC) Memorial

Centre for Civil and Political Rights (CCPR)

Coalición Nacional de Mujeres Ecuador

‘Desde Nuestras Voces’ Girls and Young Women Coalition (Ecuador)

FIAN International

Fundación Mujer y Mujer (Ecuador)

Global Network of Sex Work Projects (NSWP)

Gobierno Comunal Creole de Bluefields (GCCB)

Human Rights Institute of South Africa (HURISA)

Iniciativa Mesoamericanas de Mujeres Defensoras de Derechos Humanos (IMD)

International Civil Society Action Network (ICAN)

International Institute on Race, Equality, and Human Rights (Race & Equality)

International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA) World

International Service for Human Rights (ISHR), whose submission was endorsed by the Women’s Human Rights Defenders (WHRD) International Coalition, consisting of Amnesty International, Association for Progressive Communications (APC), Gulf Centre for Human Rights, International Civil Society Action Network (ICAN), Urgent Action Fund (UAF), and Women’s Alliance for Security Leadership (WASL)

Organización de Mujeres Afrodescendientes de Nicaragua (OMAN)

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