



ASIA PACIFIC FORUM
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The Role of National Human Rights Institutions in promoting gender equality and the empowerment of women and girls living in rural areas

**Report presented at the
62nd session of the Commission on the Status of Women (CSW 62)**

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GANHRI is the Global Alliance of National Human Rights Institutions, established in 1993, as the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC), with the aim of coordinating and supporting the activities of National Human Rights Institutions (NHRIs) worldwide.

GANHRI promotes and strengthens NHRIs to be in accordance with the UN recognized Paris Principles (A/RES/48/134), and provides leadership in the promotion and protection of human rights.

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APF is the Asia Pacific Forum of National Human Rights Institutions, established 1996 and is one of four regional networks within GANHRI. It promotes the establishment of and supports NHRIs in the Asia Pacific region and closely collaborates with GANHRI in promoting NHRIs activities at the international level.

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CONTENT

- Foreword 1
- 1. Introduction 3
- 2. Overarching aspects 4
 - 2.1 An intersecting form of discrimination..... 4
 - 2.2 Understanding rurality 5
 - 2.3 Identifiable groups of women and girls living in rural areas 7
- 3. Particular issues pertaining to equality and the empowerment of women and girls living in rural areas 8
 - 3.1 Empowerment through participation in decision-making 8
 - 3.2 Violence and harmful practices against women and girls living in rural areas..... 9
 - 3.3 The accessibility, acceptability and affordability of public services ... 10
 - 3.4 Income security and social protection 12
 - 3.5 Rights to land and productive resources 13
- 4. Environment, Climate Change and Natural Disasters 13
- 5. Conclusion 14

FOREWORD

Empowering women and girls, and specifically those living in rural areas, means supporting women and girls to claim their human rights and to ensure that such claims resonate with state actors. National Human Rights Institutions (NHRIs) contribute to women's empowerment through their unique mandate and powers. Important instruments are NHRIs' monitoring reports and their advice to their national parliaments and governments, as well as their awareness-raising and human rights education activities. The present report showcases how NHRIs use their mandate and powers to promote and realize the rights of women and girls in relation to this year's priority theme at the Commission on the Status of Women (CSW). The report illustrates how NHRIs engage in a variety of situations, identify the problems that women and girls in rural areas face, how they contribute to understanding these problems as human rights issues, and how they help resolve them in a human-rights compliant way and with the participation of women and girls.

NHRI are independent state institutions established by national law or constitution and mandated with the promotion and protection of human rights, including women's rights, in and by their own countries. They enjoy a broad human rights mandate, which enables them to take up any human rights situation in their country. Thus, NHRIs are an essential component for strong national human rights protection systems and over the past years the number of NHRIs worldwide has grown. Today, there are 77 NHRIs that fully comply with the UN-recognized standard for NHRIs, the Paris Principles (A/RES/48/134)¹, and 33 NHRIs are partly compliant with this standard, working towards full compliance.

NHRIs are also essential in order to establish constructive exchange and useful links between the international and domestic human rights systems, thereby closing a critical implementation gap: they are mechanisms to support states in the national application of international standards, with full understanding of the local context; and they can independently report to international bodies, such as the UN Human Rights Council, Treaty Bodies and the Universal Periodic Review, on the human rights situation on the ground. The General Assembly endorsed Paris Principles establish a specific responsibility for NHRIs to cooperate with the United Nations system, in particular its bodies with a mandate related to human rights, such as CSW. So as to better fulfil this obligation, NHRIs have formed the Global Alliance of National Human Rights Institutions (GANHRI) and four regional networks – the Network of African NHRIs (NANHRI), the Network of the Americas, the Asia-Pacific Forum of NHRIs (APF) and the European Network of NHRIs (ENNHRI).

Since 2009 GANHRI and APF have been jointly working towards an enhancement of independent participation rights for NHRIs at CSW. NHRIs are advocating for participation rights analogous to what they enjoy at the UN Human Rights Council, and now increasingly at the New York based human rights mechanisms such as the UN Open Ended Working Group on Ageing². This year presents an important opportunity to highlight the role of NHRIs in promoting women and girls' human rights in rural areas. The case studies in this report provide examples of how NHRIs from all corners of the

* This report was drafted for GANHRI and APF by Dr Mirja Trilsch, Professor at the Faculty of Political Science and Law of the Université du Québec à Montréal during a research stay at the German Institute for Human Rights (Jan-Feb 2018), which was funded through a grant from the German Academic Exchange Service (DAAD). GANHRI and APF would like to express their deep gratitude to Dr Trilsch for her work.

¹ http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/48/134.

² <http://www.asiapacificforum.net/support/international-regional-advocacy/united-nations/csw/>.

globe are using their broad mandates to engage with and promote and protect the human rights of women and girls living in rural areas.

Through their continuous engagement with relevant actors at the national, regional and international level, NHRIs are in an ideal position to contribute to the development or adaptation of laws, policies and practices to protect human rights especially for those people who find themselves in a situation of vulnerability. NHRI monitoring of the human rights situation on the ground can give valuable insight and advice to States about some of the most pressing issues for women and girls. NHRIs' expertise in implementing human rights in the specific context of their respective country makes them a valuable source of how to develop sustainable solutions that are adapted to the domestic needs. Therefore, the work of NHRIs on the rights of women should be of great interest to CSW, also beyond this year's priority theme. For the same reasons, and in line with General Assembly resolutions 70/163 (2015)³ and 72/181 (2017)⁴, enhanced participation rights for Paris Principles compliant NHRIs, and their networks would contribute to, and enrich, the debate and conclusions at CSW.

