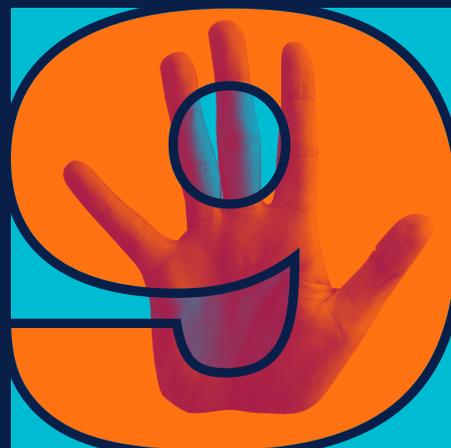


# Decalogue for a Human Rights-based and Feminist State



OAS | CIM

# Foreword

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From the first moment of the COVID-19 crisis, the Inter-American Commission of Women (CIM) warned that its impacts were not neutral for women and, therefore, that the responses could not be either. The pandemic not only deepened the gender inequalities that already existed in our societies, but also marked a setback in the rights already achieved by women, which gave rise to a profound questioning of the centrality and role of the State.

The CIM focused on two lines of work during the pandemic: first, giving a voice to women and to those who lead the National Machineries for the Advancement of Women (MAWs), to continue strengthening the agenda for parity and their effective participation in decision-making as a sine qua non for the design of gender-sensitive policies. Second, the CIM has been generating knowledge and recommendations on the differential impacts of the pandemic on women's lives, particularly on the issues of political participation, economic empowerment, caregiving, and violence against women.

The momentum of the women's agenda acted as a trigger for a common reflection for national authorities and the international community: what is the role of the State and how does it respond to the needs and demands of women? The Executive Secretariat of the CIM joined this reflection with a group of renowned feminists and experts from Latin America, who brought their wisdom and experience to this debate aimed at focusing on people, equality, and women's human rights.

As a result, we present the **Decalogue for a Human Rights-based and Feminist State**, a basic instrument that is available to OAS Member States - government authorities, national machineries for the advancement of women - the feminist movement, civil society organizations, and regional and international organizations, among others, with the conviction that these ten premises constitute a call to build strategic bridges that will allow us to collectively move forward to strengthen the powerful agenda for equality.

# Decalogue for a Human Rights-Based and Feminist State

The mandates given to the Inter-American Commission of Women of the Organization of American States (CIM/OAS) by its governing bodies, the General Assembly of the OAS, the Assembly of Delegates of the CIM and its Executive Committee, grant the Commission, through its Executive Secretariat, the responsibility to:

- Support OAS Member States in fulfilling their international and inter-American commitments on women's human rights and gender equality,<sup>1</sup>
- Encourage OAS Member States to formulate public policies, strategies, and proposals aimed at promoting women's human rights and gender equality in all spheres of public and private life,<sup>2</sup>
- Serve as the Secretariat of the Follow-up Mechanism to the Belém do Pará Convention (MESECVI) – and, as the treaty body for Article 8 of the Convention, to receive reports on the measures adopted to prevent and eradicate violence against women in the States Party,<sup>3</sup>
- Collaborate with Member States, other international organizations, civil society groups, academia, and the private sector to support women's rights and gender equality in the region,<sup>4</sup>
- Strengthen relations and foster partnership and coordination activities with other regional and international bodies and civil society organizations working in the Americas,<sup>5</sup>

Promote women's participation and leadership in the planning and implementation of public policies and programmes,<sup>6</sup> and

- Highlight gender equality as a good of humanity, pursuant to the Inter-American Guidelines adopted on this subject.<sup>7</sup>

1 Statute of the CIM, Article 3a, <http://www.oas.org/en/cim/docs/CIMStatute-2016-EN.pdf>

2 Inter-American Program on the Promotion of Women's Human Rights and Gender Equity and Equality (IAP), General Objective 2, [https://www.oas.org/en/cim/docs/PIA\[EN\].pdf](https://www.oas.org/en/cim/docs/PIA[EN].pdf)

