

Interlinking Gender, Economic and Ecological Justice in Latin America: Towards a Development Based on the Sustainability of Life

Development Alternatives with Women for a New Era (DAWN)



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I. Introduction

Proposals under discussion in the United Nations regarding Sustainable Development Goals (SDGs) and the Post-2015 Development Agenda (Post-2015) are not ambitious enough considering the structural challenges faced by Latin America and the Caribbean. In the main official reports and those commissioned to frame the debates, “development” is being understood as unlimited economic growth, human rights obligations and the social justice agenda are being reduced to “anti-poverty” measures, and the ecological justice agenda is being invisibilized in the face of proposals aimed at the commodification of nature. Power inequalities between different multilateral organizations of global governance, between transnational corporations and the States, and between the States of the North and the States of the South, are not being duly acknowledged and addressed.

Both the content being promoted and the way in which the agenda is being pursued are somewhat alarming. The Millennium Development Goals (MDGs) had already been criticized in the region for only addressing the consequences rather than attacking the structural causes behind inequality and human right violations. Different studies have shown how MDGs’ prioritization hindered the implementation of more comprehensive agreements, such as the Program of Action of the International Conference on Population and Development, orienting governments and cooperation priorities to a set of targets and vertically driven programs (DAWN, 2012). The promotion of an objective-based global framework implies the same risk of reducing development agendas to a list of goals, targets and indicators that perpetuate “development silos” in a context of increasing influence of corporations as privileged agents in the implementation of the agenda.

Within this context, in August 2013, Development Alternatives with Women for a New Era (DAWN) organized a consultation with the purpose of advancing in understanding the interlinkages between gender, economic, and ecological justice, and developing policy recommendations to influence international negotiations on SDGs, the Post-2015 Development Agenda, and the Cairo +20 review process. Members of feminist and youth organizations, academics and social movements’ activists working at a national, regional, and global level from different perspectives on development, wellbeing and justice, discussed different proposals that are linked with the recommendations that DAWN has been promoting at a global level.¹

Work on a progressive agenda that contributes to structural transformation in Latin America that is oriented towards gender, economic, and ecological justice, should be based on:

¹ Visit <http://dawnnet.org/feminist-resources/activism/geej/latin-america> to have access to the systematization of the consultation, jointly made recommendations, presentations and interviews.

1. A framework of justice and rights to eliminate inequality and discrimination
2. Addressing structural obstacles at a global level to make progress in justice and the guarantee of rights
3. Strengthening alternative development actions and mechanisms of public funding
4. Meaningful participation of social organizations, autonomy, and strengthening of the multilateral system

II. A framework of justice and rights to eliminate inequality and discrimination and to face the instrumentalization of rights

Reports commissioned by the United Nations Secretary-General for the Post-2015 Development Agenda have set the terms of the debate. It is highly alarming to see that some states now carry a regressive and uninformed perspective on human rights, sustainability, and accountability, as well as, the addition of the private sector — especially the corporations—, as a privileged development actor in the multilateral sphere. DAWN and other allied organizations have criticized the way in which women's rights are being instrumentalized at the service of economic growth and the reduction of poverty or population rates. Also, the right to education is being instrumentalized to obtaining "skills" for employability, with a complete absence of the broader approach of education for the exercise of rights and full citizenship.

During the last decade, there has been an increasing reduction of poverty, in aggregate terms, within the region, which can be explained, to a great extent, by the increase in social expenditure and the implementation of social policies. Notwithstanding this, the use of a partial and instrumental approach has shown that impacts are unequally distributed among genders, generations, and territories.

For example, conditional cash transfer programs in the region have tended to support traditional gender roles, increasing unpaid work load and relative poverty among women. As mothers, women are the operative beneficiaries of a certain benefit destined to their children, and this benefit is considered an investment in human capital (ECLAC, 2013). "Social materialism" of policies is therefore strengthened and women-mothers are the instrument of the social policy.

