

NORTHERN IRELAND WOMEN'S EUROPEAN PLATFORM

RESPONSE TO UK GOVERNMENT ONE YEAR ON REPORT TO CEDAW COMMITTEE

January 2010

The Northern Ireland Women's European Platform

The Northern Ireland Women's European Platform is an umbrella body of groups with a primary interest in matters of importance to women. It has a membership of national and local organisations and generalist and specific bodies. NIWEP aims to facilitate and increase women's contribution to the social, economic and political agendas both domestically and internationally. The organisation was established in 1988. It takes action at a strategic level, ensuring that women in Northern Ireland participate in and contribute to the debate of women's concerns integrating domestic, European and international agendas. NIWEP facilitates participation in networking, information sharing and policy development. The main aims of the Platform are:

- To ensure that the women in Northern Ireland have a platform through which their concerns can be expressed and through which they can help shape and develop social, economic and political policies at a local, national, European and international level;
- To ensure that women in Northern Ireland understand the work of the United Nations, the European Union and national and local government in formulating gender equality policy and legislation through training and information;
- To consult with women at a local level and to prepare recommendations for debate and discussion with government and other institutions and statutory agencies at local, national, European and international level.

Context

NIWEP submitted a Shadow Report in advance of the examination of the UK Government in June 2008 and representatives from NIWEP attended the hearing. Since then NIWEP has been active in promoting knowledge of CEDAW and of the Committee's concluding comments, including some work with policy makers in Northern Ireland.

We welcome the opportunity to present our analysis of developments in the UK since the Committee reported in 2008. Our submission relates to the CEDAW Committee recommendations contained within paragraphs 261 and 263 of the concluding observations and to the report submitted to the CEDAW Committee by the UK government in July 2009.

1. The Application of the Convention Across the UK

1. We continue to be extremely concerned by the unequal application of the CEDAW Convention across the UK. In paragraph 263 the Committee stressed that '*the principal responsibility for implementation of the Convention lies with the Government of the United Kingdom*' and it again called for the development and enactment of a unified, comprehensive and overarching national strategy and policy for the implementation of the Convention throughout the UK. However, there has been no leadership by the Westminster Government to ensure compliance with the obligations across all jurisdictions of the UK. In fact, in its response to the Committee (July 2009, footnote, p.4) the UK Government notes the devolved arrangements in the UK and throughout the report uses devolution to excuse significant differences in the rights and equality of women within the UK. One example of this is the continuing unequal position of women in Northern Ireland with regard to access to reproductive rights, a point on which the Westminster government has consistently refused to engage. The fact that much of the content of the Government's report applies only to England is further evidence of the problems created by the lack of a national action plan for CEDAW (discussed below).

2. CEDAW and Equality Legislation

The UK Government in its report rejects the Committee's recommendation that the opportunity should be taken to incorporate all the provisions of CEDAW into new Equality Bill for England, Scotland and Wales and Equality legislation in Northern Ireland. It goes on to provide information on how gender equality will be advanced under the Bill (which will not apply in NI). There is no acknowledgement of the major problems for women's equality created by the gender neutral approach to the interpretation of equality legislation which has been so apparent across the UK and which was an issue which the Committee focused on during the examination and in its concluding observations.

With regard to Northern Ireland, the Government's statement at para 10 that 'The Northern Ireland Administration is keeping all aspects of equality legislation under ongoing review' is a cursory and very unsatisfactory comment which provides no information to the Committee. There has been no further discussion of a Single Equality Act for Northern Ireland. The Gender Equality Strategy was introduced in 2006 but we are concerned about the lack of progress in implementing it. Action plans have now been produced (in 2009) by government departments but they are not strong enough. Neither is there any commitment to ensuring that they will be monitored and reviewed.

3. A National Strategy for CEDAW

The Government has taken no action to develop a unified and overarching national strategy for the implementation of the Convention and this is a significant impediment to progress in other areas. We strongly argue that a national plan should be a priority for government in order to ensure that ALL women in the UK can benefit from the government meeting its obligations. We also wish to re-emphasise a point we made in our Shadow Report to the Committee in 2008 – that in reporting to CEDAW the government needs to be explicit about where measures apply across the UK and where they apply just to one jurisdiction.

The government's point (para 23) that the development of a national strategy would risk duplicating existing policy frameworks and diluting the substance of the recommendations is a weak one which is not evidence based. Nor has the government consulted with the women's sector on this issue. We are firmly of the view that a national strategy would greatly help in raising awareness of CEDAW and its visibility, both publicly and amongst government officials, politicians and key institutions such as the judiciary. It would also be a tangible indication of government's commitment.

