

Gender Equality Briefing Brochure

This Gender Equality Briefing Brochure aims to provide general information on gender and gender equality issues, national and international frameworks and mechanisms protecting and promoting women's rights. It is intended for policy makers on central and local government level, civil society organizations, gender advocates, researchers, as well as for anyone seeking basic information on equal rights and opportunities for women and men. It overall, aims at increasing the awareness of the general public on gender-related issues.

Gender equality is more than a goal in itself. It is a precondition for meeting the challenge of reducing poverty, promoting sustainable development and building good governance.

Kofi Annan,
United Nations Secretary-General

UNDP "Gender and Politics programme in Southern Caucasus", implemented jointly with the RA Ministry of Labour and Social Issues, aims at supporting the implementation of gender policies in Armenia, building the capacity of women in order to facilitate their active participation in political, social and economic processes and initiating a gender dialogue. The programme, a regional undertaking implemented by UNDP Armenia and Georgia, also aims at information exchange and cooperation in the region.

Making gender equality a reality is a core commitment of UNDP. Why?

- Because equality between women and men is just, fair and right.
- It lies at the heart of human development and human rights.
- And because gender inequality is an obstacle to progress, a roadblock on the path of human development.

When development is not "en-gendered" it is "endangered".

UNDP Gender Policy Note

Questions and Answers

1. What is Gender and How It Differs from Sex?

Gender is often confused with **Sex** - a biological category, which is universal, unchangeable and naturally given.

Gender *does not* refer to the biological differences between men and women; it refers to the social roles, responsibilities and behaviour ascribed to men and women in a certain society and culture. Gender roles are learned and often based on stereotypes of how a woman or man "should behave". In other words, gender is socially constructed, and gender roles are dynamic and can change over time¹.

2. What is Gender Equality and Why Does It Matter?

The principle of equality is a fundamental and essential human right. It is recognized as such in all the main international human rights instruments.

Gender equality is not about women only – as it is often thought. Gender equality rather than exclusively focusing on either women or men, considers the situation of both, and aims to address the issues affecting unequally both women and men.

Gender equality implies the provision of equal conditions for women and men to enjoy their human rights. It is also about providing women and men with equal opportunities to contribute to political, economic, social and cultural developments in their society and benefiting equally from the results. "Gender equality does not mean that men and women become the same, but that their opportunities and life chances are equal"².

Why do we need gender equality? Equality is an essential precondition for human development. It is hardly possible to ensure equitable resource allocation without participation of women in all spheres and levels of society in representative numbers. Inability of women to advance their interests at a higher level results in leaving a number of important issues unaddressed. Absence of women from political decision-making prevents substantial part of society from

implementing their right to freely participate in political, social and economic policy making.

3. Why do we Need Instruments for Protection and Promotion of Women's Rights?

In virtually all societies and spheres of activity worldwide, women are subjected to inequalities either by law or in real-life. This situation is both caused and exacerbated by the existence of discrimination in the family, in the community and at the workplace. While causes and consequences may vary from country to country, discrimination against women is widespread.

Efforts by the United Nations to assess the real situation of women worldwide have produced alarming statistics on the economic and social gaps between women and men. From 1.3 billion people living in poverty, 70% are women; this has been directly linked to the unequal situation of women in the labor market, their treatment under social security systems and their status and power in the family. Worldwide, women work more hours than men and most of their work remains unpaid and undervalued. The participation of women in political decision-making also remains very limited; women occupy 10% of parliamentary seats and make up less than 5 % of the world's heads of state. The starkest reflection of the low status of women in many countries is the discrimination against them in the law in terms of property rights, laws related to marriage and divorce, the rights to acquire nationality, or seek employment, etc.³

All this, makes it important to ensure existence of adequate international instruments to protect women's rights.

4. What are the International Instruments and Mechanisms Protecting Women's Rights?

Equality of rights for women is a fundamental principle of the United Nations. The preamble to the **Charter of the United Nations** sets as a basic goal "to reaffirm faith in fundamental human rights, in the dignity and worth of the

human person, in the equal rights of men and women". The provisions of the Charter regarding equal rights of women have been further refined and developed in a great number of international human rights instruments.

UN Convention on Elimination of All Forms of Discrimination against Women (CEDAW) (1979), often called as an 'International Bill of Rights for Women', is the most comprehensive instrument on women's rights. CEDAW identifies many specific areas where discrimination against women has been particularly notorious, for example, in regard to political rights, marriage and family and employment. The Convention spells out specific goals and measures that are to be taken to contribute to creation of a global society free of inequality between women and men.

On 22 December 2000, the **Optional Protocol to the Convention** entered into force. The Optional Protocol entitles the Committee on the Elimination of Discrimination against Women⁴ to consider complaints from individual women or groups of women who have exhausted national remedies. It also entitles the Committee to conduct inquiries into grave or systematic violations of the Convention. However, this is valid only for the states, which ratified the Optional Protocol.