3 Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Convention of Belém do Pará), Art.10, <https://www.oas.org/en/mese cvi/docs/BelemDoPara-ENGLISH.pdf> and Statute of the MESECVI, Article 5.4, <https://www.oas.org/es/mese cvi/docs/MESECVI-DocumentosBasicos-EN.pdf>

4 Statute of the CIM, Article 3e, <http://www.oas.org/en/cim/docs/CIMStatute-2016-EN.pdf>

5 Inter-American Program on the Promotion of Women's Human Rights and Gender Equity and Equality (IAP), General Objective 4, [https://www.oas.org/en/cim/docs/PIA\[EN\].pdf](https://www.oas.org/en/cim/docs/PIA[EN].pdf)

6 Statute of the CIM, Article 3c, <http://www.oas.org/en/cim/docs/CIMStatute-2016-EN.pdf>

7 Agreement 2 of the Second Regular Session of the CIM Executive Committee 2016-2019 (September 8th 2017), <https://www.oas.org/es/cim/docs/CIM-CD-doc12-17-EN.pdf> and <https://www.oas.org/en/cim/docs/LineamientosIgualdadGeneroBien-EN.pdf>

The Executive Secretariat of the Inter-American Commission of Women (ES/CIM), in coordination with a group of prominent feminists from the Latin American region: Line Ba-reiro, María Soledad Cisternas, Alda Facio, Ana Falú, Lucy Garrido, Otilia Lux de Cotí and Rita Segato, and as a result of a process of joint reflection on a State that is an effective guarantor of human rights and gender equality, present the Decalogue for a Human Ri-ghts-Based and Feminist State, in order to contribute to the debate and the advancement of equality and non-discrimination for all people, particularly for women in the Americas.



### **The CRACY of the DEMO**

A democratic and social State based on the rule of law that guarantees women's full citizenship is central to strengthening democracy and sustainable human development in the region.

The State must seek to strengthen the cracy – the power, the authority - of the demo, of the citizenry and of communities, opening broad and more effective channels of participation where collective and individual voices take on meaning, beyond electoral democracy.

It is necessary to build inclusive, democratic and pluralistic States that guarantee the rights of citizens, particularly women, who make up more than 50% of the diverse peoples of the region and who have historically suffered discrimination. Even today, women remain underrepresented in political power and decision-making in the various spheres of the State and society, which is why human rights and feminism call for affirmative action measures and parity between women and men in elected office and mandates.

It is a matter of advancing towards democratic parity, questioning the traditional and archaic hierarchical relations that feminism aspires to transform.



### **Laws, Institutions and Public Policies**

Human development, States and democracy require social inclusion, the advancement of equality, and non-discrimination. Feminism is a democratizing, pluralist, diverse and deeply dialogical movement that, both individually and collectively, incorporates an intersectional approach - multiracial, multicultural, multiethnic, and multigenerational - that is inclusive rather than exclusive.

Achieving substantive equality among all people is not possible without considering the location and deconstruction of the persistent patriarchal, colonial, racist and sexist powers. An objective that is only possible if the views, specific needs, and strategic interests of women are incorporated into all spheres of the State's work, making equality and non-discrimination central and cross-cutting in the formulation of laws, institutions and public policies.



### **The Triad of Institutionality: State - Community - Individual**

With respect to citizenship, the institutional weakness of States creates a distance that often leads to depoliticization and gaps that have been appropriated by anti-democratic discourses, with the aim of limiting human rights in general, and women's rights in particular.

Through the interrelation between the supra-state level of human rights, the State, society, and community institutions, it is key to recover the leading role of the community fabric at the local level. Here, management governed by the participatory and inclusive principles of municipalism become especially relevant, as mechanisms to bring politics closer to the people.

Thus, feminism highlights the importance of strengthening an institutional framework that addresses the needs, rights, and obligations of all people in their individual diversity and as part of communities and peoples, expressed through social movements that promote transformative initiatives in public agendas.



