

Afrodescendant women: our gaze fixed on the intersections of race- and gender-based organizing

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I. Table of Contents

I. Introduction.....	5
II. Commitments made at international conferences, and implications for the lives of Afrodescendant women	10
III. The economic empowerment of Afrodescendant women in terms of the Millennium Development Goals (MDGs), social, economic and cultural rights (ESCR), and the International Convention of the Elimination of All Forms of Racial Discrimination (CERD).....	15
<i>a) The economic empowerment of Afrodescendant women and the Millennium Development Goals (MDGs).....</i>	<i>17</i>
<i>b) Economic, social and cultural rights (ESCR).....</i>	<i>26</i>
<i>c) The International Convention on the Elimination of All Forms of Racial Discrimination (CERD).....</i>	<i>29</i>
IV Conclusions and Recommendations.....	30
<i>a) Censuses and ethno-racial and gender indicators.....</i>	<i>30</i>
<i> Recommendation: consistently use ethno-racial indicators.....</i>	<i>30</i>
<i> Recommendation: investigate the intersections between an ethno-racial perspective and a gender perspective.....</i>	<i>31</i>
<i>b) Poverty and economic empowerment.....</i>	<i>32</i>
<i> Recommendation: commit to the analysis of time use and paid and unpaid domestic work, in order to design economic policies with ethno-racial and gender perspectives.....</i>	<i>33</i>

<i>Recommendation: implement public policies that promote the economic autonomy of Afrodescendant women.....</i>	<i>34</i>
<i>Recommendation: defend the secular State.....</i>	<i>34</i>
<i>Recommendation: protect and recognize sexual and reproductive rights.....</i>	<i>35</i>
<i>Recommendation: mainstream generational aspects to guarantee the vision and active/proactive participation of young women.....</i>	<i>35</i>
<i>Recommendation: ratify, comply with and commit to regional and international conferences, agreements, treaties and instruments, as well as to national laws.....</i>	<i>36</i>
<i>Recommendation: recognize the region’s geopolitical diversity.....</i>	<i>37</i>
<i>Recommendation: recognize an identity-based space for Afrodescendant women within government structures.....</i>	<i>37</i>
<i>Recommendation: promote concrete actions during 2011, the International Year for People of African Descent.....</i>	<i>37</i>
<i>Recommendation: maintain an ongoing commitment to Haiti.....</i>	<i>38</i>
<i>Recommendation: Afrodescendant social organizations should systematically include women’s demands and priorities, and guarantee their participation in all their representative and power structures.....</i>	<i>38</i>
<i>Recommendation: establish a gender observatory with a focus on the intersection of gender with ethno-racial factors.....</i>	<i>38</i>

I. Introduction

To speak of the challenges and opportunities around the economic empowerment of Afrodescendant women in Latin America and the Caribbean is a great challenge. Its complexity lies in our perspective on the intersections of the categories of gender, women, ethnicity and race. For Afrodescendant women, and for all women in the region, the exercise must include such a perspective to provide the most inclusive results for the full diversity of women.

Our aim is to construct inclusive discourses, as well as inclusive responses. In this document, we will speak of institutional responses, as well as the challenges posed by civil society, organizations and communities. It is no longer enough to merely recognize the existence of hegemonic norms and canons, which are found in the social as well as the political, cultural and economic spheres. Instead, new social, political, cultural and economic connections must be devised, links which recognize our forms of citizenship as equal and as rooted in the full range of women's diversity. Beyond merely noting the challenges posed by discrimination and exclusion, the complex effects of these behaviours must be considered in the lives of flesh-and-bone people who have faces, skin and feelings.

Discrimination against women, further aggravated by racism against Afrodescendant women, is the expression of a complex spider web of intersections which bear exclusions. We become trapped in the spider web if we see ourselves as a stuck fly, rather than a spider which, since it spun the web itself, skilfully manages to live in it. In saying this we are not remotely insinuating that the blame for suffering exclusion falls on those who are excluded. Rather, we are drawing attention to the complicity with hegemonic structure which occurs when identities are considered as "otherness", strangeness, abnormality. This leads to us spinning the spider web as a trap, not the house which shelters us no matter what our identity, protecting us and providing the strength to challenge exclusions as they appear.

We want to make clear that what we call "exclusions" are in fact non-privileged identities, the "others" (or otherness), those who do not enjoy the hegemonic benefits of social regulation. The dominant discourse posits a kind of equality between the dominant and dominated sectors by trying to make a credible case that the formal recognition of equality automatically places everyone in the same sphere of opportunities and rights. Afrodescendant women and all excluded people spin their web as if it were someone else's home; they don't see their multiple identities as actually identifying them and providing a center from which they can move anywhere and everywhere. It is necessary to recognize the full array of identities that combine to create the identity of Afrodescendant women. Clearly this is complex, and does not only depend on the person suffering exclusion.

Throughout this document we will use the concept of "race", a term understood to be a social construction as it is used to establish classifications between human beings. We accordingly also use the concept of "racism", in cases where these categories imply the belief that some human beings are superior to or more valuable than others. Some critics have suggested that the term "race" should not be used, which has led to debate – particularly in reference to the recent campaign to include racial categories in census rounds. Gabriela Castellanos addresses the term as follows:

The differences between people considered (for genetic reasons) as members of the same race are often greater than those which may exist between individuals of different races. That is, the obvious phenotypic characteristics such as skin color, facial features, etc., don't correspond to scientifically distinguishable genotypes. What is of much greater concern is the fact that any effort

to classify and differentiate human races has always been associated with movements or trends – like Nazism – which attempt to prove the supremacy of one race over another, and therefore to establish a hierarchy between them. In addition, an individual considered “white” in one sphere, for example, may be catalogued as “black” in another country or region, or by another group. (1)

Castellanos also recognizes that regardless of this explanation of race as a category which moves beyond the merely biological, it is necessary to understand the way in which society has constructed itself around the category itself:

For these reasons, we will consider “race” as a cultural, not a biological term, which allows historically determined classifications of individuals in accordance with socio-cultural concepts. As Rodolfo Stavenhagen states, race is an objective characteristic, like language and religion, which allows ethnic distinctions to be established. In contrast, “an individual’s consciousness of belonging to, and identification with, the group” (or identity) would be a subjective factor. However, its objective nature does not stop race from being “the social and cultural construction of apparent biological differences. ‘Race’ only exists to the extent that biological differences [specifically phenotypic differences] have meaning in terms of the cultural values and the social behaviours of people in any given society”. Objective factors, therefore, are as culturally constructed as subjective ones. (2)

Racism continues to exist today as a result of the idea of associating what we call “race” to social, political, economic and cultural contents:

Racism is basically the existence of an idea which links the physical, genetic or biological attributes of an individual or group with cultural or moral characteristics. As Michel Wieviorka (1992) has pointed out, racism is a perversion of social relationships which impacts the economic, political and social spheres. The production and perpetuation of racism throughout history can only be explained by niches where racist resources can function autonomously, that is, without requiring an explicit mandate or action to ensure discrimination and to impose its internalization. This leads to employment and education acting as privileged and lasting spaces in the reproduction of racism. Ethno-racial discrimination cannot be understood without taking into account the structural and historical factors of its establishment, as well as the socio-economic and political processes that perpetuate inequality and discrimination. Accordingly, slavery and colonial domination of Afrodescendant and indigenous groups are precedents that help us understand the current processes of economic, political and social exclusion in an historical perspective. (3)

On the other hand, addressing the union of the categories of “race” and “woman/women”, Elizabeth Crespo-Kebler draws attention to the difficulties which result in the category of “black woman” when race “is represented as a fixed, natural and biological category” (4). Crespo-Kebler instead understands that race “is not a biological or cultural essence, but is defined in the relationships with other social subjects who occupy various positions in schemas of economic, social or political power. Racial categories vary across time and space”. (5) In this document, we have worked from the understanding that none of these categories are fixed – neither regarding race nor women – nor is there only one way of seeing,

(1) Castellanos Llanos, Gabriela (n.d.), *Aproximaciones a la articulación entre el sexismo y el racismo*. Available from http://gabrielaCastellanosLlanos.com/index.php?option=com_content&task=view&id=10&Itemid=33. Accessed 19 June 2010. [Our translation.]

(2) *Ibid.* The Stavenhagen quotes are from *Ethnic Conflicts and the Nation-State*, UNRISD/Palgrave MacMillan, 1996.

(3) Hopenhayn, Martín, Álvaro Bello, and Francisca Miranda (2006), *Los pueblos indígenas y afrodescendientes ante el nuevo milenio*. Políticas Sociales No. 118, ECLAC, Santiago. Available from www.acnur.org/biblioteca/pdf/4559.pdf. [Our translation.]

(4) Crespo-Kebler, Elizabeth (2005), *Y las trabajadoras domésticas ¿dónde están? Raza, género y trabajo*. In Idsa Alegría Ortega and Palmira Ríos González (eds), *Contrapunto de género y raza en Puerto Rico*, Centro de Estudios de Investigaciones Sociales, Universidad de Puerto Rico, Puerto Rico. [Our translation.]

(5) *Ibid.*

understanding or experiencing them. Finally, there is more than one way in which they are expressed in their complexity and intersections.

Afrodescendants have reclaimed the term “race” to provide value to an identity, and as such convert it into a platform from which they can fight racism.

We are Afrodescendants; this is a term which recognizes our ancestry. We are descendants of the people of African origin who were brought to Latin America and the Caribbean enslaved. We are descendants of the people who came deprived of their freedom, people with culture, traditions, languages, customs and dreams. From these people we descend, not from slavery itself. The inheritance [of slavery] is not ours – it belongs to slave owners and their descendants. Slavery is the inheritance of those who trade in human pain and treat human beings as merchandise; these people believed that in breaking [slaves’] bodies they would subjugate their souls. But they were not successful, because human beings arrived in Latin America and the Caribbean, human beings with personal and collective histories – people landed here. Although in the gaze of every captain, in the gaze of every slave buyer, they were seen as merchandise, people arrived in Latin America and the Caribbean. People who were enslaved, but before all else, the one thing that defined them was that they were people, human beings whose very humanity was denied.

The inheritance we reclaim is the history of the African peoples who arrived in America, a history we recognize by naming where we are descended from. That is why we are not descendants of men and women slaves, we are descendants of African people. When others attempt to maintain “Afrodescendants” as being synonymous with “slave descendants”, this therefore leads to the political, economic, social and cultural demand for reparations for the damages to our ancestors’ freedom, for the crimes committed against them, and for the resulting social and political exclusion.

(6)

The issue of reparations was addressed in our region’s Declaration of the Conference of the Americas. The declaration states, “the compensation for the victims of these manifestations must be provided through policies, programmes and measures, including affirmative action measures, which will benefit the affected individuals, communities and peoples”. (7) ”. We will develop this point further below.

In terms of the interconnections between race, ethnicity, women and gender, boosting the use of intersectionality and transversality in analysis has been one of the achievements of participating in processes before and after various international events, conferences and meetings organized by entities such as the United Nations (UN) and the Organization of American States (OAS).

Kimberlé Williams Crenshaw says of intersections:

To use the metaphor of an intersection, we first create analogies of the relationship between various axes of power, i.e. race, ethnicity, gender, or social class, as the paths which give shape to the territory of social, economic and political relationships. The dynamic process of privation of power travels down these avenues. They are axes of specific and exclusive power; for example, racism is different from patriarchy, which is itself different from class-based oppression. In fact, the systems often overlap and cross paths, creating complex intersections at points where two, three

(6) *Rivera Lassén, Ana Irma (2009), Mujeres afro latinoamericanas, afrocaribeñas y de la diáspora: voces. Presentation given at the Durban Review Conference, Geneva, 20-24 April. [Our translation. Original italics.]*

(7) *Declaración de la Conferencia de las Américas (2000), Conferencia Regional de las Américas, Preparativos de la Conferencia Mundial contra el Racismo, la Discriminación Racial, la Xenofobia y las Formas Conexas de Intolerancia Santiago de Chile, 5-7 December, Santiago. WCR/RCONF/SANT/2000/L.1/Rev.4. Available from www.oas.org/dil/esp/RSantiagoS.pdf. [Our translation.]*

or more of these axes intersect. (8)

As mentioned earlier, recognizing the multiple identities that simultaneously comprise the identity of Afrodescendant women forms part of this analysis. People experience all of their identities at once; each person is the intersection of all of their identities simultaneously. We are people with nationality, race, ethnicity, physical or mental capacities, sexual orientation, gender identity, generational identity and any other identity, all at once. Analyses that do not use a cross-cutting method have until now claimed to privilege one identity above another. We should ideally be able to live with all our identities, in an holistic way that allows us to see the rich diversity of each and every one of us, as complete, complex and healthy individuals.