At the international level NHRIs already officially engage with UN bodies and mechanisms such as the Committee on the Elimination of All forms of Discrimination against Women (CEDAW Committee), they submit information and parallel reports to other treaty bodies that cover gender equality, and deliver stakeholder reports to the Universal Periodic Review which encompass women's economic empowerment. At a domestic level, NHRIs monitor and encourage implementation of United Nations recommendations relating to gender equality and can also provide grievance mechanisms for women suffering from discrimination or human rights abuses.

GANHRI and APF are pleased to present this report on the role of NHRIs in promoting gender equality and the empowerment of women and girls living in rural areas. We look forward to engaging with CSW member states and civil society delegates to jointly address and overcome the barriers and challenges for women and girls living in rural areas so they too can fully enjoy their human rights as well as contribute their skills, experience and abilities to society.

³ http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/70/163.

⁴ http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/72/181.

1. INTRODUCTION

The Global Alliance of National Human Rights Institutions (GANHRI) and the Asia Pacific Forum of National Human Rights Institutions (APF) present this report on the role of National Human Rights Institutions (NHRIs) in promoting gender equality and empowerment of women and girls living in rural areas in the context of the 62nd session of the Commission on the Status of Women (CSW62).

Despite the growing urbanization across the world, 46 per cent of the world's population live in rural areas⁵ and women and girls constitute approximately half of the world's rural population. They are by no means a homogeneous group and their living situation may vary "according to, inter alia, location, income, age, race/ethnicity, culture and religion, as well as their access to productive assets, capabilities and opportunities and the extent of their voice and agency"⁶. What they have in common as a group are the barriers that rurality creates. Globally, gender and development indicators show that women living in rural areas generally fare worse than men living in rural areas and worse than women living in urban areas, and that they disproportionately experience poverty, exclusion and the effects of climate change⁷.

The empowerment of women and girls living in rural areas has become an increasing concern of the international community. The 1995 *Beijing Declaration and Platform for Action*⁸ mentions economic underdevelopment, poverty, social marginalization and environmental health hazards amongst the barriers that particularly affect women and girls in rural areas. 20 years later, when the Platform was reviewed, it was noted that "[o]verall progress in the implementation of the Platform for Action has been particularly slow for women and girls who experience multiple and intersecting forms of discrimination"⁹, such as those living in rural areas.

The *2030 Agenda for Sustainable Development Agenda*¹⁰ clearly links gender equality and the empowerment of women and girls living in rural areas to other goals and targets, including, ending poverty in all its forms (SDG 1), eradicating hunger, achieving food security and improving nutrition and promoting sustainable agriculture (SDG 2), achieving full and productive employment and decent work for all (SDG 8), and taking action to combat climate change (SDG 13).

This report shows how NHRIs act as a catalyst to empower women and girls living in rural areas and help combat discrimination they experience, particularly in relation to their adequate standard of living, including income security and social protection; their food security and nutrition; and their rights to land and productive resources, including land tenure security.

Methodology

For the purpose of collecting the relevant information for this report, a survey was developed and distributed amongst all NHRIs, regardless of their accreditation status. The survey contained a total of 23 questions, the core of which was closely modelled after "General recommendation No. 34 on

⁵ World Bank Staff estimates for 2015 based on United Nations, World Urbanization Prospects: <https://data.worldbank.org/indicator/SP.RUR.TOTL.ZS>.

⁶ UN Doc A/70/204, "Improvement of the situation of women in rural areas, Report of the Secretary-General" (2015), online: <https://undocs.org/en/A/70/204>, p. 6.

⁷ Food and Agriculture Organization of the United Nations, *The State of Food and Agriculture: Climate Change, Agriculture and Food Security* (Rome, 2016), online: <http://www.fao.org/3/a-i6030e.pdf>, p. 49.

⁸ United Nations, Fourth World Conference on Women, *Beijing Declaration and Platform for Action* (1995), online: <http://www.un.org/womenwatch/daw/beijing/pdf/BDPfA%20E.pdf>.

⁹ UN Doc E/CN.6/2015/3, "Review and appraisal of the implementation of the Beijing Declaration and Platform for Action and the outcomes of the twenty-third special session of the General Assembly Report of the Secretary-General" (2014), online: <https://undocs.org/E/CN.6/2015/3>, p. 6.

¹⁰ UN Doc A/RES/70/1, online: http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/70/1&Lang=E

the rights of rural women”¹¹ of the Committee on the Elimination of Discrimination against Women in order to cover all aspects relevant to gender equality and the empowerment of women and girls in rural areas.

A total of 38 NHRIs participated in the survey. APF and GANHRI would like to thank all participating NHRIs for having responded to their call for input. The examples featuring in this report were chosen from amongst the responses in order to showcase the widest variety possible of strategies and actions conducted by NHRIs to promote gender equality and empowerment for women and girls in rural areas¹². However, it should be noted that this report does not represent a comprehensive study of all the work of NHRIs in relation to women and girls living in rural areas. It provides some information on the types of activities and issues that NHRIs are engaging in and, as such, serves as a resource for the side event on the role of NHRIs in promoting the rights of women and girls living in rural areas, co-sponsored by APF and GANHRI as well as several member states, to be held at CSW 62 on 16 March 2018.

2. OVERARCHING ASPECTS

2.1 AN INTERSECTING FORM OF DISCRIMINATION

While highlighting the particularity of the experiences of women living in rural areas, Article 14 of the *Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)*¹³ clearly states that all of the provisions of CEDAW apply to women living in rural areas. Like women living in urban areas, they are thus to be protected against all forms of discrimination, in all areas of life.

