



ACADEMY for  
CULTURAL DIPLOMACY



## The Helsinki Conference on International Law & Women's Rights

*"An Interdisciplinary Analysis of the Role of  
International Law in Promoting Women's Rights"*

*(Helsinki, March 10th - 12th, 2014)*



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## Introduction

**The Helsinki Conference on International Law & Women Rights was hosted by the ICD Inter-parliamentary Alliance for Human Rights & Global Peace, which was established in 2009 with the aim of promoting local legislation that protects human rights, and support the long-term campaign for global peace and stability.**

The digital revolution, which has been highlighted by extensive citizen journalism, the dominance of social networks, as well as growing possibilities for people to travel and move around the world, has brought a renewed awareness and emphasis once more on the current widespread gender imbalance worldwide. It has become apparent to the global community that in both developing to industrialized countries, gender imbalance exists in many forms and creates a burden on society in economic, moral and other terms at local, national and global levels. Global governance organizations, federal governments, parliaments and NGOs from around the world are therefore working tirelessly, and in some cases collectively, to both raise awareness for this situation and to improve it by tackling gender imbalance both directly and indirectly.

International law has the unparalleled potential to support and protect women's rights as well as to equalize them to men's rights. It also plays a vital role in the development and the progress of improving their future status. However, in order to improve the reality of women's rights globally, and to implement international law at all levels, the legislation of these laws at the local parliamentary level must take place in each individual country providing the framework for the application of women's rights. Without this legal framework applied at both the global and the local level, it will be considerably more difficult to constitute and to assure the protection of women's rights globally in a sustainable approach.

## Conference Agenda

The Institute for Cultural Diplomacy recognizes the historic importance and potential for international law to serve as a strong catalyst for women's rights advocacy. Therefore, this event has been designed in order to be the first of an event series aiming to analyzing the role of international law in promoting human and women's rights.

The Helsinki Conference on International Law & Women Rights will be hosted by the ICD Inter-parliamentary Alliance for Human Rights & Global Peace, which was established in 2009 with the aim of promoting local legislation that protects human rights, and support the long-term campaign for global peace and stability. The conference explored and discussed these issues to formulate joint strategies for future implementation. The conference featured a variety of lectures and panel discussions providing participants the opportunity to debate the role of international law in promoting women rights.

The conference focused, in particular, on the following areas and issues:

- The Potential for International Law to create a Framework for the Development and Protection of Women's Rights
- Using International Law for Effective Implementation of Gender Equality Policies
- The Role of Cultural Diplomacy to Promote Gender Equality
- Raising Awareness for Gender Equality Globally using International Law





# The Helsinki Conference on International Law & Women's Rights

*"An Interdisciplinary Analysis of the Role of International Law in Promoting Women's Rights"*

Helsinki, March 10th - 12th, 2014

## Speaker List

**Minister Erkki Tuomioja**  
Minister of Foreign Affairs of Finland

**Pirkko Mahlamäki**  
Secretary General of the Finnish Disability Forum;  
Board Member of European Disability Forum

**The Hon. Mari Kiviniemi**  
Former Prime Minister of Finland

**Prof. Dr. Stefan Kirchner**  
Visiting Professor for Fundamental and Human Rights,  
Faculty of Law, University of Lapland

**Minister Elisabeth Rehn**  
Former Minister of Defense of Finland Former  
Member of Parliament of the Swedish Peoples Party  
of Finland

**Terttu Savola, Chairperson, the Poor Party of Finland**  
Member, Council of the City of Espoo; Ambassador  
for Human Rights and Children's Rights in the Finnish  
United Nations Alliance

**H. E. Amb. Sello Moloto**  
Ambassador of South Africa to Finland

**H.E. Amb. Datin Seri Blanche Olbery**  
Ambassador of Malaysia to Finland

**H.E. Amb. Norma Bertha Pensado Moreno**  
Ambassador of Mexico to Finland

**Dr. Alessandra Sarelin**  
Researcher, Institute for Human Rights,  
Åbo Akademi University

**Johanna Norrback-Ilvessalo**  
Senior Associate, Attorneys at Law Borenius Ltd

## Conference Timetable

Monday, March 10th, 2014

<p>09:30 Registration Tea, Coffee &amp; Refreshments</p> <p>10:00 "The Role of International Law in Promoting Women's Rights" (Lecture &amp; Discussion)</p> <p>Speaker: <b>Minister Erkki Tuomioja</b> (Minister of Foreign Affairs of Finland)</p> <p>Location: The Foreign Ministry of Finland</p> <p>11:00 Panel 1: "The Role of International Law in Promoting Women's Rights"</p> <p>Chairperson: <b>The Hon. Mari Kiviniemi</b> (Former Prime Minister of Finland)</p> <p>Speakers: "Implementation of International and National Laws when Customary Laws are Respected"</p> <p>"The Impact of International Conventions on Gendered Violence Discourses in Finland"</p> <p><b>Prof. Dr. Marjut Jyrkinen</b> (Professor, Department of Philosophy, History, Culture and Art Studies, University of Helsinki)</p> <p>"Human Rights in Education: Women's and Children's Rights Perspectives"</p>	<p><b>Dr. Alessandra Sarelin</b> (Researcher, Institute for Human Rights, Åbo Akademi University)</p> <p>"A Female Attorney's Role in the Pursuit of Gender Equality"</p> <p><b>Johanna Norrback-Ilvessalo</b> Senior Associate, Attorneys at Law Borenius Ltd</p> <p><b>Minister Elisabeth Rehn</b> (Former Minister of Defense of Finland)</p> <p>Location: The Foreign Ministry of Finland</p> <p>12:30 Lunch Break Location: The Foreign Ministry of Finland</p> <p>14:00 Panel 2: "International Perspectives on Raising Awareness for Gender Equality Globally using International Law"</p> <p>Chairperson: <b>Mark C. Donfried</b> (Director General &amp; Founder, Institute for Cultural Diplomacy)</p> <p>Speakers: "Women's Rights are Human Rights"</p> <p><b>H. E. Amb. Sello Moloto</b> (Ambassador of South Africa to Finland)</p> <p><b>H.E. Amb. Datin Seri Blanche Olbery</b> (Ambassador of Malaysia to Finland)</p> <p>"Women's Human Rights Towards the Post-2015 Development Agenda. A view from Mexico"</p>
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## Conference Timetable

<p><b>H.E. Amb. Norma Bertha Pensado Moreno</b> (Ambassador of Mexico to Finland)</p> <p>"Finnish Gender Equality Policies - What Role for International Law?"</p> <p>Dr. Johanna Kantola (Academy Research Fellow, Gender Studies, Department of Philosophy, History, Culture and Art Studies, University of Helsinki)</p> <p>"The role CEDAW and the Convention on the Rights of Persons with Disabilities (CRPD) in the Promotion of the Rights of Women with Disabilities"</p> <p><b>Pirkko Mahlamäki</b> (Secretary General of the Finnish Disability Forum; Board Member of European Disability Forum)</p> <p>"The Possibilities of Gender Advisors to Advance Women's Rights in the Context of International Peace-Keeping and Crisis Management"</p> <p>Prof. Dr. Elina Penttinen (University Lecturer, Gender Studies, University of Helsinki)</p> <p>"Equal Treatment also for The Smallest"</p> <p>Terttu Savola (Chairperson, the Poor Party of Finland; Member, Council of the City of Espoo; Ambassador for Human Rights and Children's Rights in the Finnish United Nations Alliance)</p> <p>Päivi Nikkilä (Chair of the Board at The Women Journalists in Finland)</p>	<p>Location: The Foreign Ministry of Finland</p> <p>15:30 Break Location: The Foreign Ministry of Finland</p> <p>16:00 Panel 3: "International Perspectives on Raising Awareness for Gender Equality Globally using International Law"</p> <p>Chairperson: Mark C. Donfried (Director General &amp; Founder, Institute for Cultural Diplomacy)</p> <p>Speakers: Prof. Dr. Stefan Kirchner (Visiting Professor for Fundamental and Human Rights, Faculty of Law, University of Lapland)</p> <p>"Honour Related Violence Against Women"</p> <p>Dr. Satu Lidman University Research Fellow, Faculty of Law, Legal History, University of Turku, Finland</p> <p>Location: The Foreign Ministry of Finland</p> <p>(18:00) Reception Location: The Foreign Ministry of Finland</p>
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The Helsinki Conference on International Law & Women's Rights  
(Helsinki, March 10th - 12th, 2014)

The Helsinki Conference on International Law & Women's Rights

Helsinki, March 10th - 12th, 2014

"The Role of International Law in Promoting Women's Rights"

A Lecture by Minister Erkki Tuomioja, Minister of Foreign Affairs of Finland

Helsinki, March 10th - 12th, 2014



Dear friends and colleagues,

Thank you to join this conference on international law in promoting women's rights. This topic combines two themes which are human rights and women's rights and both these themes are central in the international agenda. The Commission on the State of Women starts its fifty-eight session today and in the next two weeks the States parties and the UN will focus on two important themes for women's rights. Firstly, the Commission will discuss the challenges and achievements in the implementation of the Millennium Development Goals for women and girls and, secondly, it will be discussed women's and girls' participation in education, science and technology as well as equal opportunities for work. These issues are crucial in promoting women's rights. The Finnish seventh report on CEDAW was examined last month and we received its recommendations just few weeks ago. These recommendations underline that, despite international and national legislation, there is most to be improved. Finnish challenges remain to reduce violence

against women and to improve equal treatment, in particular equal pay. We will focus on the international legal framework for women's rights.

