

A Primer on: Language Advocacy at the Commission on the Status of Women (CSW)



including women's human rights defenders and... interests, needs and visions of the 2030 Agenda, and... international agendas, including the 2030 Agenda, and... having an open, inclusive and transparent engagement with civil society... implementation of measures on women's economic empowerment in the world of work.

40. The Commission urges governments at all levels and, as appropriate, relevant entities of the United Nations system and international organizations, within their respective mandates and bearing in mind the priorities, and invites civil society, the private sector, employers' organizations, and trade unions, as applicable, to take the following actions:

Strengthening normative and legal frameworks

(a) Consider ratifying or acceding to, as a condition for ratification or accession, the Convention on the Elimination of All Forms of Discrimination Against Women, the Convention on the Rights of the Child, and the Convention on the Rights of Women and Girls, formulate any reservations, and ensure that no reservation is made that is inconsistent with the object and purpose of the Convention, review the Convention as narrowly as possible to ensure that no reservation is made that is inconsistent with the object and purpose of the Convention, and draw reservations to the attention of the Commission.



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Language is Power

Language is contested terrain at CSW. This contest plays out in the negotiations of the Agreed Conclusions – the principal output of the Commission on the Status of Women (CSW). Words within the Agreed Conclusions provide us with the frames, discourses and, ultimately, the actions to which Governments commit on gender equality and women's rights.

CSW is the only international multilateral forum dedicated to gender equality. The Agreed Conclusions provide a comprehensive set of standards and commitments that Member States agree to implement.¹ The Agreed Conclusions are reached through consensus which makes for a challenging negotiation environment. There is a weight to the political buy-in of a consensus document, however the content of the Agreed Conclusions represents the compromises and accommodations of that difficult negotiating environment. This context makes it very difficult for the Agreed Conclusions to capture the progressive vision for gender justice of many feminist advocates and, as a result, the document is far from the gold standard on women's rights. Notwithstanding these problems, there is value in holding up a mirror to the world to reveal the challenges and bottlenecks to equality, which is what this process does by setting a consensus 'ground floor' for global gender equality.

As the principal forum for international gender equality policy and dialogue, the Commission on the Status of Women is charged with monitoring global progress against the Beijing Platform for Action. The CSW operates through a multi-year program, with each CSW focussing on a previously determined priority theme and review theme.