In this respect, it is important to note that all of the NHRIs who participated in the survey affirmed that they work on women’s rights in general. 14 institutions declared to have a commissioner or ombudsperson responsible for women’s rights, 16 institutions indicated that a specific department, division or unit within their institutions is responsible for women’s rights and 20 institutions have a focal person for women’s rights¹⁴. Half of all respondent NHRIs (19) reported that all of the institution’s units worked on women’s rights. Some institutions, for example the **NHRI of Algeria**, stressed that they adopt a gender perspective in all of their activities.

For women and girls living in rural areas, discrimination may stem from multiple sources. It may be due to gender bias, result from their geographical location or stem from an intersection of both gender and rurality. In order to adequately capture the barriers these women and girls face, several NHRIs embrace an intersectional approach to human rights work in general or women’s rights work more specifically. For example, the **Australian NHRI** reports that its Sex Discrimination Commissioner identified a commitment to intersectionality as one of three specific focus areas for her policy and advocacy work. On a practical level, the **NHRI of the Philippines** requires that the struggles of women facing multiple or intersecting forms of discrimination have to be investigated and addressed using rights-based protocols. While the **NHRI of Nepal** does not explicitly mention intersectionality in its response, it in fact specifically monitors the situation of women facing intersecting forms of discrimination, such as women in rural areas, Muslim women or Dalit women. The **NHRIs of France** and **of Guatemala** also mention their efforts towards capturing intersectionality in all areas of their work.

The role of NHRIs in monitoring the intersecting forms of discrimination and the barriers faced by women and girls living in rural areas is essential for the promotion and protection of the rights of

¹¹ UN Doc CEDAW/C/GC34, online:

http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/1_Global/INT_CEDAW_GEC_7933_E.pdf.

¹² The **NHRIs of Bahrain and Qatar** indicated that they do not work on this issue because there are no rural areas in their respective countries.

¹³ Online: <http://www.un.org/womenwatch/daw/cedaw/cedaw.htm>.

¹⁴ For many NHRIs, multiple answers applied.

these women and girls. Particularly their right to an adequate standard of living is heavily impacted by the absence or limited access to social protection, social services, including health care and decent work. The **French NHRI** has conducted several studies on the effectiveness of human rights for women and girls living in the French overseas territories, dealing amongst other issues with access to justice, reproductive rights and access to education.

Even when the state does provide for measures designed to uphold human rights, e.g. by ensuring access to social security, these measures may in some instances prove to be less effective for persons living in rural areas and especially for women and girls. For example, the **NHRI of India** regularly visits remote areas of the country in order to monitor the implementation of government programs which are designed to provide access to food grains, health care, education, water and sanitation facilities. Likewise, the **NHRI of Bangladesh** monitors the application of social safety net programs designed to uphold the rights of women living in rural areas, while the **NHRI of Colombia** reports that it specifically monitors the implementation of a 2002 Law providing for the equal participation of rural women in the Municipal Council for Rural Development and the Regional Planning Councils.

Finally, many participating NHRIs affirm that their approach is considerate of everyone's rights, including those of women and girls in rural areas. As such, programs aimed at improving the situation of women generally or the situation of persons – male or female – living in rural areas can have a positive impact on rural women's rights¹⁵. In this vein, the **NHRI of Northern Ireland** reports that rural women and girls in Northern Ireland have many shared issues with urban women and that their recommendations to government departments or other public authorities generally apply to both women in rural as well as urban areas.

2.2 UNDERSTANDING RURALITY

Through the explicit provision of the rights of women in rural areas, CEDAW acknowledges the existence of inequalities due to geographical location¹⁶: "It implicitly recognizes variations in access to services based on geography, suggesting that rural populations are often underserved in comparison to their urban counterparts."¹⁷ However, while rural living generally puts women in a position of greater vulnerability, especially in terms of socio-economic disadvantage and access to justice, the experiences of women in rural areas may vary widely from one place to another. In other words, rurality does not define these women; it is not a characteristic they embody. Rather, it is a circumstance that may render the exercise of their fundamental human rights more difficult¹⁸.

One of the key objectives of the *2030 Agenda for Sustainable Development* is that the targets fixed therein should be met for everyone, everywhere and that this requires reaching out to those who are farthest behind. It is captured in the "Leave no one behind" motto which headlines the Agenda. Understanding the barriers rurality creates for women and girls and developing strategies for change thus requires reaching out to rural and remote regions of the country. This can, for example, be seen in the work and the slogan of the **NHRI of Nepal** ("Human Rights House to House: A basis of Peace and Development"), which has put more focus on the protection and promotion of human rights in rural areas and especially on the rights of women and girls living in these areas.

¹⁵ As such, many of the initiatives, programs and campaigns mentioned in NHRIs responses have not found their way into this report because they did not specifically target women and girls in rural areas. However, this should in no way be understood as diminishing the importance and the positive effects of these activities, including on the rights of women and girls living in rural areas.

¹⁶ Or "spatial inequalities" as Lisa R. Pruitt puts it in her article "Deconstructing CEDAW's Article 14: Naming and Explaining Rural Difference" (2011) 17 *William and Mary Journal of Women and the Law* 347, p. 358.

¹⁷ *Ibid*, p. 359.

¹⁸ This report therefore does not use the term "rural women" as this may suggest that women in rural areas are in principle different from women in urban areas. Instead we chose the designation "women and girls in rural areas" or "women and girls living in rural areas".