Some countries in the region officially claim to be multi-ethnic and pluralist States, but what does this really mean when it is translated into demands for social, economic, cultural and political inclusion? It provides a challenge to the regulations of the power structure ostensibly based on ethnic or racial “neutrality”. Until “race” and “ethnicity” are named, the racialization of power cannot be seen because “white” regulations are taken for granted and therefore perceived as neutral. This challenge includes an analysis of the ways in which the State organizes; of the inclusion of new male and female legal subjects who, using Hannah Arendt’s concept, have “the right to have rights”; and of the reconceptualization of the law itself. Miguel A. Bartolomé, using the example of the demands of indigenous peoples, says:

Indigenous mobilizations in Latin America have a structural character, defined by the politico-cultural emergency and the identity affirmations of non-Western traditional civilizations, and a dynamic politico-social aspect exhibited by the vicissitudes they have experienced in different countries and at different times. One defining factor is that Latin American States were not only configured without regard for the native populations, but also directly attacking them, as is shown by the casuistry addressed in this essay. Current indigenous demands are not oriented to proposing forms of separatism, but basically have the configuration of autonomous regions or communities within the States they are located in. If a multi-ethnic State is taken to be a plural society, all possible paths must be explored to seek out previously unknown forms of cohabitation. Autonomy is not equivalent to segregation, but to new modalities of social connection. The existence of a people as a collective subject is impossible without some level of political self-determination. What is being discussed is not the notion of State sovereignty over ethnic spheres, but the assumption that sovereignty should not be equivalent to hegemony. The plurality of existing ethnic situations implies that the redefinition of the insertion of each group within States’ political frameworks would also suppose a plurality of possible negotiations. It can therefore even be argued that the traditional joint definition of citizenship has become obsolete, as its own egalitarian impulse led it to repress difference. (9)

Celina Romany analyses the possible paths to pluricultural and multi-ethnic democracies in similar terms, using the example of Afrodescendant men and women. Romany tends to what she calls “an expansive vision of international human rights scaffolding”. (10)

The full incorporation of Latin American and Caribbean Afrodescendant groups in the construction of a pluricultural and multi-ethnic State, informed by processes of participative democracy,

(8) Crenshaw, Kimberlé Williams (2001), *La intersección de raza y género*. In *Raza, etnicidad, género y derechos humanos en las Américas: Un nuevo paradigma para el activismo*, Celina Romany (Ed.), American University, Inter-American University of Puerto Rico, Puerto Rico. [Our translation.]

(9) Bartolomé, Miguel A., *La reconfiguración estatal en América Latina. Algunas consecuencias políticas del pluralismo cultural*, *Pensamiento Iberoamericano* No. 93. Available from www.pensamientoiberoamericano.org/articulos/4/93/0/la-reconfiguracion-estatal-de-america-latina-algunas-consecuencias-politicas-del-pluralismo-cultural.html, Accessed 21 June 2010. [Our translation.]

(10) Romany, Celina (2001), *De frente a la impunidad: La erradicación de la discriminación racial en el camino hacia las democracias pluriculturales y multiétnicas*, ECLAC/IIDH. *Reunión de Expertas sobre Racismo y Género*, Santiago, 4-5 June. Available from www.eclac.cl/mujer/publicaciones/sinsigla/xml/3/6823/romany.pdf. [Our translation.]

is an agenda which goes hand-in-hand with an expansive vision of the international human rights scaffolding. These rights should be facilitators and change agents on the path to social transformation, which should precede the restructuring of a democratic State that incorporates from its very foundation a perspective on citizenship and participation which questions formal models of equality which cannot adequately incorporate a diverse, plural array of identities. Human rights should be constituted in the official principals for public policy and legislation, which remain insufficient to confront the discrimination and marginalization of Afro-Latino populations. (11)

Romany also poses important questions if we are to establish a human rights framework as an antiracist platform:

What benefits does a human rights platform – implemented in a segregated way; failing to incorporate in the regulatory sphere the very entwined experiences of oppression and subordination – offer to social groups and sectors that are racially marginalized? How much can be achieved by guarantees which themselves underpin the political, economic and social spheres, or the perspectives of non-discrimination and equality that are not rooted in the recognition that historical dispossession experienced by racially marginalized groups and the imperious need to validate difference?. (12)

We pose these question at each new human rights meeting and conference, which, although they should be considered as we consider human rights themselves – in a systematic way, taking into account their interrelationships and interdependencies – would seem to be islands in an archipelago of conventions and declarations. Civil society participation in these events is not recognition of immobilizing and fragmented norms in the implantation of various declarations, conventions or agreements. It cannot be a pilgrimage to the corridors and rooms of the United Nations. It must be an engine of change toward the construction of new inclusive, transformative paradigms, not only in the conceptualization of human rights and of rights-bearers, but also an engine behind the transformation of States themselves, and behind public policies and structures. We believe that civil society should not leave behind its autonomous agendas and demands for social change, only to replace them with the “United Nations path”. (13) Autonomous civil society agendas are all that keep utopias alive, and with them the impetus for new paradigms. We are saying that the United Nations path does not make sense for civil society – women, Afrodescendants, indigenous peoples, etc. – as long as the path itself does not reflect agendas of diversity, equality and inclusion in a way that moves beyond merely being the sum of commitments on paper without any corresponding commitment from States, governments, public policies and resources. As long as the various human rights conventions, declarations, agreements and plans for action do not symbolically sit down and look each other in the eye, there will be no integrated recognition of the existence of each person.

(11) *Ibid.* [Original italics.]

(12) *Ibid.*

(13) *This refers to the various world conferences, summits and international events in which civil society participation society has been promoted. The “path” has had a great influence, and a marked impact, on the agendas of civil society organizations.*

II. Commitments made at international conferences, and implications for the lives of Afrodescendant women

In the events related to the “United Nations path”, we have seen how women’s caucuses are increasingly formed by an immensely rich diversity of organizations and women. Other organizations do not participate in these spaces, or only do so in a limited way, out of concern that civil society participation will be established from the outset by the institutional framework of the UN and its agencies. This complaint is based on what is understood as the United Nations’ cooption (or appropriation) of the autonomy of civil society organizations. The organizations understand that these international bodies impose their agendas on other organizations by providing limited funding for and openness to civil society participation at their events.

On the other hand, the dynamic created by the possibility of civil society participation in these events has had an impact on traditional human rights discourse, resulting in dialogue – to differing degrees – between State representatives and those civil society members who manage to access the event (either as part of an official delegation, in parallel events, or in peripheral spaces for participation).

In the case of women, the recognition that “women’s rights are also human rights”, that violence against women constitutes human rights violations, and that gender-based violence also exists, is beyond a doubt the outcome of demands from various women’s and feminist groups, as well as their presence and activism before, during and after such international events.

The presence of civil society organizations in events such as the Conference on Environment and Development (Rio de Janeiro, 1992); the World Conference on Human Rights (Vienna, 1993); the International Conference on Population and Development (Cairo, 1994); the World Summit for Social Development (Copenhagen, 1995); the four World Conferences on Women in Mexico (1975), Copenhagen (1980), Nairobi (1985) and Beijing (1995); the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance (Durban, 2001), and others, are part of this two-directional dynamic of demands, influences and recognition for another language of rights. We are not necessarily evaluating here who wins more than whom, nor who wins which fight. We do, however, have to recognize that the lack of appropriate spaces for civil society meetings does not provide true recognition of their participation.

Fifteen years have passed since the Beijing Conference, sixteen since the International Conference on Population and Development, and almost nine since the Durban Conference; women’s, feminist, human rights and other organizations have since attended the periodic performance evaluations for each resulting declaration and plan for action. The Economic Commission for Latin America and the Caribbean (ECLAC) is calling us to Brasilia in July 2010 for the regional evaluation of States’ responses in relation to the Beijing Conference and other processes:

The eleventh session will see the completion of the follow-up to a number of processes which began in the 1990s. 2009 will mark the fifteenth anniversary of the International Conference on Population and Development, and in 2010 it will be the turn of the Fourth World Conference on Women, together with the tenth anniversary of the Millennium Summit and the second anniversary of the Secretary-General’s worldwide campaign to eliminate violence against women.

The holding of the eleventh session will be preceded in March 2010 by the fifty-fourth session of the Commission on the Status of Women, when government authorities will come together

to review progress in relation to the Fourth World Conference on Women, with special attention [given] to the situation of women in the five regions of the world.

The frame of reference for this review process will include the Convention on the Elimination of All Forms of Discrimination against Women (1979), internationally agreed development goals, including the Millennium Development Goals (New York, 2000), the Platform for Action adopted at the Fourth World Conference on Women (Beijing, 1995), the international commitments relating to the advancement of women adopted by the world summits held in the 1990s, and the Regional Programme of Action for the Women of Latin America and the Caribbean adopted at the sixth Regional Conference on the Integration of Women into the Economic and Social Development of Latin America and the Caribbean (Mar del Plata, 1994) and ratified by the Lima Consensus (2000), the Mexico City Consensus (2004) and the Quito Consensus (2007). (14)

Black women in the region have voiced a demand for greater visibility in these processes. This demand was strengthened through the presence of organizations specifically for black women. The presence of black women in women's or feminist organizations, although always constant, was generally submerged by the so-called "general demands of women" – a category which, in the spirit of neutrality, responds with a vision of equality that does not necessarily recognize diversity. The same happens in mixed (men and women) Afrodescendant groups and organizations, which attempt to invisibilize women's demands by alleging the neutrality of their agenda. We could continue giving examples in terms of sexual orientation, gender identity, age, and other issues which also demand their own space within so-called broad agendas. These spaces cannot continue to remain invisible, for that truly is exclusion.

An overview of some of the declarations authored, for example, by different women's caucuses, as well as organizations such as the Network of Afro-Latin American, Afro-Caribbean and Diaspora Women (Red de Mujeres Afrolatinoamericanas, Afrocaribeñas y de la Diáspora, RMAAD), in previous events makes manifest certain important aspects of this work. For several years there has been an effort to integrate voices and visibilize identities in the declarations of women's organizations, especially in jointly signed declarations. In the Quito Conference in 2007, the Forum of Feminist Networks, Organizations and Campaigns of the Americas (Foro de Redes, Articulaciones y Campañas Feministas de América) stated:

We are indigenous, we are Afrodescendant, mestiza, lesbian, disabled, heterosexual, young, old and not so old. All women and feminists.

Today in Quito, as before in Mar del Plata, in Lima, in Mexico City, in Santiago, in San Juan, Tegucigalpa, Kingston and Brasilia, a range of women's organizations and feminist networks, we are once again here with ECLAC.

We are here because we believe that political democracy and its institutions can successfully make human rights truly universal for all people.

We are here because this regional space has been key to progressing toward equality and equity, although it is still not enough. We are here because in the most unequal region in the world, we want to convince [these institutions] that instead of policies focused on poverty, what we need are policies focused on redistributing wealth. We are here because we continue to fight for inclusion, social justice, intercultural pluralism and non-discrimination. We are here because we want to

(14) *Proposals by the Secretariat for the Preparation of the Eleventh Session of the Regional Conference on Women in Latin America and the Caribbean. ECLAC, LC/L.2976/Rev.1, 23 April 2009. Available from www.eclac.org/mujer/noticias/noticias/7/36237/ProposalsSecretariat.pdf.*

democratize democracy. (15)

RMAAD, for its part, coauthored a declaration in which it reminded participants that the first time that organizations of women Afrodescendants participated in an international event – as such, in an active and visible way – was during the Sixth Regional Conference in Mar del Plata in 1994. It also point out that it was not until the 2000 Conference of the Americas that the specific needs of Afrodescendant women were included on the international agenda. RMAAD stated:

Despite the fact that there has been recognition within women's spaces of the [need to promote] topics related to racism, colonialism and ethnic discrimination, Afrodescendant women continue to stand outside the collective imaginary sphere – a situation directly connected to that same discrimination. It is enough to read the Commission's own declaration for this Tenth Conference, in which Afrodescendant women are mentioned in non-specific terms. (16)

RMAAD's declaration, giving an example of their perspective as Afrodescendant women on political participation and gender parity, continues:

The system of quotas, in the countries where it has been approved, have neither ensured nor facilitated parity in racial participation, which is established through access to redistribution mechanisms – States are chief actors in such mechanisms. Of the 620 positions held by women parliamentarians in Latin America, of a total of more than 4000, only seven are held by black women. Therefore, as long as the quota system does not recognize racism as a regulator of society, the system will itself continue to reproduce racial exclusion.

Parity democracy not only constitutes a form of gender-based exclusion, but in addition is racially based. In Latin America, as long as there is no recognition of multiculturalism and pluriethnicity resulting from the genuine visibilization and incorporation of women who belong to non-dominant spaces and groups, we cannot talk about truly intercultural parity democracy (17).

RMAAD, since its foundation in 1992, has actively participated in UN different world conferences within the civil society framework. It has coauthored documents with other women's and feminist organizations, and has also authored its own statements. Noteworthy in its documents is the constant demand to be seen, to visibilize Afrodescendant women, to specify the effects of discrimination against black women.