The non-discrimination principle has been established in the Universal Declaration of 1948 and after the Declaration the main international legal instruments stipulated is the Convention on the Elimination of all forms of Discrimination Against Women. This year it is the twenty sixth anniversary of the adoption of this Convention, aimed at realizing equal bases in education, participation, working life, healthcare and economic rights. A World Bank study shows that five years after a country adopts the Convention, its pace of reform doubles compared to the previous fifteen years. This means that being part to a Convention brings results. Such Convention established also a Committee with the task to monitor that the states parties fulfil their obligations in accordance with this Convention. The Committee has played an important role in the promotion of human rights as it has written some important general recommendation.

For example, in 1992 a general recommendation on violence against women was crucial to raise awareness towards this issue. Besides, it is very interesting to note that there are many regional rights instruments which are parallel to UN instruments. We have for example the European Convention on Human Rights which contains the non discrimination principle and the European Court of Human Rights actively implements and promotes this right in its jurisprudence in very walks of life, both private and public. The Council of Europe adopted the first comprehensive European Convention on Combating Violence against Women.

One group, which is particularly vulnerable, is indigenous women. They are vulnerable because they are part of two communities which have suffered discrimination or discriminatory practices for a long time. Also, they are in a sense, at risk of being overlooked when comes to discrimination against women, since they form a minority within women. On the other hand, if you look at indigenous rights in general, is very easy to overlook a specific situation the indigenous women find themselves in. In fact, in countries like Canada for example, which has a stellar human rights record in general; there are many problems with effectively enforcing human rights of women. This has been seen last week, when Canada's Parliament published a report by Committee which dealt with the murder of indigenous women in British Columbia in the last 15 or so years. Rather than investigating further, now increasingly look like not much is going to happen. However, indigenous women in British Colombia have long suffered not just a lack of policing, a bad policing, but even abusive policing on the hands of the RCP and that in a country like Canada that puts a lot of pride in respect for human rights.

A few months ago, news around the world reported the story of one indigenous woman in Mexico who has been forced to give birth in front of a hospital hall because she had denied admission to the hospital. Now, we might want to think about lack of access to health care for indigenous, because they are indigenous. Something that maybe it is an exception that happens to far away places, in poor places and so on. In fact, that is not the case; the reasons why access to health care is denied to them might be different, but this is a problem that also is very relevant in the Nordic countries. For Norway, the fortune has spent some researches already. I do not know how the situation is here in Finland, or in Sweden for example, or in Canada or the USA or Australia or New Zeland, other countries with a large indigenous population.

For Norway we have numbers at least. In the Nordic countries we have a sizeable Sami minority, living in Sapmi, a region which stretches over part of Norway, part of Sweden, part of Finland and part of Russia. The research which has been conducted in Norway shows that Sami women who live outside the predominantly Sami areas, about 40% less than Norwegian speaking women living in the same area, request access to mental health.

The fact that indigenous women in Norway are so much less likely to seek medical help is more that striking. But at the same time this is only one example that illustrates wiser problems. Researches about indigenous people worldwide have shown persistent disparity in health status among many ethnically native groups, when compared to the respective majority groups.

Discrimination can have a particularly negative effect when it comes to mental health and here is where better understanding of other cultures comes in. It becomes worldwide so important that we communicate across cultural borders. Language barriers prevent women who are in need of medical health care to seek the help they are actually intitled to. This is more striking in a country as Norway that has an excellent health care system. Norway health care system is good funded, Norway has the second highest expenses pro capita for health car in the world. It makes it very clear that there is an equal right to necessary health care. This includes the removal of language barriers and this kind of case should nit happen in Norway if you look at the laws, both the international obligations and the domestic laws. Here there is a very specific,

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and Domestic Violence in 2011. Convention can be considered progressive and it is the first convention stating clearly that the so-called due diligence principle for States parties is applicable. In practice this means that states are responsible for acts performed by non states actors. Furthermore, the Council of Europe has been involved in the promotion of LGTB and this is an important milestone in promoting the rights of minorities. Finland has contributed in many ways to the work of the Council of Europe in all of these issues. Human rights, democracy and rule of law are also core values of the European Union, already embedded in the Founding Treaty and confirmed in the Charter of Fundamental Rights in 2000 which became binding with the adoption of the Lisbon Treaty in 2009. The EU is also preparing its succession to the European Convention on Human Rights, a very long process to which Finland contributed. However, it is clear that it is necessary to further strengthen of human rights in Europe by bringing Institution under an external scrutiny from a human rights perspective.

The Inter-American system of human rights is based on the Inter-American Convention on Human Rights adopted in 1969. This Convention prescribes discrimination on the basis of sex and guarantees equality before the law. The Additional Protocol to the Inter-American Convention repeats the state's obligations according to the Protocols and also recognizes that different groups may require additional protection. Since 1994 a Special Rapporteur on women's rights has analyzed state's laws and provisions on discrimination on the basis of sex.

The African Charter on Human Rights form 1981 contains non-discrimination provisions according to sex. The African Union has adopted the African Charter on People's Rights in Africa in 2003, the provisions of which are inspired by the CEDAW and which includes both civil and political, as well as social, economic and cultural rights. In addition to this and unlike the CEDAW, the African Protocol includes multiple provisions addressing violence against women and girls in both private and public field. The Arab Charter on Human Rights of 2004 reaffirms the commitment to the existing international bill of human rights and to the EU Charter in order to build a system respecting human rights. This Charter includes many positive provisions referring to international instruments and mainly to the principle of non-discrimination on ground of sex. Moreover, it provides that all persons are equal before the law and entitled to be protected without discrimination.

This overview shows the existence of a comprehensive legal framework to protect and promote women's rights both at international and national level. Is it also important to note that many actors, such as Human Rights Courts, International Committees and the UN bodies have influenced substantially the interpretation and the implementation of the legal norms as well as the international discussion on women's rights. However, during the past few years, attempts to promote and protect human rights have faced old and new challenges. The international climate on human rights has become more challenging and it is important to maintain the integrity of human rights law in a situation where the universal nature is questioned on the grounds of cultural relativism. Especially in the field of women's rights there is a danger of backlash even though there are some positive developments. For example, efforts to promote sexual and reproductive health rights continue to meet strong resistance in the international for a. It should be recognised that women who can freely decide on their sexuality and reproductive health have better possibilities to educate themselves and take part in society as a whole.

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Finland is committed in continuing its work in promoting and protecting gender issues, both nationally and internationally. In Finland we take gender equality seriously, gender equality is a significant societal role in our country; it must be taken into account into all public decision making and activities. If I was asked to give a single reason for Finland's status as the least failed state in the world, I would answer that it is because of gender equality and the full empowerment of women. Being least failed does not rule out the need to do better, it also indicated that you can always improve. One of the areas that need special attention, also in our country, is violence against women which continues to be a severe problem. Women's rights cannot be entirely secured if violence against women is not eliminated. The Ministry for Foreign Affairs published its first human rights strategy last summer and in this strategy women's rights continue to be the most important theme. Also in our development cooperation which is based on human rights, the promotion of women's rights is essential on the agenda.

The role of women and girls in armed conflicts is recognised already in the Beijing Declaration plan of action almost twenty years ago. Five years after Beijing , the United Nations Security Council approved the landmark Resolution 1325 on: women, peace and security. Since then, the Security Council has passed more five Resolutions to complement 1325 in addressing different aspects of the issue of women, peace and security. Finland promotes the comprehensive and balanced implementation of the Resolution and other related Resolutions. Finland has adopted a second national Action Plan for the years 2012 -2016 to implement Resolution 1325, and the governments' program -2007, stated that Finland emphasizes participation on crises management and peace building as well as striving to promote women and girls in armed conflicts in accordance to Resolution 1325. In this aspect we have been doing a lot of work on implementation of 1325 in many countries including, not so easy states such as, Afghanistan and Kenya. We are looking to put this forward also on the agenda of the OSSC.

Gender is also a cross-cutting issue for Finland in mediation, Finland promotes female candidates to international posts in crisis management, and we have been particularly successful in recruiting women in civilian crisis management. I would also like to underline that promoting women's effective participation in peace process and mediation is extremely important, many high level mediator including Elisabeth Rehn who is present here today, have pointed out that they have never encountered a woman at high level mediation table. However, research indicates that including women in a negotiating group makes the group smarter, and smarter groups make better decisions, and better decisions pave the way for a more sustainable future.

