

STATEMENT OF THE INTERNATIONAL DEVELOPMENT LAW ORGANIZATION

60TH SESSION OF THE COMMISSION ON THE STATUS OF WOMEN

General Debate

March 17, 2016

New York

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Excellencies,
Distinguished delegates,
Ladies and gentlemen,

The International Development Law Organization (IDLO) greatly appreciates this opportunity to address the Commission.

As the only intergovernmental organization exclusively devoted to advancing the rule of law, IDLO welcomes the ground-breaking move that put justice, peace and the rule of law firmly in the heart of development through the adoption of SDG 16. In doing so, Agenda 2030 recognizes the important synergies between SDG 16, SDG 5 and other development goals.

IDLO knows from its work from around the world that the rule of law is essential in advancing gender equality and enabling women's empowerment. Just as women need equal rights to clean water, they also need a clean and representative government. Just as recognition of women's physical and mental integrity is crucial, we need legal and justice systems to investigate and prosecute and most importantly, prevent violence.

In many countries of the world, however, the legal system instead of facilitating gender equality are structural barriers themselves to women's advancement. Ninety percent of the world's economies (155 out of 173) still have discriminatory laws across a range of areas, such as traveling outside the home, opening a bank account, registering a business, owning property, doing the same job, having inheritance rights, and protection from violence. In some countries, the laws give husbands the right to administer joint marital property or have sole discretion to represent and make decisions for the household.

In many places, women's access to justice, whether through formal, informal or hybrid systems, remain inaccessible. Women are unable to avail of courts or get fair outcomes due to costs, illiteracy, distance, limited social support, stereotypes or even violence.

These challenges are exacerbated in situations of conflict and fragility, where legal and justice mechanisms that protect women's rights have been eroded or delegitimized, and legal and justice actors have very limited capacity, political will or even power to usher real change for women.

In these contexts, SDG 16 complements, supplements and mutually reinforces SDG 5 as building strong and equitable legal institutions can bring about gender equality. At the same time, gender equality enables these institutions to be truly responsive and representative.

Laws and regulations can help women especially if they are informed by gender dynamics at every level and phase of formulation and implementation. Justice institutions can protect women's rights if they are sensitive and responsive to the real problems facing women.

However, the application of SDG 16 should go beyond simply adopting new laws or amending old ones to bring about gender equality. The rule of law must focus on the empowerment of women themselves as agents of change.

Women's effective participation is a human right and should be always be applied as an overarching principle. Although consultative and inclusive law-making processes help achieve effective and legitimate changes, legal empowerment strategies may be needed to enable women to bring about the change they want to see as women may sometimes not know their rights nor how to claim them.

In these cases, legal empowerment strategies – including legal awareness, legal education, paralegal support, legal aid – play an important role. For example, we find that when women are informed of their rights and are encouraged to discuss or challenge formal or informal laws and practices, they can put pressure on justice systems to better protect their rights and prevent violations.

Legal empowerment strategies, therefore, do not only increase women's legal literacy, but also can enhance women's capacity to claim their rights; to engage in legal, development and service delivery processes, and to improve the quality of legal protection and justice that they receive.

In conclusion, IDLO wishes to emphasize that today, we stand upon the shoulders of many gender equality milestones. We witnessed, among others, more than 15 years of UN Security Council Resolution 1325 on women, peace and security; more than 20 years of Beijing Declaration and Platform for Action; and more than 35 years of the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW).

These milestones remind us of how long we walked together in our fight against discrimination and inequality.

However, unless we recognized the importance of SDG 16 to SDG 5 and other goals, and vice versa, we will continue to struggle in achieving a transformative development agenda.

Thank you.

The International Development Law Organization (IDLO) enables governments and empowers people to reform laws and strengthen institutions to promote peace, justice, sustainable development and economic opportunity.