Armenia acceded to CEDAW in 1993; the Optional Protocol is in the process of ratification.

UN Convention on the Political Rights of Women (1952) spells out the entitlement of women to participate on equal terms with men, and without any discrimination, in political life of the society, importantly, to be eligible to all publicly elected bodies and to hold public office and exercise all public functions.

Armenia has not acceded to the Convention yet.

International Labour Organization (ILO) Conventions

The ILO Conventions cover a wide area of social and labour issues including basic human rights, minimum wages, industrial relations, and employment policy, etc. – among them a number of gender-specific issues.

It is often argued that protective measures for women might limit their opportunities to get certain jobs. The maternity benefits increase the cost of employing women and therefore might

discourage their employment. However, in the case of maternity protection, these measures are necessary to protect the reproductive role of women. That is why the revised version of the *Convention on Maternity protection* places an emphasis on the payment of maternity benefits from social security funds and restricts the circumstances in which an employer can be held individually liable to pay them (Convention 183, article 6).

The following is a non-exhaustive list of Conventions concerning gender-specific issues:

- *Maternity Protection Convention*
- *Night Work Women Convention*
- *Equal Remuneration Convention*
- *Discrimination (Employment and Occupation) Convention*
- *Workers with Family Responsibilities Convention*
- *Part-time Work Convention*
- *Home Work Convention*

Armenia has ratified only two ILO conventions related to equality of men and women in labour market, these are: *Equal Remuneration Convention* and *Discrimination (Employment and Occupation) Convention*

Note: *It is important to reiterate that the specialized human rights and labour treaties are all legal instruments. When a State becomes party to any of them it undertakes to guarantee to all individuals in its territory, without any discrimination, all the specified rights - and to provide for effective remedies in case violations occur.*

UN Millennium Development Goals (UN MDGs) (2000)

MDGs are an integrated set of eight goals and 18 time-bound targets for extending the benefits of globalization to the world's poorest citizens. The goals aim to stimulate real progress by 2015 in tackling the most pressing issues faced by developing countries.

Millennium Development Goal 3 is 'to promote gender equality and empower women'. The very existence of a separate goal

demonstrates that the global community has accepted the centrality of gender equality and women's empowerment to the development paradigm. Goal 3 crosscuts along all the 8 MDG goals, because gender inequality is a major obstacle to meeting the MDG targets. In fact, achieving the goals will be impossible without closing the gaps between women and men in terms of capacities, access to resources and opportunities.

Beijing Declaration and Platform for Action, Fourth World Conference on Women (1995)

The Platform for Action is an agenda for women's empowerment, which aims at removing all obstacles to women's active participation in all spheres of public and private life through a full and equal share in economic, social, cultural and political decision-making. This means that the principle of shared power and responsibility should be established between women and men at home, in the workplace and in the wider national and international context.

5. What are the National Mechanisms and Instruments for Promotion of Women's Rights?

Since 1997, women's issues have been addressed by the *Women's Division of the Department on Family, Women's and Children's Issues* at the RA Ministry of Labour and Social Issues.

On 29 December, 2000, by the Decree of the Prime-Minister, a *Council on Women's Issues* was established under the RA Prime Minister. The Council, a volunteer body of a consultative nature, is composed of officials from different RA Ministries, members of RA National Assembly, representatives of public organizations and private sector.

The most important step towards enhancing respect for women's rights on the part of the Government was the adoption of the "*National Action Plan on Improvement of Women's Status in the Republic of Armenia and Enhancement of their Role in the Society 2004-2010*" (NAP) in April 2004. The NAP lays down the principles, priorities, and directions of the national policy on women's issues in the Republic of Armenia

and aims to facilitate the process of ensuring equal rights and opportunities to women and men and to foster the process of addressing social and economic issues faced by women.

The NAP is composed of 8 sections addressing issues as wide as:

- Ensuring equal rights and opportunities for women and men in decision-making and in social and political spheres;
- Improving the social and economic condition of women;
- Education sector;
- Improving the health condition of women;
- Eliminating violence against women;
- Eliminating trafficking of women and girls;
- The role of the mass media and cultural institutions in reporting on women's issues and building a female role model, and
- Institutional reforms

To ensure implementation of NAP, focal points were created at the level of Deputy Ministers, Representatives of the RA Government adjunct bodies and Deputy Marzpets.

RA legislation provides for a number of laws that ensure the equal rights of men and women, such as the *Labour Code* in the field of labour, employment and remuneration, and the *Family Code* and *Law on Citizenship* in the field of marriage, etc. However, Armenia has not adopted a law on equal rights and equal opportunities, which would put in place an overall framework for guaranteeing equality of rights and opportunities for both sexes in both public and private domain and across all sectors of the society.