A common way for NHRIs to reach out to rural or remote areas is through the establishment of regional offices, meaning offices in places other than the NHRI's main seat, usually in the capital city of that country. The majority of respondent NHRIs that participated in the survey (26 out of 38) reported to have regional offices. Some institutions, for example the **NHRIs of Malaysia and of Bangladesh**, explicitly confirmed that their regional offices specifically target women and girls in rural areas. The regional offices of the **NHRI of Colombia** each have a psycho-legal team consisting of one lawyer and one social worker (“dupla de género”) who work on women's rights issues in rural areas. Regional offices may also be in a better position to reach out to the rural population because of linguistic differences. The **NHRI of the Philippines** pointed out that the regional offices make use of local languages within their respective jurisdictions.

Another way to reach out is through collaboration with NGOs that specifically work on the rights of women and girls living in rural areas. The **NHRI of Burundi** has worked with such organizations on monitoring and access to justice initiatives and the **Algerian NHRI** was involved in a project for the economic empowerment of women and girls through alphabetization, which was carried out by local associations having gained the trust of the rural population. The **NHRI of Tunisia** has also collaborated with organizations concerned with the rights of women living in rural areas and the **NHRI of New Zealand** has partnered with the charitable organization Rural Women New Zealand, and Fonterra (New Zealand's largest dairy cooperative) to present a parallel event to CSW62 about the opportunities for economic empowerment for women living in rural areas.

Many NHRIs reported that they travel extensively to rural areas, for example in order to hold events which specifically deal with the rights of women and girls:

- The **NHRI of the Maldives** addresses the discrimination faced by women and girls living in rural areas through sessions and discussion platforms carried out by human rights clinics. These clinics provide information to women and girls in rural areas, for example on the issue of domestic violence.
- In 2017, the **NHRI of Côte d'Ivoire**, in collaboration with UN Women, organized events in rural areas in order to offer plain-language information on CEDAW and the Maputo protocol. It also held an event for the commemoration of the International Day of Rural Women (October 15th).
- The **Jordanian NHRI** implemented a project on the protection of women and girls from gender-based violence that targeted women and girls in remote areas of the Mafraq and Zarqa governorates through the implementation of training workshops on international standards and local legislation for the protection of women and girls against violence.

Finally, outreach may also mean making the information and services offered by NHRIs easily accessible for women and girls in rural areas, for example through the institution's online presence. This is particularly important for women and girls seeking access to justice for human rights violations. The survey showed that all of the respondent NHRIs, with the exception of the French NHRI, have the mandate to receive individual complaints, and some NHRIs, such as the **NHRI of Honduras**, specifically mentioned that they receive complaints from women living in rural areas.

The following examples show how NHRIs attempt to eliminate or attenuate rurality as a barrier to accessing justice.

- The **Finnish NHRI** explains that 70% of all complaints received by the Parliamentary Ombudsman are now transmitted by email.
- A focal point for urgent complaints was set up by the **NHRI of India**. The focal point can be reached by phone at all times – 24 hours a day, 7 days a week, 365 days per year.
- The **NHRI of New Zealand** also has a free phone line which can be accessed from anywhere in the country by persons wishing to file an individual complaint with the NHRI.
- The **Romanian NHRI**, like a number of European NHRIs, participated in the CLARITY project (“Complaints, Legal Assistance and Rights Information Tool for You”) launched in 2015 by the Fundamental Rights Agency of the European Union. The CLARITY tool provides information

on how and where a petition can be filed, as well as the addresses of the institution which is closest to the home of the petitioner.

- Similarly, the **NHRI of Portugal** provides women in rural areas with information on their rights, on the existing judicial and quasi-judicial procedures, as well as on free legal assistance. Personalized information may also be received through telephone help lines and the local offices in the Azores and Madeira receive verbal complaints.
- The **Canadian NHRI** travels to remote and rural communities in order to mediate complaints and attempt to bring about settlements to disputes.

2.3 IDENTIFIABLE GROUPS OF WOMEN AND GIRLS LIVING IN RURAL AREAS

For some women and girls who already face intersectional discrimination, such as Indigenous and Roma women, rurality exacerbates the situation and renders them ever more vulnerable to violations of their fundamental rights. Several respondent NHRIs have reported about their work in relation to minorities who tend to live in rural or remote areas.

The **Mexican NHRI**, between 2015 and 2017, held training sessions for women and girls in rural regions with Indigenous populations. The **Canadian NHRI** also offers in-person training on various human rights issues for Indigenous communities. Some of the institution's materials are translated into Indigenous languages and the NHRI has undertaken large-scale mailouts of human rights materials to Indigenous communities and organizations across the country. Specifically with respect to women and girls, the NHRI has published the report "Honouring the Strength of our Sisters: Increasing Access to Human Rights Justice for Indigenous Women and Girls" following a series of roundtable meeting with Indigenous women (including from rural and remote areas) that were held in 2013 and 2014.

Some of the activities organized by NHRIs aim to provide an exchange and empowerment platform for Indigenous communities and their representatives, including women, for example the National Inquiry into the land rights of Indigenous peoples held by the **Malaysian NHRI**. The **Australian NHRI** currently runs the Wiyi Yani U Thangani (Women's Voices) Project which aims to exchange with Aboriginal and Torres Strait Islander women and girls, including from rural, regional and remote areas, about their needs, challenges and aspirations. It is also a member of the "Close the gap" campaign which aims to close the gap in health and life expectancy that currently exists between Aboriginal and Torres Strait Islander peoples and non-Indigenous Australians.

Over the last years, it has become increasingly clear that women defending their lands, communities, and the environment not only face all the hardships of human rights defenders, but also cope with gender-specific violence and risks. They are targeted both as defenders of rights, land and natural resources, and as women defying gender norms¹⁹. The **NHRI of Guatemala** conducted activities in Quetzaltenango, San Marcos and Huehuetenango to denounce the criminalization of Indigenous leaders, including women, who fight for their land and territorial rights.