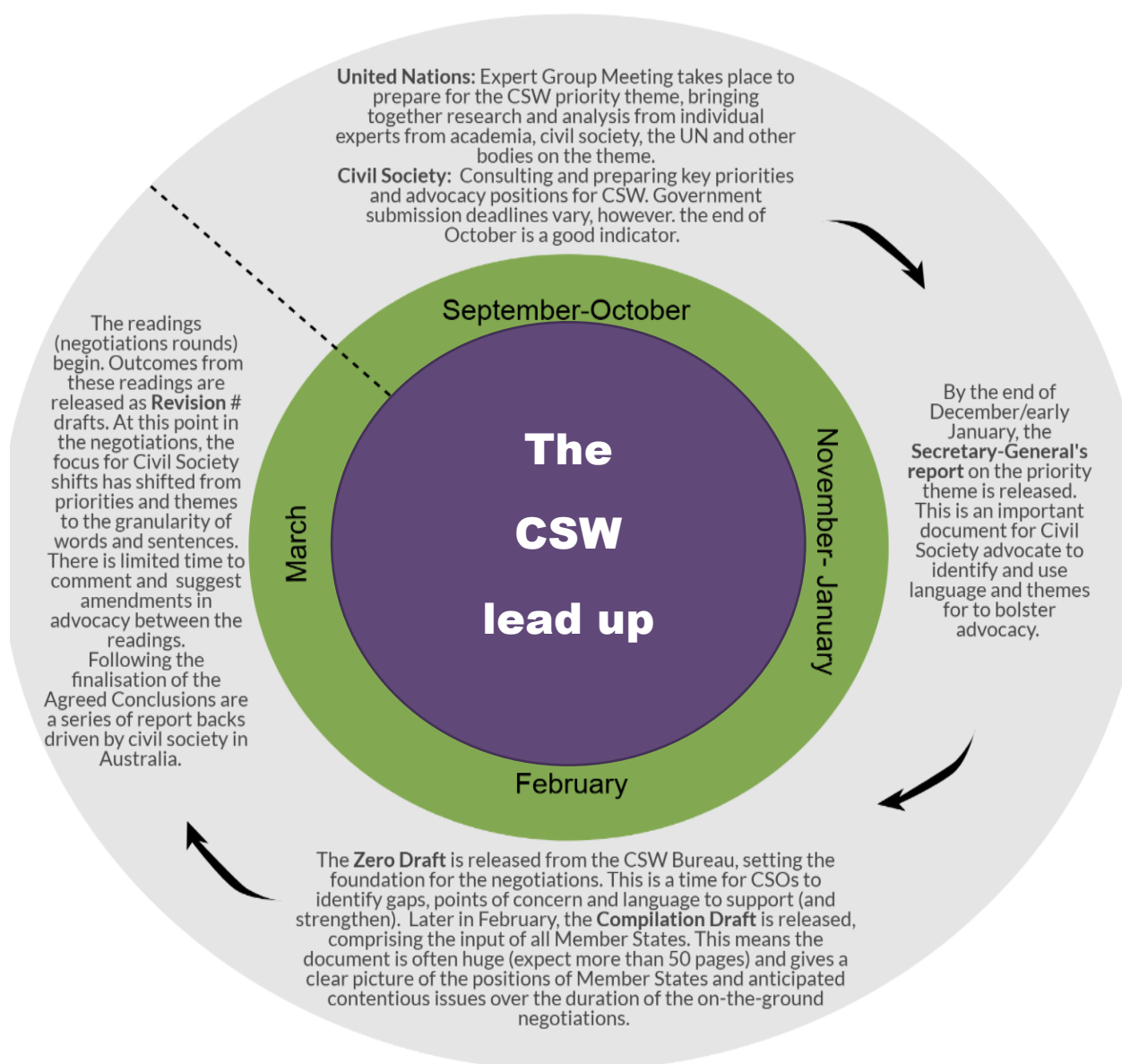
A comprehensive and detailed guide to advocacy at CSW is available in the JERA International **Australian NGO Guide to the Commission on the Status of Women (CSW)**.²

Preparing for Language Advocacy at CSW

You could be forgiven for thinking that all the CSW language action takes place in New York over two weeks in March. The reality is that the two weeks in March represents the pointy end of negotiations, a culmination of months of agenda setting, diplomacy and civil society advocacy. The following is an indicative timeline for both Governments/Member States and civil society organisations of the CSW cycle as it relates to language negotiations and advocacy.

¹ Known as soft law from NGO CSW, 'A Guide for NGOs and Women's Human Rights Activists at the UN and CSW 2017', in NGO CSW https://www.ngocsw.org/wp-content/uploads/2017/02/NGO-Main-Guide-2017_0221-FINAL-1.pdf

²JERA International, 'Australian NGO Guide to the Commission on the Status of Women', in JERA International <http://csw.jerainternational.org/11-draft-conclusions-and-un-language/>



The Process of Negotiations

Civil Society Organisations (CSOs) are invited to make submissions to the Australian Government on CSW priorities, usually at some point between August and October. Ideally, CSOs should be making submissions from October to influence the critical early stages of preparation. At this stage, CSOs should be communicating key issues related to the priority, review and (if applicable) emerging themes to influence the Australian Government's positions in negotiations. This is also a critical time to strategically network and connect with other CSOs and join submission forces! In forming positions and deciding on priorities, CSOs also should be connecting with their regional and international networks.