6. Is Gender Inequality Phenomenon Existent in the Armenian society?

From the legal point of view, women in Armenia enjoy guarantees against discrimination: RA legislation is based on the principle of equal rights, and equality is guaranteed under the RA Constitution. A number of international conventions

promoting and protecting women's rights that Armenia acceded to, take precedence over the national law. However, it needs to be ensured that women and men enjoy equal rights and opportunities not only on paper, but also in reality. The discriminative gender paradigm is created and maintained at both personal and societal level through upbringing, culture, environment, power structures, etc. Both men and women, sometimes even unconsciously, maintain this gender-based power structure.

In Armenia, in terms of participation and representation of women in the political domain, a lot still needs to be done. In all branches of the power: legislative, executive and judiciary, number of women in decision-making positions is minimal. In the RA National Assembly, women make up only 7 per cent of the total number, there is one woman minister, and only three women deputy ministers. The same trend is observed in the local self-government bodies. In terms of the average time spent by women and men on various activities, the most obvious difference concerns work in the broad sense. In Armenia, women spend an average of 1 hour and 44 minutes in gainful (paid) employment each day while the corresponding figure for men is 5 hours and 18 minutes. Figures for housework/unpaid work also differ considerably between the sexes, with about 6 hours for women and 1 hour and 45 minutes for men⁵.

7. What is Gender-Based Violence?

“Violence against women constitutes a violation of the rights and fundamental freedoms of women and impairs or nullifies their enjoyment of those rights and freedoms”⁶.

UN Declaration on the Elimination of Violence against Women defines “violence against women” as “any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life”.

In all societies worldwide, to a greater or lesser degree, women and girls are subjected to physical, sexual and psychological abuse, and the issue of violence is not confined to any

cultural, social, class, economic or religious boundaries. Since gender-based violence is a problem across the globe, it has become a matter of concern to all the States. Effective suppression of trafficking in women and girls – another form of violence has become another pressing international concern. Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children”, 2000 has been called to address the issue of trafficking.

In Armenia, as in many other countries, domestic violence is considered a private affair; therefore it mostly goes unnoticed and unreported. Meanwhile, the figures revealed by researches conducted by some NGOs are alarming. Violence is usually perceived as of physical nature only, however, it is far beyond that; psychological kinds of violence are far more widespread than physical and sexual ones.

Women's lack of access to legal information, aid and protection, and effective law enforcement perpetuates the phenomena.

8. Where Can I Turn if My Rights are Violated?

This brochure does not aim at providing comprehensive advice as to how one can have his/her rights restored or an offense redressed. However, it recommends that those whose rights have been violated by public authorities can file a complaint with the recently established institution of RA Ombudsman.

*The RA Ombudsman's Office Address: 12 Proshyan st, Yerevan, 375019, Republic of Armenia
Tel: 262 694, 268 581, 267 688
Email: ombuds@ombuds.am*

The Optional Protocol (which is currently in the process of ratification) entitles individual women or groups of women who have exhausted national remedies to file complaints to the Committee on the Elimination of Discrimination against Women.

Guidelines for submission of complaints to the Committee, can be obtained from:

<http://www.un.org/womenwatch/daw/cedaw/protocol/modelform-E.PDF>

For complaints to the Committee, direct your correspondence and inquiries to:

*Committee on the Elimination of Discrimination against Women
c/o Division for the Advancement of Women,
Department of Economic and Social Affairs
United Nations Secretariat
2 United Nations Plaza
DC-2/12th Floor
New York, NY 10017
United States of America*

Fax: 1-212-963-3463

Endnotes:

¹ UNDP Gender Analysis Training Module
<http://www.undp.org/gender/resources/Gender%20Mainstreaming%20Training%20Module.pdf>

² OECD, DAC Guidelines for Gender Equality and Women's Empowerment in Development Cooperation

³ Women's Rights, the Responsibility of All, Basic Information Kit 2, available at:

<http://www.unhchr.ch/html/50th/50kit2.htm>

⁴ The Committee on the Elimination of Discrimination against Women is an expert body that is responsible for monitoring the implementation of national measures to fulfill CEDAW obligations

⁵ Armenian Time Use Pilot Survey, RA NSS, Yerevan 2005

⁶ UN Declaration on the Elimination of Violence against Women

Sources Used:

Fourth World Conference on Women / Platform for Action
Section D: Violence against women

Office of the Special Adviser on Gender Issues and the Advancement of Women
Concepts and Definitions
<http://www.un.org/womenwatch/osagi/conceptsandefinitions.htm>

Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the UN Convention against Transnational Organized Crime

UN Declaration on the Elimination of Violence
against Women

UN Convention on Elimination of All Forms of
Discrimination against Women (CEDAW)

UN CEDAW General Recommendation 19

UNDP Gender Policy Note

<http://www.undp.org/gender/policy.htm>

UNDP Gender Analysis Training Module

[http://www.undp.org/gender/resources/Gender
%20Mainstreaming%20Training%20Module.pd
f](http://www.undp.org/gender/resources/Gender%20Mainstreaming%20Training%20Module.pdf)

Vienna Declaration and Programme of Action

Women and Men in Armenia” statistical
booklet, RA NSS and UNDP, Yerevan 2005