While not specifically tailored towards women and girls, the **NHRI of Serbia** prepared a Special Report on the Implementation of the Government's "Strategy for the Improvement of the Status of Roma" with a particular emphasis on employment, education, social and health services, amongst other issues.

¹⁹ Association for Women's Rights in Development and Women Human Rights Defenders International Coalition, *Women Human Rights Defenders Confronting Extractive Industries, An Overview of Critical Risks and Human Rights Obligations* (2017), online: https://www.awid.org/sites/default/files/atoms/files/whrds-confronting_extractive_industries_report-eng.pdf, p. 5.

3. PARTICULAR ISSUES PERTAINING TO EQUALITY AND THE EMPOWERMENT OF WOMEN AND GIRLS LIVING IN RURAL AREAS

The second part of this report will focus on a number of issues that are inextricably linked to the empowerment of women and girls living in rural areas and will highlight the strategies NHRIs around the world pursue in this regard. The common denominator of all initiatives for the empowerment of women and girls in general, and those living in rural areas in particular, is to remove barriers which hinder women and girls from exercising their fundamental rights. These barriers may be legal, social or economic in nature, and in all cases they mean that women and girls are being put in a situation of greater vulnerability.

One important role of NHRIs is to remind the government to take action to eliminate inequalities and their root causes, as was done by the **NHRI of Serbia** when it criticized the government for not having acted in a systematic manner to eradicate gender-related stereotypes against women and girls in general and those living in rural areas in particular: parenthood is seen as the responsibility of women, the availability of child care services is inadequate, especially in rural areas; women are engaged in unpaid work activities; the average income of men is higher than the average income of women, both in the public and private sector; the female labour force is concentrated in the sectors with lower wages and, as a result, women have lower pensions.

3.1 EMPOWERMENT THROUGH PARTICIPATION IN DECISION-MAKING

Women and girls living in rural areas continue to be underrepresented in leadership and decision-making processes at all levels and their interests are not being adequately taken into consideration in legal frameworks, development policies and investment strategies. As a consequence, the realization of women's voice, agency and rights is critical for the empowerment of women and girls who live in rural areas²⁰.

The following examples showcase different strategies and activities that NHRIs have put into place in order to promote and increase the participation of women living in rural areas in public and political forums.

- The "Vaane" (meaning: we can) campaign, which was launched in 2015 by the Maldives branch of the non-profit organization International Foundation for Electoral Systems, is now being run by the **NHRI of the Maldives**. The main objectives of the campaign are two-fold: 1) to encourage women to participate in public and political life, and 2) to encourage men to be proponents of women's rights.
- The **NHRI of Zimbabwe** has a thematic working group on Women's participation in decision-making and politics.
- The **Nepalese NHRI** has created capacity building programs for newly elected women in local bodies.
- The **Colombian NHRI's** delegation for agrarian affairs has advocated for public policies pertaining to women in rural areas (1) to include mechanisms which highlight the value and contribution of rural work to overall development; (2) to contribute to their empowerment in the execution of all plans and programs and (3) ensure equal participation of men and women in social and community organizations which execute these policies.
- After having conducted an extensive study on the implementation of the Law on Gender Equality in Local Self-Government units, the **NHRI of Serbia**, in 2018, will publish a Special Report and recommendations aiming to improve the participation of women in these units.
- In 2017, the **NHRI of the Philippines** conducted a forum-workshop on empowering rural women amidst disaster and crisis situations with the participation of community leaders from diverse rural communities representing women in rural sectors, namely women farmers

²⁰ UN Doc A/70/204, *supra* note 6, p. 6.

and fisherfolks, Indigenous peoples and women in conflict situations, older women and persons with disabilities, as well as young women and girls.

3.2 VIOLENCE AND HARMFUL PRACTICES AGAINST WOMEN AND GIRLS LIVING IN RURAL AREAS

Women and girls living in rural areas are disproportionately affected by gender-based violence, and lack access to justice and effective legal remedies.²¹ Patriarchal structures and the public-private divide remain widespread in rural areas²². Additionally, the underserved nature of these areas – lower access to education, decent work and social protection and higher levels of poverty – often leaves women and girls with few options for escaping violence²³. Many of the respondent NHRIs indicated that they monitor and raise awareness about violence against women, like the **NHRI of Timor-Leste**. Several NHRIs have focused specifically on women and girls in rural areas and have undertaken research or conducted consultations in order to document the most common forms of violence and their consequences:

- The **NHRI of the Philippines** conducted a National Consultation on CEDAW General Recommendation No. 19 (Violence Against Women) in partnership with the NGO Women's Legal and Human Rights Bureau, in which it highlighted that women and girls from rural communities and those located in geographically isolated and disadvantaged areas face heightened risks of gender-based violence and are faced with greater barriers in accessing justice. The NHRI made recommendations to the government to provide strengthened protection and redress mechanisms for these women.
- The **Jordanian NHRI** conducted a study on "Gender-based violence against women in the Jordanian society, Zarqa and Mafraq governorates as a model". One of the strategies to reduce gender-based violence against women in remote areas that is identified in the study is the Economic Empowerment Program and its importance in alleviating poverty, unemployment rates and improving the standard of living of families in general and women in particular.
- Interviews and training sessions were conducted by the **NHRI of Mexico** with a view to identifying the consequences of gender inequality, the most common forms of violence in the domestic, school, work and community spheres, and discriminatory attitudes of public officials towards Indigenous women and women living in rural areas.
- In 2013, the **Polish NHRI** published a report on counteracting violence against women, including elderly and women with disabilities. The report highlighted special needs of women living in poverty in rural communities.