Women's instrumentalization also materializes in some sexual and reproductive health policies implemented within the region, usually ignoring the rights perspective, particularly that of sexual rights, and limiting them to a maternal and child approach. A study on maternal health policies in the city of Mendoza (Argentina) shows that women, as rights holders, are not exactly the center of these policies. Issues such as

abortion, postnatal, sexual health, and mental health are not included in maternal health programs. Interventions have been fragmented, giving priority to those processes exclusively related to reproduction and children “protection”, disregarding women’s health and their sexual and reproductive rights understood as a continuum (Anzorena and Yáñez, 2013).

At the same time, in many cases, the debate on social redistribution of unpaid and care work is limited to the provision of care services to children in precarious situations, with the purpose of promoting the inclusion of their mothers in the labour market or the education system once men’s rate of participation has reached its maximum. Instead of a right or an imperative of redistributive justice between men and women, and between the State, the market, and the various forms of families, this program is more related to the demand for increasing workforce by companies particularly those found in sectors related to foreign investment.

An integral Post-2015 Development Agenda must look after the realization of human rights for everyone, under equal conditions, avoiding instrumentalization, as well as the prevalence of some rights over others. Human rights are indivisible and interdependent.

An integral approach implies transcending the formal universalism of human rights and subverting the mechanisms that perpetuate inequalities based on income, gender, race-ethnicity, location, sexual orientation, and age. Thus, in order to achieve universality, it is necessary to guarantee equity, diversity, and non-retrogression, making every effort to subvert structural discrimination faced by women, girls and adolescents, afro-descendants, indigenous and trans peoples, disabled persons, among others.

It is then necessary to overcome the false debate between focused policies and universal policies, since from a perspective that combines economic redistribution and recognition and multiple discriminations, both intersect and are necessary.

Some experiences carried out in the region show how it is possible to simultaneously challenge economic inequalities and structural discrimination. In Argentina, work cooperatives and self-organized training schools for trans- people are an example of how social economy can also create new working and education opportunities for people facing structural discrimination. Moreover, some of these experiences have begun to link with government programs such as the employment and training

insurance for transgender people, transvestites and transsexuals supported by the Ministry of Labor (Partenio, 2013). In Uruguay, transgenders are entitled to a cash transfer, as the State recognizes that most of them live in extreme poverty. With the food card, they can buy from small and medium-sized producers and businesses, thus so also this program helps boost the local economy. This program also acts as an "entrance door" to other socio-educational programs and access to sexual and reproductive health services.

On this regard, there follow some recommendations:

To guarantee the right to work and social redistribution of resources

- Eradicate horizontal and vertical labor segregation, and the precarity and informality in labor markets in Latin America, which perpetuate labor inequalities based on gender, age, race, and territory
- Promote women's equal access to and the control of productive resources, aiming at a fair redistribution and to stop the take-over of land, water, and minerals by big companies and the States.

To guarantee the right to care and social redistribution of unpaid and care work

- Provide universal access to public care services and the regulation of the private sector, ensuring the quality of the services and the working conditions of care workers, considering migrant female workers' situation.
- Implement work-family balance policies, maternity and paternity leaves, and co-maternity and co-paternity leaves, parental leave in public and private sectors for various forms of families.
- Develop campaigns to change patriarchal cultural norms in order to promote the social co-responsibility of care and the equal distribution of care work between men and women, and between the various forms of families.
- Review conditionality of cash transfer programs that increase unpaid and care work load for women.

To guarantee sexual and reproductive rights

- Implement universal, comprehensive, integrated and quality programs on sexual and reproductive health, especially for adolescents and youth, with gender, human rights, intergenerational and intercultural perspective, to ensure access to contraception, safe abortion, maternal health services, prevention and treatment of sexually transmitted infections and HIV/AIDS.

- Ensure that universal programs of sexual and reproductive health respect the principle of confidentiality and privacy, and promote free and informed decision making regarding sexual and reproductive life, sexual orientation and gender identity and the exercise of sexual and reproductive rights.
- Coordinate sexual and reproductive health services with education, community and work centers to address the specific socio-territorial needs of local populations.
- Remove legislation and rules that restrict access to legal, safe and free abortion and those that penalize or discriminate against gay, lesbian, transgender, transvestites and intersex people.
- Develop and implement indicators on quality and gaps in access to sexual and reproductive health services disaggregated by income, age, race-ethnicity, location, sexual orientation, and gender identity.