In the months leading up to CSW, the Australian Government should be a key target of CSO advocacy. The Australian civil society representatives on the Australian Government delegation are usually announced in January or February - forging a connection with these individuals is vital. **The CSO delegates are the key conduit between civil society advocates and the Australian Government leading into and at CSW.**

It can also be valuable to arrange meetings with and send submissions, positions and statements to embassies in Australia. These meetings can be useful for forging a connection with Permanent Missions to the UN while you are in New York for CSW and for communicating your CSO priorities. If you decide to pursue these meetings, have a strategy to underpin the meetings – think about what CSOs you're connected to, what position has this country taken on issues for which you're advocating? Where are they positioned in a negotiating bloc? What are you aiming to get out of the meeting? What are their priorities? Where will you find support? See what you can find from their previous country statements and research their participation in negotiating blocs.

Member States are organised into regional/geographic groups³ and negotiate in informal political blocs.⁴ Australia negotiates with the CANZ and Mountains group which includes Canada and New Zealand. Staff from Australia's Mission to the United Nations (Mission) are conducting the on-the-ground negotiations guided by instructions issued from the Australian Government (Capital).

The CSW process shift gears following the release of the **Zero Draft**, often in early February. This is a crucial opportunity to make recommendations on language and priorities that have not been included; from here that window rapidly closes. Following this, in late February the **Compilation Draft** puts together all of the comments by States on the Zero Draft in a large, omnibus draft. This draft gives us insight into positions across Member States and signals the point at which language advocacy becomes more granular – focussing on which language and content to strengthen and support and which to guard against. The reading/rounds of negotiations follow. In the final readings over the two weeks of CSW, it is most effective to develop and have on hand your 'red lines', meaning the language that you will ask Governments to not accept under any circumstances.

The negotiations are simultaneously described as moving as fast as a train⁵ and as slow as moving through molasses. Both are true.

The turnaround between revisions of the draft text is very tight. Once a revision is made available, there are a matter of hours to analyse and advocate. At this point, searching for previously agreed language that is acceptable to you can help to break impasses and bolster your positions. Recommendations are most effective in a track changes format.

That said, progress inside the negotiations room can be slow going, with hours spent on sentences in the search for consensus.

The mechanics of the negotiations is dependent on the Chair of CSW. Generally, the easier and less contentious content is sorted through first, with disputed language tackled later in the negotiation rounds. There are a number of tools available to the Chair, such as contact

³ See more on this at Department for General Assembly and Conference Management, 'United Nations Regional Groups of Member States', in *United Nations* <http://www.un.org/depts/DGACM/RegionalGroups.shtml>

⁴ See, for example, Teton County Model United Nations, 'United Nations Caucusing Blocs', in *Interconnections21 Edublogs* <http://interconnections21.edublogs.org/files/2012/07/Lesson-2-Visual-2-23uoipz.pdf>

⁵ NGO CSW, p.40

groups, which allow for smaller groups to focus on thematic areas within the negotiations. If this happens, it can be tricky to get a bird's eye view of what is being traded in negotiations and what the document is looking like overall.

The negotiations are conducted in rooms which are not open to CSOs. However, during negotiations advocates will gather in corridors outside of the rooms at the UN where the readings and negotiations take place. There is a practicality and symbolism in this advocacy. Corridor advocacy allows you to connect with Government delegates who are involved in the negotiations *inside* the room. And then there's the optics of having large numbers of progressive feminist advocates watching and holding governments to account while they negotiate on fundamental human rights issues for women.

Below is an extract paragraph from the CSW61 Compilation Draft as a demonstration of what to expect. This one paragraph on valuing and measuring unpaid care is a small sample of the extent of amendments proposed from across negotiating blocs.