Violence against Indigenous women and girls is of particular concern. The **NHRI of Canada** was consulted during the pre-inquiry process of the Canadian Government's national inquiry into missing and murdered Indigenous women and girls. The NHRI made 16 recommendations for the Government's recommendation. The **NHRI of Costa Rica** organized capacity building workshops on gender-based violence specifically for Indigenous women.

In terms of strategies that NHRIs adopt with a view to preventing violence against women, the **NHRI of Costa Rica** explains that their regional offices, with the collaboration of representatives from government institutions and civil society, work specifically on the prevention of violence against women and domestic violence. The institution also organized capacity building workshops on gender-based violence specifically for Indigenous women. In order to eliminate discriminatory stereotypes about women and girls, the **NHRI of Bangladesh** launched the "Bravemen" campaign, the goal of

²¹ CEDAW General Recommendation 34, *supra* note 11, p. 4.

²² Pruitt, *supra* note 16, p. 378.

²³ UN Doc A/64/190, "Improvement of the situation of women in rural areas, Report of the Secretary-General" (2009), online: <http://undocs.org/en/A/64/190>, p. 13.

which is to induce a change in behavior in men and boys and prevent future acts of violence. This campaign is currently being implemented in 20 schools in rural areas. NHRIs also regularly become involved in legislative processes concerning laws on violence against women by making recommendations to the competent authorities, as was the case for the **NHRI of Myanmar**.

Several NHRIs have undertaken work in relation to child or early marriage, such as the **NHRI of Denmark**. In an effort to reform a century old law on child marriage, the **NHRI of Bangladesh**, together with civil society organizations, supported the “Girls not Brides” campaign. The **NHRI of Azerbaijan** held a series of events aimed at raising awareness about the struggles and stereotypes associated with early marriage amongst women living in rural areas. Representatives of the institutions’ regional offices, local executive bodies, courts, prosecutors and police bodies, municipalities, local communities, as well as non-governmental organizations, including the participation of the Azerbaijan Women and Development Center also participated in the event.

Finally, the issue of violence against women in the context of armed conflict has been taken on by the **Colombian NHRI**, who has conducted a study on “Armed conflict and the risks for rural women” with case studies from four regions. For 2018, a study is planned on the risks for rural women in the post-accord context.

3.3 THE ACCESSIBILITY, ACCEPTABILITY AND AFFORDABILITY OF PUBLIC SERVICES

As mentioned earlier, rurality often has a negative impact on the accessibility of public services which put the rights of women and girls in jeopardy. The Economic, Social and Cultural Rights Center of the **NHRI of the Philippines** has developed a tool which allows to monitor whether groups in a situation of vulnerability, including women and girls living in rural areas, are provided with sufficient safeguards for the protection and promotion of their ESC rights.

The **NHRI of Costa Rica** has created the “Network of users of public services”, a program which includes training and support for women and girls living in the Pococí and Sarapiquí regions who fight for better social security services, access to justice and access to employment opportunities. The program also includes training for women from the Caribbean region to strengthen their participation in public administration.

In Canada, First Nations communities suffer from inadequate access to quality health care, education and other social services. The **NHRI of Canada** has attempted to bring attention to and remedy this issue by dealing with complaints and representing the public interest in litigation before the courts as well as by raising the issue in speeches, press releases and reports during Canada’s periodic reviews before United Nations treaty bodies.

HEALTH CARE

Several NHRIs have focused some of their work on barriers to the right to health for women and girls living in rural areas. The **NHRI of Burundi** not only engages in advocacy in favor of improving the accessibility of health care services for women and girls living in rural areas, but in some instances has made sure that persons receive medical assistance, especially persons with mental health problems. The **NHRI of Malaysia** organized the “Human Rights and Access to Equitable Health” dialogues, a discussion forum on issues affecting the rights to health of people living in rural areas and on ways to provide and sustain equitable quality healthcare for all.

The **NHRI of Mexico** has held such discussion forums specifically for Indigenous women. The institution also issued recommendations and offered seminars on the prevention of obstetric violence and distributed publications on the prevention of maternal mortality across the country. Maternal mortality and morbidity of women and girls living in rural areas is also one of the issues the **Congolese NHRI** and the **NHRIs of Algeria and Nepal** have concentrated on.

Infant mortality, the prevention of AIDS and other sexually transmitted diseases as well as family planning and reproductive health are amongst the health related issues the **NHRI of Azerbaijan** focusses on. The institution carried out awareness-raising activities and disseminated posters, brochures and leaflets in different regions of the country.

Some NHRIs have tended to particularly vulnerable groups of women living in rural areas. The **NHRI of Costa Rica** has worked with transgender women from the Puntarenas region in order to ensure that their fundamental needs in health care and for the protection against HIV are being met. The **NHRI of Portugal** intervened on behalf of elderly women who were denied access to the health center closest to their homes. The NHRI also became aware that elderly women in rural areas with lower income and higher levels of illiteracy face difficulties in obtaining free health care services because they are unaware of certain legal requirements or unable to meet these requirements. It recommended the creation of a mechanism that would allow some users to be exempt from certain formalities in order to be able to benefit from essential services.

Finally, access to health care services also means that transport to the health facilities must be accessible. The **Spanish NHRI** successfully carried out an activity to ensure patient transport in two rural regions of Spain. It also dealt with the reduction of public transport services in rural regions.