In the case of the preparatory activities before the Durban Review Conference (Geneva, 2009), RMAAD conducted a regional evaluation of its participation in regional and international processes, including the United Nations World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance (Durban, 2001), as well as the prior Regional Conference of the Americas in Santiago de Chile in 2000. RMAAD also published an analysis of Durban +8 from the perspective of Afrodescendant women of the Americas. The network reminds participants that the Declaration of the Conference of the Americas, also known as the Santiago Declaration, defines indigenous communities, Afrodescendants, immigrants and other ethnic, racial, cultural, religious and linguistic groups or minorities as victims of racism, racial discrimination, xenophobia and forms of intolerance. (18) RMAAD also highlights that in that same declaration it states that "compensation for the victims of these manifestations should be provided

(15) *Foro de Redes, Articulaciones y Campañas Feministas de América (2007), op.cit. [Our translation.]*

(16) *Red de Mujeres Afrolatinoamericanas, Afrocaribeñas y de la Diáspora (RMAAD) (2007), Declaración de Quito, Quito, 3 August. Available from http://indigenouswomensforum.org/intadvocacy/Declaracion_de_Mujeres_Afrodescendientes%20Quito.pdf. [Our translation.]*

(17) *Ibid.*

(18) *Declaración de la Conferencia de las Américas (2000), op.cit.*

through policies, programmes and measures, including affirmative action measure, that will benefit the affected individuals, communities and peoples”.⁽¹⁹⁾ RMAAD summarizes the declaration’s importance, stating that the commitments assumed by States “at the time represented hope, a breath of fresh air, for the Afrodescendant communities of the region, and especially for Afro-Caribbean and Afro-Latin American women”. ⁽²⁰⁾

The 2001 Durban Conference, as well as its Declaration and Plan for Action, are part of the so-called United Nations Path. The conference established the commitment of States, UN agencies, development agencies, private organizations and society at large to fight against racism, racial discrimination, xenophobia and all related forms of intolerance. The Durban Declaration itself recognizes that racism, racial discrimination, xenophobia, etc. are produced because of race, color, lineage, national or ethnic origin, and “that victims can suffer multiple or aggravated forms of discrimination based on other related grounds such as sex, language, religion, political or other opinion, social origin, property, birth or other status”. ⁽²¹⁾ It also expressly proposes the use of a gender perspective:

Reaffirming that States have the duty to protect and promote the human rights and fundamental freedoms of all victims, and that they should apply a gender perspective, recognizing the multiple forms of discrimination which women can face, and that the enjoyment of their civil, political, economic, social and cultural rights is essential for the development of societies throughout the world. ⁽²²⁾

For this declaration, its primary instrument in winning the fight against racism, racial discrimination, xenophobia and related forms of intolerance is the International Convention on the Elimination of All Forms of Racial Discrimination (or CERD). ⁽²³⁾ However, as in other declarations, this one also recognizes the importance of other international instruments which are likewise related to the fight against discrimination:

We recall the importance of enhancing international cooperation to promote (a) the fight against racism, racial discrimination, xenophobia and related intolerance; (b) the effective implementation by States of international treaties and instruments that forbid these practices; (c) the goals of the Charter of the United Nations in this regard; (d) the achievement of the goals established by the United Nations Conference on Environment and Development held in Rio de Janeiro in 1992, the World Conference on Human Rights held in Vienna in 1993, the International Conference on Population and Development held in Cairo in 1994, the World Summit for Social Development held in Copenhagen in 1995, the Fourth World Conference on Women held in Beijing in 1995, the United Nations Conference on Human Settlements (Habitat II) held in Istanbul in 1996; and the World Food Summit held in Rome in 1996, making sure that such goals encompass with equity all the victims of racism, racial discrimination, xenophobia and related intolerance ⁽²⁴⁾

The current situation for evaluating the above-mentioned conferences and their corresponding declarations, plans for action and commitments occurs within a global economic crisis on the one hand,

⁽¹⁹⁾ *Ibid.*

⁽²⁰⁾ *La Red de Mujeres Afrolatinoamericanas, Afrocaribeñas y de la Diáspora: Protagonista en la construcción de un continente libre de racismo, discriminación racial, xenofobia, sexismo y otras formas de intolerancia, August 2008. [Our translation.]*

⁽²¹⁾ *Declaration of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance (2001), A/CONF.189/12. Available from www.un.org/WCAR/durban.pdf*

⁽²²⁾ *Ibid.*

⁽²³⁾ *Adopted and opened for signature and ratification by General Assembly resolution 2106 (XX) of 21 December 1965; entry into force 4 January 1969, in accordance with Article 19. Available from www2.ohchr.org/english/law/pdf/cerd.pdf.*

⁽²⁴⁾ *Ibid.*

and within a United Nations System which is undergoing institutional re-engineering on the other. In this restructuring of the United Nations, we also find the Millennium Development Goals, an agenda which could result as minimalist compared to the total number of commitments made in the full body of international instruments.

Let us return to the Beijing Conference and remember some of its main promises. In the case of the Beijing Platform for Action (BPFA), the 12 strategic objectives should never be lost from sight. States and governments have made promises in response to them, and promoted appropriate public policies. They are: 1) women and poverty; 2) education and training for women; 3) women and health care; 4) violence against women; 5) women and armed conflict; 6) women and the economy; 7) women in positions of power and decision making; 8) institutional mechanisms for the advancement of women; 9) women's human rights; 10) women and the media; 11) women and the environment; and 12) girl children. (25)

Virginia Vargas understands the BPFA in the following way:

The Beijing Platform for Action, with its 12 consensus areas, unified the progress made in previous conferences, treaties and conventions, incorporating into those areas many of the claims and proposals of feminist movements. This is undoubtedly progress, a powerful tool which generated a new reference point in society and in States in regard to women's rights, establishing a concrete agenda for demands and interactions between the State and society.(26)

For Vargas, seeking compliance with the BPFA has succeeded in becoming "a matter of qualifying and deepening democracy, at the same time that it has developed a capacity for intervention, dialogue and demands for accountability with States and governments". From this point of view, Vargas understands that the process empowered feminist and women's movements in regards to States and governments. She also proposes that governments "have created gender institutions, greater equality before the law, affirmative action policies, and laws against domestic economic and sexual violence; greater educational balances have also been achieved". Vargas also analyses how advances in sexual and economic rights have not gained the recognition of the region's States and governments. She in fact identifies "permanent arguments with ecclesiastic powers" as part of these problems. Although the BPFA represents a great achievement, Vargas considers that "these advances in the BPFA's recommendations have undoubtedly expanded the imaginary sphere for democratic possibilities, but they have not yet broken the vicious circle of multiple exclusions that women experience".(27)

We understand that for Afrodescendant women, this multifaceted exclusion also acquires racist tones. For this reason, any evaluation of the BPFA should always consider it in relation to the Durban Declaration and Plan, among other instruments. The BPFA, like the Durban Declaration and Plan, recognizes the need to "Intensify efforts to ensure equal enjoyment of all human rights and fundamental freedoms for all women and girls who face multiple barriers to their empowerment and advancement because of such factors as their race, age, language, ethnicity, culture, religion, or disability, or because they are indigenous people".(28)

As we can see, the BPFA speaks of the multiple barriers that limit women's search for equality, such as race and ethnic origin. We had already seen that the Durban Declaration and Plan for Action addresses the need to apply a gender perspective that recognizes the multiple forms of discrimination affecting

(25) Report of the Fourth World Conference on Women (1996), A/CONF.177/20/Rev.1, United Nations, New York. Available from www.un.org/esa/gopher-data/conf/fwcw/off/a--20.en.

(26) Vargas, Virginia (2010). *Beijing más 15: más luces que sombras*, Centro Flora Tristán - Articulación Feminista Marcosur. Available from www.flora.org.pe/pdfs/beijing%2B15-gina-feb%202010.pdf. [Our translation.]

(27) *Ibid.*

(28) Report of the Fourth World Conference on Women (1996), *op.cit.*

women.

III. The economic empowerment of Afrodescendant women in terms of the Millennium Development Goals (MDGs), social, economic and cultural rights (ESCR), and the International Convention of the Elimination of All Forms of Racial Discrimination (CERD)

The Economic Commission for Latin America and the Caribbean (ECLAC) has called the Eleventh Regional Conference to answer the questions “What kind of State? What kind of equality?”. The proposal is to provide answers based on a consideration of women’s human rights. But how are we to speak of human rights in a way which is inclusive for all men and women who claim visibility? The clue may be in seeing human rights, as is always stated, as universal, indivisible, interdependent, inalienable and interrelated. In 1998, the Latin American and Caribbean Committee for the Defence of Women’s Rights (Comité de América Latina y el Caribe para la Defensa de los Derechos de la Mujer, CLADEM), together with other regional and international organizations, launched a campaign to incorporate a gender perspective into human rights discourse. This was designed to coincide with the 50th anniversary of the Universal Declaration of Human Rights, and drew attention to the need for non-androcentric language, not only in that declaration but also in other texts, treaties and instruments.

The exercise CLADEM conducted also used a racial and ethnic perspective, placing special emphasis on economic, social and cultural rights (ESCR). From this position, they dealt with the demand for full citizenship, sexual and reproductive rights, and the right to a life free from violence, all considered to be human rights for all. CLADEM also recognized the collective rights of communities, as well as the challenges posed to multiculturalism and peoples’ and communities’ rights as a result of ethno-racial membership. The proposal was a very valuable exercise for contemplating the Universal Declaration of Human Rights as we move into the 21st century:

We understand that 1998 is a very special opportunity for States to renew their commitment to the acknowledgement and validity of human rights, incorporating perspectives that have arisen during the last decades, specifically gender and ethnicity.

In the same way that the 1948 Declaration has constituted an ethical statute for the second half of the twentieth century, we consider it necessary that today, on the threshold of the new millennium, that States approve another document of international protection that, without invalidating the achievements obtained in the former, integrates the advances developed hitherto.⁽²⁹⁾

In relation to identity and citizenship, the document states:

Citizenship

⁽²⁹⁾ Latin American Committee for the Defence of Women’s Rights (CLADEM) (1998). Document No. E/CN. 4/1998/NGO/3, Commission on Human Rights, Economic and Social Council of the United Nations. Available from [www.unhcr.ch/huridocda/huridocda.nsf/AllSymbols/916F04AE36983730802566520036B67D/\\$File/G9810241.pdf?OpenElement](http://www.unhcr.ch/huridocda/huridocda.nsf/AllSymbols/916F04AE36983730802566520036B67D/$File/G9810241.pdf?OpenElement).

I (1) All women and men are born free and equal in dignity and rights.

(2) Every individual has the rights and freedoms proclaimed in this Declaration, with no distinction based on race, ethnicity, age, sex, sexual orientation, physical or mental disability, language, religion, political opinion, national or social origin, economic position, birth or any other condition. [...]

II. (1) All human beings have the right to their own identity and the enjoyment of autonomy and self-determination in all spheres of their lives. Women's right to an identity cannot be affected by marriage. (30)

Suggestions for further progress are set out, although there are different approaches on how to insert issues related to diversity, multiculturalism, race, ethnicity and identity into both human rights and women's rights. (31) For the purposes of our discussion, we will assume that a starting point of minimal respect of human rights for all women and men already appears in the Universal Declaration of Human Rights, although we understand that it will and must be adjusted for the 21st century. Amelia Valcarcel comments:

Multiculturalism, which is fundamentally based on the concept of difference and the right to demand respect for that difference, can attempt to legitimize and defend certain social traits of oppression and exclusion when it is allied with communitarianism. Feminism has been forced to fight against these traits in the past. To grant standing to multiculturalist positions, feminism can and must ensure the respect for these positions in the table of norms constituted by the Universal Declaration of Human Rights, so they can be complemented by the women's rights declarations that are currently in force. (32)

In regard to the international commitments assumed by countries through agreements, accords and conferences, we have stated that they should be interconnected in order to allow a better vision of the situation of women, and especially of Afrodescendant women. These commitments are also translated into national legislation and public policies. The relationship between race and gender is one of the intersected analyses to be conducted, while recognizing that hierarchical structures exist within each category, and that each exercises power differently. (33)

ECLAC has proposed these topics in previous regional conferences. On this occasion, their call for participation in the Eleventh Regional Conference suggests the event discuss:

the achievements made in gender equality and the challenges still facing the Governments of the region in this regard, in light of the interplay between the State, the market and families – the three social institutions built up over time through policies, institutions, legislation, usage and custom, that together establish the conditions in which social and gender hierarchies are changed or perpetuated (34)

(30) *Ibid.*

(31) For a panorama of the various arguments on these topics, we recommend Reyes M., María Elena (2010), *Multiculturalismo y feminismo: Tensiones entre derechos colectivos y derechos individuales*, Programa de Formación, CLADEM, Lima. Available from www.cladem.org/index.php?option=com_content&view=article&id=503:programa-de-formacion-multiculturalismo-y-feminismo-tensiones-en-entre-derechos-individuales-y-derechos-colectivos&catid=49:ultimas-noticias&Itemid=112.

(32) Valcarcel, Amelia (2000), *La memoria colectiva y los retos del feminismo*. In Valcárcel and Romero (eds.), *Los desafíos del feminismo ante el siglo XXI*, Colección Hypatia, Instituto Andaluz de la Mujer, Sevilla, 2000, pp.19-54. Available from www.mujaresenred.net/spip.php?page=imprimer&id_article=241. [Our translation.]

(33) Castellanos Llanos, Gabriela (2000). *Sexismo y racismo, Vínculos ineludibles, Perspectivas*, ISIS Internacional, Chile. [Our translation.]

(34) Available from www.eclac.cl/mujer/conferencia/default.asp?idioma=IN. Accessed 03 July 2010.

The context from which we hope to move forward in this debate is rich and complex, but Point 22 of the Quito Consensus should be taken into account when analysing the intersections between the State, market and families: “Considering that all forms of discrimination, particularly racism, homophobia and xenophobia, are structuralizing factors that lead to inequalities and exclusion in society, especially against women, and that, therefore, their eradication is a common objective of all the commitments assumed in this declaration”. (35)

We would thus be able to see who responds to, represents or protects the State/s, and who are considered those States’ equals. The RMAAD declaration emphasizes that a fully democratic State cannot be conceived without social justice, and that ethno-racial and gender-based discrimination are constituents of poverty, exclusion and the perpetuation of historically rooted social inequalities. (36)

a) The economic empowerment of Afrodescendant women and the Millennium Development Goals (MDGs)

To move the discussion forward, we should look at some examples of the challenges and difficulties to, as well as opportunities for, the economic empowerment of Afrodescendant women. We have chosen to consider the impact of the Millennium Development Goals (MDGs) in our region (particularly MDG1 and MDG3) and economic, social and cultural rights (ESCR), among other instruments. This is an ambitious task which we will approach schematically, as the aim of this document is to provoke discussion. First we must identify the economic area where Afrodescendants are disproportionately represented, especially Afrodescendant women, to then consider issues related to access to and enjoyment of ESCR.

Critiquing the MDGs is an ongoing conversation – for many, it is a minimalist, reductionist agenda among the UN’s undertakings. This tension is even more apparent given a global panorama which exposes the crises of neoliberal economic models; the reduction in benefactor States (where these existed); and the distancing of States from their role of ensuring the protection of the civil and political rights – and especially the ESCR – of their citizens, women and men, when considering multilateral trade agreements.

