



Economic and Social Council

Distr.: General
11 December 2017

Original: English

Commission on the Status of Women

Sixty-second session

12–23 March 2018

**Follow-up to the Fourth World Conference on Women and to
the twenty-third special session of the General Assembly
entitled “Women 2000: gender equality, development and peace
for the twenty-first century”**

Statement submitted by Global Policy Forum and Third World Institute — Instituto del Tercer Mundo, non-governmental organizations 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

Challenges and opportunities in achieving gender equality and the empowerment of rural women and girls

The Beijing Platform for Action states that “equal rights and inherent human dignity of women and men” are enshrined in the UN Charter, the Universal Declaration of Human Rights and other international human rights instruments, in particular the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Convention on the Rights of the Child, and the Declaration on the Elimination of Violence against Women and the Declaration on the Right to Development. In adopting it, Member States committed to “implement policies and programmes that enhance the access of women agricultural and fisheries producers (including subsistence farmers and producers), to extend financial, technical, extension and marketing services; provide access to and control of land, appropriate infrastructure and technology in order to increase women’s incomes and promote household food security, especially in rural areas and, where appropriate, encourage the development of producer-owned, market-based cooperatives.”

CEDAW’s March 2016 General Recommendation 34 on the rights of rural women, recommends that State Parties “ensure that rural women and their organizations can influence policy formulation, implementation and monitoring at all levels and in all areas that affect them” and ensure rural women and their representatives are able “to participate directly in the assessment, analysis, planning, design, budgeting, financing, implementation, monitoring and evaluation of all agricultural and rural development strategies”.

Most farms in developing and least developed countries are small, with many family farmers — most of them women — cultivating plots of less than two hectares of land. Smallholder farmers manage over 80 per cent of the world’s estimated 500 million small farms and provide over 80 per cent of the food consumed in a large part of the developing world, contributing significantly to poverty reduction and food security. As much as 75 per cent of global seed diversity in staple food crops is held and actively used by a wide range of small farm holders. This crucial role of smallholder farmers is also acknowledged in the Sustainable Development Goal 2, target 2.3.

Secretary-General’s report [A/70/204](#) states: “The empowerment of rural women is therefore critical for the realization of their rights and to secure the wellbeing of their families and communities. Their contributions are vital to agricultural and rural development and local and national economies. Rural women are key to the success of virtually all the sustainable development goals” (SDGs), not only in SDG 5, as well as SDG 1 and 2” ([A/68/970](#)).

The report amplifies: “In spite of being farmers, workers, entrepreneurs, service providers, and agents of change, rural women and girls continue to face persistent structural constraints that prevent them from fully participating in socioeconomic and political life and contributing to the improvement of their circumstances.”

Land rights are particularly important in rural and indigenous communities, yet claiming those rights under human rights treaties can be impeded by trade/investment treaties and land grabbing. Special Rapporteur on the rights of Indigenous Peoples, in her 2017 statement to the UN General Assembly 3rd Committee, said “While an increasing number of countries are adopting legislation that recognize the rights of Indigenous Peoples, regrettably there are often glaring inconsistencies between such

legislation and other laws, these include laws on investments and extractive activities such as mining as well as laws on forestry”.

The Special Rapporteur on the Right to Food, Olivier de Schutter (2008-2014), looking at the constraints on realizing the right to food embodied in such agreements recommended the World Trade Organization (WTO) “Take steps to limit countries’ excessive reliance on international trade in the pursuit of food security and in building their capacity to produce needed food, prioritize poor small-scale farmers and the production of staple foods”, and “to propose medium and long-term changes to the WTO framework to ensure pro-food security programmes are not categorized as ‘trade-distorting support’.”

The right of farmers to participate in making national level decisions on matters related to the conservation and sustainable use of plant genetic resources for food and agriculture (PGRFA), recognized in Article 9.2(c) of the International Treaty on Plant Genetic Resources for Food and Agriculture (the Treaty), is a prerequisite for the full and effective implementation of farmers’ rights, including:

- The right to the protection of traditional knowledge relevant to plant genetic resources for food and agriculture (PGRFA);
- The right to equitably participate in sharing benefits arising from the utilisation of PGRFA;
- The right to participate in making decisions, at the national level, on matters related to the conservation and sustainable use of PGRFA; and
- The right to save, use, exchange and sell farm-saved seed and other propagating material.

Although they are a vital part of the global agricultural community and the backbone of food security, smallholder farmers are often neglected. This despite having their rights recognised in the Treaty for more than 15 years. To fully implement farmers’ rights, it is critical to effectively operationalise farmers’ right to participate in decision-making processes. Effective mechanisms giving smallholder farmers a voice in policy-making are imperative to address their needs and interests, to promote the conservation and sustainable use of plant genetic resources and ultimately to ensure food security.

The International Union for the Protection of New Varieties of Plants (UPOV), although not a UN agency, is hosted by World Intellectual Property Organization (WIPO) and the Director-General of WIPO also heads UPOV as its Secretary-General. WIPO should therefore be enabling the fulfilment of farmers’ rights, including the right to participate in decision-making. Nevertheless, civil society organizations have repeatedly raised concerns that the focus of programming and the constituencies consulted tend to represent the interests of the industry in particular the multinational corporations involved in industrialized agriculture, with hardly any representation of organizations of small farmers or those that champion women rights.

Meaningful participation in decision-making is not just about online consultations and surveys, or even a few face-to-face meetings that purport to seek views and inputs which have little or no bearing on the outcomes and decisions. As noted by the OHCHR, pro forma participatory processes only reinforce existing power structures and feelings of exclusion. A fundamental principle of public participation rights is that they encompass the right to be consulted at each phase of legislative drafting and policy-making; to voice opinions and criticism; and to submit proposals. This entails a long-term and genuine commitment to engage in processes

of intensive dialogue. Since actual decision-making remains the prerogative of the State, essential to the right to participation is also the right to seek a review of a decision and redress/remedies if it results in adverse effects on the individual or group concerned. Access to justice with appropriate administrative and judicial procedures and the right to participate are thus inextricably linked.

CEDAW and women's rights processes and mechanisms can be powerful tools for farmers' rights realization, the starting point being the activation of the right to participate in drafting national and regional laws. Smallholder farmers and other resource-poor rural producers grow most of the food in Asia and Africa — but they also constitute most people living in poverty and hunger.

As the right to participate in decision-making is recognized in several human rights treaties (ICCPR, ICESCR, CEDAW, UNDRIP), farmer organizations could use the Universal Periodic Review (UPR) mechanism to support implementation of Article 9.2(c), in particular its operationalisation through a legal framework at the national level.

In looking at the rights of rural women, the starting point for CSW should be the existing rights and treaties on small farmers, a majority of which are women, to ensure their implementation and contribute to their monitoring and accountability, including by addressing obstacles, such as agricultural trade rules, seed patenting, and policies that protect big corporate investors over women farmers.
