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## REPORT TO THE NYCLA JUSTICE CENTER

### SUMMARY OF THE UNITED NATIONS 56<sup>th</sup> COMMISSION ON THE STATUS OF WOMEN MEETING

**This report was adopted by the NYCLA Justice Center at its meeting on April 12, 2012.**

NYCLA, an accredited Non-Governmental Organization (NGO) to the United Nations Economic and Social Council since 2003, has four designated representatives for 2012: Marilyn J. Flood, Sophia J Gianacoplos, Christina T. Holder and Barbara T. Rochman.

Because of NYCLA's interest in women's rights, three representatives participated in meetings and joined committees preparing for the 56<sup>th</sup> meeting of the Commission on the Status of Women (CSW) held at the UN from February 27 to March 9, 2012. The CSW's official description states: "The Commission on the Status of Women (CSW) is a functional commission of the United Nations Economic and Social Council (ECOSOC) founded in 1946. It is the principal global policy-making body dedicated exclusively to gender equality and advancement of women. Representatives of the member states meet each year at United Nations Headquarters in New York to evaluate progress on gender equality, identify challenges, set global standards and formulate concrete policies to promote gender equality and women's empowerment worldwide."

The first section of this report provides summaries of the events the representatives attended during the CSW meeting, including briefings by the U.S. Mission, programs sponsored by NGO's and a forum sponsored by the Stop Trafficking in Persons Committee (STIP), of which NYCLA is a member. The theme of this CSW meeting was rural women. The 2013 session will focus on violence against women.

The second section of this report summarizes the role NYCLA representatives and an additional NYCLA volunteer played with two key documents prepared by STIP.

#### CSW MEETING

#### **Gender Budgeting: An Effective Strategy to Achieve Gender Equality: February 28**

Sponsor: Permanent Mission of Austria to the United Nations in New York  
Attended by Barbara T. Rochman

Speakers: Gabriele Heinisch-Hosek, Federal Minister for Women and Civil Service, Austria; Lakshmi Puri, Deputy Executive Director, Intergovernmental Support and Strategic Partnerships, UN Women; Gerhard Steger, Director General for Budget and Public Finances, Austria; Vera Jauk, Head of Department, Federal Chancellery, Austria; Ms. Elisabeth Schindler, Federal Chancellery, Austria

Gender budgeting, women's right to a fair share of the budget, has been enshrined in the Austrian Federal Constitution since the beginning of 2009, with the aim of having gender-equitable budgeting in every federal body by 2030. Gender budgeting must be rooted in the political system to protect against any change of government. It was adopted unanimously by the parliament. The concept is that, "If you want to make something important, link it to the budget."

Austria's process is based on performance budgeting rather than traditional budgeting that does not identify what the results should be. Austria requires each ministry to set forth five priority objectives. They must justify the priority, show what it will achieve, and establish a benchmark of success. One of the five priorities in each ministry must be gender equity. Gender mainstreaming in the budget must include the role of men and boys; links to diversity issues are important.

#### **Briefing by U.S. Delegation to the CSW Meeting: February 29**

Sponsor: U.S. Mission  
Attended by: Marilyn J. Flood

Speakers: Melanne Vermeer, Ambassador-at-Large for Global Issues and Co-Head of the US Delegation to the UN CSW; Public Delegates Catherine Bertini, Christy Turlington Burns, John Coonrod, Jill Iscol and Melinda Newport

The delegates and advisors provided a briefing about US initiatives, such as the Feed the Future Initiative, focused on ensuring equality of resources for women as they comprise the vast majority of small farmers. The US has developed a new index to measure the effect of programs on women. Ambassador Vermeer also noted that the US has issued a National Action Plan on Women, Peace and Security.

#### **Preparatory Panel for 2013: Elimination and Prevention of All Forms of Violence Against Women and Girls: February 29**

Sponsor: Commission on the Status of Women  
Attended by Barbara T. Rochman

Speakers: Moderator, Ms. Irina Velichko, Vice-Chair of the Commission; Dr. Nduku Kilonzo, Liverpool VCT, Kenya; Marai Larasi, End Violence Against Women Coalition, United Kingdom; Dr. Margarita Quintanilla, PATH/InterCambios, Nicaragua. Closing

remarks, Michelle Bachelet, Executive Director, United Nations Entity for Gender Equality and the Empowerment of Women (UN Women). Representatives from member states, regional intergovernmental bodies and civil society contributed to the discussion.

The expert panel was convened to provide an opportunity to discuss issues to be considered in preparation for the priority theme of the Commission in 2013, Elimination and Prevention of All Forms of Violence Against Women and Girls. Panelists' presentations focused on the provision of services for victims/survivors of violence and primary prevention.