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Women's participation is also important in order to prevent the recurrence of conflicts as well as making peace more lasting and durable. We can look at the Geneva's Syria process and the very feeble status that women have, which is not encouraging when looking at positive results.

Finally, I would like to mention a study commissioned by the Ministry of Foreign Affairs here in Finland, the study deals with gender equality in global value change and examines what kind of development cooperation supports in trade, in the promotion of gender equality and women's employment in developing countries. The study collects best practices and analyses different approaches as well as instruments that advance equality, and women's employment in developing countries by means of trade policies and especially development cooperation in supports of trade. The intention of the study is to support the consideration of gender equality issues in our own trade policies, especially in development cooperation. For this purpose the study will also propose and recommend concrete measures to back up the planning of projects and programs. This is just one example of the kind of work that not only Finland and other countries are doing, and I believe it is important that we follow closely what is being done in other countries to learn from best practices, and everyone is free to imitate whatever we have done if they think that it may be useful, since this is a very much shared and universal issue that we must all address in good cooperation.

I wish you a very good and fruitful conference on how to best promote women's rights.

Once again, I wish you a warm welcome in Finland, Helsinki and from the Ministry of Foreign Affairs.

Thank you.

## Biography

Erkki Sakari Tuomioja

Minister of Foreign Affairs of Finland

*Erkki Sakari Tuomioja is the Finnish Minister for Foreign Affairs and a member of the Finnish Parliament. He is a member of the Social Democratic Party of Finland. He is also a member of ATTAC. Erkki Tuomioja has been a member of the Finnish Parliament from 1970 to 1979 and then 1991 till now. Prior to being the Finnish minister for Foreign Affairs he was the Minister of Trade and Industry. In second half of 2006 when Finland held the EU presidency, he had a prominent role as the spokesman of European Union foreign policy. Erkki Tuomioja obtained his Masters of Social Sciences in 1971 and in 1974 a Master of Science in Economics and Business Administration from the Helsinki School of Economics. He also has a Licentiate in Social Sciences and Doctor in Social Science.*

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## "Panel: The Role of International Law in Promoting Women's Rights"

A Lecture and Panel by the Hon. Mari Kiviniemi, Former Prime Minister of Finland  
Lecture by Dr. Adeolu Alex Adedapo (Lecturer at the University of Ibadan)

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It is a great pleasure for me to be here today and to take part to this seminar. It is a pleasure to give you a short introduction to our theme today: "The role of International Law in promoting Women's Rights".

The equal rights of men and women were firstly referred to an international human right context in the Preambles of the United Nations Chart of 1945 and the Universal Declaration of Human Rights of 1948. The second major step was made in 1979, when a comprehensive Declaration of Women's Human Rights, including both the category of civil and political rights and the of economic and social cultural rights, was imported for an international recognition to the United Nations Convention for the Elimination of All the Forms of Discrimination Against Women.

Other milestones of the international women's rights which should be mentioned, are the Beijing Declaration and Platform for Action adopted in September 1995, at the fourth World Conference on Women by representatives from 189 countries, and its follow up, that is Beijing +5.

The Millennium Development Goals (MDG), and the setting of them, should also be mentioned. Especially the third one, which underlines that there is no chance of making poverty as history without a significant and rapid improvement to the lives of women and girls in all countries. So the MDG aimed at promoting gender equality and empowering women, signalled global recognition that this is both an important development goal in itself and the key to the success of all the other goals.

I also want to stress the importance of the UN Security Council Resolution 1325 that has to be mentioned when we think about the basic agreements. All these international agreements, and as you noticed I did not mention all of them. They are great achievements, but we also know that we still have a very long way to go.

In today's world, human rights are still very threatened not least by a world in which civil and international conflict have become the main state of life; in which civilians are increasingly at risk for related human

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rights abuses. Likewise, with regard to Women's Rights, how can we be optimistic when rape and sexual abuses are used to achieve political objectives during a conflict, when every year thousand of women and girls are murdered in the name of Honour, and the trafficking of women is widely acknowledged as the most lucrative industries for the international criminal underworld?

Also a new report by the European Union Agency for Fundamental Rights presents alarming results, and this survey was the biggest ever on violence against women. The survey reveals the extend of abuses suffered by women at home, at work, in public and online. The study shows that 33% of women have experienced physical or sexual violence since the age of 15, that corresponds 62 million women. The report also informs us that 43% have experienced some forms of psychological violence, by either a current or a previous partner, such as public humiliation, forbidding a woman to leave the house, or locking her up, forcing her to watch pornography of physical violence. As many as 55% of women have experienced some forms of sexual harassment. It is very sad that 67% did not report the most serious incident of partner violence to the police or to any other organisation.

When we think about Women's Rights we have to bear in mind that also lots of progress have been made. For example, the gender parity in primary education has almost been achieved, and women's proportion in national Parliaments have grown. But in any case there is a lot to do.

In regards to future steps, and also when we think about International Law, I think that Gender equality and Women's Rights are keys to address the infinite business of the MDG, and accelerating global development beyond 2015. The post 2015 framework should retain a strong stand along goal on gender equality and women's empowerment as recommended; it also should include gender specific targets and indicators in other causes. As a strong post 2015 framework should take an holistic view on gender inequalities, it should address girls completion of quality education, economic empowerment, universal access to sexual and reproductive health and rights, ending violence against women and girls.

We also have to strengthen women's voice, leadership and influence, women's participation in peace and security, and women's contribution to environmental sustainability.

Ladies and Gentlemen, human rights for women require firstly the setting of Human Rights standards, the acknowledgment of International Community and the adherence by States parties, but also the challenging of a fundamental cultural and religious believes. This process might require a hundred years old, and maybe it has embedded in the mind-set of female members of society as in those of male members.

Ladies and Gentlemen, with these words I would like to open this panel discussion number one.

Thank you.

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Biography

The Hon. Mari Kiviniemi

Former Prime Minister of Finland

**The Hon. Mari Kiviniemi** was elected to a leadership position within the Centre Party in 2003, serving as vice-chairman until June 2008. She became a special advisor to Prime Minister Matti Vanhanen in 2004, and was twice appointed by him to serve as a cabinet minister, first in September 2005 on a temporary basis and then on a full-time basis from April 2007. Prior to her appointment as the prime minister, Kiviniemi was Minister of Foreign Trade and Development from 2005-2006 and Minister of Public Administration and Local Government from 2007-2010.

In June 2010, as the new leader of the Centre Party, the Finnish Parliament following the resignation of Prime Minister Matti Vanhanen made The Hon. Kiviniemi Prime Minister. She served as Prime Minister of Finland from 2010-2011. With her election, she became Finland's second female prime minister, following Anneli Jäätteenmäki in 2003. Mari Kiviniemi studied economics at the University of Helsinki. She is married and she has two children.



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"Implementation of International and National Laws when Customary Laws are Respected" A Lecture by Minister Elisabeth Rehn, Former Minister of Defense of Finland; Former Member of Parliament of the Swedish Peoples Party of Finland

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Thank you for the invitation. I think that now we can step back a little bit to the Conventions, the law and the implementation that happens or not. As former Minister, I have to refer to the Resolution 1325, that I would define historical. African, European, Asian and American people from the highest positions, politicians, NGOs, took part to a meeting adopting a Declaration that the Namibian Government took to the United Nations and that became the Resolution 1325 of the Security Council. I had the opportunity to join a mission aimed at assessing the application of this Resolution and I visited fourteen regions, from Cambodia to East Timor, to Colombia because of cocaine war. Interviewing girls and women was sad and important and I learnt that these Resolutions, and n° 1325 especially, are not about poor women, they are about the actors who deal with strong women. Often, Resolutions are created just to do something and then they are forgotten somewhere in the corners of the United Nations.

If we do not have representation in the highest levels, namely the European Union and the United Nations, if all those who are around the table are men, it is not easy to talk about the fact that there should be more women in Parliaments. Of course, Catherine Ashton is a woman and most people think that it is enough to compensate the gap.

However, it is interesting that in Africa both Resolution 1325 and the report written by my colleague and me, were welcome and also known. We have to remember that several African countries have their national action plan on the implementation of the Resolution 1325. Even more important, there are some regional initiatives in countries as Burundi, Rwanda and the Democratic Republic of Congo that hold regional meetings concerning action plans for the poor people. It is very interesting to see how former "enemies" States now work together. It is not the written text that is the most important, but the process that NGOs, Governments and other are developing together.