We don’t entirely agree with the claims made in the 2006 MDG report:

Following a historical and democratic trend towards growing political influence based on dialogue and mobilization, and as protagonists of the only peaceful revolution in history, women have taken the Millennium Development Goals to a new level in order to keep their demands alive, link them with the agenda elaborated in the 1990s, and promote their implementation at the national level. Although at one time this may have been considered a minimalist agenda that excluded what had been won at the international conferences of the 1990s, today it is thought that the debate on development with equity has been renewed, and it has received positive feedback in terms of current public policies; at the same time, new elements are being incorporated, expressed as complementary and additional indicators, that clearly demonstrate the many dimensions of Goal 3. (37)

(35) Quito Consensus (2007), DSC/1, Tenth Regional Conference on Women in Latin America and the Caribbean, ECLAC. Available from www.eclac.cl/publicaciones/xml/9/29489/dsc1i.pdf.

(36) Red de Mujeres Afrolatinoamericanas, Afrocaribeñas y de la Diáspora (RMAAD) (2010), Declaración de Brasilia. Prepared for the eleventh session of the Regional Conference on Women in Latin America and the Caribbean.

(37) 2006 Report: A Look at Gender equality and Empowerment of Women in Latin America and the Caribbean (2007), ECLAC. Available from www.eclac.org/mujer/noticias/noticias/6/32546/MDGGender.pdf.

Evidently, all the Millennium Development Goals are important, and must be interrelated in order to make progress in all the goals. We will pay special attention to Goals 1 and 3. Goal 1, to “eradicate extreme poverty and hunger”, is comprised of the following targets:

- 1.A. Halve, between 1990 and 2015, the proportion of people whose income is less than one dollar a day;
- 1.B. Achieve full and productive employment and decent work for all, including women and young people;
- 1.C. Halve, between 1990 and 2015, the proportion of people who suffer from hunger (38)

The 2008 ECLAC periodic report for progress in achieving MDG1 in Latin America and the Caribbean explains the data collection methods implemented to measure progress for the targets, and recognizes the use of household surveys (among other methods) as an important source of information:

[In t]he region, in particular in Latin American countries, the methodology used for analysis and to measure poverty and extreme poverty is based on poverty lines defined by basic [household] consumption baskets which are contrasted with data [on] household income. The [latter] data component comes from household surveys which are periodically conducted in most countries of the region and which have a long history.

Both measuring methods have their own advantages. On one hand, the World Bank’s poverty line allows the comparison in absolute terms of the diverse realities present in countries worldwide. On the other hand, the methodology of national poverty lines allows for measurements which are more relevant to each particular context, thus being more useful in terms of designing public policies and monitoring the development of such indicators over time. (39)

This point is important, because it shows that if the methods used to collect data have no ethno-racial indicators, they will not reflect the real situation of indigenous and Afrodescendant peoples. The use of such indicators has been one of the most supported points since the Regional Conference of the Americas (2000) preparatory to the Durban Conference (2001), and the issue even appears in the agreements of the regional women’s conferences in Mexico City (2004) (40) and Quito (2007). (41) The periodic MDG report, mentioned above, says that according to “World Bank data, the Latin America and the Caribbean region is one of the regions with the highest rate of inequality, only comparable to Sub-Saharan Africa”. (42)

llama la atención a la crisis del cuidado y la doble discriminación de género que se da cuando a “pesar de los enormes cambios en las dinámicas familiares y la creciente participación laboral de las mujeres, persiste la muy baja participación masculina en las tareas domésticas y de cuidado”. Las mujeres, señala el informe, “soportan una sobrecarga de trabajo y demandas en la medida en que continúa su rol tradicional y naturalizado de cuidadoras, a lo que se suma el nuevo papel que ya desempeñan en la vida pública y laboral”. Plantea el informe, al igual que fue planteado en la pasada Conferencia Regional sobre la Mujer (Quito), que es necesario “transformar los sistemas de protección social y las normas

(38) Available from www.un.org/millenniumgoals/poverty.shtml. Accessed 03 July 2010.

(39) Regional Progress Towards MDG1 (n.d.), MDGs Progress in Latin America and the Caribbean, ECLAC. Available from www.eclac.org/MDG/noticias/paginas/4/35584/Ficha_ODM_1en.pdf.

(40) “(xvii) Enhance the development of an information system based on statistics disaggregated by sex, with a view to effectively mainstreaming a gender perspective, taking racial, ethnic and generational diversity into account, in all government programmes and policies, placing special emphasis on the issues of poverty, unpaid work, time use, gender-based violence and international migration.” Mexico City Consensus (2004), ninth

(41) To develop instruments, especially time-use surveys, for periodically measuring unpaid work performed by women and men in order to make such work visible and recognize its value, to incorporate their results into the System of National Accounts and to design economic and social policies accordingly.” Quito Consensus (2007), op.cit.

(42) Regional Progress Towards MDG1 (n.d.), op.cit.

laborales, y modificar las pautas culturales que subyacen a una distribución desigual, entre mujeres y hombres, del trabajo remunerado y no remunerado”. We would be able to see the relationship between this inequality and the ethno-racial intersections if the indicators were integrated in every study and investigation, as well as censuses and periodic thematic surveys.

On the other hand, we see that MDGs reports have incorporated gender indicators as they recognize the profound way that women are affected in issues such as poverty and employment. However, by not having ethno-racial indicators, the information specifically on women – while highly valuable – cannot show the fully diverse and complex situation of indigenous and Afrodescendant women, for example.

The ECLAC report *Social Panorama of Latin America 2009* (43) draws attention to the care crisis and the double gender-based discrimination that “are occurring within a context of profound transformations in family life, which do not, however, entail an increased participation of men in care work”. Women, says the report, “bear a greater workload and demands, to the degree in which they continue their traditional, naturalized role as caregivers, to which is added the new role they fulfil in the public and labour spheres”. The report sets out, as did the last Regional Conference on Women in Quito, that “a transformation is needed in social protection systems and labour rules and in the patriarchal models that sanction the unequal distribution of work between women and men”.

The report makes some attempt to deal with the relationships between poverty, age, ethnicity and sex: “One aspect of concern relating to poverty in Latin America is the persistence of vulnerability gaps tied to demographic characteristics, particularly age, sex and ethnicity”. It goes on to say, “Ethnicity correlates closely with poverty. In the seven countries for which data are available, the poverty rate is 1.2 to 3.4 times higher for indigenous and Afrodescendant groups than for the rest of the population. Moreover, the gap between ethnic groups and the rest of the population has grown in all countries studied, except for Brazil”. (44)

Arturo León also recommends that poverty estimates be disaggregated according to the population’s ethnic group, commenting that the extremity of the poverty experienced by indigenous and Afrodescendant populations

“establishes the need to disaggregate poverty estimates according to the population’s ethnicity, and to give priority in analyses and evaluations of countries’ progress toward the first Millennium target. The deficiencies in the survey data suggest the urgency with which the responsible bodies should apply special efforts to overcome them. This should not be a complex task, nor one which demands too many resources. The experiences of the countries which have made advances in this area indicate that it is possible to include this dimension without significantly lengthening or modifying questionnaires as appropriate, aiming to make them compliant with international recommendations.” (45)

There has been an outpouring of initiatives in the region to support the use of ethno-racial indicators. Great progress has been made in relation to indigenous peoples, but the variable related to Afrodescendant women and men remains to be appropriately developed. On occasion, we see that publications mention ethno-racial, indigenous or Afrodescendant aspects, but when the text is examined in detail the real information of women and men Afrodescendants is scarce, tangential or merely a

(43) *Social Panorama of Latin America 2009* (2009). *Social Development Division and the Statistics and Economic Projections Division, ECLAC*. Available from www.eclac.org/cgi-bin/getProd.asp?xml=/publicaciones/xml/0/37840/P37840.xml&xsl=/dds/tpl-i/p9f.xsl&base=/prensa/tpl-i/top-bottom.xsl.

(44) *Ibid.*

(45) León, Arturo (2008). *Progresos en la reducción de la pobreza extrema en América Latina: Dimensiones y políticas para el análisis de la primera meta del Milenio, LC/R.2147, ECLAC*. Available from www.eclac.org/publicaciones/xml/6/33936/Pobreza_extrema_ALeon_Final.pdf. [Our translation.]

comparative reference. The use of these indicators needs to be better systematized, so the data can visibilize and deepen analyses of Afrodescendants. We do, however, recognize that important work exists and is being produced this field, and here we cite some examples. For writers such as Jhon Antón and Fabiana Del Popolo:

Countries in the region have reacted positively to these new demands, producing disaggregated information according to ethnic groups. Although this is difficult to measure, almost all countries in the region have incorporated one or more questions related to identification, taking advantage of the most numerous source which provides the greatest coverage – the [national] population censuses – which have already found more-than-surprising results with the data from the 2000 census round. Household surveys have also integrated this focus, and in some cases have moved beyond the basics by providing detailed information, sourced in special studies for samples or racial discrimination studies, on the living conditions of Afrodescendant communities. However, in many countries this ethnic identification has privileged indigenous peoples, keeping Afrodescendants in statistic invisibility. (46)

Epsy Campbell also comments on this issue:

Including questions in the censuses that collect information on the number and realities of the population has been a demand [of] Afrodescendant organizations for more than a decade. This is because in most cases they lack statistical data that substantiate the harsh everyday reality of social exclusion which hinders the personal and collective development of millions of Afrodescendant people. (47)

The topic of paid and unpaid domestic work could be greatly expanded if we could consider its ethno-racial dimensions in addition to seeing gender alone. Magdalena León, commenting on paid domestic work (PDW), mentions five overriding factors: “1) PDW as part of care work; 2) the relationship of PDW with the female homemaker’s domestic work; 3) the social and ethnic group of the women employed in PDW; 4) the relationships of workers in PDW with others of the working class; 5) the regulations which cover PDW”. (48)

In regard to three of the five aspects, León talks about the social and ethnic group of women employed in PDW:

PDW employs women from popular sectors, which augments and strengthens the way they are undervalued and invisibilized. The presence of indigenous and Afrodescendant women is significant, and varies according to country. In addition, in PDW one can identify biases related to gender, class, ethnicity and race, leading to the combination of these elements in the braid of domination. The position of certain groups is therefore naturalized and racialized as “destined to serve”, while others are “worthy of being served”.

(46) Antón, Jhon and Fabiana Del Popolo (2009), *Visibilidad estadística de la población afrodescendiente de América Latina: aspectos conceptuales y metodológicos*. In Antón et al., *Afrodescendientes en América Latina y el Caribe: del reconocimiento estadístico a la realización de derechos*, Serie Población y Desarrollo No. 87, ECLAC. [Our translation.]

(47) Campbell Barr, Epsy (n.d.), *Visibility and inclusion of Afro-descendants: Race and ethnicity as determining factors in the identification of Afro-descendants throughout the 2010 Census Round, Why disaggregate statistical data by race and ethnic [sic]? UNIFEM Brazil and Southern Cone*. Available from www.unifem.org.br/sites/700/710/00000665.pdf.

León, Magdalena (n.d.), *Regímenes Jurídicos sobre*

(48) León, Magdalena (n.d.), *Regímenes Jurídicos sobre Trabajo Doméstico Remunerado en Ecuador, Colombia, Perú y Venezuela*, Serie Derechos Laborales, AFM/Oxfam, n.p. Available from www.mujeresdelsur-afm.org.uy/domesticas_4p.pdf. [Our translation.]

Furthermore, because it is a [human] relationship on the micro level which is generally created between women, it also reveals unequal female relationships, highlighting non-egalitarian relationships that can delineate exploitation among women. (49)

The need to intersect gender indicators with those of ethnicity and race is more than evident in matters like this one, which are of great importance for following up on the Quito Consensus, as well as for the new issues proposed for ECLAC's Eleventh Regional Conference on Women. States must provide answers for issues related to paid and unpaid domestic work, both of which are primarily left to women. Their response must be underpinned by the equality of rights, an equality that recognizes the full diversity of women who demand equality.

Goal 3 of the MDGs is to “promote gender equality and empower women”. Its targets are to eliminate inequalities between the sexes in primary and secondary education, preferably before 2005, and at all educational levels by 2015. The indicators used to track progress are:

- 3.1 Ratios of girls to boys in primary, secondary and tertiary education;
- 3.2 Share of women in wage employment in the non-agricultural sector;
- 3.3 Proportion of seats held by women in national parliament. (50)

The ECLAC web page introduces this goal as follows:

The Millennium Declaration acknowledges gender equality and [the] empowering of women as specific targets and also as fundamental requirements to achieve the Millennium Development Goals. While these issues are cross-cutting in all Goals, Goal 3 encompasses three official indicators that aim [to reflect] the degree of gender equality in education, employment, and political participation (D. Zapata, 2007/1). (51)

By acknowledging that equality in each of these areas is a very important vehicle for women to [gain] empowerment and to exert their rights, [a variety of work has] been carried out at ECLAC. These works show that the official indicators are not sufficient to grasp all progress and challenges comprehensively in terms of gender equality and empowerment of women. In consequence, certain additional and supplementary indicators have been adapted to the regional reality, which relate to the full exercising of women[’s reproductive] rights [...], inequalities at household level, and violence. (52)

In her work, Zapata in fact emphasizes the need to have ethno-racial indicators to achieve MDG2 – “to achieve universal primary education”. She points out:

In the light of all of the benefits education means for women, it is important that analyses have disaggregated information, not only by sex but also by ethnic origin. Significant inequalities can

(49) *Ibid.*

(50) Taken from www.mdgmonitor.org/goal3.cfm. Accessed 02 July 2010.

(51) ECLAC's reference here is to Daniela Zapata S. (2007), *Transversalizando la perspectiva de género en los Objetivos de Desarrollo del Milenio, Serie Estudios Estadísticos y Prospectivos, LC/L.2764-P/E*, ECLAC, Santiago. Available from www.eclac.org/deype/publicaciones/xml/1/29291/LCL2764e.pdf.