To guarantee the right to lifelong education

- Promote universal, quality, and free education for all without discrimination, that is available, accessible, acceptable and adaptable throughout life.
- Implement comprehensive sexuality education programs from early childhood, respecting the autonomy and rights of children and informed decisions of adolescents and young people about their sexuality, with a participative, intercultural, gender and human rights approach.
- Expand education programs for young people and adults aimed at the generation of technical and vocational skills for working in the market, with a view to training for critical and active citizenship, based on the principles of sustainability and human rights.

To eradicate multiple forms of discrimination

- Design and implement effective measures to eradicate discriminatory practices based on sexual orientation, gender identity, race-ethnicity, and age in all areas, (including access to education, work, and justice).

III. Facing structural obstacles at a global level to make progress in justice and the guarantee of rights

MDGs have been widely criticized due to the fact that the means to achieving them have been explicitly left out of the debate. Goal 8, "Develop a global partnership for development", should create the international conditions to achieve the other goals, but, in addition to its amplitude and lack of specific deadlines, it is the goal that shows less progress and less political commitment by developed countries. An example is the maintenance, and in some cases the increase, of agricultural subsidies of developed countries and that of tariffs imposed on agricultural products from developing countries, as well as the obstacles to safe technology transfer.

Unlike the MDGs, the idea is for the Post-2015 Development Agenda to be discussed in a participatory way. Nevertheless, this is taking place in a context of increasing concentration of power, where macroeconomic decisions are made at a global level by international financial institutions, central banks, and investment and commercial arbitration courts.

In regard to the Post-2015 Development Agenda debate, it is very important to agree on a comprehensive framework which deals with the structural obstacles hindering the realization of human rights and gender, economic, and ecological justice. This implies reforming financial, trade, investment, and intellectual property rules at a global level, in compliance with human rights obligations and environmental sustainability standards, and promoting policy coherence in the different multilateral spaces.

To this end, it is essential to take into account the principle of Common but Differentiated Responsibilities, agreed by the governments 20 years ago, and the principle of Special and Differential Treatment, within the framework of the World Trade Organization (WTO).

In this way, we would be preserving the policy space of Latin American governments to move as much available resources as possible, to improve their ability to negotiate with multinational corporations, and to begin matching negotiation levels between countries from the North and countries from the South.

These are the most important recommendations:

- Regulate financial systems and instruments of financial speculation developing incentives for long-term investments in productive and sustainable sectors.
- Establish mechanisms for effective international monitoring and coordination to reduce the probability and size of international financial crises. This will

involve the regulation of systemically important financial corporations and financial centers.

- Develop and implement an effective regulatory system for countries and blocks of countries that issue reserves, including measures such as the transition from overdependence on the dollar in international transactions and replacing it with an international currency.
- Update and democratize the voting system in global financial institutions.
- Establish a predictable, equitable and comprehensive mechanism of resolution and mediation of sovereign debts.
- Promote the development and implementation of global regulations that mitigate the negative effects of the monetary policies of high-income countries in low and middle income countries.
- Establish multilateral mechanisms for coordinating exchange rates.
- Create a regional fund of monetary stabilization and development financed by a tax on international financial transactions. This fund should include mechanisms for compensation of asymmetries in the economic field and in decision-making processes, ensuring a resource allocation orientation based on social, economic and environmental rights' criteria.
- Promote mechanisms for regional and global cooperation to prevent the “race to the bottom” syndrome, meaning interstate competition based on lowering of taxes, human rights and environmental standards to attract foreign direct investment.
- Develop a binding multilateral code of conduct for transnational corporations to control and monitor their compliance with human rights obligations and environmental sustainability standards.
- Promote the creation of a regional and autonomous Center for Dispute Resolution on transnational private and public investments.
- Review the investment protection treaties and Free Trade Agreements signed by the countries that restrict the policy space of States to fulfill their obligations regarding human rights and environmental sustainability, including access to health services, education, medicines, energy, etc.

IV. Strengthening alternative development actions and mechanisms of public funding

For the agreements within the context of the United Nations to be a real contribution to the region, it is important to change the direction of the debate from “growth to reduce poverty” toward the identification of specific sources of economic growth, carefully assessing the redistributive effects of economic policy and guaranteeing the respect for human rights and ecological limits. Therefore, the debate should focus on development strategies and the need to turn production matrices into sustainable, decent work- and knowledge-intensive sectors, oriented towards the sustainability of life.