Speakers confirmed that violence against women and girls is one of the most pervasive human rights violations in the world, rooted in structural gender inequality and discrimination. Programs in different settings intended at transforming attitudes demonstrate that primary prevention of violence against women and girls is possible, as shown from promising practices, including in low- and middle-income countries.

A rights-based and gender-sensitive approach to the provision of support services is required. Services should respond to different manifestations of violence. They should be tailored accordingly so as to meet the diverse needs and rights of victims/survivors, including those subjected to multiple forms of discrimination.

### **Lessons Learned from Joint Programmes on Gender Equality: February 29**

Sponsors: United Nations Population Fund, UNICEF, UN Women  
Attended by Barbara T. Rochman

Speakers: Dr. Fugal Kilanza, provider of HIV services to violence survivors, past technical advisor to WHO; Laura Si, End Violence Against Women, (EVAW) a coalition in the United Kingdom; Dr. Quintinala

In many parts of the world, countries do not have programs for victims of domestic violence or sexual violence. They have no training, and no standards or procedures across the different sectors, such as health and police. They lack reporting mechanisms and there are no common indicators within or across sectors to deal with data collection. DNA collection may be required by laws, but the structure to implement those laws is nonexistent in many places. "One-stop shopping," where legal, medical, social and psychological services for victims are all in one place, has proven effective, particularly in rural areas. Successful programs must involve victims, community leaders, midwives, health volunteers, indigenous healers, religious leaders and other groups not traditionally linked to respond to violence against women. Schools are important sites for prevention programs; inclusion in the curricula, a whole school approach and zero tolerance are necessary. Overall, there has been little progress in prevention, and popular media continually convey messages depicting the sexualization of girls and young women.

## **Making Progress on Women's Access to Justice: March 1**

Sponsor: UN Women

Attended by: Barbara T. Rochman

Speakers: Cecilia Sardenberg, National Coordinator of OBSERVE, monitoring body for Maria de Pehna Law, 2006, Brazil; Husseinatu Abdullah, Independent Researcher on implementation of Security Council Resolution 1325, Sierra Leone; Lucinda O'Hanlon, Women's Rights and Gender Section, Office of the High Commissioner for Human Rights; Laura Turquet, lead author, *Progress of the World's Women: In Pursuit of Justice*, UN Women

The speakers discussed various efforts to enforce women's economic, social, cultural and political rights recognized under the Convention to Eliminate All Forms of Discrimination against Women (CEDAW).

CEDAW has been used to gain access to justice for women in countries that have ratified the Convention. A victim of severe domestic violence was able to bring Brazil before international courts for negligence. This led to passage of a major law affecting federal and state governments and the courts, and the establishment of a monitoring body.

Healthcare, if guaranteed in legislation, must be available to women for services only they need. A case brought under CEDAW dealt with maternal mortality and the inability to get an ambulance to take a patient to a facility where there was emergency obstetric care.

In post-conflict Sierra Leone, the 1991 Constitution allows discriminatory practices with respect to marriage, divorce, custody, burial and property rights. According to a CEDAW review, the discriminatory parts of the Constitution should be repealed. Sierra Leone has a system of customary courts, Islamic courts and formal courts. Women tend to use the customary courts that are inherently discriminatory, but are swift, cost free and don't require travel. In 2011, they instituted police courts for women in domestic violence cases (similar to Brazil) that are meeting now on Saturdays because of the huge backlog of cases.

CEDAW has caused an important shift globally. Domestic violence laws are being reviewed. Some countries now have one-stop shops in hospitals to deal with domestic violence, with special courts and legal support there. The private domain of domestic workers is also under scrutiny. In the post-conflict context, prosaic matters like providing child care so women can gain access to truth tribunals and courts for reparations become critical.

**The Trafficking of Rural Women: From Poverty to Bondage to Empowerment:  
March 1**

Sponsor: Coalition Against Trafficking in Women (CATW)  
Attended by Christina T. Holder

Speakers: Moderator, Winifred Doherty, NGO Representative, Congregation of Our Lady of Charity of the Good Shepherd; Darlene Rigo and Samantha Grey, Aboriginal Women's Action Network (AWAN); Beatriz Elena Rodriguez Rengifo, Asociacion de Mujeres Productoras de Carnicos (ASOMUPCAR); Esohe Aghatise, Associazione IROKO ONLUS; Christine Stark, activist, artist and author of Nickels: A Tale of Dissociation

The panelists explored the prevalent yet often unrecognized victimization of aboriginal and other rural women and girls around the world. The speakers included two aboriginal women from Canada, who described a bleak situation in which women are multiply marginalized, domestic violence is epidemic, social services for survivors are in short supply and trafficking victims are at high risk for murder and other violent crimes. Christine Stark, a Native American survivor of sexual exploitation, read moving excerpts from two of her books. Esohe Aghatise spoke of widespread trafficking of rural women to destinations in Europe, and Beatriz Elena Rodriguez discussed escaping poverty and life in a brothel to found a social services organization for prostitution survivors in her native Colombia. Norma Ramos of CATW opened and closed the panel by describing the work of her organization as the “first organization to fight trafficking” and “lead abolitionist” organization in the world, and as endorsing the Nordic model, which recognizes prostitution as a form of violence against women and decriminalizes “selling” sex while imposing stiff penalties on traffickers and johns.

