

XI. INTEGRATING GENDER INTO THE WORK OF THE COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS IN A COUNTRY SITUATION: WOMEN AND THE RIGHT TO WORK

Virginia B. Dandan

A. Introduction

1. The International Covenant on Economic, Social and Cultural Rights affirms and guarantees a wide-ranging set of economic, social and cultural rights for all persons including for women: the right to work, to just and favorable conditions of work, to form and join trade unions, to social security, to protection of and assistance for the family, to an adequate standard of living (including adequate food and housing), to health, to education, to culture and to the benefits of scientific progress.

2. The structural framework of gender integration within the Covenant is firmly rooted in two themes: non-discrimination and equality. Article 2.2 of the Covenant obliges to desist from discriminatory practices and to revise laws and policies which allow discrimination. States are also obliged to prohibit private persons and entities from practising discrimination in any field of public life. Article 3 ensures the equal right of men and women to the enjoyment of all economic, social and cultural rights. This article provides that men and women should possess precisely the same legal entitlements to the rights in the Covenant and provides as well a framework for instigating progressive and immediate measures so that women may enjoy, on an equal footing, rights which have often been denied to them.

B. Women and the right to work

3. The right to work is provided for in the Covenant under a bundle of related rights: article 6, the right to work, article 7, the right to just and favorable conditions of work, and article 8, the right to form and join trade unions. Conceptually and in practice, the right to work as defined under article 6 is necessarily linked to articles 7 and 8, and indeed it is likewise linked to all other rights in the Covenant. The right to work is the basis for the enjoyment of adequate food, housing and clothing. Furthermore, one's working status also affects the enjoyment of the rights to health and education. For the purposes of this case presentation articles 6 and 7 of the Covenant will be operational as constituting the right to work.

C. Country situation

4. It is difficult to pick out just one country situation to illustrate how gender has been integrated into the work of the Committee for three reasons. First, the question of singling out one country is a sensitive matter: why this country and not the other? Second, the details of the situation have to be precise and clear. A total grasp of the situation is called for and in light of so much documentation to go through, it is difficult to be precise and clear one hundred percent of the time.

the part of Government deprived a large sector of the work force of their work. The particular difficulty of women in situations like this led them to prostitution.

D. Incorporating a gender perspective into the Committee's work

10. As early as its fifth session in 1990, the Committee adopted revised general guidelines for reporting by States parties to the Covenant. Under all of the Covenant's provisions, women's rights are given prominence. In particular, the concepts of non-discrimination and equality always inform the line of questioning. Even during dialogues with State representatives, many more concerns are raised from the floor regarding not only the protection but the promotion of women's rights as well.

11. The most positive aspect in integrating the gender perspective in the work of the Committee has been the greater attention to women's rights in its own work. In closed door discussions, concerns about the situation of women's economic, social and cultural rights has become a major concern in considering States' parties performance. Even NGOs have noticed this as evidenced by the increasing number of submissions from NGOs representing women's rights as well as their presence during Committee sessions.

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