The prevailing development model in Latin American countries is still based on productive specialization in natural resources, the attraction of foreign direct investment (FDI), and the concentration of exports in low value added commodities. The agro-export model of development, which favors the expansion of monocultures, such as soya bean, sugar cane, and palm (in many cases transgenic crops), and the extractivism centered on the removal of minerals, such as oil, gas, and other minerals, both of which are attractive to the international market, have severe environmental and social impacts. These impacts include: concentration and transfer of land to foreign ownership, deforestation, displacement of indigenous people and communities, expansion of rural poverty areas and sex trade zones, masculinization of sources of employment (or feminization of unemployment), dismantling family agriculture, deterioration of water sources, and emission of toxic gases, which have negative impacts on health, quality of life, and food sovereignty. At the same time, criminalization of protests has increased along with violence against indigenous people, especially against women who oppose extractive projects.

Additionally, it is necessary to challenge the narrative that extractive strategies are essential to finance social policies in the region. In order to do so, hidden costs must be considered, i.e. social, environmental, and financial costs, as well as the compensation policies that must be implemented to avoid the impacts of these strategies (Gudynas, 2013). These include tax exemptions for large scale projects, as well as other mechanisms to reduce tax revenues (capital flight, property rights, transfer pricing), which could be used to develop and expand policies and services, including education, health, care, etc.

On this regard, there follow some recommendations:

- Promote productive diversification policies in sustainable sectors which are knowledge, decent work intensive and have low environmental impact. Specific criteria should be included to promote training, employment for women and youth, small and medium-sized companies, and territorial decentralization.

- Create development fund to promote and strengthen self-managed productive enterprises, social and solidarity economy, emphasizing those that provide alternative employment for women, youth and other populations with poor employability and promote fair labor relations.
- Promote access to credit, market and knowledge of small producers and of supportive and social and solidarity economy initiatives, taking into account supportive markets in consumer collectives, fairs, producers' shops and fair distribution chains and access to credit from mechanisms such as community banks and credit unions for a more accessible & equitable distribution of financial resources.
- Implement effective land redistribution policies to prioritize and protect the ownership of indigenous peoples' lands, and facilitate access to and control over land by women.
- Promote policies of productive chains based on local and national production and productive complementarity, including various forms of convergence funds, at regional level towards the reduction of asymmetries between regions and countries.
- Promote intra-regional trade in national currencies.
- Develop mechanisms that promote investments around diversifying the production matrix in sustainable and knowledge-intensive work sectors. Specific criteria should include the following: provision of training, safe technology transfer, inclusion of national inputs, employment for women and youth, small and medium-sized enterprise support and territorial decentralization.
- Regulate flows of short-term capital, reducing volatility and pro-cyclical impacts and prioritizing productive investment in the long and medium-term.
- Develop a system of indicators of inequality to monitor the level of concentration of income, wealth, resources, and the markets, the functional distribution of income, the incidence of the tax system in the distribution of income, the distribution of unpaid and care work, based on gender, race-ethnicity, and age criteria.
- Develop multidimensional poverty indicators that take into account non-monetary elements such as time poverty, the gaps regarding access to services and discrimination.

The debate should focus on the actors and the mechanisms to mobilize the maximum available resources for development. In 2000, the MDGs referred to a global partnership for development (a clear reference to a partnership between developed and developing countries) while in the current debates about the Post-2015 Development Agenda, the implicit goal seems to be the partnership between countries and the private sector, through the promotion of public-private partnerships. The private/corporate sector is considered a development actor, which can move resources in a context of reduction of cooperation funds resulting from the economic crisis in donor countries. Initiatives promoted by the UN Secretary-General, such as the United Nations Partnerships Facility, are a clear step toward this direction. Thus, it is necessary to review the role of the private sector and the agreements between governments and private companies, and identify whether public resources are being used to cover the risks of private investment in strategic sectors.