Coming to my specific topic, I have to underline that if everything is difficult, it is even more difficult when you had a terrible conflict, and now I am referring especially to Africa. Of course, governments tried to implement the Justice system and also to ratify international treaties in order to be part of the international legislation. But, how do you manage a situation where, after a civil war, there are thousands of dead people

and thousands of criminals, and the violence is very strong even in a post-conflict situation? If this system is not working you do not have judges, prosecutors, councils to defend or punish those who are accused. However, Rwanda is a good example because, despite 800,000 people killed in a short time and 500,000 women raped, everyone lives in the same village where the tragedy happened. So, something has been forgiven but at least the truth will be told and that is very important: they can live together because they know the truth and they can face the future.

There are many questions regarding the International Criminal Court. I have been member of the Trust for Victims and the Chair of its Board of Directors but, at the end, I begged for the mission being undertaken by a young person. So, we have a Japanese judge now.

However, during this work I had the opportunity to see all the complications after a war. The need of justice must be fulfilled, and the victims of wars must have reparation. How to handle reparation for child soldiers? How to help them when they are at the same time victims and perpetrators of terrible acts? To establish this is very difficult, also because, some cultures do not follow just the "formal" law but also customary law, descending from strong traditions, religion. According to these traditions, men and husbands are powerful, while women are weaker and the local social community can easily judge them if they commit acts against these traditions.

I would like to underline that women are extremely strong and they should not be frightened to show that they are strong. They should be respected for **what** they are because they have an important role in developing our world.

Finally, I would like to say that when peace negotiations for Syria will start, women will have to be at the negotiations table. Thank you.



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Biography

Elisabeth Rehn

Former Minister of Defense of Finland; Former Member of Parliament of the Swedish Peoples Party of Finland

As a member of the Swedish People's Party, a Swedish-speaking minority and mainly liberal party in Finland, **Elisabeth Rehn** served as a Member of Parliament in Finland between 1979 and 1995. She was Finland's first female Minister of Defence between 1990 and 1995, and during her term a law on voluntary female enlistment was enacted. Ms. Rehn also served as Minister of Equality Affairs (between 1991 and 1995) and stood as a Presidential candidate in 1994 and 2000. She was a Member of the European Parliament between 1995 and 1996. Elisabeth Rehn has also been a Member of UNICEF, Finnish Committee between 1982 and 1995, chairing the Committee between 1988 and 1993.

In 1995 she was appointed UN Special Rapporteur on the situation of Human Rights in The Republic of Croatia, FRY, Bosnia and Herzegovina and FYROM, a post she held for three years until 1998, when she was appointed UN Under-Secretary-General, Special Representative of Secretary-General in Bosnia and Herzegovina.

Minister Rhen continued to be active after her public service. Between 2000 and 2006 she was Chair of WWF, Finland and between 2003 and 2005 served as Vice Chair of the Board of Suomen Unifemry. She was a UNIFEM Independent Expert on the impact of war on women and co-authored the report "Women, War, Peace" with Ellen Johnson-Sirleaf in 2001-02. In 2003 she participated in a working group titled Democratisation and Human Rights for the Stability Pact for South Eastern Europe, and in 2004 was appointed by the UNDP to provide an Independent Expert Review on the Programme of Assistance to the Palestinian People in the Occupied Territories.

Elisabeth Rehn is frequently engaged as an independent expert on crisis management, and the role of women in the peace processes, mainly for UN, the Government of Finland and other governments. She has delivered numerous official addresses and published a range of articles, and has received national and international honours and awards.

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"Women's Rights are Human Rights"

A Lecture by H. E. Amb. Sello Moloto, Ambassador of South Africa to Finland

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Thank you very much for your kind introduction and acknowledgment.

The theme that we have chosen for this conference is: women's rights are human rights. Women rights can only be progressively realised if recognised as human rights. Besides, international organisations and forums should lobby for gender equality in National Constitutions. The progress which South Africa has made in the transformation of gender relations and successful gender mainstreaming is likely due to the fact that women's rights have become a constitutional provision. Parliament has formed part of our bill of rights, including constitutional equality law, and institutions supporting our democracy as well as the gender commission. The South African Constitution clearly states that the State may not discriminate directly or indirectly on anyone and on any grounds including: race, gender, sex, pregnancy, marital status, ethnic group, colour, sexual orientation, age, disabilities, religion, beliefs, culture language or birth. This

came out because of our bitter past and history, when we were fighting for liberation, the majority of South Africans were subjected to all forms of discriminations, now outlawed in our constitution. To give effect to this constitutional laws and for the protection and advancement of equality and empowerment of women, South Africans introduced supportive measures including legislations such as the Termination of Pregnancy Act, the Domestic Violence Act, as well as the Empowerment Equity Act.

Furthermore South Africa has introduced institutions and programs which are meant to support this noble idea that is intended to support gender relations in the country. The creation of the commission of gender equality and a separate Ministry for Women, Children and Disabled People, is an illustration of efforts of our government to ensure the realization of these objectives. There is consensus from various quarters internationally that South Africa has some of the most progressive policies and laws aimed at advancing women's empowerment and gender equality. However, the progress 'picture' is not yet ideal from our own perspective. Last week our Parliament passed a bill on women's empowerment and gender equality and it raises a question on why it is still necessary to have these sort of things. The answer lies in the fact that, despite having all these legislations, companies as well as governments departments and institutions are not complying with the provisions of the law.

Due to this, we needed a strong mechanism supposed to enforce everybody to begin to take laws and policies seriously. This bill ensures that policies and laws are engendered, whilst equal and full representation

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of women in the decision making structures are enforced. South Africa is also party and signatory of international conventions and protocols that call upon us to institute appropriate measures to eradicate gender based violence, these include: the United Nations' Convention on the Elimination of all Forms of Discrimination against Women, the Beijing Platform for Action Protocol, the African Charter for Human People's Rights, the Rise of Women in Africa, and the Southern African Development Group.

South African performance on gender equality is acknowledged internationally and in regional indexes. For instance on the social institution and gender index of the Organisation For Economic Cooperation and Development (OECD), South Africa is ranked four out of eighty-seven countries in the 2012 index, as well as being the top ranked country in Africa. On the set agenda index, South Africa was ranked second in 2012 with the score only slightly lower than the top ranked country, Seychelles. On the World Economic Forum Gender Gap Index, South Africa has consistently kept its position on the upper level.

In spite of this good achievement and unprecedented legal framework and institutional capacity to advance the power of women and promotion of gender equality, South Africa is still grappling with the framework of colonialism and apartheid as well as deeply rooted patriarchal traditions. On a daily basis we continue to be flooded by stories that a dark picture saying: poverty still has a female face, and women are still excluded from active participation in the economy and in the decision making structure. This is true especially in the private sector.

Presently we have been witnessing some atrocities of gender based violence, even before the advent of South African democratic dispensation. In 1994 the liberation movement, the party that is leading our government, placed a lot of emphasis in raising awareness on the struggle for women's empowerment and gender equality. Later, the forecast became deeply entrenched in patriarchal system and apartheid laws that fragmented the South African society on the basis of race, colour and gender. Before 1994, the South African Parliament had a mere 2% representation of women, but after the democratic elections in 1994, women's representation jumped to 27%, after the 1999 and 2004 elections, the percentage of women's representation grew to 33%. In 2007 the ANC adopted the 50/50 'representation of women' in all structures and levels of society. Today South African women represent 42% of Parliament members and 42% cabinet ministers. Nationally women councillors constitute 38%.

Of course we do acknowledge that on one side we have made this progress, but that on the other we are not doing so great in the private sector. In the public sector there is a political will to change things whereas in the private sector companies are still dragging their feet in realising what the national objectives are. This is also why, the aforementioned mechanism was necessary to ensure compliance. Just as this country held hands with one another to achieve what was thought to be a miracle, when political power was transferred from minority apartheid government to a democratic government one. We again ask you to support us when it comes to empowering our people, so that they could see the material well-being changing for the better. The latter could be achieved if the fruits of democracy were shared equally by all South Africans, additionally the call for inclusive growth could not be more emphasized. Gender based violence, in whatever forms, is prevalent in many communities around the world, however, in poorer communities the problem is more pronounced, in our case inequality is regarded as the major form of this violence.

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The suffering of women in areas of conflict is a common occurrence in Africa. The scale of human rights violations perpetrated on women, some of the being little girls, is mind boggling. Africa as a continent has seen a lot of this. We hope and trust that the structures which are there such as the European Union and various Regional bodies will rise to the occasion and show that all national constitution include: women's right as human rights, because the understanding is that we cannot achieve any development, if women are not at the forefront of that development, development will not succeed.

It is important to learn and share experiences as well as perspective throughout the world, so that when we go home we can continue with gender mainstreaming and promotion of human rights.

Thank you very much for this opportunity.

## Biography

**H.E. Amb. Sello Molot**

**Ambassador of South Africa to Finland**

**H.E. Amb. Sello Moloto** completed his studies in Pharmacy at the University of the North in South Africa. Mr Moloto worked at Mokopane Hospital in Mahwelereng, Limpopo Province. From 1994 to 1996, he was Member of the National Assembly. In 1999, he became Chief Executive Officer of the Bushveld District Council.

