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Statement submitted by Global Initiative for Economic Social and Cultural Rights , a non-governmental organization in consultative status with the Economic and Social Council*

The Secretary-General has received the following statement, which is being circulated in accordance with paragraphs 36 and 37 of Economic and Social Council resolution 1996/31.

* The present statement is issued without formal editing.

Statement

We welcome the priority focus of this 68th session of the Commission of the Status of Women (CSW68) on "Accelerating the achievement of gender equality and the empowerment of all women and girls by addressing poverty and strengthening institutions and financing with a gender perspective". In this context, the Global Initiative for Economic Social and Cultural Rights would like to stress the role of gender-transformative public services in building a just, inclusive, and equitable society.

There has been tremendous progress in the advancement of gender equality in the last few decades, from the strengthening of women's rights in legal and constitutional frameworks to a lowering of the gender gap in education. Nevertheless, this progress in women's equal rights has been met with strong political resistance, including from groups claiming to defend family values, religion, and culture. The escalating and intersecting global environmental and inequalities crises, compounded by the effects of the COVID-19 pandemic, add to the factors that have placed an important strain on women and girls' possibilities to exercise their rights. In the face of these historic and emerging challenges, public services can play a decisive role in transforming the asymmetrical and unjust power relations between persons of different genders. Public services enable us to tackle not only the consequences but also the systemic and underlying factors—the uneven power imbalances — underpinning gender inequality.

To this end, international human rights law requires States to ensure services essential for the realisation of economic, social and cultural rights, such as health care, education, social protection and water and sanitation, are provided in a democratic and non-commercial

way, with public control, for the public good. United Nations human rights treaty bodies and special procedures of the Human Rights Council, in several instances, explicitly stated that States parties to human rights bodies have an obligation to provide public services, both generally and about specific ESC rights.

Such mechanisms have indicated that public services are essential for realising women's rights. The UN Committee on Economic, Social and Cultural Rights has noted, for example, that “reductions in the levels of public services [...] have a disproportionate impact on women, and thus may amount to a step backwards in terms of gender inequality”. The UN Committee on the Elimination of Discrimination Against Women has also highlighted that cuts to public services have a “detrimental and disproportionate impact in women in all spheres of life”, and that the privatisation of services such as healthcare and education has specific negative consequences for women and girls.

However, in many countries, women are disproportionately engaged in informal work, especially in low-income countries (92.1% of working women are overrepresented in informal employment compared to 83.4% of men). Women and girls are also disproportionately represented among the world's poor. This disparity results in women often lacking access to public services and social protection benefits, thus exacerbating the prevailing phenomenon of feminised poverty and inequality. In these scenarios, women tend to fill in the gaps for the lack of goods and services to which dependant family members no longer have access, increasing their unpaid care and domestic responsibilities. These conditions of inequality continue to affect millions of women and girls worldwide, restricting

their access to education, healthcare, economic opportunities, participation, and decision-making power and impacting their well-being.

These gender inequalities have been exacerbated by the sweeping privatisation and commercialisation of public services in recent decades worldwide. The explosion of private actors in health, education, housing, care facilities, and water and sanitation have negatively impacted the enjoyment of the corresponding rights. In Kenya, for example, there are four times the number of private schools than 20 years ago. This trend has its roots in the neoliberal tenet that private actors — competing for profit — are more efficient. For decades, the International Monetary Fund and World Bank have sought to limit public spending and conditioned loans and promoted policies that encourage privatisation to achieve development. The result is reduced revenue and cuts in public expenditure that hollow out public services—affecting women disproportionately.

In certain instances, reductions in budget allocations have directly impacted public services that predominantly serve women and girls, including childcare, education, sexual and reproductive health and rights, gender-affirmation treatments, and attention to gender-based violence, among others. When public education budgets face cuts, schools frequently transfer the financial burden to parents, making them pay higher school fees. Regrettably, in economically disadvantaged households, the inability to finance the education of all their children often results in prioritising boys as there is a prevailing perception that investing in boys' education yields better economic returns. Similarly, reduced healthcare budgets lead to public sector bill constraints that disproportionately affect women, who are more likely to

work in the public sector. Data shows that 90 % of all nurses globally and 72% of medical staff are women.

Therefore, increased privatisation raises several human rights concerns. Most often, it creates financial barriers to accessing services for marginalised groups overrepresented by women and girls in all their diversity. Crucially, privatisation also gives away control of services essential to democracy and resilient societies, such as education, to unaccountable private actors and creates a culture of competition that hinders solidarity mechanisms.

For these reasons, public services should be managed in the public interest, uninfluenced by commercial or for-profit interests, to deliver gender equality and human rights. They must also be transparent and democratically run by users or community members, not at the service of profit. States can comply with these obligations by ensuring that public services are publicly funded through progressive taxation. The share of the budget spent on public services must respond to equitable allocation and accountability to ensure resources reach the most marginalised and disadvantaged groups.

In this context, it is crucial to adopt a gender-transformative lens to public services to tackle the root causes of gendered poverty and inequality. This means considering public services as a central tool to reallocate power equally between genders – and thus, in the current context, to foster a critical examination of gender roles, redistribute resources and opportunities, and strengthen positive social practices that enhance gender equality. Going beyond empowering and improving the living conditions of specific individual rights-holders by increasing access or ensuring the quality of public services, gender-transformative public services promote more cooperative, democratic, and equal forms of distributing information,

opportunities, and resources between persons of different genders to benefit the society as a whole. Fundamentally, this entails pushing for States to ensure public services comply with the following recommendations:

1. Allocating sufficient public resources and gender budgeting. This requires the channelling of public resources, which should be raised fairly and on a progressive basis through taxes or other means, towards services that actively address gender inequalities. Transformative change in gender relations is a long-term objective, often intergenerational, requiring specifically targeted and sustainable funding sources to be attainable.

2. Developing coordinated and multisectoral responses. Different public services (e.g., education, health and water) must have coordinated and integrated agendas to tackle different dimensions of gender inequality. For instance, in 2015, the government of Uruguay established an integrated set of public services— coordinated and implemented by several state authorities working in the health, social security, labour, social development, finance, and education sectors — to create the National Integrated Care System as a structural measure to socially reorganise uneven care systems that infringe upon human rights with a disproportionate impact on women.

3. Ensuring gender equality in governance. It is critical to ensure the active, effective, and meaningful participation of women in designing, organising, and managing public services. This requires us to ensure gender equality in public authorities or institutions managing public services, such as school boards.

4. Ensuring non-discrimination and equality. This fundamental principle requires public services to be accessible to all women in their full diversity. To this end, it is critical to

incorporate an intersectional analysis to ensure specific groups of women who tend to be especially stigmatised and marginalised have access to essential public services without discrimination. Temporary special measures, such as positive action and preferential treatment focused on specific groups of women, will in many cases be necessary to ensure women's equal access.

5. Safe, non-violent environment. Prejudicial attitudes that perceive women as subordinate to men promote widespread violence, harassment or abuse, often reproduced in public spaces, including in public services or while women are travelling to or returning from public services facilities. States need to improve security conditions by adopting laws and policies specifically tailored to redress cases of gender-based violence and invest in quality public infrastructure, transportation and adequate training for public sector workers to avoid gender-based violence.

6. Responsive to women's specific needs. Public services must consider sex-and-gender-specific needs to remove barriers restricting access to public services and deliver services appropriate to women in all their diversity according to their life cycles. For instance, due to a person's reproductive capacities, they may require specialised health services, particularly in family planning, pregnancy, gender-affirming treatments, and during the pre- and post-natal periods.