### **Political Management for Good Government**

The historic feminist bid for a room of one's own resulted in the creation of specific spaces for the promotion, application, and defense of women's rights. The current debate encompasses inclusion and participation in the institutional framework as a whole, through the mainstreaming of a gender perspective, equality and non-discrimination.

In the 21st century, at this historic moment, we know that parity in numbers is not enough. A feminist shift is needed to deepen the recognition of gender asymmetries and strengthen the rights-based agenda. Many of the accomplishments have been achieved through women's collective leadership and initiatives.

Feminism's contribution to the State and politics involves different forms of managing power through new ways of shaping the social and public spheres. This way of "doing" feminist politics is based on making the domestic political and re-signifying women's work and skills when they are exercised in the public sphere. This recovers the value of empathy, care, articulation, harmonization, and management skills in negotiation, all of which are fundamental for good governance.



### Care at the Centre of the Agenda

Feminism encourages States to recognize as central, in their agendas and management, the perspective of caregiving for life in the broadest sense. This means that caregiving should be considered in at least three main areas: 1) Care for people; 2) Care for the Earth, its territories, and its resources; and 3) Care for the well-being of the majority.<sup>8</sup>

The aim is to recover the protection, well-being, and reproduction of life through caregiving as an ethic that transforms power relations in our societies, development and democracy.

This re-signification is because caregiving is at the centre of daily life and is indispensable for well-being; however, as it has historically and for the most part fallen to women, it is not recognized socially, economically or politically. In order to make it visible and valued, caregiving must be measured and linked to the unequal distribution of time between men and women, and to unpaid work.

The lack of caregiving policies or actions by the State, businesses, and the community, and the absence of co-responsibility between men and women, constitute the main obstacles to women's equal participation in all spheres, particularly in the economy, at work, and in progress towards the achievement of gender equality within families and in society. Caregiving should therefore be a right, and its protection and promotion a responsibility of the State.

The social State must place caregiving at the center of its agenda, recovering the value of the community and public-private partnerships for more effective and just management. It is essential to promote concrete actions that position care as a public, collective, and co-responsible issue of primary importance for economic and social development.

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8 See also point 6 of this Decalogue.



### **Living Well and the Fullness of Life**

States must integrate the vision of living well and the fullness of life proposed by the indigenous peoples of the region. To this end, the ancestral knowledge and worldview of indigenous peoples must be recovered within the framework of inter-culturalism, respect for diversity and harmonious coexistence with nature, seeking the well-being of all living beings as an indispensable element for universal balance.

This aspiration to live well, reflected in the construction of the State and respected by feminism, involves promoting the common good and putting general interest before particular interest, as long as this does not imply a violation of the human rights of any woman or girl. In this way, the State will become a guarantor of respect for the ecosystem and nature, of access to and care for water, of food sovereignty and security, and of full and sustainable rights for all people.

