DEVELOPING WOMEN AND GIRLS THROUGH A CARE SOCIETY

Written contributions to the Special Rapporteur on the Right to Development's Annual Report on "Nexus Between Gender Equality and the Right to Development"

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The Global Initiative for Economic, Social, and Cultural Rights (GI-ESCR), Public Services International (PSI), and Centro Regional de Derechos Humanos y Justicia de Género (Corporación Humanas), are thankful for the opportunity to provide a written contribution to inform the development of the Annual Report of the Special Rapporteur on the nexus between gender equality and the right to development.

The present submission seeks to provide inputs in relation to guiding questions number 3, 4, 5, 6, 7 and 8 posed by the Special Rapporteur within his call for submissions.

The Current State of Affairs

Care and support are basic structures of a life with dignity, social justice, and gender equality: a life where all people are fully developed. However, due to the historical gender divide reinforced by industrialization, care work disproportionately falls on the shoulders of women and girls worldwide. According to the International Labour Organization (ILO), "throughout the world without exception, women perform the majority of unpaid care work. Women spend, on average, 3.2 times more hours than men on unpaid care work: 4 hours and 25 minutes per day compared to 1 hour and 23 minutes for men".[1] Similarly, in Latin America, the Inter-American Development Bank reports that women perform between 69% and 86% of unpaid household work.[2] In Africa, "countries across sub-Saharan Africa rely on over

[1] Inter-American Court of Human Rights (2023) *Request for an Advisory Opinion to the Inter-American Court of Human Rights: The content and scope of care as a human right, and its interrelationship with other rights,* p. 2. Available at: https://www.corteidh.or.cr/docs/opiniones/soc_2_2023_en.pdf (Accessed: 16 April 2025).
[2] *Ibid*., p. 2.

900,000 community health workers to support their health systems, over two-thirds of whom are women, and 86% are unpaid".[3] Within the European Union, women "spend on average 62 hours caring for children and 23 hours doing housework per week, compared to 36 hours and 15 hours for men"[4]. The **invisibility of care and support work**, coupled with the **overrepresentation of women and girls** in these roles, reinforces gender inequalities, exacerbates multidimensional poverty, and forces them further away from development.

One of the biggest problems that this feminization of poverty mode poses, is the unequal distribution of care work not only between women and men within households; but especially among households, states, businesses, and communities. Despite numerous statements from UN Treaty Bodies and special procedures recalling states' obligation to provide public services for the fulfilment of economic, social, and cultural rights[5] —such as social security, healthcare, education, water and energy, as well as support for children, older people and people with disabilities, among others—, the continued lack of state recognition and investment, and even more, the cuts in **public services and care policies,** have a disproportionate impact and perpetuate cycles of underdevelopment of women and girls[6].

This is particularly true under an intersectional analysis, as the ones most affected are those pertaining to the most marginalized communities, who cannot fulfil their economic, social and cultural rights through devices that meet the principles of **quality public services**[7], namely:

1. Universal and accessible to all
2. Managed and hosted by public hands
3. Participatory, transparent, trusted and democratically accountable

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[3] United Nations (2024) *Transforming Care Systems in the Context of the Sustainable Development Goals and Our Common Agenda. UN System Policy Paper,* p. 5. Available at: https://unsdg.un.org/sites/default/files/2024-07/FINAL_UN%20System%20Care%20Policy%20Paper_24June2024.pdf (Accessed: 16 April 2025).

[4] The Future is Public (2020) Available at: https://futureispublic.org/global-manifesto/#about (Accessed: 16 April 2025).

[5] Global Initiative for Economic, Social and Cultural Rights (GI-ESCR) (2021) *From gender-responsive to gender-transformative public services*. Available at: https://gi-escr.org/en/resources/publications/from-gender-responsive-to-gender-transformative-public-services (Accessed: 16 April 2025).

[6] Declaración de la Articulación de la Sociedad Civil en Seguimiento a la Convención de Belem Do Pará (2024) Available at: https://laneta.cl/wp-content/uploads/2024/06/Declaracion-de-la-Articulacion-de-la-SC-en-Seguimiento-a-la-Belem-Do-Para-11-6-2024-.pdf (Accessed: 16 April 2025).

[7] The Future is Public (2020) *Future is Public: Global manifesto for public services*. Available at: https://futureispublic.org/global-manifesto/manifesto-en/ (Accessed: 16 April 2025).

4. Improving and adaptable, responsive and transformative to those they serve
5. Built on a solid foundation of long-term public financing
6. Founded on solidarity
7. Committed to equality, including gender equality, and social justice
8. Environmentally and ecologically conscious
9. In proximity
10. Just, secure and safe, both for those who use the services and those who provide them
11. Protected from the market economy, commercialisation and financialization.
12. Delivered by public service workers with decent work, including social dialogue

Under this dreary situation, there are several concrete measures that states can take to guarantee women and girls' right to development, starting by shifting the paradigm towards a **care society**.

Shifting Towards the Care Society

According to the Economic Commission for Latin America and the Caribbean (ECLAC), unlike the current social and economic model, the **care society** assumes that "all people are vulnerable and interdependent"[8], thus recognising that vulnerability is intrinsic to the human condition[9]. As such, the "care society is based on interdependence and eco-dependence, as constituent dimensions of individuals and their network of social, interpersonal and environmental relationships"[10]. Therefore, its aim is to "foster caring relationships, in which everyone has the capacity to provide care because they are also care recipients".[11] Under this paradigm, care can be understood as "a species activity that includes everything we do to maintain, continue and repair our world"[12].