It is important to discuss the strengthening of the role of the States in the region as the actors responsible for guaranteeing human rights and creating incentives to correct market asymmetries. There is already enough literature on the impact of privatization on the increase of inequality and the gaps regarding access to basic services, such as education, health, water, and energy. Some countries in the region have indeed made some progress in moving official resources for development, including the design and implementation of more progressive tax systems.

The following recommendations are specifically considered:

- Develop and implement taxes on international financial transactions where revenue collection and utilization should be oriented in fulfilling state's commitments in matters of human rights and environmental standards, with a special focus on populations excluded by sex, gender, race-ethnicity, age, etc.
- Promote global mechanisms to check and correct manipulation of transfer pricing.
- Design and implement progressive tax systems that include taxes on wealth concentration, considering income, wealth and resources; direct taxes on capital gains in the financial system and the real estate sector; and the reduction of indirect taxes/consumption taxes burden.
- Audit and correct gender biases implicit in tax policy. This implies taking tax burden away from single-parent households comparatively with two-parent households; implementing fiscal mechanisms for compensation of discrimination, such as tax exemption for people living in poverty due to gender identity discrimination; updating tax benefits to same-sex couples

when there is legal recognition; and implementing tax deductions for number of children.

V. Meaningful participation of social organizations, autonomy, and strengthening of the multilateral system

One of the main challenges in this context is to transform the unequal power relations between the different multilateral organizations of global governance, between transnational corporations and the States, and between the States of the North and the States of the South.

Additionally, it is necessary to close two important participation gaps. The first gap refers to the national and regional level, where civil society organizations, and especially feminist and ecological organizations and movements, as well as those that defend economic justice, are not being consulted and in many cases are being persecuted, both by conservative and progressive governments within the region. It is essential to reverse the increasing criminalization of protests by groups and movements involved in socio-environmental conflicts. Also, it is necessary to address the barriers to the public's access to information and transparency (for example, in terms of investment agreements with companies, tax exemptions, etc.), which limit the monitoring ability of organizations and social movements.

The second gap refers to the invisibilization of feminist and ecological organizations, as well as those that defend economic justice, especially from the South, in the United Nations' debates, comparing to the strong influence of the corporate sector in the definition of both the agenda and the priorities. The debate of the development agendas should be a broad and inclusive process, with clear negotiation and decision-making mechanisms.

Latin American governments, and in general governments from the South, should have participation conditions and channels comparable to those of developed countries. Also, civil society organizations and social movements require transparent participation mechanisms that go beyond the formal consultation and strengthen their influence capacity.

This is a fundamental step to guarantee the efficiency and legitimacy of the agendas agreed on at the global level. Accountability mechanisms of States that are found in many human rights instruments, are an excellent reference for the monitoring and accountability process.

The following are the most important proposals:

To promote accountability and participation mechanism at a national level

- Implement laws on transparency and access to information including information on negotiation of trade and investment treaties, business public procurement, incentive schemes and tax reports.
- Establish effective mechanisms for citizen participation and accountability in all public policies, including investment, trade and development, health and education policies.
- Implement reliable and effective mechanisms of free, prior and informed consultation with communities regarding development projects, emphasizing those of extractive exploitation at all stages of the process to ensure the equitable participation of men and women, in indigenous languages, with effective results, and their protection thanks to the participation of admittedly legitimate observers, disinterested regarding the result of the query.
- Reverse the criminalization process of social protest especially in contexts of socio-environmental conflict and address the specific forms of political violence against women and indigenous people ensuring their human rights and the access to justice.
- Promote civil society monitoring and especially feminist and ecological organizations of regional and international financial institutions.

To enrich the process & ownership of defining the Post-2015 Development Agenda

- Guarantee meaningful participation of Latin American civil society organizations, especially feminist and ecological organizations, as well as those that defend economic justice, in the intergovernmental process of negotiation of the development agenda through the strengthening of civil society's participation mechanisms.
- Challenge the growing influence of the corporate and business sector in the United Nations through the monitoring of the Global Compact, the United Nations Partnerships Facility, and the voluntary initiatives promoted by the United Nations Secretary-General.
- Develop and implement a monitoring and accountability multilateral mechanism around the Post-2015 Development Agenda that is based on human rights instruments and guaranteeing the critical participation of civil society.

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