In 1992, Mr Moloto became the Chairperson of the ANC in the Sub-Western Region. He served in various structures of the South African Communist Party (SACP), including Central Executive Committee until 2007.

Mr Moloto became a Member of the Executive Council (MEC) for Health and Social Development in Limpopo Province and later became the Premier of Limpopo Province. He was also a Member of the Provincial Legislature at Limpopo Legislature. From Jun-Dec 2011 he served as RSA High Commissioner to the Republic of Mozambique and from Jan 2012-date as the RSA Ambassador Extraordinary and Plenipotentiary to the Republic of Finland.

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"Women's Rights are Human Rights"

A Lecture by H.E. Amb. Datin Seri Blanche Olbery, Ambassador of Malaysia to Finland

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Thank you to the Institute for Cultural Diplomacy and thank you to the Director Mark Donfried for this invitation. Good afternoon Excellences, distinguished speakers, friends, ladies and gentlemen. May I wish all the women present today; happy Women's International day, which was on the 8th of March, the same day that Malaysians were rudely awoken by the shocking news of the Malaysian airline tragedy. We are facing a very bizarre moment and we are hoping and praying for some answers.

Anyway, in the aspect of women's development in Malaysia, Your Excellences, ladies and gentlemen, it is really an honour for me to be here today and to be among all the distinguished speakers especially because we had a really interesting panel this morning and more is to come on the afternoon.

I would like to share my views and opinions on this special issue that is always close to my heart, not only as Ambassador of Malaysia, but also as a woman and as a mother. The United Nations has rightly chosen the theme for this year's celebration as: equality for women in progress for all, which sums up the important role of women at all levels. In Malaysia we have a Ministry which is responsible for women's development that had launched the celebrations for women's day on the 7th of March as well as a series of activities lined to commensurate a variety of significant events.

In this time frame that I have been given I will discuss about the current situation in Malaysia from the perspective of Institutional and legal frameworks in the promotion of equality and devolvement among Malaysian women. I will also talk a little bit about what the Malaysian government has done and what we have achieved thus far. Of particular importance is the role of Sharia law, since as you are all aware Malaysia is an Islamic country, which as you are aware is practiced alongside our civil law in protecting women's rights. Finally, I will also look at future challenges and opportunities for Malaysian women and the government have to develop our nations' status. Malaysia is addressing the problem in a very aggressive way, transforming all its policies and transforming economic political and global program to develop economic progress by 2020.

Women in Malasya have made significant progress in almost every area since our independence in 1957. The achievements have without doubt been facilitated by inclusive policies and plan of action developed by the government of Malaysia in relations to our social and international obligations. Integration of women's

development in national agenda is incorporated in the 1989 national policy on women, as well as the 1997 plan of action for the advancement of women. The responsibility to promote women's participation in national development agenda lays in the Ministry of Women, Family and Community Development. The Ministry was established in 2011 pursuant to the World Conference on Women which took place in Beijing in 1995.

Under the legal framework, the federal Constitution of Malaysia is the supreme law, which guarantees equality between women and men through the constitutional amendments made on August 2, 2011. The aforementioned amendment set the basis for none discrimination based on gender. Malaysia operates has a legal system based upon both Civil Law and Shari'a Law and the competent body in charge of Shari'a Law matters under the Malaysian Constitution is the Shari'a Court. For non-Muslims however, the same matters will fall within the federal list and will be administered by the civil courts. The result of this constitutional position is that in Malaysia two parallel systems exist, the two sets of laws in relation to the same matters.

Your Excellences, ladies and gentlemen, Malaysia exceeded the United Nations CEDO, on the 5TH of July 1995. It is our commitment to realise that women's rights are human rights, and in order to achieve this, changes in the legal and institutional framework have been made. We must protect, preserve and safeguard the rights as well as improve the status of women at all levels. In line with the amendment to Article 8.2 of the Malaysian Constitution, sitting existing laws were reviewed to ensure hearings to the principle of non-discrimination. The review of the existing laws include amendments to the Penal Code in 2006 to increase the penalties for offenders that perpetrate sexual violence and incest, according to the Criminal Procedure code of 2007 on proper search procedures of a person and the Employment Amendment Act of 2012 which ensure efficacy of sexual harassment complaints in the workplace. Amendments have also been made with regards to domestic violence in 2012 on the expansion of defamation of domestic violence as well as amendments to the Islamic Family Law. Reviews have been made to address the issue of sex-trafficking and exploitation of women, by introducing the Anti-trafficking in Persons Act in 2007 which came into force on the 28th of February, 2008. Furthermore, Malaysia is a party to the TIP Protocol which was in force in the country on the 28th of March, 2009. The amendments made to the ATIP, which is the Anti-trafficking in Persons Act was developed to incorporate several provisions regarding smuggling of migrants for instance, as well as others smuggling of migrants and ancillary offenses. The Act is now cited as the anti-trafficking in Persons and Anti-smuggling of Migrant Act of 2007. Malaysia has all the Acts in place, now it is a question of implementation.

The department for women's development, under the Ministry of Women, Family and Community Development, has embarked in various programs to equip women with necessary skills. Amongst the various programs, one includes: single mother's skills, incubator's programs to train women with entrepreneurial skills, to increase the number of skilled and semi-skilled women in Malaysia, the women entrepreneurialship incubator program was also introduced. Another successful program that was introduced is the One Azam Program with the aim of supporting Malaysian from low income households with a particular focus on women to generate more income to sustain families in four areas: job-replacement, business, agriculture and services. As of the 31st December, 2012 about one hundred thousand participants enrolled in the project, of which 65% participants were female. As a state party to CEDO, the government is committed to

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take measures to ensure that women and men enjoy entirely the right to work and employment, the main challenges faced by the government lie in the increasing participation of women in the labour force, the issue arises concerns because, although women's participation has in fact increased from 46.9% to 47.9% for the period of 2001 – 2011, it is still considered a low percentage. In order to fully utilize the resources and potential of women in employment, the government has set a target to increase the female labour force to 55% by 2015, as stated in the 10th Malaysian plan 2011-15.

With regards to government policies as well as the determination, women in Malaysia have achieved significant milestones in areas, to name a few, such as Foreign Services, Cabinet, Parliamentary, Judiciary, Banking, and Security. Additionally, since the establishment of the Ministry of Foreign Affairs more than 30% of women have attained the level of Ambassadorial position including the late first woman Ambassador. To date, Malaysia has more than forty foreign cities offices involved in various missions both at Ambassador Level or Deputy Hit Mission Submission Level. Accomplishments by women of Malaysia are evident in the banking field with the appointment of Dr. Zeti Akhtar Aziz as the Central Bank governor of Malaysia. Her achievements have been recognized internationally for example the Global Finance magazine has nominated her as one of the world's best central bank chief in 2013, the Doctor was further accorded grade 'A' amongst the heads of central banks. Malaysia has also the honours of having Mazlan Othman, again a lady, whom is our first astrophysics and former Director of the United Nations Office for Outer Space Affairs in Vienna. She headed the Malaysian Space Agency in Angkasa in July 2002 for five years, with her work leading to the launch of the first Malaysian astronaut.

Your Excellences, ladies and gentlemen, as I have mentioned earlier, Malaysia has a dual legal system, both civil and Sharia Law; it takes a proper understanding of the sources of the Shari'a to realise that they do not discriminate against women. The sources of the Shari'a are divided into two classifications: the primary source which consists of the Quran and Sunnah, and the secondary which are dependence sources that are not sources per se but are rather means of discovering the law. The letter are primarily Ichama or consensus on Islamic law. A ruling of faith is derived from the primary sources of the Shari'a or in other words it derived from the Quran and Sunnah in conformity with body of principles and methods collectively known as the Usul al-fiqh. That being said, a degree of flexibility in Usul al-fiqh permits necessary modifications in the application of the Shari'a to accommodate social changes, the primary source in the Shari'a can neither be abrogated nor subjected to limitations of time or circumstances.

Equality remains the overriding principle and norm in Shari'a in gender related manners. However the parameters of equality between men and women, particularly in the fields of marriage and family relations are determined by reference to the norms of the Quran. These are inextricably linked to human duties and responsibilities of the individual. As an illustration under the Shari'a a woman requires consent from her guardian before she can get married, but the same requirement is not applicable to a man. The requirement of the consent of the guardian as mentioned is not discriminatory against women, but based on the distinction between men and women under the Shari'a in terms of their responsibility and roles. The status is not based on the idea of inferiority or superiority of men or women, but one of duty and responsibility rather than one of authority.