In paragraph 24 of its report the Government notes that ministers are ensuring the incorporation of the CEDAW recommendations into existing policy frameworks and that a matrix plan has been drawn up against which progress will be monitored. We are not aware of any such matrix for Northern. The Gender Equality Strategy for Northern Ireland (while it does refer to CEDAW) is not a substitute mechanism for monitoring where and how the articles of the Convention are being implemented. And, as noted earlier, we have serious concerns about the delivery of the objectives set out in the gender strategy. But a broader point relates to the value of any matrix unless policy makers within Departments are adequately educated about CEDAW and the government's obligations under CEDAW. The government needs to introduce ongoing and systematic training for its officials. The examples of training provided in the government report apply to very specific gender related issues, mostly domestic violence, rather than a broad and deep understanding of substantive equality, the Convention and its articles.

4. Commentary on Progress Outlined in the Government Report

At para 30 the Government lists the work under way to address the under-representation of women in public and political life. No specific mention is made of Northern Ireland where the representation of women remains dismally low and is likely to get worse as a result of the ongoing Review of Public Administration which will reduce the number of local councils. Despite repeated representation from civil society government has taken no action to even ensure that women are represented on the Transitionary Committees set up to manage the change. These Transition Committees have a central role. For eg: they will employ the new Chief Executives and senior staff for local government; they will set the new policy on community planning in motion and they will set the first rate (the amount to be paid by each

household). Therefore, the fact that women are so poorly represented on the committees will have a long term negative impact on women's equality.

Northern Ireland is a post conflict society and it is vital that women can have an equal say in how that society is shaped. Despite lobbying by women's organisations on this issue and the fact that Government is obliged under UN RES 1325 to ensure women's full inclusion in decision making, a recent analysis of the application of UN RES 1325 in Afghanistan, Democratic Republic of Congo, Nepal, Sri Lanka and Northern Ireland (Gender Action for Peace and Security, 2009,9) concluded that while the UK government has been actively engaged in promoting and advocating the use of UN RES 1325 internationally, these positive actions have not been extended to women in Northern Ireland. It further notes that '*The UK National Action Plan does not cover Northern Ireland in its remit, and no efforts have been made by the UK to push for gender sensitive peacebuilding and reconstruction in Northern Ireland*'.

Violence Against Women

In 2009 the Government published a strategy for England and Wales 'Together We Can End Violence Against Women' (The Home Office, 2009) . This strategy does not apply to Scotland or Northern Ireland. The government notes, in its report to CEDAW (July 2009), that Northern Ireland currently has its own strategies on violence at home and on sexual violence. However, as acknowledged by the Northern Ireland Human Rights Commission (2009), while there is much to commend in these strategies they add to a set of disparate policies which have collectively failed to deliver what could be achieved through a single integrate strategy. The CEDAW Committee in its concluding observations in July 2008 (para, 281) did call upon the state party to 'adopt and implement a unified and multi-faceted national strategy to eliminate violence against women and girls. We are disappointed that the strategy published by the Home Office does not meet these requirements in that firstly, it is not a UK strategy and will therefore do nothing to address the diverse approaches across the UK and secondly, it is not an integrated strategy in that the focus is on domestic violence. We fully accept that any policy on gender based violence has to be sensitive enough to apply to particular situations and contexts (including some of the differences in the devolved areas of the UK) but we are of the view that a UK wide strategy which sets appropriate commitments, standards and principles is required to ensure an adequately robust governmental response to this serious problem.

Raising Public Awareness of CEDAW

As outlined in the Government's report, the Women's National Commission has held an event in each area of the UK. While these events have been useful in bringing together the learning from CEDAW the government must be prepared to do much more to increase public knowledge of CEDAW and especially its relevance for all women. This should include resourcing NGOs. Most of the NGOs which have been working on CEDAW have been doing so with very limited resources and it has been increasingly difficult to access

money for such policy related work. To date Government has not moved to meet the Committee's concluding observations (para 26) that it should provide increased and sustained funding to NGOs and other civil society groups involved in the area of women's rights.

We suggest that the fact, as government notes, that only two complaints have been made from the UK under the Optional Protocol is more evidence of lack of awareness of the OP and how to use it, rather than the lack of any practical benefit to the UK as appears to be implied in the Government report.