Recomendamos ver también: Busso, Matías, Martín Cicowiez y Leonardo Gasparini, *El Color de las metas, Etnicidad y las Metas de Desarrollo del Milenio en América Latina y el Caribe*, Centro de Estudios Distributivos, Laborales y Sociales (CEDLAS), Universidad Nacional de La Plata, 2005

(52) Taken from www.eclac.cl/mdg/go03/default.asp?idioma=IN. Accessed 03 July 2010.

be observed in comparing the results of individuals who belong to a certain ethnic group with the results of individuals who do not identify themselves with any group at all. In the tables below, individuals are classified in two categories according to their racial or ethnic membership: i) indigenous or Afrodescendants; and ii) non-indigenous or non-Afrodescendant. The latter group is comprised of people of European or mestizo origin. A person is classified as “indigenous” if they comply with one of the following conditions: i) he/she recognizes him/herself as belonging to a determined ethnic group; ii) he/she takes up or speaks his/her native language; iii) he/she lives in territory which has a majority of a determined ethnic group. (53) Despite the fact that comparisons between countries can be problematic due to the varying definitions used for indigenous populations, the results may permit comparisons within the population of a country with various racial/ethnic groups. (54)

In terms of MDG3, Zapata also points out that in various Latin American countries, gender equity has been achieved in school attendance, especially in non-indigenous/non-Afrodescendant population groups. Zapata highlights that, just as is recognized by UNESCO,

There is a significant difference between the concept of parity and the concept of equity. Parity is a purely numeric concept, which means that reaching parity means that the same proportion of boys and girls, in accordance with their respective age groups, enter the school system and participate in the primary and secondary school cycles. Equality, however, is a much more complex notion, and much more difficult to measure. True equality would mean that boys and girls have the same opportunities to attend school, and that the teaching methods and curricular content are free of stereotypes and gender biases. A measure of equality between boys and girls must therefore go beyond merely noting the enrolment rates in the school system. (55)

The author points out the common situation that girls carry out domestic tasks in the home. Were these tasks defined as work, this implies that greater proportions of girls than boys are child labourers:

In the first place, it is important to note how the percentage of girls in all categories changes when the inclusive definition of work is used, i.e. when domestic tasks are included in the analysis. If only the exclusive definition is used, a large percentage of girl labourers would be ignored. In the second place, 26% of girls focus only on their study, while 25% of boys do the same. This indicator shows us that girls do not have equal opportunities in relation to boys, as more girls than boys must combine education with work. This doubtless has an impact on the quality of education they receive. (56)

We are sure that with indicators for gender, race and ethnicity, jointly interpreted, we would have more inclusive information on children and on access to education, as well as indications on how to achieve the right to equal education conditions.

In regards to the use of MDG3, Zapata mentions some issues which arise in interpreting the information on employment held by women:

(53) *The author points out that the tables and definitions presented in this section are based on Etnicidad y los Objetivos del Milenio en América Latina y el Caribe (UNDP, 2005).*

(54) *[Our translation.] We also recommend Matías Busso, Martín Cicowicz and Leonardo Gasparini (2005), El color de las Metas: Etnicidad y las Metas de Desarrollo del Milenio en América Latina y el Caribe, Centro de Estudios Distributivos, Laborales y Sociales (CEDLAS), Universidad Nacional de La Plata. Available from www.depeco.econo.unlp.edu.ar/cedlas/archivos_upload_items/Etnicidad_y_ODM_-_El_color_de_las_metas.pdf.*

(55) *Zapata, op.cit. [Our translation.]*

(56) *Ibid.*

As mentioned above, the official indicator in the MDGs – “share of women in wage employment in the non-agricultural sector” – seeks to reflect the quality of employment available for women. Having access to a job in the waged sector is understood as having greater access to social protection and better salaries when compared to independent positions. However, women who work in the waged sector earn less than men, regardless of their level of education. While the gaps have been closing over the last decade, the greatest leaps towards equal salaries have occurred among women who have completed less than seven years of education. According to the study *Good Jobs Wanted: Labor Markets in Latin America* (IADB, 2004), (57) men in the region with the same potential experience and the same education as women receive hourly pay that is between 7% and 44% higher than what women receive. The estimates were made for waged workers in the urban areas of 18 countries in the region, aged between 25 and 49, who work more than 30 hours per week. (58)

This information leads to further questions. If we had more ethno-racial indicators, we would be able to know if there are differences among men according to their ethno-racial identity. Equally, we could see if such differences occur among women. On the other hand, we would be able to see if there are differences between men and women, either of the same or different ethno-racial identities.

We have identified an approach to this kind of analysis in the work of Busso, Cicowiez and Gasparini. We would like to see more information and analysis in ECLAC and State reports in regard to what these authors term the “socio-demographic characteristics of the non-white population in LAC [Latin America and the Caribbean]”. As they state:

We particularly find that the average of non-white families in LAC live in rural areas and are slightly larger (generally with more children) than white families. On the other hand, the evidence shows that a typical male individual, indigenous or Afrodescendant, has the same rate of participation in the labour market, and experiences lower rates of unemployment, than a similar individual who is white. They also have a higher probability of working in the primary sector of the economy, and are generally self-employed or work in a small firm. On the other hand, the average indigenous or Afrodescendant woman tends to have lower participation and employment rates than her white counterparts. (59).

Marta Rangel points out the need to consider ethno-racial and sex-based factors not only in education, but also in terms of its eventual impact on employment:

Finally, it must be said that the best results observed among women with tertiary levels of education do not in any way mean the end of gender-based discrimination, as these indicators do not necessarily reflect greater equity in labour and income insertion. As is well known, the most common discriminatory mechanisms which impact the greatest cohort of people in the labour market are those based on ethno-racial origin and on sex; in addition, the high levels of Afrodescendants in the urban labour market, while significant, has not ended prejudice and discriminatory practices against them, nor has it eliminated the inertia of the labour market's own inequality mechanisms. (60)

(57) Available from www.iadb.org/research/pub_desc.cfm?pub_id=B-2004.

(58) *Ibid.*

(59) Busso, Cicowiez & Gasparini (2005), *op.cit.* [Our translation.]

(60) Rangel, Marta (2005), *La población afrodescendiente en América Latina y los Objetivos de Desarrollo del Milenio: Un examen exploratorio en países seleccionados utilizando información censal*, CEPAL/Fondo Indígena/ CEPED, Santiago. Available from www.eclac.org/celade/noticias/paginas/7/21237/MRangel.

Rangel concludes that to achieve the MDGs, according to her exploratory examination, specific policies need to be designed around ethno-racial and gender inequalities.

Montaño and Milosavljevic, for their part, analyse – in the context of achieving the MDGs – the economic and financial crisis and its impact on poverty, work and women’s time. They provide the following summary of events over recent years:

Progress toward the achievement of the Millennium Development Goal of reducing poverty has been varied in the countries of the region; as a general rule, it has been greatest in regard to extreme poverty rather than poverty overall. In fact, it is estimated that by 2007 four countries had managed to reduce by 50% or more the incidence of extreme poverty registered at the beginning of the 1990s, eight years before the establishment of the guidelines. Except in access to education, all indicators are more negative for women, and especially for women from poor homes. According to data from the Observatory for Gender Equality in Latin America and the Caribbean for the period between 1994 and 2007, in 14 countries in the region the percentage of women without economic autonomy – that is, without income of their own – ranged between 22.3% for Uruguay and 45.9% for the Plurinational State of Bolivia. The percentages for men were 6.8% and 14.7% respectively. In the great majority of countries for which data is available, the percentage of women without their own income ranged between 33% and 43% (Argentina, Brazil, Chile, Colombia, Costa Rica, the Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Panama, Paraguay, and the Bolivarian Republic of Venezuela). In this same period, the gender gap has been slowly closing due to the gradual increase in the percentage of women with access to income, while the percentage for men has remained stable (as it is steady at the maximum levels for the economically active population). Systematically, in urban areas the percentage of women without income is lower and has reduced more quickly, while in rural areas the gap between men and women is much greater and its closure has been slower. (61).

The authors note the existence of ethno-racial inequalities that must be dealt with, stating that “[t]o income inequalities are added previous inequalities between men and women, further accentuated when considering indigenous and Afrodescendant populations.” (62)

Epsy Campbell notes the problem of the invisibility of Afrodescendant women’s situation when despite the use of a gender perspective, an ethno-racial analysis is not incorporated:

The structural adjustment or State reform programmes that have been executed in Latin America for almost two decades have a greater impact on Afrodescendant populations and women, as they limit or eliminate the already-reduced State insertion in public policies that women and men Afrodescendants have or had access to.

For this reason, one of the fundamental problems facing Afrodescendant communities and women is invisibility. Latin American societies do not recognize their full diversity, and when they do, it is merely a legal declaration that is not translated into concrete actions.

pdf. [Our translation.]

(61) Montaño Sonia and Vivian Milosavljevic (2010), *La crisis económica y financiera: Su impacto sobre la pobreza, el trabajo y el tiempo de las mujeres*, Serie Mujer y Desarrollo, División Asuntos de Género, ECLAC. Available from www.eclac.cl/publicaciones/xml/8/38308/Serie98.pdf. [Our translation.]

Ibid.

(62) Ibid.

A gender perspective, which has been a tool used to analyse women's economic situation and the differentiated way in which poverty affects women, does not include an ethno-racial perspective in its analysis. Therefore, it does not allow the consequences of racism on the economic lives of Afrodescendant women to be brought to light. (63)

Matilde Ribeiro, when speaking of agendas against racism, conducts an evaluation of black women's struggles for their rights. She understands that as part of the gradual process of collaboration and cooperation with other social movements, black women "have achieved a new degree of protagonism in political life".(64) Ribeiro draws attention to the intersection of race and gender in the fight for racial equality, stating "the central axis of the agenda is racial equality. However, the struggle to attain it must be increasingly mediated by gender issues, from a perspective that considers the intersection of gender and race". (65)

Considering the case of Brazil, Laís Abramo points out that this country is one of the few in Latin America which systematically produces and publishes data and statistics disaggregated by sex and also by skin color, through the household surveys on employment and other living conditions. In this way, the double discrimination against women Afrodescendants can be more accurately measured:

The double discrimination experienced by black women is manifested as a clear disadvantage in the primary labour market indicators. Their rates of unemployment are higher; their rates of pay significantly lower (even between those who have the same level of education); and they are overrepresented in the most precarious and informal work areas, such as domestic work and unpaid work. Progress in overcoming these inequalities is, therefore, a fundamental condition for the promotion of decent work in Brazil as it is set out in the National Agenda for Decent Work [Agenda Nacional de Trabalho Decente].(66)

Finally, in regard to MDG3, we should also comment on the proportion of seats held by women in national parliaments. Women's political participation should be related to the progress reported by States in the aftermath of the Quito Consensus and the commitments of previous conferences.

In the document prepared for the Quito Conference, an exhaustive analysis appears of the history of women's political participation in the region. According to one section:

Latin America has seen progress on the adoption of legislation to promote political participation, and the positive results of this effort have helped to make parity a feasible democratic objective. Quotas have proven to be a valuable strategy, especially when combined with appropriate electoral laws, and have garnered broad support across society. In the Caribbean the process is still slow and incipient, and political elites tend to reject the idea that quotas need to be adopted on a temporary basis. The significant number of women serving in government cabinets as a result of the political will of governors and parties constitutes a slightly more encouraging picture in the

(63) Campbell Barr, Epsy (2003), *Pobreza y exclusión de los pueblos y mujeres afrodescendientes: El impacto económico del racismo y sexismo sobre las mujeres afrodescendientes de América Latina y el Caribe*. Presentation at the Reunión de Expertas de la CEPAL para la Construcción de Indicadores de Género en el Análisis de la Pobreza, La Paz. Available from www.eclac.org/mujer/reuniones/pobreza_genero/ecampbell.pdf. [Our translation.]

(64) Ribeiro, Matilde (2008), *Las mujeres negras en la lucha por sus derechos*, Nueva Sociedad No. 218, Nov-Dec. Available from www.nuso.org/upload/articulos/3576_1.pdf. [Our translation.]

(65) *Ibid.*

(66) Abramo, Laís (2008), *Trabajo, género y raza: Un tema presente en la agenda brasileña*. Nueva Sociedad No. 218, Nov-Dec. Available from www.nuso.org/upload/articulos/3573_1.pdf. [Our translation.]

Caribbean than in Latin America, but the situation in this respect is unstable in both subregions. This is an ongoing process which requires careful monitoring to ensure that women's political participation can be consolidated in the terms set forth in the Beijing Platform for Action and the Convention on the Elimination of All Forms of Discrimination against Women. (67)

The document makes no reference to ethno-racial correlations, leaving that area unexamined. Elsewhere, Tanisha Swaby emphasizes that the situation of Afro-Latina women has not changed to the same degree as that of other women in the region:

In countries with a considerable Afrodescendant population, where women have advanced in political participation in the executive and legislative branches, the incorporation of Afrodescendant women has been limited [...]

In Latin America there are approximately 4200 legislators in the upper and lower chambers; around 20% are women. Participation ranges from 38.8% in Costa Rica (the American nation with the highest participation of women, and third highest in the world) to a mere 8% in Guatemala. In most countries with both a senate and a chamber of deputies, women's participation decreases substantially. However, it is important to highlight that although Afrodescendants represent one third of the region's population, their total participation barely reaches 1% of the total number of legislators, with [Afrodescendant] women comprising just 0.03% of the region's senates and parliaments.