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As personal and family Law for Muslims in Malaysia is a matter under the jurisdiction of the states, each of the thirteen states in Malaysia is able to enact its own sets of laws governing the personal and family law of Muslims in that State. Each state has its own enactment that codifies the Shari'a determined from the various sources of the Shari'a by those trained in the Shari'a on all matter relating to personal Family Law governing Muslims. Although these state enactments are similar to content, there are differences between them in terms of certain matters, including administrative procedures. A distinction must be drawn between those that can be changed in the Shari'a which is based on the Quran and cannot be amended, hence reforms relating to the personal and family law of Muslims in Malaysia we introduced within the general framework CSR or Shari'a oriented policy which encourages the judicial measures, and that secures benefits for the individual and when not contrary to the Shari'a.

Addressing the polarity between men and women is not an easy task, according to UNICEF's report, future challenges include addressing the continued poverty among female headed households, combating violence against women, racing the effectiveness of gender mainstreaming strategies, reducing women's risk of contracting HIV, removing latitudinal challenges that impact capacity building, as well as raising the level of women's in the labour force, business, politics and government. The government continues to play a crucial role in supporting greater gender equality in the country by providing a healthy environment for the advancement of women at both the national and international arena. The Ministry for Women, Family and Community Development, has seen its budget increase from 1.8 million which is 0.5 USD in 2000 to USD 674.7 million in 2014.

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Your Excellences, ladies and gentlemen to sum up my lecture it is evident that international law has a pivotal role in supporting and protecting women's rights globally. In Malaysia CEDO has provided the impetus for the government to enhance the status of women in the country with different initiatives and programs. As mentioned above, it is important to equip women with entrepreneurial skills promoting the inclusion of women in the labour force, as well as inclusion of women in the decision-making position and public life, and legislations against human trafficking. For Malaysia the dual legal system and Shari'a Law creates particular conditions for the application of national conventions, as I explained earlier under the Shari'a Law men and women have their own specific roles and responsibilities which are not conceded to be considered as inequalities. In this respect understanding and mediating the particularities of the Shari'a Law is the key, also in the wider context of the Islamic world and in the promotion of women's rights and international law.

I would like to end my speech today from the late Prime Minister from Britain Margaret Thatcher, not Malaysian one since we haven't had a female Prime Minister yet, unfortunately:

"If you want something said ask a man, if you want something done as a woman"

Thank you very much.

## Biography

### Datin Seri Blanche Olbery Ambassador of Malaysia to Finland

Her Excellency **Datin Seri Blanche Olbery** is currently the Ambassador of Malaysia to the Republic of Finland after the presentation of her credential to President Sauli Niinistö on 24 October 2013.

Prior to her current appointment, HE Ambassador Olbery was the High Commissioner of Malaysia to Papua New Guinea from 2009 to 2013. During her tenure in Port Moresby, she also served as the Dean of the Diplomatic Corps from 2011-2013, before bidding farewell to Port Moresby.

In addition to her diplomatic assignment, HE Ambassador Olbery was also a lawyer by profession. She received her LLB (Hons.) from the University of Buckingham, England. This was followed by qualification for Certificate of Legal Practice (CLP) from the University of Malaya and she was admitted to the Malaysian Bar in 1986, a year after obtaining her CLP. Since then, she specialized in commercial and family law practices. In 2006, HE Ambassador Olbery was accredited as a Mediator of the Bar Council Malaysia before obtaining her Teaching English as a Second Language (TESOL) in 2008.

HE Ambassador Olbery is married to Datuk Seri M. Kayveas, a Malaysian politician

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### "Women's Human Rights Towards the Post-2015 Development Agenda. A view from Mexico" A Lecture by H.E. Amb. Norma Bertha Pensado Moreno, Ambassador of Mexico to Finland

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First of all I would like to thank the Institute for Cultural Diplomacy and its Director, Mark Donfried for inviting me to participate in this panel with my colleagues. I would like to mainly focus my presentation on the post-2015 Development Agenda. I will formulate the speech in a very general chapters: women' rights at international level, Mexico role in regional and international fora, consultations in the Latin American and Caribbean region, and how Mexico is incorporating international commitments into its domestic legislation.

For the sake of time I will concentrate on the most recent developments of women's human rights in the international arena. As we know, gender inequality is the most pervasive form of inequality in the world even though gender equality should be a cross-cutting priority in each development agenda. It should not be isolated as a standard long goal but its structures and roots should be tackled head-on. Promoting gender equality and women's empowerment is one of the Millennium Development Goals. The UN system is in collaboration with stakeholders around the world at regional, national and local level, working to achieve these goals and to determine the development priorities for the future. There is the recognition that important progress has been achieved but there is still much to be done. That is why gender equality issues have been raised by national stakeholders at central level to the global post 2015 development Agenda and are an essential component for the realization of all the development goals. Promoting equality, including social equality, gender equality and women's empowerment was one of the three key topics of the Open Working Group on Sustainable Development Goals which met in February, when they discussed the post 2015 development Agenda. The two central ideas on gender were: firstly, gender equality as an end in itself and as tool for sustainable development and poverty eradication; secondly, there could not be sustainable development without gender equality and full participation of women and girls.

In these sections concerns were voiced by many about the lack of equality in the world both within and among countries which poses a risk for the social cohesion. It was discussed that inequality can be addressed through equality education, social protection, social care as well as productive and remunerative employment opportunities. It was also recalled that policies supportive of entrepreneurship and small enterprises can enhance opportunities for the poor, including poor women. To summarise, in this meeting some issues were identified that still need attention, i.e. preventing and eliminating violence against women and girls, empowering women legally and economically, and strengthening women's' voices and participation in decision making and leadership in order to enhance their lives.

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Concerning the role of Mexico in the regional fora for the promotion of women's rights, Mexico has been very active, by collaborating with International Organizations, in particular the UN, in order to promote gender equality and to fight gender discrimination and violence. In 1995, Mexico hosted the first UN Conference on Women and every year Mexico hosts the International Conference on Gender Statistics to gather together the national statistics on the advance of women in the statistic institute of the Region. Mexico fully believes that incorporating gender perspective in the production and analysis of major tools contributes to the visualization of women's needs, in order to formulate specific policies and programs and to measure the impact of social measures in their lives. During the 9th international meeting on public policies, use of time and economic care in August 2011, Mexico presented results of an account of the non remunerated labouring homes which is a constant feature in the region, for the first time. In preparation for the 58th session of the Commission on Status of Women, which is starting precisely today in a couple of hours, Mexico hosted an expert group meeting on structural and policy constraints for women and girls in collaboration with the UN and the Economic Commission for Latin America and the Caribbean last October. The aim of this experts' meeting was to identify the challenges, including the structural and policy constraints for achieving the aim that women and girls identify the policy priorities to achieve the critical issue that is the empowerment of women and girls and the 2015 development agenda. The main recommendation after work of this group of experts was to strengthen the environment in order to achieve these goals. Another recommendation was the need to tackle sustainable development in the general framework of human rights, in a multidimensional approach. These issues were discussed among others during the CSW meeting.

At regional level, last January the Heads of States of Latin America and Caribbean gathered in La Habana, Cuba, at the second Summit of the Community of Latin American and Caribbean States. One of the outcomes on which Mexico actively operated was the special declaration of promotion of equality and empowerment of women in the 2015 development agenda. This declaration mainly defines the gender equality as a necessary element to achieve the full enjoyment of human rights, in an environment in which women can be included in governmental priority programs providing not only national, political and legal protection but also concrete actions aiming at promoting an integrated development. Recognizing that the focus of gender equality on the debate of the development implies considering both the productive and reproductive dimension in transforming the division of labour. The declaration also has agreed to intensify efforts to develop the full potential of women and girls against this discrimination and commits to join the efforts in continuing to combat all the forms of soft violence, including femminicide and discrimination against women and girls. It can be reached by promoting their rights and generating conditions for their development and strengthening both at national and international level, as well as enhancing areas such as social care, education and training by giving them the opportunity to exercise a equal political participation.

One of the most important aspects of the declaration is the reiteration of the interest in an integrated gender perspective as a cross-cutting issue of the new Post 2015 Development Agenda in order to empower women and achieve gender equality as essential element for ensuring inclusive public policies. As for the Latin American and Caribbean region consultation last month by invitation from Mexican Ministry of Foreign Affairs, many political exponents responsible for policies on human rights and empowerment of women and girls in Latin America and the Caribbean joined together in adopting a declaration stating a mechanism for the promotion of women of Latin America and Caribbean prior to the 25th Session of the Commission of the Status of Women, that is the so-called Mexico Declaration. The results of this consultation will be

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presented in this meeting in the coming days. The declaration highlights recommendations including gender issues in the Post 2015 Development Agenda along with gender equality, women's rights and empowerment. The regional commitments are reinforced in this Declaration. First, transformative and comprehensive standards to ensure gender equality, women's rights and women empowerment both in the public and private sector in connection with the Post 2015 Development framework. Secondly, the declaration establishes a measure to mix the mainstream of the Post 2015 Development Agenda and the Development Goals. It emphasises that all new development goals must be transformative and applied to all the countries universally in addressing equality through a rights based approach.



