

# Earth Negotiations Bulletin

A Reporting Service for Environment and Development Negotiations

Vol. 14 No. 8

Published by the International Institute for Sustainable Development (IISD)

Thursday, 6 April 1995

## CSW HIGHLIGHTS WEDNESDAY, 5 APRIL 1995

Delegates met for their "last day" of negotiations on the Platform for Action. Work continued in three informal-informal groups on the sections on health, human rights and the girl child. The group discussing human rights was also expected to discuss the draft rules of procedure and the group discussing the girl child was also expected to discuss the draft Declaration.

### INFORMAL-INFORMAL I

After morning and afternoon sessions, the informal-informal group discussing the human rights section had completed the first reading. However, several paragraphs were bracketed pending the outcomes of other informals or negotiations between smaller groups.

Sub-paragraph 158(b) (mainstreaming human rights throughout the UN system) was bracketed. In sub-paragraph 158(c) (coordination of human rights bodies and mechanisms), a reference to unnecessary duplication was bracketed. Sub-paragraph 158(c.bis) (coordination between UN bodies) was bracketed. In sub-paragraph 158(d.bis) (human rights training for UN personnel), a reference to humanitarian relief activities was added and "human rights abuses particular to women" was replaced with "violations of the human rights of women."

In sub-paragraph 159(a) (prohibit discrimination on the basis of sex), a reference to appropriate legislation was added. Sub-paragraphs 159(c) (review domestic legislation), (c.bis) (sexual and reproductive rights) and (c.ter) (sexual orientation) were bracketed. A new sub-paragraph (c.quater) (violence resulting from harmful practices, prejudice and extremism) was also bracketed.

In sub-paragraph 159(d) (gender sensitive human rights training for public officials), a reference to members of parliament was added. Sub-paragraph 159(d.bis) (right of women to be members in professional and social organizations) was bracketed. In the second sub-paragraph (d.bis) (violations by public officials), a reference to "punitive legal measures in accordance with national law" was added. In sub-paragraph 159(d.bis.bis), references to the criminal justice system and the right of women to be judges, advocates or other officers of the court were deleted. The reference to the "right to privacy" for women defendants, victims and/or witnesses was replaced with a statement that they should not be "re-victimized or

discriminated against." Sub-paragraph 159(f.bis) (human rights protection for NGO members) was bracketed.

The chapeau to paragraph 160 was bracketed. In paragraph 160(a) (translate and publicize laws and information on human rights), a reference to persons with low levels of literacy was added, as were references to relevant international declarations and conventions. A new paragraph, referring to publication of information in easily understandable formats, was added after 160(a). In sub-paragraph 160(a.bis) (information about international and regional instruments), a reference to international complaint procedures was deleted and a reference to effectively protecting human rights was added. A new paragraph, referring to mechanisms for redress at all levels, was added after 160(a.bis).

In 160(b) (public campaigns), references to women's legal rights and all levels of education were added. Sub-paragraph 160(b.bis) (human rights education for armed forces) was introduced and bracketed. In paragraph 160 (new.c) (information on human rights and recourse mechanisms for migrant, refugee and displaced women), a reference to the fact that they were removed from sources of information available in their home communities was deleted.

In the afternoon, texts on references to indigenous people, which were to be used throughout the document, was introduced. The meeting broke for consultations, and reconvened for an evening session, to review the human rights section, to read through the rules of procedure and to consider the language on indigenous people.

### INFORMAL-INFORMAL II

Discussions on the new section regarding the girl child began Tuesday evening. During Wednesday morning and afternoon, three of the nine strategic objectives were considered. The group expected to finish the section and work into the night on the draft Declaration.