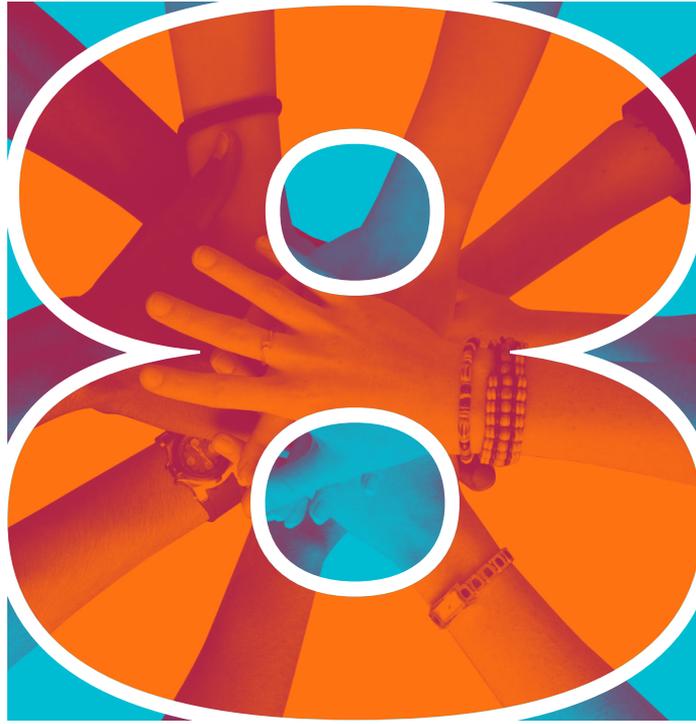


### **Towards the Universalization of Rights**

Progress in terms of political rights in the region is recognized, although time and again there are setbacks that put the rights attained at risk. The pandemic has made evident the underdevelopment of the social State. This is reflected in the lack of cutting-edge scientific research, low production of knowledge and precarious health systems, to the extent that health has become a privilege of the few and not a right for all people.

Our countries have lagged in terms of universal access to formal and informal education, digital literacy and access to basic Information and Communications Technologies (ICTs) in the 21st century, as well as the tools to ensure their accessibility.

In the same vein, universal equal access to inclusive, quality, secular, intercultural, free, compulsory and continuous education must be achieved, which will allow for effective social inclusion, as well as universal access to physical and mental health rights, and sexual and reproductive rights, in order to achieve gender equality.



### **An Economic Model that Produces and Redistributes Wealth**

Immersed in the current economic model, our democracies coexist with the worst inequality rates in the world, reproduction of poverty, the deterioration of ecosystems, human rights violations, and a profound weakness of the State to redistribute resources and opportunities. Added to this is the persistence of stereotyped gender roles that have reinforced women's reproductive and domestic work, which, despite their greater participation in the labour market and in politics, has not been reflected in a parallel increase in reproductive and care work by men, businesses, and States.

The economic crisis, exacerbated by the pandemic, particularly impacted the labour market in the service sectors and informal economy, areas where women are the majority. For an inclusive future that we should start building now, it is essential to promote the economic empowerment of women, based on a pact for social, political and wealth redistribution, through labor, fiscal, budgetary and environmental policies that ensure the well-being and human development of all.



### **Eradicating Various Forms of Violence Against Women and Girls**

The different forms of violence against women and girls are inadmissible and constitute a violation of their physical, psychological, and moral integrity as well as their right to a life free of violence, as stipulated in the Belém do Pará Convention.

Due to the magnitude of the problem, there is an urgent need to transform stereotyped patterns of behaviour and social and cultural practices that are based on concepts of inferiority and subordination. These stereotypes threaten the safety and lives of women, and their root causes should be addressed through education and communication campaigns.

Democratic States must, in their obligation of due diligence, adopt all measures within their power to prevent, punish and eradicate violence against women, as well as establish fair and effective legal procedures for women, girls and adolescents who have been subjected to violence, and ensure their effective access to redress, reparation or other means of compensation.



### **Moving Towards a Regional-Global Citizenship**

The human rights enshrined in instruments of the inter-American and universal systems have been conceived as rights of individuals throughout the world.

Thus, multilateralism makes possible a broad construction of institutions in which there can be a full range of rights, beyond national borders, that are always developing affirmative action mechanisms and policies for women at the intersections of their gender, race, age, class, ethnicity, territoriality and disability, among others aspects of their identities.

In this framework, feminism, as a driver of change, has developed ideas and proposals that have become objectives of humanity; no longer utopias but real possibilities of the second millennium that must continue to deepen in multilateralism as regional and global alliances, so that equality as a good of humanity<sup>9</sup> can ensure the protection of all women and girls, and those who, as defenders of these rights, are also violated.

For a State that cares for all people and their human rights, for all the natural resources of today and the future, for peace with equality and for justice in democracy.

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<sup>9</sup> CIM, 2017. Inter-American Guidelines for Gender Equality as a Human Good; and MESECVI, 2017. Declaration on Gender Equality and the Empowerment of Women as a Good of Humanity; Available at: <https://www.oas.org/en/cim/docs/LineamientosIgualdadGeneroBien-EN.pdf> and <http://www.oas.org/en/mesecvi/docs/DeclaracionIgualdadGenero-EN.pdf>



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