(p) [Singapore ADD: Where appropriate,] [Russian Federation ADD: Take concrete steps to] [US DELETE: Systematically] [US ADD: Explore feasible ways to] measure [Russian Federation DELETE: and incorporate] the value of unpaid care and domestic work [EU DELETE: [Russian Federation DELETE: in the calculation of GDP] and] [Russian Federation ADD: take into account the findings of such measurement in] the formulation of economic and social policies [Arab Group, African Group ADD: and design and implement plans to raise social and professional awareness in this regard] [Argentina, Brazil, Colombia, Costa Rica, Dominican Republic, El Salvador, Guatemala, Mexico, Panama and Paraguay ADD: through regular, periodic time use surveys]; (E/CN.6/2017/3, para 49 (r)) [CARICOM, Switzerland, New Zealand, DELETE paragraph]

Inside the Agreed Conclusions – Applying Feminist Principles to the Text

The Agreed Conclusions are separated into two main sections –the Preamble and the Operational text. The preamble sets the scene and the operational text contains the actions to which Governments are signing up. CSW Agreed Conclusions have, for some time now, made few advances from previously agreed language. In assessing the text from a feminist perspective it is useful to first ask if the language adopts a gender transformative or re-distributive approach.⁶ Here are some tips on bringing a feminist lens to the text:

⁶ More detail is available in C. March, I. Smyth and M. Mukhopadhyay, *A Guide to Gender-Analysis Frameworks*, Oxfam Publishing, Oxford, 1999

Beware Binaries!

As mentioned, CSW is a challenging space to achieve language that recognises the gender continuum. Keep an eye out for language that reinforces a gender binary, such as "both", "between and "opposite" in relation to gender/s. Advocacy for the inclusion and recognition of SOGIESC -Sexual Orientation, Gender Identity and Expression and Sex Characteristics must continue to ramp up!

Human Rights!

Keep an eye out for language which frames gender equality as a means to other social and economic ends.

This language is part of an instrumentalist approach to gender equality which conflicts with a human rights approach. Pushing for a strong human rights-based approach involves ensuring language references human rights treaties and conventions where suitable.

Erase Essentialism!

Be alert to language which reinforces harmful gender stereotypes and existing gender roles and relations. This can be seen in language that attempts to frame women in terms of mothers only or which frames unpaid work as "women's work."

Another example is language which attempts to value unpaid work without referencing the need to redistribute it.

Say it Strongly!

Commitments in the operational text are too easily watered down with weaker verbs such as "improve," "take steps to," "take measures" and "encourage."

Progressive commitments needs the strongest possible text which holds Governments to implement and drive reform. Other examples include text which only suggests that Government "note" or "take into account" their human rights obligations.

Inequality Intersects!

Too often the axes of marginalisation are lost in the text. Pick up on the opportunities to push for language which recognises "multiple and intersecting forms of discrimination" and to comprehensively reference diverse groups of girls, women and people.

Space for Civil Society

Look for opportunities to strengthen language on the role of Civil Society. With the shrinking space for CSOs continuing to throw up hurdles, it is vital to cement the critical importance of Civil Society in advancing gender equality. Language on Civil Society goes hand in hand with recognising women as leaders and agents of change. Push for comprehensive listing of CSO groups and movements. Ensure text which supports enabling environments.

The negotiations largely centre on the Priority Theme and, to a lesser extent, the Review and (if there is one) Emerging Themes. Key gender equality and women's rights issues relating to the theme are drawn out in the negotiations and contextualised within longstanding dissensions at CSW. There are swathes of perennially challenging issues, road bumps and obstacles which make for a gruelling negotiations environment. Recently the debate at CSW has centre on basic issues of women's rights and gender equality and this has had the effect of eroding the status of CSW as standard bearer on women's human rights. These debates include, but are not limited to:

- The prominence and role of the **Beijing Platform for Action** in achieving gender equality –there has been a strong, ongoing campaign to diminish the centrality of the Beijing Platform in CSW language. CSW language should, at the very least, hold the line on the Beijing Platform and, ideally, develop and advance from that baseline.
- The **Sustainable Development Goals** – although the SDGs don't represent as high a standard as Beijing, there have been attempts since 2016 to diminish the prominence and focus of the SDGs. CSW language should consolidate and reinforce the 2030 Agenda.
- **Intersectionality** – the Agreed Conclusions can represent a reductive view of gender inequality, siloed and separated from intersectional forms of inequality. Embedding an understanding of intersectionality through language that recognises diversity and multiple and intersecting differences and related human rights instruments is critical.
- **Families (plural)** – language on families is often framed singularly around 'the family,' subsuming the human rights of women underneath the so-called rights of the family. This is part of a conservative agenda to narrow the definition of families, excluding and erasing the reality of diverse family structures. CSW language has also failed, thus far, to recognise LGBTIQ women and people through text on sexual orientation and gender identity and expression and sex characteristics (SOGIESC).
- **Sexual and Reproductive Health Rights (SRHR)** – CSW language has made very little progress on recognising SRHR in recent years. Language on sexual and reproductive health and rights, on universal access to comprehensive, quality and affordable, evidence-based education, information and services to advance SRHR and the need for women to have control over their sexual and reproductive health is critical to countering the regression.
- **Climate Change** – it is difficult to get consensus on issues around just transitions, common but differentiated responsibilities and references to existing global agreements.
- **Trade Justice** - international trade systems text is contested with poverty, labour standards, land rights and displacement and privatisation points of focus.
- **National Human Rights Institutions** – NHRIs, such as the Australian Human Rights Commission, do not have standing in their own right to participate in meetings of the CSW.⁷ There is a groundswell of advocacy to ensure NHRIs can participate independently at CSW. Without an independent role, NHRIs can only participate if their respective States provide them with a delegation role, as Australia does.

⁷ Asia Pacific Forum on National Human Rights Institutions, 'NHRIs receive strong backing at CSW 60', in *Asia Pacific Forum on National Human Rights Institutions* <http://www.asiapacificforum.net/news/nhris-receive-strong-backing-csw-60/>

- **Data** - it is very difficult to achieve comprehensive language on the need for disaggregated and gender-relevant data.

CSW61 heralded the most significant advance in CSW language on Indigenous women's rights ever. This language follows the first standalone paragraph on Indigenous women at CSW60. The operational text calls for measures to be taken to respect and protect ancestral and traditional knowledge and makes specific links to the United Nations Declaration on the Rights of Indigenous People. The final text did not include references to free, prior and informed consent.

Your Language Tool Belt

The most effective avenues for advocacy are through previously agreed language. Language anchored in previous CSWs or Functional Commissions provides the strongest support. Providing language from other UN instruments is useful, however, if there are Member States who haven't signed up to the particular Treaty, they will argue that those obligations aren't applicable.

Women's Human Rights App: <https://itunes.apple.com/au/app/womens-human-rights/id695483339?mt=8>

Previous CSW Agreed Conclusions: <http://www.unwomen.org/en/csw/outcomes>

ECOSOC Resolutions and Decisions: <http://www.un.org/en/ecosoc/docs/docs.shtml>

Human Rights Council and General Assembly Third Committee Resolutions database: <http://www.universal-rights.org/human-rights/human-rights-resolutions-portal/>

The Beijing Platform for Action:
<http://www.un.org/womenwatch/daw/beijing/platform/>

Convention of the Elimination of Discrimination Against Women:
<http://www.ohchr.org/EN/ProfessionalInterest/Pages/CEDAW.aspx>

Is there are Special Rapporteur for the area you're looking into? Find out here: <http://www.ohchr.org/EN/HRBodies/SP/Pages/Currentmandateholders.aspx> useful information and evidence could be contained in their reports.

And when you're on the ground at the United Nations, messaging Apps such as WhatsApp and Viber are useful tools for communicating with other advocates and activists in the fast-moving world of CSW.

Go forth and make change!

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Clockwise from top: Agreed Conclusions, Hannah Gissane. Agreed Conclusions, Hannah Gissane. CSW59 protest, Helen Dalley-Fisher, United Nations Headquarters meeting room CSW59, Helen Dalley-Fisher and corridor advocacy CSW59, Helen Dalley-Fisher.