As the third recommendation, there was a specific reference that was made to ensure reproductive health as human rights, explicitly reaffirming the progressive development of the Montevideo Consensus of the first regional conference on population and development and the Cairo Program of Action. Participants also agreed that most of the goals of the Post 2015 Development Agenda should be lessons learnt by directly tackling both unequal power relation between men and women and persistent social norms on gender stereotypes that slow down the development and discriminate women and girls. As you can see, these consultations are trying to step forward.

How has Mexico incorporated this recommendation into its internal legislation? Well, I would say that Mexico is a champion of being part of international, regional conventions but what is lacking is implementation. However, Mexico recognises that legislative harmonisation is one of the main challenges for human rights contained within international instruments in order to be reflected in the legal framework of the country. In this regard, Mexico has advanced in its commitments and has taken several actions to guarantee the rights of women, free to lead a life without violence and discrimination. One of the five goals of the former Administration was to create an "inclusive Mexico" by focusing on ensuring the social rights and narrow the equality gaps that divide our society. An equal and cohesive society is the main goal of the present government and it includes three mainstreaming strategies: democratizing productivity, modern government and gender perspective in the public sector. The development plan 2015-2018 of the Government includes strategies for a more inclusive society. Moreover, mainstreams that have been

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implemented are published in order to underline that change for gender equality is within government institutions. In this way, the Government of Mexico tries to make the goals of the Convention for the Elimination of Discrimination against Women happen. Gender equality requires an enabling environment whose construction needs a review of the legal framework, public policies, financial resources and political commitments like the ones that Mexico is currently undertaking. One important step was the creation of the Mexican Institute of Women in 2001. Now, in Mexico all the 32 local states have a local legislation that guarantees access to a violence-free life for women and also have established systems to prevent sanction to eradicate violence against women. Regarding equality, 31 States have acted on equality between women and men, seven have published in relation of the acts and seventeen have established systems for the equality between women and men. At federal level, the government is obliged to take into consideration gender equality and the 30% of Ministers are women, however in the Supreme Court, we have just 18 women. However, we still to work to guarantee a violence free life for all women.

So, we, as women, look for equality, no more, no less, just equality and equality for women is progress for the whole of humanity. Thank you.

Biography

H.E. Amb. Norma Bertha Pensado Moreno  
Ambassador of Mexico to Finland

**H.E. Amb. Norma Bertha Pensado Moreno** was born in Mexico City on the 1st of May 1958. She holds a Degree in Economics from the National Autonomous University of Mexico, UNAM, 1977-1981. She wrote her thesis on "Latin America: A difficult path to integration". As a member of the Foreign Service of Mexico, she was raised to the position of Ambassador in 2006.

Her experience as a diplomat includes: the headquarters of the Ministry of Foreign Affairs in Mexico; Undersecretary for Latin America and the Caribbean (2012); Director General for Latin America and the Caribbean (2011-2012) and Economic analyst at the Directorate General for Western Europe (1981-1984). She has served abroad as member of the Foreign Service as: Ambassador Extraordinary and Plenipotentiary to the Republic of Finland, concurrently accredited to the Republic of Estonia (2013-); Ambassador Extraordinary and Plenipotentiary to the Kingdom of Sweden, concurrently accredited to the Republics of Latvia and Lithuania (2006-2011) and Minister/Deputy head of mission at the Embassy of Mexico in Sweden (2001-2004).

She has represented Mexico in several International conferences and meetings and is a member of the Mexican Council of International Affairs COMEXI (2013- ). H.E. Amb. Norma Bertha Pensado Moreno speaks Spanish, French, English, German, Portuguese, Italian and an Intermediate-level of Swedish. She has a wide variety of experience in International Organizations including heading the projects at the Action Committee in Support of the Economic and Social Development of Central America (CADESCA). Her decorations include the Royal Order of the Polar Star with the degree of Commander Grand Cross bestowed by the Kingdom of Sweden.

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**"Human Rights in Education: Women's and Children's Rights Perspectives"**  
A Lecture Dr. Alessandra Sarelin, Researcher, Institute for Human Rights, Åbo Akademi University

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I am very excited about today's topic; I will be looking at women's use of human rights as legal and political tools to demand a change in childbirth practices. This may further be used as case-study or example to explore how women and social movement activists are using human rights as a tool to demand a change in society. Before I go into the case study, I will give you a little background on the issue.

We know that human rights have been used to secure women's rights, i.e. access to contraception, involuntary sterilization, safe abortion and reproductive health information. Human rights arguments have also being used to protect women from involuntary sterilization and to care them during pregnancy. Childbirth has so far mainly been seen as a matter of access to health care and survival, but I think that this is changing, hence my presentation topic.. A few years ago, we saw the birth of a new social movements called "Human Rights in Childbirth", which started when mothers began to take legal action. The European Court for Human Rights delivered an important judgment in 2010, a Hungarian mother Anna Ternovszky, pregnant with her second child in 2010 planned a homebirth with a midwife but she became concerned for the safety of her midwife given the legal situation regarding these issued in the country. Actually, it is unclear if it is lawful for health professionals to assist women at home. Many midwives have been harassed and imprisoned for that. Anna Ternovszky found a lawyer who suggested to take the country to the European Court of Human Rights by affirming that childbirth is a private choice and so protected by the right to private life on the bases of Article 8 of the Covenant. The Court found a violation of Article 8 and is now reviewing some evidences mainly from the Netherlands about the safety of homebirth, stating that homebirth is safe as hospital birth if mothers have access to skilled assistants. Therefore, the Court stated that childbirth choices are matters of human rights and hence, the State should not interfere given that a woman has the right to decide where to give birth and how to give birth. Now, there are at least two cases pending before the European Court: one against Czech Republic and another one against Lithuania. In both countries midwives have been imprisoned for supporting homebirth.

In May 2012 there was an important conference in The Hague, called "The right of childbirth Conference" and more than 300 lawyers, midwives and doctors, as well as mothers and fathers got together for two days to discuss the most pressing issues of human rights and childbirth. Later, in September 2012, a film was released called "Freedom for birth" featuring Anna Ternovszky and the famous obstetrician and midwife Dr. Ágnes Geréb, who until few weeks ago was in home arrest in Budapest. "Freedom of Birth" had more

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than one thousand screenings in fifty countries and seventeen different languages. This issue, is inevitably touching people's hearts and minds, and many women are engaging to reach a change.

It is important to ask ourselves why these mothers are complaining in Europe, USA, Australia and other wealthy parts of the world where the maternity system is highly developed. It is true that very few mothers and babies die in comparison to developing countries, however, women are now more than ever demanding about matters concerning cultural safety, social safety and spiritual safety. Childbirth is not only about survival, although the importance of this is unquestioned. Many are further concerned about interventions and medications commonly used in hospitals around the world in the highly developed maternity care system, since these are not risk free. Questions such as the latter are prime concerns for the "Human rights and Childbirth" movement.

So, who decides on how a baby is born? Who chooses where it should take place? Who bears the ultimate responsibility for a birth and its outcome? What are the legal rights of women? What are the responsibilities of doctors and midwives? What are the interests and the rights of the unborn? Additionally, how are the children best protected? When a woman enters a hospital, she becomes part of all this great debate. Birth is something that a woman will carry the memory for the rest of her life. Unfortunately, more and more women have experienced assault, and abuses in these circumstances. Anthropologists claim that women who are distressed at birth use the same language as survivors of rape: they feel ashamed and guilty of the violence they have experienced. What makes birth even more complicated is that when it is experienced as institutional rape, a woman is supposed to thank those who have violated her, she is in the middle, between horror and gratitude. This is a global issue and there is a new research indicating that abusive care is the major deterrent from skilled birth assistance in many foreign countries. I had empirical evidence of this from Malawi, a country that I visited as researcher in September last year. This example demonstrates that birth as a human rights issue raises complicated questions, about autonomy, integrity, dominance, power as well as safe motherhood. Coming to a concrete example, episiotomy, which is the medical term for a type of intervention very commonly used for childbirth in Finland, has been discredited by research as harmful and unnecessary, and moreover, it is usually carried out without an expressed consent from the woman. Not only it is unnecessary to inflict intentional vaginal trauma, but it is also harming a woman at many levels since it hits her sexual integrity. Furthermore, there is a research illustrating a strong link between a vagina trauma and female brain: mutilating vagina has personal and political consequences.

However, probably some of you are wondering what about the increasing evidence on the opportunity of maternal choice? More women are choosing to have homebirths but the limits of maternal autonomy are still huge. In the so-called developed countries women can choose anything but not an undisturbed birth, so they fear the consequences of going to hospitals to give birth and of losing their self-determination. This is the reason why some women, also in Finland and Sweden, are choosing unassisted birth at home without medical assistance.