EDUCATION

The right to education plays a central role in the empowerment of women and girls living in rural areas. Activities by NHRIs aimed at ensuring access to education for children living in rural areas, and in particular for girls, include the “School for all” campaign led by the **NHRI of Côte d’Ivoire**. The **NHRI of Nepal** has called on government to make schools girl-friendly, especially in rural areas, as well as for the reconstruction of school buildings after the 2015 earthquake.

Barriers were also identified in the following areas:

- Transportation: The **Portuguese NHRI** has dealt with complaints regarding the accessibility of schools in rural areas and has worked to ensure that adequate means of transportation are available. The NHRI has also visited schools in rural areas as part of their human rights education work, including education on the right to non-discrimination.
- A lack of support services: The **NHRI of Serbia** currently undertakes research on the availability of support services (other than in form of additional funds) for rural children during their education. Preliminary results show a lack of services aimed at social inclusion of rural children, their involvement in peer groups and organizations, and support in everyday educational activities. A special report on this issue will be published in 2018.
- Negative stereotyping: The **NHRI of Sri Lanka** acted on behalf of a girl from an economically marginalized community in the North Central Province who was expelled from school based on false rumours that she was pregnant. As a result of the NHRI’s intervention, disciplinary action against the authorities that expelled the girl was taken.
- High drop out rates: The **NHRI of Burundi** has identified rights violations for school-aged girls from rural areas who drop out of school or leave their homes in order to work in the mines located in the Northern and Eastern parts of the country.

OTHER SERVICES

In 2016, the **NHRI of Spain** published a study on “The protection of vulnerable consumers in the area of electric energy”, in which it specifically referred to Article 14 h) CEDAW, the right of women and girls in rural areas to enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and sanitation.

Through complaints to the **NHRI of Portugal** women living in rural areas have challenged the high cost of water for agricultural use, particularly in areas highly prone to desertification and with cyclical periods of drought. The NHRI has also dealt with complaints from women being physically isolated due to rural roads not being properly paved. Some complaints have also dealt with the closure of local post offices in rural areas.

3.4 INCOME SECURITY AND SOCIAL PROTECTION

Around the world, women and girls living in rural areas continue to face barriers to finding productive employment and decent work. Labor markets in these areas are usually characterized by high levels of informality and casual work arrangements. As a consequence, women in rural areas who work in the informal sector are frequently not covered by labor standards and lack adequate social protection²⁴. NHRIs around the world actively work to ensure that women and girls in rural areas have access to the labor market and benefit from social protection.

Within the **Congolese NHRI**, questions relating to employment for women living in rural areas are dealt with by the Sub-unit on Economic, Social and Cultural Rights.

In order to detect existing inequalities, several NHRIs have organized or participated in events and discussions giving a voice to women working in the informal sector:

- The **NHRI of the Philippines** conducted consultations in rural areas which showed that women working in the informal sector are particularly vulnerable to abuse and exploitation and are denied social benefits and services.
- The **NHRI of Sri Lanka** decided to mark International Women's Day 2017 by holding a roundtable discussion on "The lived realities of women engaged in informal labor and similar sectors" with the participation of women leaders representing various sectors such as agriculture, plantation and migrant workers and state officials responsible for the respective sectors and for policy making. The participating women spoke of their daily struggles and challenges and put forward recommendations and strategies that would enable them to fully enjoy their rights.
- On the occasion of the International Day of Rural Women, the **NHRI of Romania** participated in a debate on "Equal Opportunities for Women in Rural Areas" where the situation of women's access to the labor market in rural areas was analyzed and successful models of rural women entrepreneurs were presented.

Amongst the measures NHRIs propose, implement or advocate for in order to further the empowerment of women and girls working in rural areas are:

- The dissemination of information by the **NHRI of Portugal** to women living in rural areas, who are often unaware about their right to receive social security benefits. The NHRI also receives complaints from women living in rural areas concerning delays in the examination of applications made under rural development programs.
- The amendment of several laws that barred women farmers who are the registered holders of farms and women who engage in temporary and occasional work from social safety measures during pregnancy leave, maternity leave, child care leave and special child care leave was successfully pursued by the **NHRI of Serbia**.
- Better funding schemes and training programs in less developed areas where women were found to be in a situation of increased vulnerability because they tend to do low income-generating work are being advocated for by the **NHRI of Malaysia**.
- Measures aimed at making micro-loans and other financial resources available for women, including women entrepreneurs in rural areas, have been implemented by the **NHRI of Azerbaijan**.

²⁴ UN Doc A/70/204, *supra* note 6, p. 10.

3.5 RIGHTS TO LAND AND PRODUCTIVE RESOURCES

Rights to land and productive resources are fundamental aspects in the lives of both women and men living in rural areas. Most households rely on their land for food and income security. However, structural barriers, inadequate legal and policy frameworks, and discriminatory social and cultural norms limit women's control and ownership of land and other productive resources.²⁵ The UN Working Group on discrimination against women in law and practice found that "women are more harshly affected by land tenure insecurity due to direct and indirect discriminatory laws and practices at the national, community and family level".²⁶

The survey showed how NHRIs work on improving access to land and productive resources for women living in rural areas. For example, the **NHRI of Côte d'Ivoire** is currently engaged in a project on this issue, the ultimate objective of which is to fight poverty. The **NHRI of Colombia** organized training workshops in collaboration with women's organizations from the Sumapaz region, in order to ensure that women know their rights in this respect and learn how to exercise them.

