**NAWO comment on the Draft Convention on the Right to Development**

The National Alliance of Women’s Organisations (NAWO) welcomes the introduction of a UN Convention on the Right to Development, believing this long overdue in the context of the lack of progress for the achievement of the Sustainable Development Goals, the urgency of action required to respond globally to the climate crisis and the COVID-19 pandemic. There have been many efforts at UN level to support the development of human rights but in many countries action on these agreements is sadly lacking. This is especially true for women and girls who, following the pandemic and the increasing number of natural and man-made disasters, find their position in many societies going backwards and their previously agreed human rights being eroded, especially as far as all aspects of development are concerned such as education, health, access to clean water and sanitation.

The National Alliance of Women’s Organisations (NAWO) is an alliance of diverse membership organisations and individuals working for and passionate about women’s empowerment. We have decades of unique expertise in enabling women, girls and women’s organisations to understand the laws and processes that ensure action for their human rights at all levels (including individual, local, national and international levels).

NAWO welcomes the inclusion of Civil Society Organisations (CSO) in the consultation. It is important that CSO are given recognition within the Convention, especially in regard to contributing to the review processes which may be established. (Reference Article 25.5 and Article 26.1)

NAWO hopes that a Convention on the Right to Development will reinforce already acknowledged rights for women and welcomes especially Article 16 Gender Equality. It is vital that the human rights of women and girls and recognition of their equality with men and boys is included in all parts of the Convention.

NAWO would like to make the following proposals for changes to the draft text of the Draft Convention on the Right to Development.

(Proposed changes are highlighted in red)

In the **Preamble**

* Insert ‘ inequality between women and men’ in the following paragraph

*Concerned* at the existence of serious obstacles to the realization of the right to development constituted, inter alia,by poverty, inequality within and across countries, climate change, colonization, neo-colonization, forced displacement, racism, inequality between women and men, conflicts, aggression and threats against national sovereignty, national unity and territorial integrity, and the denial of other human rights,

*This references to Article 16 of this document*

* Insert ‘local’ in the following paragraph

*Recognizing* that every organ of society at the local national or the international level has a duty to respect the human rights of individuals and peoples, including the right to development,

* Insert ‘local’ in the following paragraph

*Convinced* that a comprehensive and integral international convention to promote and secure the realization of the right to development, through appropriate and enabling local national and international action, is now essential

*The basis for the inclusion of ‘local’ is that every level of society must be involved in the implementation of this Convention. It is often grassroots organisations and local laws and* *regulations which are and should be responsible for recognising the needs of individuals and their communities.*

* Add ‘ *the Convention on the Elimination of all forms of Discrimination Against Women and the Convention on the Rights of Persons with Disabilities’* to the following paragraph

*Recalling* the provisions of all human rights treaties, the United Nations Declaration on the Rights of Indigenous Peoples and the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas,  *the Convention on the Elimination of all forms of Discrimination Against Women and the Convention on the Rights of Persons with Disabilities*

*The basis of this is that this again references to Article 16 and recognises other relevant Conventions.*

In **Article 15**

* Add ‘sex, to the list in the following paragraph

**Article 15 – Special or remedial measures**

1. State***s*** Parties recognize that certain human persons, groups and peoples, owing to their age, disability, sex, marginalization, vulnerability, indigeneity or minority status, may require special or remedial measures to accelerate or achieve de facto equality in their enjoyment of the right to development.

*References Article 16 directly*

In **Article 16 – Gender equality**

Replace Gender equality with Equality of Women and Men

* Replace ‘undertake to take’ with ‘adopt’ in the following paragraph
* Delete “gender”

1. States Parties, in accordance with their obligations under international law, shall ensure full g~~ender~~ equality for women and men, and ~~undertake to take~~ adopt measures, including through temporary special measures as and when appropriate, to end all forms of discrimination against all women and girls everywhere so as to ensure their full and equal enjoyment of the right to development.

*The change of wording strengthens the purpose of the paragraph.*

*The use of the term “gender” has changed over time. Its original intention was to ensure that women and girls were not excluded from roles traditionally ascribed to men and to recognise discrimination based on sex. Overtime this term has been used differently. In some cases it reduces the rights of women and girls. Therefore throughout the document there should be explicit reference to “all women and girls” rather than “gender”.*

2. To that end, States Parties ~~undertake to take~~ adopt appropriate measures, separately and jointly, inter alia:

(a) To eliminate all forms of violence and harmful practices against women and girls in the public and private spheres;

* Add to the following paragraph ‘equal’
* Add to the following paragraph ‘and meaningful’

(b) To ensure women’s full equal ~~and~~ effective and meaningful participation and equal opportunities for leadership at all levels in the conceptualization, decision-making, implementation, monitoring and evaluation of policies and programmes in political, economic and public life, and within legal persons;

*This is agreed language from CSW65 paragraph 9, (E/CN.6/2021/L.3) on the priority theme, “women’s full and effective participation and decision-making in public life, as well as the elimination of violence, for achieving gender equality and the empowerment of all women and girls” and is therefore directly relevant to this paragraph. It is more comprehensive and will do more to promote women’s inclusion in leadership and decision-making.*

Add “equality of women and men”

Add “the perspectives of women and girls”

(c) To adopt and strengthen policies and enforceable legislation for the promotion of the equality of women and men g~~ender equality~~ and the empowerment of all women and girls at all levels;

(d) To mainstream ~~gender~~ the perspectives of women and girls in the formulation, adoption and implementation of all national laws, policies and practices and international legal instruments, policies and practices;

* Add to the following paragraph ‘education and other services and’

(e) To ensure equal and equitable access to education and other services and resources necessary for the full realization of the right to development by women and girls everywhere.

*Access to Education is a fundamental platform for development as are other services such as health especially in the context of human rights for women and girls. Adequate, predictable and sustainable financial resources, technology and capacity-building are necessary to enable development to move forward.*

* Add further paragraph

*(f) To realize the women, peace and security agenda and recognize the important role of women in the prevention and resolution of armed conflicts and in peacebuilding to address peace and security at all levels as an essential element for the realization of the right to development.*

*This proposal references CSW65 paragraphs 8 & 57, and Preamble paragraph 7 of this draft convention. It seeks to emphasise the importance of gender, peace and security to the right to development and connects article 16 with Article 21*