For this reason, just as women's participation in political decision-making bodies has become an issue of widespread concern, the lack of parity representation provides more proof of the discrimination women still suffer. It is imperative to speak out in protest, with a meaningful proposal to counteract the general underrepresentation of Afrodescendant populations, and of Afrodescendant women in particular. It must be covered by public policies and an integral part of the conversation around democracy in the region. (68)

We believe it necessary, and we accordingly make the recommendation, that the Observatory for Gender Equality in Latin America and the Caribbean integrates an ethno-racial perspective in an increasing, cross-cutting manner into its operations, so that in the future we will have reports which provide more detailed information on the economic autonomy of Afrodescendant women in Latin America and the Caribbean.

b) Economic, social and cultural rights (ESCR)

Once again we highlight the importance of economic, social and cultural rights (ESCR), as they have been directly affected by the current economic crisis. Thus, they represent critical areas in the denial of rights to Afrodescendant women and men. Celina Romany states that a "crucial area for the development and strengthening of democracies that recognize the States' plurinational and multi-ethnic character must be underpinned by the effective implementation of the economic and social rights recognized in the Covenant on Economic and Social Rights". (69)

(67) *Women's Contribution to Equality in Latin America and the Caribbean (2008), Tenth session of the Regional Conference on Women in Latin America and the Caribbean, LC/L.2738(CRM.10/3)/Rev.1, Unidad Mujer y Desarrollo, ECLAC, May. Available from www.eclac.cl/publicaciones/xml/0/29400/WomensContribution-Consensus.pdf.*

(68) *Swaby, Tanisha (n.d.), Realidad, liderazgo y participación de las mujeres afrodescendientes: Síntesis elaborada en base a documentos hecho en el Centro de Mujeres Afrocostarricenses y sus integrantes, Centro de Mujeres Afrocostarricenses, Costa Rica. [Our translation.]*

(69) *Romany (2001), op.cit.*

We mentioned above that the Universal Declaration of Human Rights should be the minimal rights framework we demand, including the advances made in its interpretation over the intervening years – such as acknowledging that women’s rights are human rights. The Universal Declaration recognizes both civil and political rights, as well as economic, social and cultural ones. The former receive greater attention from States, at least in terms of formal recognition, than the latter. These require greater financial investment and commitment to ensure their fulfillment, as they deal with issues such as health care, food, education, employment, social security and housing.

All rights are equally important, but we see that in the current economic crisis, ESCR will become even more inaccessible for a large part of the Afrodescendant population. Bello and Paixão, in analysing the rights of Afrodescendant women and men, provide us with a panorama of the true situation in access to education, employment (unemployment), health care and infant mortality. They also devote considerable attention to issues of poverty and homelessness.

Afrodescendants also share negative indicators with indigenous peoples. In the cases where Afrodescendants appear with better indicators, it can hardly be said that they are in a better situation, as the points of comparison are generally unfavourable indicators; what appears is evidence of degrees of inequity and inequality, shared negatives for the abovementioned groups in regard to the rest of the population. This is demonstrated when the situation around access to education, employment and health care is analysed, and when it is cross-analysed with levels of poverty and homelessness. Essentially, education indicators (for example) can be seen as similar to those of the rest of the population in some countries, yet this exists against a background of high rates of poverty and homelessness (as is shown in the final tables).

It is worth noting that among Afrodescendants, discrimination affects men and women in unequal ways. This should be considered when it comes to thinking about the implementation of policies and programmes to combat racism and discrimination, without failing to consider both what the United Nations has stated in terms of the indivisibility, independence and interrelationship of human rights and the dangers of placing racism in a hierarchy [of rights]. (70)

As the third article of the International Covenant on Economic, Social and Cultural Rights sets out, “[t]he States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights set forth in the present Covenant”. (71)

To see whether States have progressed in regard to this Article, we must see gender-based indicators and women’s representation in indicators for economic and social rights. CLADEM’s contributions in their general commentary on this Article (72) also draw attention to how Article 3 should be seen in relation to Point 2 of Article 2 of the Covenant, which reads “The States Parties to the present Covenant undertake to guarantee that the rights enunciated in the present Covenant will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status”.(73)

(70) Bello, Álvaro and Marcelo Paixão (2008), *Estado actual del cumplimiento de los derechos civiles, políticos, económicos, sociales y culturales de la población afrodescendiente en América Latina*, (Preliminary version), Chile, February. Available from www.eclac.cl/celade/agenda/1/32651/DerechosAfros.pdf. [Our translation.]

(71) *International Covenant on Economic, Social and Cultural Rights* (1966). Available from www2.ohchr.org/english/law/pdf/cescr.pdf.

(72) *Comité de América Latina y el Caribe para la Defensa de los Derechos de la Mujer (CLADEM) (2002), Comentario general al artículo 3º del pacto internacional de derechos económicos sociales y culturales*, 13 May.

(73) *International Covenant* (1966), *op.cit.*

CLADEM stated in their intervention that international debates on human rights have benefited the general debate around human rights and women's rights. They referred to pending tasks, as no holistic analysis has yet been conducted from an ethno-racial perspective which covers the intersections of race, gender and human rights.(74)

We also recommend studying the Montréal Principles (75), as they help us see the general importance of ESCR for women. Again, we should consider this analysis together with an ethno-racial perspective. The principles draw attention to the fact that despite the achievements of recent years, "human rights bodies and policy makers have often ignored women's ESCR". (76)

Economic, social and cultural rights have a particular significance for women because as a group, women are disproportionately affected by poverty, and by social and cultural marginalization. Women's poverty is a central manifestation, and a direct result, of women's lesser social, economic and political power. In turn, women's poverty reinforces their subordination, and constrains their enjoyment of every other right. (77)

Much of what was discussed at the Tenth Conference in Quito, and what we believe will be discussed at the Eleventh Conference in Brasilia, will be related to the consequences of unequal access to ESCR. In the case of Afrodescendant women, RMAAD expressed in its Quito declaration that the poverty experienced by Afrodescendant women was made more acute by the lack of access to and control of resources – including natural resources, land and water – as well as unpaid domestic work. RMAAD said that this situation generates high levels of dependence on partners, employed relatives and the State itself, which therefore represents a violation of the economic rights of Afrodescendant women (78). The Montréal Principles specifically make those same comments in speaking of the general situation of women vis-à-vis ESCR:

The inequality in the lives of women that is deeply embedded in history, tradition and culture (79) affects women's access to and enjoyment of economic, social and cultural rights. To ensure women's enjoyment of these rights, they must be implemented in a way that takes into account the context in which women live. For example, the traditional assignment to women and girls of the role of primary care-giver for children, older persons and the sick restricts women's freedom of movement and consequently their access to paid employment and education. The economic and social devaluation of the work, paid and unpaid, that women traditionally do from a very young age, contributes further to fixing women in a position of economic and social inequality. These factors diminish women's earning capacity and their economic autonomy, and contribute to the high rates of poverty among women worldwide. Traditional, historical, religious or cultural attitudes are also used to justify and perpetuate discrimination against women in the delivery of economic, social and cultural rights, including health services and education, by public and private agencies.(80)

(74) CLADEM (2002), *op.cit.*

(75) *Montréal Principles on Women's Economic, Social and Cultural Rights (2002)*, International Federation for Human Rights, December. Available from www.unhcr.org/refworld/category/REFERENCE/IFHR/46f1462e0_0.html.

(76) *Center for Equality Rights in Accommodation (2006)*, *Guide to the Montréal Principles on Women's Economic, Social and Cultural Rights*, Ontario. Available from www.equalityrights.org/cera/wp-content/uploads/2010/04/MPs-Guide-web-E.pdf.

(77) *Montréal Principles (2002)*, *op.cit.*

(78) *Red de Mujeres Afrolatinoamericanas, Afrocaribeñas y de la Diáspora (RMAAD) (2007)*, *op.cit.*

(79) *Original footnote:] As identified by the Human Rights Committee at para. 5 in its General Comment 28: Equality of rights between men and women (article 3)*, 29/03/2000. CCPR/C/21/Rev.1/Add.10.

(80) *Montréal Principles (2002)*, *op.cit.*

We also refer to areas covered by the Montréal Principles when issues of education, training and work are correlated with other instruments. In terms of education and training, refer to ICESCR Arts. 6, 13; CEDAW Arts. 10, 14(2)(d); DEDAW Art. 26; UDEHM Art. 4; CERD Art. 5(e)(v); UDHR Art.26; ACHR Art. 17(1); Convention of Belém do Pará Art. 6(b); San Salvador Protocol Arts. 13(1)(2), 13(1)(3); CRC Art.28; CDE Art. 1; ADRDM Art. xii; BDPA Par. 69.

In regard to freely chosen work and employment, as well as fair and favourable working conditions – including fair and equal pay, and protection against sexual harassment and sex-based discrimination in the workplace, see also: ICESCR Arts. 6(1), 6(2), 7; CEDAW Art. 11(1)(c), 11(1)(f); CERD Art. 5(e); ICPCR Art. 8(3)(a);

c) The International Convention on the Elimination of All Forms of Racial Discrimination (CERD)

To finalize this section, we will see what the International Convention on the Elimination of All Forms of Racial Discrimination (CERD) states in regard to the issues of political participation and other rights for Afrodescendants. We will identify the intersections between sexism and racism in order to advance in our analysis, beginning with Article 5 of the CERD:⁽⁸¹⁾

States Parties undertake to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law, notably in the enjoyment of the following rights:

- (a) The right to equal treatment before the tribunals and all other organs administering justice;
- (b) The right to security of person and protection by the State against violence or bodily harm, whether inflicted by government officials or by any individual group or institution;
- (c) Political rights, in particular the right to participate in elections – to vote and to stand for election – on the basis of universal and equal suffrage, to take part in the Government as well as in the conduct of public affairs at any level and to have equal access to public service.

The CERD also recognizes other rights which should be enjoyed free of racial discrimination, including:

- (d)(i) The right to freedom of movement and residence within the border of the State;
 - (ii) The right to leave any country, including one's own, and to return to one's country;
 - (iii) The right to nationality; [...]
 - (v) The right to own property alone as well as in association with others;
 - (vi) The right to inherit;
 - (vii) The right to freedom of thought, conscience and religion; [...]
-
- (e)(i) The rights to work, to free choice of employment, to just and favourable conditions of work, to protection against unemployment, to equal pay for equal work, to just and favourable remuneration; [...]
 - (iii) The right to housing;
 - (iv) The right to public health, medical care, social security and social services;
 - (v) The right to education and training;
 - (vi) The right to equal participation in cultural activities;
-
- (f) The right of access to any place or service intended for use by the general public, such as transport hotels, restaurants, cafes, theatres and parks. ⁽⁸²⁾

DEDAW Art. 10(1)(a); AFLC Art. 1; DPDS Artículo 6; UDHR Arts. 4, 23; DEVW Art. 3; ACHR Art. 6(2); ACHPR Arts. 5, 15; ADRDM Art. xiv; San Salvador Protocol Arts. 6, 7; ECHR Art. 4(2); WHC Art. 8; ERC Art. 1; EPC Arts. 1(1), 2; ILO Declaration on Fundamental Principles and Rights at Work; Convention of Belém do Pará Art. 2(b).

(81) *Op.cit.*

(82) *Ibid.*

The ECLAC itself has recognized that “[t]he task pending is to turn our gaze on the international treaties, covenants and declarations, interrelating the ethnic, racial and gender-based dimensions to gather the knowledge accumulated there and integrate it into public policies responding to poverty”.⁽⁸³⁾

This task remains incomplete – we hope it will come under discussion at the Eleventh Regional Conference..

IV Conclusions and Recommendations

a) Censuses and ethno-racial and gender indicators

The figure for individuals comprising the region’s Afrodescendant population is almost always given as 150 million: “The black and mestizo Afro-Latino and Afro-Caribbean population of the region is around 150 million people, meaning about one third of the region’s total population. In relation to their geographical location, Afrodescendants especially prevalent in Brazil (50%), Colombia (20%) and Venezuela (10%)”.⁽⁸⁴⁾

Although this is the most frequently used statistic in writings and studies, scholars have recently begun to use a reduced figure of 120 million:

Afrodescendants are one of the most numerous groups which comprise the region’s enormous ethnocultural diversity. It is estimated that they form 23% of the total Latin American population, that is, some 120 million people (Antón and Del Popolo 2009), spread across various regions and countries. In Brazil they represent 45% of the total population, with close to 76 million according to the 2000 census. In Guatemala, Costa Rica and Honduras, however, their numbers fall below 5% of their respective populations (Rangel 2006). In Colombia they constitute 10.6%, or 4,311,757 individuals (Antón and Del Popolo 2009). The residential structure of these populations is variable: in Brazil, for example, 81.2% live in cities, while in Guatemala and Honduras the urban proportions reach 46.1% and 46% respectively.⁽⁸⁵⁾

It is estimated that most of the Caribbean population is comprised of Afrodescendants, with figures that range from 50% to 90% depending on the country. Of the Afrodescendant population in the entire Latin American region, more than 75 million are women and more than 100 million are under 20 years of age.⁽⁸⁶⁾

Recommendation: consistently use ethno-racial indicators and foci

These variations in data illustrate the need for continued progress in the use of ethno-racial indicators and foci in population censuses, vital statistic registry, demographic and health surveys, household

⁽⁸³⁾ ECLAC (2006), *Género, pobreza, raza, etnia: Estado de la Situación en América Latina, Report of the Specialists' Meeting, Santiago, 7-8 November*. Available from www.eclac.org/mujer/noticias/noticias/0/26960/InformeReuni%C3%B3nPobrezaRaza.pdf. [Our translation.]

⁽⁸⁴⁾ Hopenhayn, Martín and Alvaro Bello (2001), *Discriminación étnico-racial y xenofobia en América Latina y el Caribe, Serie Políticas Sociales No. 47, ECLAC, Santiago, May*. Available from www.eclac.org/publicaciones/xml/2/7022/lc11546e_.pdf. [Our translation.]