Some NHRIs have made specific efforts to improve women's participation in decision-making processes concerning rural development projects and to ensure that they actually benefit from such projects, such as the **NHRI of Costa Rica**. It also found that violence against women can be an obstacle when women are being expelled from their land by the aggressor and that the competent authorities lacked a gender perspective in their analysis of these cases. As a consequence, the NHRI recommended that specific tools and gender indicators be made available to the concerned public officials. In cases of displacement of rural populations due to the acquisition of land for mega projects, the **NHRI of India** has made recommendations to the concerned government authorities for relief and/or rehabilitation of affected persons, especially women and children.

The **NHRI of Burundi** also deals with individual land rights cases and frequently assists women in obtaining property rights to land that was owned by their deceased husband or parents, as customary rules in the country do not allow women to inherit land. It should be noted that both the **NHRIs of Togo and Côte d'Ivoire** have done work to promote civil marriage in rural areas where it is common to only celebrate a customary marriage, leaving women with less rights in case of separation or death of the husband.

4. ENVIRONMENT, CLIMATE CHANGE AND NATURAL DISASTERS

Women living in rural areas are particularly affected by climate change. Their unequal access to land and productive resources, combined with limited mobility and decision-making power, make it more difficult for them to cope with the effects of climate change.²⁷ As a result, the impacts of climate change amplify existing gender inequalities²⁸.

²⁵ UN Women, Concept Note, Expert Group Meeting on 'Challenges and opportunities in achieving gender equality and the empowerment of rural women and girls, September 2017, online: http://www.unwomen.org/-/media/headquarters/attachments/sections/csw/62/csw62_egm_concept_note.pdf?la=en&vs=524, p. 7.

²⁶ OHCHR, UN Working Group on the issue of discrimination against women in law and in practice, *Insecure land rights for women threaten progress on gender equality and sustainable development* (July 2017), online: www.ohchr.org/Documents/Issues/Women/WRGS/Womenslandright.docx, p. 1.

²⁷ United Nations Development Programme, *Overview of linkages between climate change and gender* (New York, 2013), online: <http://www.undp.org/content/dam/undp/library/gender/Genderand%20Environment/PB1-AP-Overview-Gender-and-climate-change.pdf>, p. 2.

²⁸ UN Women, Concept note, *supra* note 25 Fehler! Textmarke nicht definiert., p. 8.

NHRIs around the world increasingly take note of and act upon human rights violations caused by climate change and natural disasters. The impact of climate change on women and girls living in rural areas has become a priority theme for several NHRIs, such as the **Algerian NHRI**, which organized roundtable discussions with women's rights organizations in order to examine CEDAW Committee's Draft General Recommendation No. 37 on the Gender-related dimensions of Disaster Risk Reduction in a Changing Climate, during which the focus was on women and girls living in rural areas. In 2018, another discussion will be held with participation from government sectors and other organizations. The **NHRI of Bangladesh** even established a thematic committee on Climate Change and Environmental Rights and undertakes field visits and missions to areas affected by climate change, natural disasters or environmental pollution or degradation.

Extractive activities are under the scrutiny of the Sub-commission on Economic, Social and Cultural Rights within the **Congolese NHRI**, which initiated a project aimed at raising awareness amongst companies about the impact of mining and deforestation on the rural environment. The **French NHRI** also studied the impact of extractive activities on the right to a healthy environment in the French overseas territories. In this context, it was found that women and girls in rural areas were particularly affected by the environmental damage caused by these activities. The **NHRI of Zimbabwe** has conducted investigations on the pollution of water meant for household consumption due to mining in two rural areas. Artisanal gold mining also proves to be problematic because the use of mercury in the purification of gold and other minerals has a negative effect on women's reproductive health.

The right to water is also of concern to the **NHRI of Sri Lanka**, which made numerous interventions when the Uma Oya Hydro Power Project led to depletion of underground water in the rural Uva Province, resulting in a severe drought, which adversely impacted women in particular.

Finally, with respect to natural disasters, NHRIS reported the following activities:

- In 2017, the Portuguese countryside was devastated by intense forest fires. The **Portuguese NHRI** currently deals with complaints related to the effects of these fires, for example from an elderly woman living in a rural isolated area, who complains of being unable to use telephone communications due to the damage the fire caused to the telecommunication infrastructure.
- The **NHRI of Nepal** monitored the human rights situation after the 2015 earthquake and made recommendations to the government concerning the provision of protective measures against sexual exploitation, trafficking and displacement of women and girls in the affected rural areas. It also monitors the effect of climate change on agriculture, and specifically on women farmers.

5. CONCLUSION

The case studies and short examples mentioned in this report demonstrate diversity – the diversity of contexts in which women and girls living in rural areas find themselves, but also the diversity of actions taken by NHRIs in order to address the barriers created by rurality. It has become clear that NHRIs, through their monitoring and complaints handling functions, play a vital role in identifying the problems that women and girls in rural areas face and in understanding them as human rights issues. If women and girls in rural areas continue to be left behind, this is not only a failure to deliver on the 2030 Sustainable Development Agenda, but a form of discrimination and a violation of the provisions of CEDAW and other applicable human rights treaties that a state has ratified. The case studies and short examples contained in this report also show that the advisory function of NHRIs, in particular vis-à-vis their national parliaments and governments, can and have been successfully employed to help states live up to their obligations to realize the human rights of all women and girls living in rural areas. Finally, the awareness-raising and human rights education initiatives of NHRIs, including by supporting women and girls in rural areas to enforce their rights through judicial and non-judicial mechanisms, contributes to empowering women and girls in rural areas and to help them participate

in shaping their countries' future. In this sense, the work that is being accomplished by NHRIs in order to promote gender equality and the empowerment of women and girls living in rural areas is directly relevant for CSW62.