

POST-2015 DEVELOPMENT GOALS FOR GENDER EQUALITY AND EMPOWERMENT OF WOMEN

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To be sure, gender equality has gained increasing traction in development circles over the past decades. The entry into force of the Convention on Elimination of Discrimination Against Women (CEDAW)¹ in 1981 was a watershed in human history, and its progressive implementation has significantly elevated women's rights on the global development agenda. Unfortunately, in the grand scheme, gender equality remains on the margin with the apparent status of a singular issue rather than a pervasive problem. This tends to further institutionalize the diminishment of gender equality issues and ignores the potential for empowered women to actually precipitate development progress. This article examines how this problem is manifested in the United Nation's Millennium Development Goals (MDGs)² for 2000-2015 and suggests a different approach for the UN's post-2015 Sustainable Development Goals (SDGs).³

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1. Convention on the Elimination of All Forms of Discrimination Against Women, Dec. 18, 1979, 1249 U.N.T.S. 20378 (entered into force Sept. 3, 1981).

2. The Millennium Development Goals (MDGs) established by the United Nations in 2000 set the year 2015 as the target date for achievement of specific goal indicators. The eight MDGs are: (1) Eradicate extreme poverty and hunger; (2) Achieve universal primary education; (3) Promote gender equality and empower women; (4) Reduce child mortality; (5) Improve maternal health; (6) Combat HIV/AIDS, malaria and other diseases; (7) Ensure environmental sustainability; and (8) Develop a global partnership for development. U.N. Secretary-General, *Implementation of the United Nations Millennium Declaration: Rep. of the Secretary-General*, 22-32, U.N. Doc. A/57/270 (July 31, 2002).

3. An Open Working Group, constituted as a result of the UN Conference on Sustainable Development in Rio de Janeiro June 2012, proposed a set of Sustainable Development Goals (SDGs) for the UN's post-2015 development agenda. G.A. Res. 66/288, ¶¶ 248-49, U.N. Doc. A/

The simple fact that gender equality issues occupy only one of the eight enumerated Millennium Development Goals speaks to their peripheral position. MDG Three seeks to “[p]romote gender equality and empower women.”⁴ The currently proposed SDG Five on gender equality proposed for the UN’s post-2015 agenda seeks to “[a]chieve gender equality and empower all women and girls.”⁵ This includes more powerful targets but suffers from the same marginalization of the issue⁶—it is only one of seventeen enumerated goals. Some of the other SDGs incorporate gender equality targets. Even so, the SDGs need to better confront the pervasive impact on all development issues of the persistent inequality and lack of empowerment of virtually half of the world’s population.⁷ Women’s equality must be a fundamental concern within the mainstream of every aspect of life. In other

RES/66/288 (Sept. 11, 2012). The seventeen SDGs include 169 targets that cover a wide spectrum of development issues. Report of the Open Working Group of the General Assembly on Sustainable Development Goals, in letter dated Aug. 1, 2014 from the Permanent Representatives of Hungary and Kenya to the United Nations addressed to the President of the General Assembly, 10-24, U.N. Doc. A/68/970 (Aug. 12, 2014) [hereinafter Open Working Group Report]. The final SDGs for the Post-2015 Sustainable Development Agenda will be adopted by the UN at its Summit on Sustainable Development in September 2015. U.N. Secretary General, *The Road to Dignity by 2030: Ending Poverty, Transforming All Lives and Protecting the Planet: Synthesis Rep. of the Secretary-General on the Post-2015 Sustainable Development Agenda*, ¶¶ 63-64, U.N. Doc. A/69/700 (Dec. 4, 2014).

4. *Implementation of the United Nations Millennium Declaration*, *supra* note 2, at 24.

5. Open Working Group Report, *supra* note 3, at 10.

6. The specific targets for SDG 5 are as follows:

- 5.1 End all forms of discrimination against all women and girls everywhere
- 5.2 Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation
- 5.3 Eliminate all harmful practices, such as child, early and forced marriage and female genital mutilation
- 5.4 Recognize and value unpaid care and domestic work through the provision of public services, infrastructure and social protection policies and the promotion of shared responsibility within the household and the family as nationally appropriate
- 5.5 Ensure women’s full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life
- 5.6 Ensure universal access to sexual and reproductive health and reproductive rights as agreed in accordance with the Programme of Action of the International Conference on Population and Development and the Beijing Platform for Action and the outcome documents of their review conferences
- 5.a Undertake reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resources, in accordance with national laws
- 5.b Enhance the use of enabling technology, in particular information and communications technology, to promote the empowerment of women
- 5.c Adopt and strengthen sound policies and enforceable legislation for the promotion of gender equality and the empowerment of all women and girls at all levels. *Id.* at 14.