**Forgotten Youth: Native American Girls and Commercial Sexual Exploitation:  
March 1**

Sponsor: Working Group on Girls-NGO Committee on UNICEF and ECPAT USA  
Attended by: Marilyn J. Flood

Speakers: Moderator, Carol Smolenski, Founder and Executive Director, ECPAT-USA; Suzanne Koeplinger, Executive Director of the Minnesota Indian Women's Resource Center; Nicole Matthews, Executive Director for Minnesota Indian Women's Sexual Assault Coalition

Both speakers work in organizations providing direct services to Native American women and girls. Ms. Koeplinger discussed the Shattered Hearts Report produced by her organization and its recommendations, such as increasing the funds available for domestically trafficked victims and recognizing the various gateways for women and girls into prostitution like stripping and pornography, and increasing law enforcement efforts against these businesses. She urged a focus on reducing demand and increasing services for girls and women. Ms. Matthews emphasized the high incidence of

trafficking in Native American women and girls and the clear connection among victims to homelessness before they were prostituted and the lack of safe and affordable housing for women and girls who want to leave prostitution.

## **Evidence and Data for Gender Equality (“EDGE”): March 2**

Sponsor: UN Women and UN Statistics Division

Attended by Christina T. Holder

Speakers: Shaida Badee, Director of the World Bank Development Data Group; Martine Durand, Director of Statistics, Organization for Economic Cooperation and Development; Her Excellency Madam Marjon V. Kamara, Ambassador Extraordinary and Plenipotentiary of the Republic of Liberia to the United Nations, of the African States Group, Chair of the CSW; Saraswathi Menon, Director of UN Women’s Policy Division; Jomo Kwame Sundaram, Assistant Secretary-General for Economic Development, UN DESA; Dr. Romulo A. Virola, Secretary General of the National Statistical Coordination Board of the Philippines and Chairman of the Governing Board of the Statistical Research Training Center; Dr. Gabriella Vukovich, President of the Hungarian Central Statistical Office and Chair of the UN Statistical Commission; Katherine Wallman, Chief Statistician, US Office of Management and Budget

The panelists introduced a new initiative, “Evidence and Data for Gender Equality” (or EDGE), which responds to the increased demand of countries for support in building national capacity to collect and use sex-disaggregated statistics to advance gender equality. The first phase of the program, from March 2012 and February 2015, will focus on building capacity for sex-disaggregated data in the areas of women’s education, employment and entrepreneurship (or the “three Es”). Ten countries will participate in the initial pilot program to develop useful indicators for measuring women’s empowerment. EDGE will be jointly managed by UN Women and the UN Statistics Division. In connection with launching the initiative, the panelists reflected on the gender-specific economic barriers faced by women, such as discrimination in accessing credit and non-recognition of the economic value of activities typically carried out by women. Panelists also described their country-specific experiences relating to sex-disaggregated data influencing the formulation of policies to advance the status of women.

## **Trafficking: The Modern Day Slavery: March 2**

Sponsor: STIP

Attended by: Marilyn J. Flood

Speakers: Moderator, Lieutenant-Colonel Geanette Seymour, Deputy Director, The Salvation Army International Social Justice Commission; Dr. Susu Thatun, Child Protection Specialist, Trafficking and Migration, UNICEF; Kris Wade, Executive Director, The Justice Project, Missouri

Dr. Thatun described the evolution of intervention from rescue and rehabilitation to prevention of demand. Because of the fluid boundaries among many countries, international efforts require extensive coordination. She suggested looking at a number of factors: What conditions allow demand to prosper? What laws exist or should exist to regulate trafficking in people for labor or sex? What occupations foster exploitation? She also noted that demand becomes exacerbated during disasters when infrastructure collapses.

Ms. Wade described her own background as a prostituted woman and the work she is doing in Missouri, where trafficking is rampant because of the intersection of interstate highways. She emphasized how lucrative sex trafficking is for exploiters as it generates repetitive sales. She recommended taking action on the demand side, including a focus on hotel staff, cab drivers, drug suppliers and long-distance truckers. She also urged reform in the federal anti-trafficking law that requires victims 18 and over to prove force, fraud or coercion, which is not a requirement for those under 18, and better coordination of state laws with federal laws.