⁽⁸⁵⁾ Bello, Álvaro and Marcelo Paixão (2009), *Una mirada a la situación de los derechos de los afrodescendientes en América Latina*. In Antón et al., *Afrodescendientes en América Latina y el Caribe: del reconocimiento estadístico a la realización de derechos, Serie Población y Desarrollo No. 87, ECLAC*. [Our translation.]

⁽⁸⁶⁾ Swaby (n.d.), *op.cit.*

surveys and any other source that helps provide reliable data on women and men Afrodescendants in the region:

The demands for information gained strength precisely because of [the] Durban [Conference]. In the final declaration, it was explicitly recommended that Latin American countries redouble their efforts to possess official data on Afrodescendants, with the aim of evaluating and formulating compensation policies for the debt resulting from the enslavement processes against this population. (87)

Antón and Del Popolo note the complexity of accessing figures on the Afrodescendant population, as data are not yet collected using appropriate indicators in all countries throughout the region:

The previous sections make it clear that it is difficult to provide a consolidated demographic of the Afrodescendant population in Latin America. There are numerous institutional sources – such as the World Bank, the United Nations Children’s Fund (UNICEF), Mundo Afro and even ECLAC – which in certain studies provide figures ranging from 80 to 150 million Afrodescendants in Latin America and the Caribbean, that is, between 15.6% and 30% of the region’s population. These discrepancies are directly connected with the primary sources of the data utilized, and/or the estimation methods employed. In many cases, these are not clearly described or receive no validation from the official statistical system. (88)

This article is one of the most recent to incorporate available ethno-racial information. It allows us to see not only how many Afrodescendants live in the region, but also how, if at all, the State responds to their needs. Equally, however, if the data can be expanded, it will assist in developing research and diagnostic studies and planning public policies.

For this issue, we also recommend RMAAD’s publication Durban +8: Una mirada de las mujeres afrodescendientes de las Américas, pasados 8 años. (89) It provides important data on the situation of Afrodescendant women in various countries in the region, and is product of an internal project of organizational mapping in preparation for the 2009 Durban Review Conference.

Recommendation: investigate the intersections between an ethno-racial perspective and a gender perspective

The production of investigations, studies and reports on issues related to women and men Afrodescendants has been steadily increasing. The use in recent years of ethno-racial indicators has helped obtain more concrete, real data on the living conditions and economic, political and social situation of Afrodescendant peoples and individuals. Similarly, a gender perspective has become more widely used, although more real commitment to its use is required in the design of public policies, State budgets and affirmative action plans. The need and the challenge of intersectionality – of establishing the intersection between an ethno-racial perspective and a gender-based one – have arisen to visibilize the particularities of Afrodescendant and indigenous women. Projects on poverty, gender and race, like that

(87) Antón & Del Popolo (2009), *op.cit.*

(88) *Ibid.*

(89) Red de Mujeres Afrolatinoamericanas, Afrocaribeñas y de la Diáspora (RMAAD) (2009), *Durban +8: Una mirada de las mujeres afrodescendientes de las Américas, pasados 8 años*, Boletín No. 3, Nicaragua, pp.25-29. Available from www.mujeresafro.org/index.php?option=com_docman&task=doc_download&gid=2&Itemid=20.

of UNIFEM, recognize this need:

The investigations on economic and labour issues that pay attention to gender, race, ethnicity or social class are few; even fewer are those which establish the connection between these dimensions and poverty. For this reason, it is not only necessary to generate an exchange of experiences and knowledge around the intersections between ethnicity, race, gender and social class, but also to systematize and generate new knowledge and methodologies for analysis that take into account the impacts of economic and social policies on women and men, and which reflect how inequalities based on gender, race, ethnicity and social class interact. (90)

To speak of human rights, justice or equality in relation to Afrodescendant women demands that we remember that the recognition of women's rights as human rights has only occurred recently. Women's first step was to fight to be recognized as people with rights; later, those rights were recognized as part of humanity's rights. We therefore understand the need to carry out the exercise if we are considering human rights overall from a gender perspective. This is not a semantic point, but a profound epistemological change in our approach to and understanding of human rights. Consequently, speaking of the human rights of black women, of Afrodescendant women, means speaking of the required identity-based space from which they seek their rights as women. For this reason, we have placed significant emphasis in this document on the intersections of ethno-racial and gender-based factors.

b) Poverty and economic empowerment

Almost everything we read on Afrodescendants in the region refers to poverty as a common experience:

After centuries of exclusion and domination, at the beginning of the new millennium, the indigenous, Afro-Latino and Afro-Caribbean communities present the worst economic and social indicators, and have limited cultural recognition and access to decision-making positions. In addition, ethnic and racial discrimination is also one of the fundamentals of the xenophobic sentiment in the region's countries. (91)

Poverty, as an ongoing life situation for many women and men Afrodescendants, accompanies situations linked to education and employment, among other issues, and causes labour market insertion to occur in an extremely inequitable framework. (92) For Hopenhayn, Bello and Miranda, race and gender are presented as determined elements in labour stratification, in the structuring of social opportunities, and in the distribution of material and symbolic payoffs: "Racism and sexism lead to women and blacks obtaining returns on their educational investments, in terms of pay received, that are proportionally less than those of white men". (93)

(90) ECLAC (2006), *op.cit.*

(91) Hopenhayn and Bello (2001), *op.cit.*

(92) Hopenhayn, Bello and Miranda (2006), *op.cit.*

(93) *Ibid*

Recommendation: commit to the analysis of time use and paid and unpaid domestic work, in order to design economic policies with ethno-racial and gender perspectives

Women, as a general rule, take on productive and reproductive work. To achieve women's economic empowerment, States must recognize their overload of paid and unpaid domestic work. This is based on the social and sexual division of labour. In the case of Afrodescendant women in the region, this overload has historical implications that can be traced to the trade and sale of enslaved people, which today translate into sexual stereotypes and obstacles to their access to the labour market and dignified employment. Epsy Campbell comments:

Historically, Afrodescendant women have tended to assume both productive and reproductive work, although the former has been taken on in discriminatory circumstances. Their contribution to the economies of Latin America and the Caribbean has yet to be rigorously studied, but during more than 300 years of slavery in the Americas, their field and productive labour was in no way distinguished from that of black men, while in addition, they were economically responsible for the reproduction of the slave work force. Their insertion in the reproductive economy has been characteristic throughout their history. In this sense, the gender-based analysis based on dividing roles into productive and reproductive is limited in the case of Afrodescendant women. (94)

For this reason, many Afrodescendant women are employed in domestic work, in largely undignified working conditions. In the case of undocumented migrants, women may be exposed to sexual or physical violence, or victim to sale or trafficking in illegal international networks. The relationship between ethnicity and gender is highlighted:

Poverty is directly related to levels and patterns of employment, as well as existing inequalities and discrimination processes in a society. Discriminatory practices against women, native peoples and Afrodescendant populations operate as simultaneous processes of separation and hierarchization, in which "the other" is considered both different and inferior. These practices still persist, despite the advances in legal dispositions that establish equality before the law. It is important to note that inequalities and gender-based and ethno-racial discrimination interact among themselves, and render other social conditions more acute. They generate structures of social exclusion that strongly affect patterns of labour insertion and poverty. (95)

It remains crucial to evaluate time use in order to truly appreciate the hours women work: this should be an imperative for States in their economic plans and policies. This is one of the topics in the Quito Consensus and should be discussed in the Brasilia Conference:

Poverty is the result of a multidimensional social and economic process. Changes in social policies, in programmes which fight poverty, and in the role of State constitute important aspects of the project in terms of human rights and strengthening the citizenry. The monetary focus must be surpassed to include territorial issues in poverty analysis, in addition to considering policies related to distribution of wealth and power, and the inclusion of time use as an indicator, with the aim of

(94) Campbell Barr, Epsy (2003), *op.cit.*

(95) Valenzuela, María Elena, and Marta Rangel (2005), *Introducción*. In Valenzuela, María Elena, and Marta Rangel (eds.) (2005), *Desigualdades entrecruzadas: Pobreza, género, etnia y raza en América Latina, Proyecto Género, Pobreza y Empleo en América Latina, Organización Internacional del Trabajo, Chile*. Available from www.ilo.org/public/libdoc/ilo/2004/104B09_431_span.pdf. [Our translation.]

confronting the root of the inequalities produced in the family. (96)

Recommendation: implement public policies that promote the economic autonomy of Afrodescendant women

The implementation of public policies to promote the economic autonomy of Afrodescendant women should take into account their access to economic and natural resources, such as land and water. It should include boost the provision of skills relating to new technologies, including access to information and communication technologies. This economic empowerment should be facilitated by the State, with the enactment of special plans to facilitate funds for Afrodescendant women, as well as affirmative action plans in employment and employment protection. Afrodescendant women should have equal access to business entrepreneurship programmes, and their organizations should be guaranteed active participation in designing the economic empowerment plans of their home countries.

Commitment to affirmative action policies is still required to empower Afrodescendant women. Hopenhayn, Bello and Miranda confirm this position:

Therefore, “reverse discrimination” policies (the quota system to counteract workplace segregation) would have significant impacts on the economic inequity of Latin American countries, and would serve to fight racial discrimination, while policies that guarantee similar wages for equivalent occupations (comparable worth) would be more efficient in combating gender-based discrimination. (97)

Neoliberal economic powers are increasingly privileging the free flow of capital across the world, while they build walls to stop the movement of human beings; the issue of people’s human rights – including the right to employment, dignified working conditions and social security – becomes more fragile and dispersed. For this reason it is necessary to report and denounce the State reforms that are being executed in Latin America. As Campbell states, they “have a greater impact on Afrodescendant populations and women, as they limit or eliminate the already-reduced State insertion in public policies that women and men Afrodescendants have or had access to”. (98)

In their declaration for the Eleventh Conference in Brasilia, RMAAD draws attention to the fact that for development plans to be efficiently achieved, the Paris Declaration on Aid Effectiveness (2005) and the Accra Agenda for Action (2008) (99) should be borne in mind. This would help channel resources from international cooperation to provide emphasis and special attention to Afrodescendant women, adolescents and girls.(100)

Recommendation: defend the secular State

The issue of the defence of the secular State is an important premiss to guarantee rights such as sexual and reproductive rights. We have seen the advance of fundamentalist thought and actions, which base their arguments of exclusion and denial of rights on beliefs and dogmas of a religious nature. People

(96) ECLAC (2006), *op.cit.*

(97) Hopenhayn, Bello and Miranda (2006), *op.cit.*

(98) Campbell (2003), *op.cit.* [Our italics.]

(99) Available from www.oecd.org/dataoecd/11/41/34428351.pdf.

(100) Red de Mujeres Afrolatinoamericanas, Afrocaribeñas y de la Diáspora (RMAAD) (2010), *op.cit.*

should have the right to freedom of religion, including the right to not have a religious affiliation. For this to become a reality, States must be secular; they cannot and should not privilege positions based only on the beliefs of one religion or other. Certain States have even reached the point of prohibiting therapeutic abortion in all cases, even though the woman's life may be at risk.

Women's and Afrodescendant organizations have historically used their agendas to urge for sexual and reproductive rights. They have authored many declarations for the various conferences, like those handed down in Cairo, Beijing and Durban with their corresponding revisions and follow-ups. It is worrying to see that Church pressure, expressing conservative or fundamentalist positions, has converted these discussions into issues of faith and religion – in reality, they should be discussions of the basic human rights that allow women to control their bodies and access sexual and reproductive rights.

Recommendation: protect and recognize sexual and reproductive rights

We cannot address women's economic empowerment without protecting and recognizing their sexual and reproductive rights. This is intimately connected to the sexual division of labour and women's time use. In the case of Afrodescendant women, universal access to sexual health-care services and comprehensive reproductive health care, as well as to a wider range of contraceptive methods (including access to prevention, diagnosis and treatment for HIV/AIDS) are areas of great concern. Access to quality health-care services and safe, legal abortion should be guaranteed as a necessary condition to reduce maternal death and disease.

Recommendation: mainstream generational aspects to guarantee the vision and active/proactive participation of young women

We owe to future generations the enjoyment not only of their human rights, but also a space where they can be enjoyed. This space is their home, their nation, the whole planet. Although all human rights are equally important, in this discussion on ethno-racial and gender issues it is the so-called third generation rights which become increasingly important. These rights set out the protection of the legacy we leave, as they are rights which call for solidarity, recognition of the collective sphere, recognition of indigenous and Afrodescendant peoples, and recognition of the rights of individuals and groups who have suffered exclusion and discrimination. This is the intergenerational debt that we should be aware in our current actions:

They are starting to be configured in the form of sectoral declarations that protect the rights of collectives which have been discriminated against – the aged, ethnic or religious minorities, Third World countries – and have been affected by one of the many manifestations of socio-economic discrimination. In the last two decades of the last century, these rights have steadily gained a more important role, leading to the development of concepts such as North–South dialogue, respect for and conservation of cultural diversity, environmental protection, conservation of humanity's world heritage, etc. These radical policies, in the Italian sense of the term “radical”, are the recognition of a context in which new human needs arise that force us to develop new rights in order to guarantee universal access to the most advanced forms of citizenships and civil society, freedom, and quality of life. Economic globalization, as well as ideological and symbolic globalization, the transition from an information-based society to a knowledge-based society, the unification of the world through the planetary reach of the mass media, and the phenomenon of multiculturalism caused by migratory flows are all clear symptoms that a substantial change is occurring. (101)

(101) Bustamante Donas, Javier (2001), *La sociedad de la información: Hacia la cuarta generación de derechos humanos – repensando la condición humana en la sociedad tecnológica*, Revista Iberoamericana de Ciencia, Tecnología, Sociedad e Innovación, No. 1, Sept-Dec. Available from www.oei.es/revistacts/nume-

Likewise, Hopenhayn and Bello emphasize the challenge posed by indigenous and Afrodescendant groups when it comes to studying third generation rights vis-à-vis their demands for equality.