7. See, e.g., *Women’s “8 Red Flags” Following the Conclusion of the Open Working Group on Sustainable Development Goals (SDGs)*, WOMEN’S MAJOR GROUP (July 21, 2014), http://www.womenmajorgroup.org/wp-content/uploads/2014/07/Womens-Major-Group_OWG_FINAL_STATEMENT_21July.pdf.

words, it must move from the margins to the center of the development agenda.

MDG Three has been a relatively weak goal with mixed results.⁸ The stated target of the goal has been to achieve equality for girls in primary and secondary education by 2005, and in all levels of education by 2015. The identified indicators of success are: (1) ratios of girls to boys in primary, secondary, and tertiary education; (2) shares of women in wage employment in non-agricultural sectors; (3) proportion of seats held by women in national parliament; and (4) ratio of literate women to males between 15 to 24 years old.⁹ According to the United Nations' 2014 Millennium Development Goals Report, progress has been made on all indicators.¹⁰ However, all developing regions are still lagging in gender parity in primary, secondary, and tertiary education, with gender disparity increasing at higher levels of education. Women are still less likely to be employed than men and are much more likely to be in part-time jobs; although women have made gains in holding parliamentary seats and more significant ministerial portfolios, participation is up to only 21% on average in developing regions.¹¹ The MDG Three and its attendant indicators have been criticized as too narrow, specifically lacking in attention to macroeconomics.¹² The Organization of Economic and Co-Operation and Development (OECD) has also opined that what is needed is a more holistic and multi-dimensional approach.¹³

Economic analysis has long acknowledged that the empowerment of women is essential to social and economic progress. Dr. Amartya Sen, the 1998 Nobel Laureate for Development Economics, drew attention to the drag on global economies due to the phenomenon of "missing women."¹⁴ Some studies suggest that more women were

8. See, e.g., John Hendra, *We Can't Put off to Tomorrow What Needs to Be Done Today*, DEVEX (Aug. 13, 2014), <https://www.devex.com/news/we-can-t-put-off-to-tomorrow-what-needs-to-be-done-today-84104>.

9. *Implementation of the United Nations Millennium Declaration*, *supra* note 2, at 24-25.

10. U.N. DEP'T OF ECON. & SOC. AFFAIRS, *THE MILLENNIUM DEVELOPMENT GOALS REPORT 2014*, at 4 (2014).

11. *Id.* at 20, 22-23.

12. Dr. Diane Elson & Dr. Radhika Balakrishnan, *The Post-2015 Development Framework and the Realization of Women's Rights and Social Justice*, CENTER FOR WOMEN'S GLOBAL LEADERSHIP (Nov. 2012), <http://www.cwgl.rutgers.edu/docman/economic-and-social-rights-publications/520-post-2015-november-2012/file>.

13. ORG. FOR ECON. CO-OPERATION & DEV., *Gender Equality and Women's Rights in the Post-2015 Agenda: A Foundation for Sustainable Development*, in *OECD AND POST-2015 REFLECTIONS* (2014).

14. Amartya Sen, *More Than 100 Million Women Are Missing*, N.Y. REV. BOOKS, Dec. 20, 1990, at 61, 61-62.

missing from global society as a result of neglect, poor nutrition, lack of healthcare, and exclusion from economic opportunities than all of the men killed in the wars of the twentieth century combined.¹⁵ In underscoring Dr. Sen's observations that women remain underutilized, underpaid, under-appreciated, and over-exploited, Christine Lagarde, Managing Director of the IMF, noted that women also account for 70% of global spending, and that women spend up to 90% of their earnings on health and education, as opposed to just 30-40% for men.¹⁶ She concludes that the absence of the contributions of women is not only a matter of justice, but also of basic economics, and that the empowerment of women, particularly through education, "showers benefits on society as a whole."¹⁷

However, even beyond acknowledgment that women are chronically underprivileged and undervalued, there is a growing awareness that women are a vastly underutilized resource for driving development. Women should be viewed not only as recipients of development largesse, but as a secret weapon in creating positive change. Studies have shown that countries that have closed the gender gap have achieved the most, both economically and socially.¹⁸ The OECD has recently observed that "there is no chance of making poverty history without significant and rapid improvements to the lives of girls in all countries."¹⁹

The work of several international organizations and NGOs have identified three major causal relationships between women's rights and development:

1. Women's empowerment and gender equality have a *catalytic effect* on other development goals;²⁰
2. Development and women's rights are *mutually reinforcing*;²¹ and

15. Nicholas D. Kristof & Sheryl WuDunn, *The Women's Crusade*, N.Y. TIMES, Aug. 23, 2009, § 6 (Magazine), at 28.

16. Christine Lagarde, Managing Dir., Int'l Monetary Fund, Empowerment—The Amartya Sen Lecture (June 6, 2014), available at <http://www.imf.org/external/np/speeches/2014/060614.htm>.