In Strategic objective E.1 (eliminate all forms of discrimination against the girl child), Governments are called on to, consistent with the Convention on the Rights of the Child, take measures to ensure that children will be registered immediately after birth, have the right from birth to a name, to acquire nationality and, as far as possible, to know and be cared for by his or her parents. Delegates added a sub-paragraph from the Cairo agreement calling for support from parents. References to passing "as appropriate and enforce" legislation to guarantee "equally" succession and

This issue of the *Earth Negotiations Bulletin* © <enb@igc.apc.org> is written and edited by Peter Doran <foeireland@toppsi.gn.apc.org>, Virginia Hulme and Lynn Wagner <grund@usc.edu>. The Managing Editor of the Bulletin is Langston James Goree VI "Kimo" <kimo@pipeline.com>. The sustaining donors of the *Bulletin* are the International Institute for Sustainable Development (iisd@web.apc.org), the United Nations Environment Programme and the Pew Charitable Trusts through the Pew Global Stewardship Initiative. General support for the Bulletin during 1995 is provided by the United Kingdom, Denmark, Switzerland, GTZ and the World Bank. Partial funding for this volume of the *Bulletin* has been provided by the Rockefeller Foundation and UNIFEM. The authors can be contacted at their electronic mail addresses and by phone and fax at +1-212-888-2737. IISD can be contacted at 161 Portage Ave. E. Sixth Floor, Winnipeg, Manitoba R3B 0Y4 Canada, and by phone at +1-204-958-7700 and by fax at +1-204-958-7710. The opinions expressed in the *Earth Negotiations Bulletin* are those of the authors and do not necessarily reflect the views of IISD and other funders. Excerpts from the *Earth Negotiations Bulletin* may be used in other publications with appropriate citation. Electronic versions of the *Bulletin* are automatically sent to e-mail distribution lists (ASCII and PDF format) and can be found on the gopher at <gopher.igc.apc.org> and in searchable hypertext through the *Linkages* WWW-server at <http://www.iisd.ca/linkages/> on the Internet. This volume of the *Bulletin* is uploaded into the APC conferences <enb.library> and <women.news>. For further information on ways to access, support or contact the *Earth Negotiations Bulletin* send e-mail to <enb@igc.apc.org>.

inheritance rights were bracketed. Sub-paragraph (d) was altered to include calls for comprehensive policies, plans of action and programmes for the survival, advancement, protection and development of the girl child, and the promotion and protection of the enjoyment of her rights. Sub-paragraph (f) (eliminate female feticide) was moved to Strategic objective E.2 (eliminate negative cultural attitudes and practices), and reformulated with Cairo language to call for the elimination of the root causes of son-preference, which result in female infanticide and prenatal sex selection.

In Strategic objective E.2 (elimination of negative cultural attitudes and practices against girls), Governments are called on to sensitize and inform adults about the “harmful effects of certain traditional or customary practices.” The sub-paragraph calling for traditional and religious attire of girls to not be the basis of discrimination in educational institutions was bracketed. Governments, international and non-governmental organizations are called on to encourage educational institutions and the media to project a “balanced and non-stereotyped” image of girls and boys, and to work to eliminate pornography and degrading and violent portrayals of the girl child.

In Strategic objective E.3 (public awareness on the needs of the girl child), Governments, international and non-governmental organizations are called on to generate awareness on the disadvantaged situation of girls among actors “at all levels” as well as in communities and households. A reference to educating the girl child about the “privileges” guaranteed to her was deleted.