Indigenous groups, and to some degree, Afro-Latino and Afro-Caribbean groups, represent another challenge: how to make the free self-determination of individuals and the differentiation of culture and values compatible with economic and social policies that effectively implement “third generation” rights, reducing the gap of income, assets, participation, human security, and access to knowledge. It is a matter of promoting equality at the crossroads between the fair distribution of potential to affirm difference and autonomy, and the fair distribution of resources to satisfy basic needs and realize social rights. (102)

Young Afrodescendant women must additionally be guaranteed access to sex education, and education in contraceptive use and choices. They should be provided with opportunities that will let them make free, responsible and informed decisions in all areas that affect the quality and trajectory of their lives, especially in relation to exercising their sexuality. (103)

Young women also need guarantees that they will be able to access decent work. Public policies to this end must mainstream a generational component to guarantee the active and proactive perspective and participation of young women in their own economic empowerment. Valenzuela and Rangel comment:

Finally, employment policies must be designed for the areas where indigenous and Afrodescendant communities are concentrated, creating programmes to train young indigenous and Afrodescendant people for work in the modern sectors of the labour market. [...] Measures of this type should be taken to overcome poverty. [...] It is imperative to reduce the schooling gap which exists between whites on one hand, and Afrodescendant and indigenous people in the other, as well as fostering gender-based equal opportunity policies in the workplace in order to not reproduce those kinds of inequalities. (104)

Recommendation: ratify, comply with and commit to regional and international conferences, agreements, treaties and instruments, as well as to national laws

The demand that the region’s States recognize that the trade and traffic of enslaved Africans during the colonial period continues to have transgenerational effects remains pertinent when it comes to demanding the ratification and fulfillment of commitments made in international and regional conferences, agreements, treaties and instruments, as well as national laws. The social, political and economic disadvantages that have accumulated over time have become particularly acute for Afrodescendant women. The fact that States reproduce these effects through their institutions and current organization makes them complicit in the injustices and inequalities in the lives of women and men Afrodescendants. This recognition should be made clear, and compensation should be provided by implementing public policies for affirmative action – crucial to the sustainable development of Afrodescendant peoples. Again, Hopenhayn and Bello:

In response to the problems associated with ethnic and racial discrimination, advances can be

ro1/bustamante.htm. Accessed 06 July 2010. [Our translation. Original italics.]

(102) Hopenhayn and Bello (2001), op.cit. [Original italics.]

(103) Red de Mujeres Afrolatinoamericanas, Afrocaribeñas y de la Diáspora, Declaración XI Conferencia Regional de la Comisión Económica para América Latina y el Caribe, Supra.

(104) Valenzuela and Rangel (2005), op.cit.

made by signing, ratifying and following up on international treaties, declarations, accords and agreements. The emergence of the issue of ethnicities in public and political debate is also an opportunity to promote cultural diversity and to connect democratic processes to the demands of multiculturalism. This should be interlinked with the promotion of equal opportunities within social development, which can be realized through sectoral interventions such as multicultural, bilingual education in areas with indigenous presence; the promotion of better communication methods, incorporating the leadership of ethnic minorities; positive action mechanisms to halt “historic” discrimination in access to jobs; better access to health care, and better promotion of the traditional pharmacology of ethnic minorities; and respect for the traditional ownership of land and territory.

(105)

Recommendation: recognize the region’s geopolitical diversity

Interesting debates are yet to be had on the implementation of State organization models, like the so-called plurinational States. The debate around national identities also highlights the need to see the geopolitical diversity of the whole region. This would mean paying attention, for example, to the Caribbean territories which are simultaneously associated members of ECLAC yet not independent States; regardless, they are nations with a political identity and political organization, some more autonomous than others. This situation would cover Anguilla, the Dutch Antilles and Aruba, the Cayman Islands, the Turks and Caicos Islands, the British Virgin Islands, the United States Virgin Islands, Montserrat and Puerto Rico.

We know that the majority of the Caribbean’s population is Afrodescendant, so it is important to ensure that their voice is heard in those territories, and that they are visible in the agendas of both civil society organizations and international or regional bodies. We obviously want to have more documented information on Afrodescendant women across the Caribbean, including the non-independent territories.

Recommendation: recognize an identity-based space for Afrodescendant women within government structures

For the best implementation of affirmative action policies for gender and ethnicity, and of public policies that guarantee the full exercise of citizenship in equal conditions, a space should be guaranteed for Afrodescendant women within the governmental structures related to gender and Afrodescendant communities. These spaces should have the resources required to function appropriately.

Recommendation: promote concrete actions during 2011, the International Year for People of African Descent

The year 2011 has been declared the International Year for People of African Descent by the United Nations and the Organization of American States. States should undertake concrete actions that reflect genuine political will to deal with the conditions of poverty and marginalization that affect the majority of Afrodescendant peoples and individuals. Within their activities, States should make visible the specific situations experienced by Afrodescendant women.

Recommendation: maintain an ongoing commitment to Haiti

(105) Hopenhayn and Bello (2001), op.cit.

In the last Regional Conference of the Americas on Advances and Challenges in the Plan of Action against Racism, Racial Discrimination, Xenophobia and Correlated Intolerances, held in Brasilia in 2006, women's organizations issued a joint declaration entitled "Dialogue between Women of the Americas against Racism and All Forms of Discrimination". (106) The declaration stated that Haiti continued to suffer acute poverty and isolation as a result of historic racism and discrimination. Particularly concerned by the conditions faced by Haitian women, the signatories exhorted States and intergovernmental institutions to accompany and support Haiti in their internal development processes by performing acts of international solidarity and offering efficient, committed collective work. Today we make the same call in response to the crisis caused by the disastrous earthquake which occurred in Haiti at the beginning of this year.

Recommendation: Afrodescendant social organizations should systematically include women's demands and priorities, and guarantee their participation in all their representative and power structures

This demand consistently appears in the declarations of women's networks and organizations, so it is important to maintain its inclusion.

Recommendation: establish a gender observatory with a focus on the intersection of gender with ethno-racial factors

We believe it necessary, and we accordingly make the recommendation, that the Observatory for Gender Equality in Latin America and the Caribbean, an initiative of the ECLAC Division of Gender Affairs, integrates an ethno-racial perspective in an increasing, cross-cutting manner into its operations, so that in the future we will have reports which provide more detailed information on the economic autonomy of Afrodescendant women in Latin America and the Caribbean.

Shortly before we completed this document, the Division of Gender Affairs published the report National mechanism for gender equality and the empowerment of women in Latin America and the Caribbean region on their web page. (107) From our brief reading, we noted that the interesting and valuable information provided does not intersect or compare with the prevailing ethno-racial situation. Nor do we know if the author had access to ethno-racial data in the State mechanisms she reviewed. Even so, we found a very interesting comment in the section entitled "Gaps and external and internal factors that present challenges to the effectiveness and efficiency of national mechanisms":

Even in the face of significant advances, gaining access to public venues, especially Parliament, does not mean gaining access to neutral spaces as these venues were designed according to the masculine mindset. Women who win political office, regardless of social or ethnic origin, are subject to various forms of discrimination and scrutiny. They must create their own spaces or accommodate [themselves] into the male-designed environment. Women's caucuses, now all the more frequent in Latin America, seem to provide an important support space. Nonetheless, women[']s heterogeneity is a challenge as their political choices, in some issues more than others, are more determined by other factors such as religious and political affiliation, class and race than by gender. (108)

(106) Declaración de las mujeres reunidas en el "Diálogo entre las Mujeres de las Américas contra el Racismo y Todas las Formas de Discriminación" (2006), Regional Conference of the Americas on Advances and Challenges in the Plan of Action against Racism, Racial Discrimination, Xenophobia and Correlated Intolerances, Brasilia, 24-25 July. Available from www.eclac.cl/mujer/noticias/noticias/9/26089/Declaraci%F3nmujeres.pdf. [Our translation.]

(107) Fernós, María Dolores (2010). National mechanism for gender equality and empowerment of women in Latin America and the Caribbean Region, Serie Mujer y Desarrollo No. 102, Division of Gender Affairs, ECLAC, Santiago. Available from www.eclac.cl/publicaciones/xml/8/39758/Serie102.pdf.

(108) Ibid.

Certainly we would love to see Fernós's publication develop comments like these – and others on the effectiveness of national mechanisms for the empowerment of Afrodescendant women – further. ECLAC has made the commitment to collect and systematize information according to gender and ethno-racial categories. It is important that the Division of Gender Affairs continues to progress in its analyses of intersectionality:

ECLAC has taken on the mandate of the Mexico City Consensus in terms of seeking to include in all activities the issue of racial and ethnic discrimination – both the need to make these forms of discrimination visible, as well as the tensions they cause – with the aim of providing a comprehensive, complex vision of development, poverty and inequality, expressing the complexity of relations and interconnections without sinking to simplifications or fragmentations of reality.

Gender-based discrimination is systematic in all dimensions of society. From the methodological and conceptual points of view, based on available data and knowledge, women are placed in a system of disadvantage and subordination, thus revealing the constituent nature of gender relations. Problems exist between genders; however, it is irrefutable that, as a product of power relations, in no ethnicity, race, people or cultures are women in a superior position. [...]

The challenge is to see if, from this great state of affairs that we have, we can listen to women and their agendas, to generate more valid knowledge that will identify and illuminate public actions, programmes and policies, with the commitment to eliminate all inequalities in women's human rights. (109)

In locating the intersections between ethno-racial and gender-based or women's issues, we must consider the challenges such proposals always imply. The challenges are related to egalitarian assumptions, both in regulations and in the individuals subject to them. Often the different legal norms, including international instruments, are based on the premiss that merely enunciating the concept of equality before the law makes it reality by the magic of the legal decree itself. The other assumption is that the concept of equality represents equity for all people in accessing justice, as if each individual sought justice from the same place and position – social, economic, political, racial, ethnic, etc. – based on the same sexual orientation and gender.

That is to say, justice is not equal for everyone if it claims to apply the same norms to all; in this way, only the privileges of those who have historically had more control or access to the construction of legal frameworks are respected. The same occurs with any social, cultural, political or economic structure. The solution for excluded people is not to try and become a copy of a privileged person, or to aspire to be like that person; the solution is to recognize the source of the privilege in order to change the norm. Differences must be recognized in order to genuinely construct a way to justice or social, cultural, political or economic changes. We must start by recognizing differences and respecting diversity. We should not have to become someone else to have rights.

The challenges are many: forms of discriminations operate horizontally, vertically, transversally and internally. Collectively and individually, we are standing in different places. The search for answers goes in all directions. Here the personal or individual challenge is equally important to the State or collective institutional response.

On the web page of ECLAC Population Division's Latin American and Caribbean Demographic Center

(109) ECLAC (2006), *op.cit.*

(CELADE) (110) we located very good initiatives in the “Tópicos emergentes” (Emerging issues) section – such as the 2010 censuses that incorporate the discussion of ethno-racial categories. Likewise of interest is the section on Indigenous and Afrodescendant peoples; the Afro content is yet incipient, but it provides a rich inventory of presentations and studies available. It includes a database on indigenous and Afrodescendant peoples in Latin America; we found, however, no data on Afrodescendants. States now need to make use of this data to translate it into public policies and initiatives in fulfillment of the commitments they have made to date. In regards to ECLAC, they would need to draft indicators that would facilitate the collection of data cross-referenced by race, ethnicity, gender, physical and mental capacities, and even sexual orientation and gender identity.

We hope that this document will contribute to a conversation around the challenges implied in the struggles against ethno-racial and gender-based discrimination. We understand that we should always speak of the full range of other categories of exclusion that limit us from enjoying our citizenship, as sexual orientation, gender identity, age, physical and mental capacities, etc. are part of human beings’ identities. We therefore aim for the construction of new contents, perspectives and forms of these multiple, pluricultural and multi-ethnic citizenships. As Anderson states,

A new paradigm is needed, capable of replacing – both in popular thought and in expert knowledge – old notions of culture, race and gender relations.

At the end of the day, diverse identities have one of their most important bases in the historic division of economic roles. Today they act as the background for new connections with the environment, with markets, and with diverse local and global systems of exchange. (111)

The problem is a systematic one. Excluded individuals and groups cannot incorporate themselves into an established system with frameworks, rules and norms based on the precise values and perspectives that exclude them. This only implies tolerance of diversity. “Tolerance” is not “acceptance”; it is merely the recognition that although one disagrees with the existence of the other, they are allowed to exist. True inclusion is offering acceptance and recognition to those whose very existence and right to live fully as people and citizens have been refused.

For this reason, while we continue our path and make progress in denouncing exclusion and non-recognition of rights, we must also construct alternatives for inclusion. These alternatives must be thought out based on the construction of new systems, including States’ institutions and forms of organization. We cannot patch up systems that for years have been established for exclusion. We can dent them a little, but they remain standing. States must be reconsidered based on inclusion. The commitment of governments must be to implement egalitarian participation mechanisms in the social, economic, political and cultural spheres. Civil society always has an agenda under construction, and it must own that agenda into the future. As Afrodescendant women we are here: denouncing, advancing, and proposing.

(110) Centro Latinoamericano y Caribeño de Demografía (CELADE), División de Población: www.eclac.cl/Celade/. Accessed 07 July 2010.

(111) Anderson, Jeanine (2006), *Categorías de diferencia, trayectorias de desigualdad: Superar la pobreza femenina diversa en América Latina*. In Valenzuela and Rangel (eds.) (2005), *op.cit.*