[8] Economic Commission for Latin America and the Caribbean (ECLAC) (2022) *The care society: a horizon for sustainable recovery with gender equality*. Available at: https://repositorio.cepal.org/server/api/core/bitstreams/016d2a56-09fe-475e-bcfa-8f35bc41ced2/content (Accessed: 16 April 2025).
[9] *Ibid*.
[10] *Ibid*., p. 28.
[11] *Ibid*.
[12] Op. Cit., United Nations (2024) *Transforming Care Systems in the Context of the Sustainable Development Goals and Our Common Agenda. UN System Policy Paper*, p. 6.

To achieve such a task, the current social organisation of care, which is fundamentally unbalanced, unequal and ultimately unsustainable, needs to be rebuilt[13]. This rebalance of the caring and supporting responsibilities among different actors, of course, requires a strong investment to resource **care as a public good and a collective social responsibility**, shifting away from the household's private responsibility which mainly falls on women, and moving towards State and public services, as well as a societal co-responsibility.

Such an endeavour requires **legal, economic, social and cultural changes** that model a caring approach to life in common. This shift entails, firstly, **enshrining care and support as a human right** within international, regional, domestic and sub-national legislation. To give substantive content to this effort, it is also necessary to **recognize the four dimensions of this right, including the right to care, to be cared for, to self-care, and to care for the environment**. This last dimension also requires the engagement in **just transition policies** that move towards societies with renewable energy systems, as well as sustainable production and consumption patterns. These policies must be care-led,[14] meaning their design and implementation must consider the effects of patriarchy in the intersecting set of inequalities that shape responses; promotes local and community service provision; ensures that all stages of the design, implementation and evaluation, consistently include the participation of different marginalised stakeholders in conditions of equality; are implemented considering the principle of incremental learning; generate climate resilience in the process; and guarantees the right of access to justice to all women and girls, thus fostering an inclusive and sustainable development for all.

The paradigm of the care society also calls for the **state's distancing from deregulation, privatization, fiscal consolidation (austerity) and crushing neo-colonial debt burdens**, which only deepen the effects suffered mainly by women and girls and consolidates the commodification of care. The same is needed in the case of **regressive national tax policies**, which undermine States' responsibility to provide public services that ensure rights. Conversely, guaranteeing women and girls' right to development requires the **allocation of public investment** in public services and infrastructure to resource care and support as a

[13] Public Services International (no date) *Care Manifesto: Rebuilding the social organisation of care*. Available at: https://publicservices.international/resources/campaigns/care-manifesto-rebuilding-the-social-organization-of-care?id=11655&lang=en (Accessed: 16 April 2025).
[14] Global Initiative for Economic, Social and Cultural Rights (GI-ESCR) (2023) *A Care-Led Transition to a Sustainable Future*. Available at: https://gi-escr.org/en/resources/publications/a-care-led-transition-to-a-sustainable-future. Accessed: 16 April 2025.

public good and a collective social responsibility. This calls for the implementation of macroeconomic policies that are gender-aware and care-embedded.

Implementation-wise, the achievement of a care society also calls for the adoption of transdisciplinary and multi-sectoral policies that foster **quality public services** that comply with the 10 principles outlined above, and are also **sustainable, climate-resilient, and innovative**[15].

Finally, regarding procedural rules, it is important to highlight that all care-related policies should account for an intersectional analysis of women and girls' realities. Hence, any regulatory measures must be adopted after the implementation of social dialogue that includes care workers and their unions, participation procedures that are substantive, meaningful and accountable to the people whom they are trying to regulate. The same happens with data collection mechanisms, which should also be able to conclusively demonstrate the patterns and nuances of the realities they seek to reflect. This is particularly sensitive among women and girls living in rural areas and in slums, afro-descendant or racial minority women and girls, indigenous women and girls, and women pertaining to religious minorities; women and girls with disabilities; carers of and people suffering from long-term or terminal illnesses; children under institutional custody; imprisoned women and their dependents; and older women.

Suggested Actions

As a corollary of all the above, we respectfully suggest the Special Rapporteur the following set of concrete actions that can foster a positive nexus between sustainable and inclusive development and women and girls, and ease the transition to a care society:

1. Enshrine care and support as a human right within international, regional, domestic and sub-national legislation.
2. Provide content to the human right to care, as an autonomous right, including the dimensions of the right to care, to be cared, to self-care, and to care for the environment, to account for the double and triple shifts that women face, especially in the context of the worsening effects of the climate emergency.
3. Engage in just transition policies that foster women, girls and environmental wellbeing

[15] *Ibid*.

towards the achievement of inclusive and sustainable development plans.

4. Allocate public investment to strengthen public capacity, resource care and support as a public good and a collective social responsibility.
5. Avoid deregulation, privatization and austerity measures at the national level, and foster progressive fiscal and tax policies, that institutionally allow the redistribution of social costs and benefits.
6. Adopt transdisciplinary and multi-sectoral national policies and strategies to foster quality public services that alleviate the care work currently undertaken almost exclusively by women and girls and provide decent work to care workers.
7. Ensure that all policies related to care are adopted after a process of substantive participation of women and girls from different backgrounds, to incorporate an intersectional approach to all realities and social dialogue, including the unions representing care workers. This is particularly sensitive among women and girls living in rural areas and in slums, afro-descendant or racial minority women and girls, indigenous women and girls, and women pertaining to religious minorities; women and girls with disabilities; carers of and people suffering from long-term or terminal illnesses; children under institutional custody; imprisoned women and their dependents; and older women.
8. Foster inclusive and participatory data collection methods that also account for women and girls lived realities at multiple levels.

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