### **Change Makers and Peacekeepers: Journey towards Equal Representation of Women: March 7**

Sponsor: UN Women

Attended by: Marilyn J. Flood

Speakers: Moderator, Aparna Mehrota, UN Women, Focal Point for Women in the UN System; Admiral Mark E. Ferguson III, U.S. Navy Admiral, Vice Chief of Naval Operations; Lieutenant General Babacar Gaye, DPKO/DFS Chief Military Adviser; Commissioner Anne-Marie Orlor, DPKO/DFS Chief Police Adviser; Lakshmi Puri, UN Women, Deputy Executive Director; Elizabeth Spehar, DPA Director of Europe Division

Ms. Puri recommended and the other speakers readily agreed that a critical mass of women is necessary in non-traditional areas such as peacekeeping, the military, policing and high-level political positions. She also identified four measures needed at the outset to produce the critical mass of women: no exclusion from any profession or any level; recruitment that encourages women to apply; post-recruitment assistance; and efforts to retain and promote women. Admiral Ferguson advised that 93% of specialties in the Navy are now open to women and that the remaining areas are off limits by statute, such as the Navy SEALs and special operations. He described family-friendly policies; policies for dual-career couples and mentoring as areas the Navy has addressed. He stated, and again other speakers agreed, that women in leadership positions can help change the culture of organizations. Lieutenant General Gaye advised that the long-range goal is to have women serve as 50% of peacekeeping forces, however, the goal for 2015 is only 7%. He discussed the culture in African countries where military peacekeepers have little experience with women leaders. In non-military peacekeeping forces, women are doing better, occupying 10% of those positions. Ms. Orlor advised that the deployment of UN peacekeepers around the world poses problems for women and that the UN must consider more flexible deployment strategies such as job sharing. She also

cited problems such as harassment and the need to treat incidents immediately and as crimes if there is an actual assault, as well as the need for services for victims, training for peacekeepers and peer support for women peacekeepers. Ms. Spehar recommended more intensive recruiting of women for high-level and sensitive political positions and noted that the UN has never had a women serve as a chief negotiator.

### **Briefing by U.S. Delegation to the CSW Meeting: March 8**

Sponsor: U.S. Mission

Attended by : Marilyn J. Flood and Barbara T. Rochman

Speakers: Moderator, Sharon Kotuk, U.S. Mission; John Coonrod, Hunger Project; Dr. Kesha Davis, U.S. Department of Agriculture; Sylvia Kabus, U.S. Agency for International Development; Laurie Phipps, ECOSOC

Panelists agreed that there was a greater emphasis than at previous CSW meetings on the need for rural women to be involved with policymaking and the need for quantifying results of initiatives. The U.S. continues to press for strong language in resolutions but acknowledges the need for consensus on language for issues such as reproductive rights and sexuality education. Also resolutions are address to different communities, including member states, international organizations and donors.

### **STIP REPORTS TO UN ENTITIES**

**Recommendations on Draft Principles on the Right to an Effective Remedy:** From January 2012 through March 2012, NYCLA members Christina T. Holder and Jennifer Olaya participated in a working group that drafted and submitted recommendations to Joy Ngozi Ezeilo, UN Special Rapporteur on Trafficking in Persons, Especially Women and Children, for implementing the right to an effective remedy. Among other issues, the recommendations provided concrete guidance with respect to protecting victims' procedural rights and ensuring non-discrimination upon arrest; the rights to restitution, recovery and compensation for trafficking victims; and the rights of women and girls who are trafficked. The recommendations were submitted to the Special Rapporteur by e-mail and post on March 30, 2012. A copy was also hand-delivered to the Special Rapporteur by a member of the working group at a human trafficking event held at the United Nations on April 3, 2012. The recommendations were endorsed by 18 members of NGO STIP.

**Statement Submitted to 45th Session of the Commission on Population and Development:** In January 2012, NYCLA members Christina T. Holder and Jennifer Olaya participated in a working group that drafted a statement to be submitted to the Commission on Population and Development at its 45<sup>th</sup> session, which takes place from April 23 to 27, 2012. The Statement highlights the often overlooked relationship

between poverty, youth migration and human trafficking, and the positive role that young people can play in eradicating human trafficking. The statement was officially submitted by The Salvation Army and endorsed by 15 other members of NGO STIP. It is available on the web site of the Population Division of the UN Department of Economic and Social Affairs and will be distributed to delegates at the meeting of the Commission.

**Prepared by Marilyn J. Flood, Christina T. Holder and Barbara T. Rochman**