17. *Id.*

18. Isobel Coleman, *The Payoff From Women's Rights*, FOREIGN AFF., May/June 2004, at 80, 84.

19. ORG. FOR ECON. CO-OPERATION & DEV., *supra* note 11.

20. See U.N. WOMEN, A Transformative Stand-Alone Goal on Achieving Gender Equality, Women's Rights and Women's Empowerment: Imperatives and Key Components 11 (2013).

21. See *About*, LAND POST-2015, <http://landpost2015.landes.org/about> (last visited Mar. 11, 2015).

3. The exclusion of women *stifles development and imperils political stability*.²²

Clearly, the promotion of gender equality and empowerment of women are themselves drivers of health and prosperity for all.

Consequently, gender equality should be embodied in some measure in all development goals, including those dealing with poverty, education, health, protection against violence, and environmental sustainability. The way to accomplish this is to ensure that development goals in each area include rule of law indicators that measure gender equality in relevant legislative initiatives and enforcement tools. Particular attention must be paid to gender-neutral measures that ensure equal access to legal and equitable remedies, knowledge of legal rights, and non-discriminatory enforcement of those rights in each substantive area.

In addition, special attention must be paid to the most powerful ways in which women themselves can drive development. The three pillars of women's transformative empowerment are: (1) education; (2) employment and land rights; and (3) political participation.

Studies show that affording women increasingly better education has dramatic trickle-down social and economic effects. An increase in women's education by three years can lower birthrates on average by one child; longer education for women raises farm yields more than increased access to land or fertilizer; and educated women provide better nutrition, health, and education for their families.²³

Employment and land rights for women also effectively expedite development. Increasing female incomes improves child survival rates twenty times more than increasing male income, and female borrowing has more impact on school enrollment, child nutrition, and demand for healthcare services than does male borrowing.²⁴ Women with rights to land become less vulnerable to contracting HIV/AIDs, are more likely to keep their children in school longer, and may have better access to microcredit, creating a virtuous cycle of financial independence.²⁵ Notably, female borrowers and landowners tend to suffer less domestic violence.²⁶ Women's increased literacy and economic

22. See Somali Cerise & Francesca Francavilla, *Tackling the Root Causes of Gender Inequalities in the Post-2015 Development Agenda*, OECD (Oct. 2012), http://www.oecd.org/dev/poverty/Tackling_the_root_causes_of_gender_inequalities_OECD_DEV.pdf.

23. Coleman, *supra* note 18, at 83-84.

24. *Id.* at 84.

25. Landesa Center for Women's Land Rights, LANDESA, <http://www.landesa.org/women-and-land> (last visited Mar. 10, 2015).

26. Coleman, *supra* note 18, at 85.

independence act like a magic wand that boosts respect which in turn heightens the perceived value of women, providing an antidote to the chronic devaluation of females that has caused the endless cycles of illiteracy, dependence, impoverishment, ill-health, and domestic violence that have plagued women and girls around the world for millennia.

Allowing women to vote and giving them a voice in decision-making institutions provides the ultimate compounded value. Participation of women in governance means resources are more likely to be allocated to investments in human development priorities like infrastructure, health, and education.²⁷

Each of these pillars should be established as separate standalone goals, with the recognition that each in itself will have positive collateral impact on other development objectives. Empowering women in these ways provides the quickest and most cost-effective means to achieve dramatic and sustainable progress in all development goals.

The post-2015 agenda should aggressively employ gender equality and women's rights as accelerants to development. This can be done effectively through the use of twin force-multipliers. First, measurable rule of law indicators should be incorporated in each development goal to require gender neutrality in sector-specific legislation and assure effective and non-discriminatory access to enforcement tools. Second, strong, separate standalone goals should be addressed specifically to empowering women and girls. Such goals must require substantial progress in: (1) access by women and girls to quality education at all levels; (2) opportunities for women to achieve financial self-determination through meaningful employment and land rights; and (3) increased participation of women in public decision-making. This approach would place gender equality at the center of the development agenda while mobilizing millions at the grassroots, each dedicated in a myriad of ways to increasing the quality of life for themselves and their families.

Achievement of true equality for women and progress in global development are inextricably interconnected. One cannot happen without the other. However, what also must be appreciated is that, without effectively mobilizing the enormous momentum that can be supplied by literate women who are both economically and politically empowered, development objectives—like Sisyphus' boulder—are destined to be rolled up a hill only to fall back again. Empowered

27. *See id.*

women can be both the engine and insurance for sustainable development. They are ready, willing, and able to be placed in service—if only given a boost.