### **INFORMAL-INFORMAL III**

The informal-informal meeting on the health section reconvened Tuesday morning and completed Strategic Objective C.1 (Increase women’s access to health care and information services.) A bracketed footnote stating that implementation of actions outlined in the section are the sovereign right of each country and are in conformity with universally recognized human rights was inserted in the chapeau. An alternative footnote on guidelines in ICPD for the section was also bracketed. In paragraph 80 (actions to be taken by Governments), references to NGOs and employers, with the support of international institutions, were bracketed. In sub-paragraph 80(a)(support and implement international agreements), the qualification “taking into account reservations and declarations” in the ICPD was inserted. Sub-paragraph 80(a)(bis)(health as a human right), was amended to reaffirm the right to the highest attainable standard of physical and mental health. A sentence calling for women’s access to social security systems in equality with men throughout the life-cycle, was added. In sub-paragraph 80(b)(gender specific health programmes), references to “decentralized” health programmes and services “in cooperation with women and community-based organizations” were inserted. A reference to the removal of barriers to women’s health services was bracketed. Sub-paragraph 80(c)(accessible and affordable health care), was reformulated with bracketed references to sexual and reproductive health care and maternal and emergency obstetrics. In sub-paragraph 80(d) (information, services and training for health workers), a reference to parental responsibility and guidance was inserted. Sub-paragraph 80(d)(bis) (conformity of health services to human rights standards), calls for Governments to: “Ensure that all health services and workers conform to human rights and to ethical, professional and gender-sensitive standards in the delivery of women’s health services aimed at ensuring responsible, voluntary and informed consent.” A qualification, stating that nothing in the Platform is intended to require any health professional or health facility to provide or refer for services to which they have religious or moral objections, was bracketed. In sub-paragraph 80(d)(ter)

(harmful and coercive medical interventions), a bracketed reformulation calls for: the elimination of harmful, medically unnecessary, or coercive medical interventions; inappropriate and over-medication of women; and women to be fully informed of their options. An amendment referring to the rights and responsibilities of parents was inserted after a reference to girls in bracketed sub-paragraph 80(e) (strengthen and reorient health care for girls and women). The target dates for the provision of reproductive health care “worldwide” were amended to read “no later than 2015.” Sub-paragraph 80(e)(bis) (health impact of unsafe abortion) was bracketed. In sub-paragraph 80(e)(ter) (punitive measures for illegal abortions), “repeal” was replaced with “consider review of” laws containing punitive measures against women who have undergone illegal abortions. A reference to parental responsibility and guidance was inserted in sub-paragraphs 80(f) (attention to the needs of girls while achieving goals for the reduction of infant and child mortality) and 80(f)(bis) (access to health and nutrition information). In sub-paragraph 80(g) (policies, programmes and legislation to alleviate health hazards), a call for policies and legislation to alleviate and eliminate health hazards associated with work was amended to direct “special attention to pregnant women” and “lactating women.” In sub-paragraph 80(h) (mental health services), an amendment calling for recognition and care for “girls” and women of all ages who have experienced any form of violence or abuse was introduced. New sub-paragraph 80(k) (strengthen NGOs working on women’s health), calls for help to develop networks aimed at improving coordination and collaboration between all sectors that affect health. A bracketed sub-paragraph 80(l) (supply of high-quality pharmaceuticals) calls for: a reliable supply of pharmaceuticals; safety of drugs and devices through national regulatory processes; and contraceptives. Sub-paragraph 80(n)(improve the nutritional status of girls and women), was amended to call for household and national food security and for programmes aimed at improving the nutritional status of all girls and women. The second sub-paragraph 80(n) (access to safe drinking water and sanitation) was amended to call for the availability of safe drinking water and sanitation.

### **IN THE CORRIDORS**

NGOs are concerned about the change in venue for the NGO Forum, which will be held in parallel to the FWCW in Beijing. Last Saturday, NGOs were informed that the original site was structurally unsound. The site that has been proposed in its place is said to be closer to the airport and cheaper lodging, aesthetically more pleasing, and to contain better facilities for small working groups.

NGOs' priorities, however, seem to be focused on proximity to the government conference site and the requirement of a large meeting hall. NGOs were told that the new site is 45 minutes from the government meeting place, but independent sources suggest that the distance would be closer to an hour away. The NGOs' plans to hold opening Plenary sessions each morning would be impossible in the largest meeting hall at the new site, which has capacity for 1700. Some NGOs suggest that they would need a facility that could accommodate 15,000. Members of the NGO Forum will travel to Beijing this week to visit the proposed site, and possibly to explore alternatives.

### **THINGS TO LOOK FOR TODAY**

**PROCESSING:** The negotiated text is expected to be “processed” Thursday and Friday. Clean versions of the text are expected to be reviewed to ensure accuracy, and the Plenary will ultimately be asked to adopt the text, albeit heavily bracketed, to be sent to Beijing.