Summing up, the growing number of activists for the protection of human rights in childbirth are using human rights as political and legal tools to take birth back. They are prepared to carry out the responsibility that comes with birth. They demand women centered care rather than practitioner centered care. They

demand to be respected as decision-makers concerning their bodies, they want to decide where to give birth, how to give birth and whom to give birth with. This is important also from an academic point of view because human rights are becoming meaning and content not only by legislators and Courts, but also by actors within social movements. This is part of human rights practice, as well as this conference is part of human rights practice, and we need to study human rights practices in order to understand human rights drivers of change. The international movements for women's rights has challenged the very meaning of human rights for a very long time. The members of women's movements have not always accepted the dominant social definition of human rights but, on the contrary, they have always called for a definition of new rights. Actually, human rights issues are alive and they are evolving and developing all the time. The case study I have proposed today shows how the meaning of human rights is constructed from the bottom up. So, while the average woman wants to give birth in a hospital and this is approved by the political framework, the human rights child movements highlights that a minority of women and some midwives demand a system that gives freedom to choose how to give birth. These movements challenge legal, social, cultural and medical norms in their campaign to increase self-determination and autonomy for childbearing women on the basis of the judgment of the European Court for Human Rights.

Thank you very much.

### Biography

Dr. Alessandra Sarelin

Researcher, Institute for Human Rights, Åbo Akademi University

Dr Alessandra Sarelin is a post-doctoral researcher at the Institute of Human Rights at the Abo Akademi, University in Finland.

Dr Sarelin's previous studies analyzed the "Implementation of a Human Rights-based Approach to Development" and her current research focuses on postcolonial law and the modernization of maternity and delivery care in Malawi.

Her most recent publication is entitled "Exploring the Role and Transformative Potential of Human Rights in Development Practice and Food Security: A Case Study from Malawi", published by Åbo Akademi University Press in 2012.

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Helsinki, March 10th - 12th, 2014

**"A Female Attorney's Role in the Pursuit of Gender Equality"**

A Lecture Johanna Norrback-Ilvessalo, Senior Associate, Attorneys at Law Borenus LtD

Helsinki, March 10th - 12th, 2014



First I would like to thank you for the possibility I to talk here today, I am delighted to be able to speak about such an important subject.

I would like to start by telling you a story, this is a true story of an exceptional woman, my dear friend and colleague- the year is 1968. The woman in question is browsing through the courses offered by Helsinki University in order to decide what would be a suitable career for her. Among other Faculties she sees the Faculty of Law presenting its courses. By the end of the presentation she figured that this would be absolutely perfect for her, because at the very bottom it said: "not recommended for women". Actually my dear friend and colleague is here, Rita Allisa, and I say Hi to her.

This anecdote might seem funny since it is so far from the reality in today's Finland. Today women hold more than 50%

of places at the Faculty of Law in Helsinki, but only one third of attorneys are women in Finland according to a recently published doctoral thesis. The research points out that the work of an attorney is challenging and time consuming, and in order to climb the career ladder as an attorney, one must sacrifice at the expenses of a private life.

In Finland, we do have a very good public child care system that enables parents to return to work, as well as having the three meal system both in kindergarten and in schools. However, the challenge is in everyday life. At work there are deadlines to be met, and meetings to attend so on and so forth. I think that the results of the aforementioned doctoral thesis that I mentioned before are correct. Being an attorney usually means that your child is always the last one to be picked up from day care, and if your child gets sick it is always at the most inconvenient time. Unfortunately, many law firms have literally no understanding for the pressure that attorneys with small children are under. I am lucky to be employed by an attorney's Office that values the employees. Borrendio founded the crowded years initiative in 2012, its main ambition being to provide the employees with better ways to combine work and private life. This was a new and innovative approach to tackle something which had never before be given concrete attention at a law firm level, including the intention to correct the gendering balance at the hierarchical top ranks for a major law firm. In practice, this means promoting flexible working hours, working from home and joint project leadership. It is such a relief that the employer understands that having a career and a family is more difficult at certain stages in life.

Overall, Finland has done a decent job in enabling gender equality in the work place, because our welfare state depends on it. In order to enable economic growth and economic potential in a country with less than 5.5 million inhabitant gender equality is not just a benefit, it is a national necessity. But there are still things to be done. The UN Human Rights Committee just recently recommended Finland for, amongst other things, the significant pay gap of approximately 20%.

This has direct effects on the gender roles in our country. And the best example might be the question of who stays home with your infant. Tradition has some part in the fact that it is usually the mother who stays home, but according to research a main factor is in fact the significant pay gap. But as you can hear a lot has happened since 1968 and Finland is in many respect a model student in the area of gender equality.

According to the World Economic Forum, Finland is the second most gender equal country in the world; Iceland is number one, and it has been so for many years. The survey conducted put emphasis on participation in politics, financial equality, the right to education, and access to health care. But there is a flip side to the success story, and just recently the EU report on domestic violence was published. Changes in the way we think might take longer than changing a law.

A famous woman in Finland, who lived in the 19th century, once said that both the law and costumes oppressed women. The woman being Fredrica Runnabari. At the time it was not considered correct for a woman in her position to work outside the house, or to study, even though it was not prohibited by law. Also women's rights to own property and inherit became possible more than one hundred years ago. Despite this, we can still see the aftermaths of the traditional set up when men have legal advantages when it comes to owning and inheriting property. Take for example the way marriageable property is distributed in a marriage. I often come across couples in divorce proceedings where the women hardly own anything on paper. They might have been married or lived together for over 50 years, but it is the man who "owns" the house, the summer cottage, the boat and the car. It is possible by law to demand compensation from the other spurs, but usually is a question of how much money you have invested, and not how much it was worth to raise the children and take care of the house work, as these are not grounds for compensation per se. Sometimes women are totally unaware of their situation and it is quite surprising to know that Finnish do not know their rights, or at least do not stand up for them.

In many countries women and girls suffer from weak rule of law and face multiple barriers to justice. Even where good laws exist, women are often not aware of their rights, the laws are not always enforced, or the laws are in conflict with local costumes and culture. According to the organization The World Justice Project, putting the rule of law behind women's rights, would help so many of our world's toughest challenges.

Every state can ratify an agreement, or make a law, this is not a guarantee for the rule of law. The law has to obligate the legislators, the regulatory authorities as well as the courts and the laws need to be protected. The Finnish Bar association sat down in 2011 with a mission to express the purposes of the work of its members and for those outside the legal protection. The association Board came up with the statement:

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Attorneys protect the rule of law. The attorneys' role in upholding the rule of law is irreplaceable. In fact the rule of law cannot exist without an independent Bar. And the Finnish Bar association found a connection between having an independent Bar and having a country with the rule of law since the countries with the highest number of human rights violations are the countries where attorneys have the poorest working conditions.

Since the government and its officials are accountable under law, sometimes an attorney has to question the government's actions. An attorney stands between the people and the government in the role as a protector of the rule of Law. It does not take a genius to see that an attorney and an independent Bar is considered as a threat in a country where the leaders take the law into their own hands. And I do not think that it is a coincidence that in many countries many defenders of human rights are in fact attorneys.

Therefore, every attorney should remember that they contribute to protect the rule of law through their daily work. Everyone is equal before the Law, States and the Constitution of Finland. It is my duty to act in the interest of my client, regardless of gender and comply with the law and observe the proper professional conduct. Only this way can the legal protection be strengthened and the rule of law promoted.

My mission as an attorney is quite clear, and I am very proud of my profession. However, what is my role as a private person and as a mother and as a woman in Finland. I am quite active in social media and I asked my almost five-hundred friends on Facebook a couple of weeks ago to comment on women's rights, the question was: what can be done to improve women's rights in Finland and internationally? And I expected a very lively discussion, but I never expected what I got, which was exactly zero comments. It was probably the wrong forum but I think it also shows how difficult this topic is. We play a very important role in society and we cannot leave all the work to the authorities. Compared to the struggle and hardship women are facing in many countries, issues like imposing equal salaries for women on company boards might seem a luxury issue. Nonetheless, these are very important questions in our developing societies, in a world which is moving forward and where new generations are taking over. I believe that one of the keys to more gentle and equal societies are children, so that it is important to bring up the issue of gender equality in schools even though I think that the parents play the most important role by setting an example. So, I do have a very important role in striving for a more gender equal society as well as in raising my children just as any other parent. So, I wish that I could say that all kind of discrimination against women in Finland are long gone, but that is not the case. Even in 2014, I find myself in situation where my role as an attorney is overshadowed by the fact that I am a woman and it is like a slap in the face. However, I am glad to live and work in Finland and I am glad that we have women like my colleagues who do not resign or act submissively. We need more women like this in Finland, we need women who stand up for their rights and do not give in. I am glad for employers who acknowledge the fact that it is difficult to combine work and private life. I am proud of my professional mission to protect the rule of law and I am glad for husbands who support their wives and treat them with respect because only in this way we can ensure that our children treat their future colleagues, friends and spouses equally.

Thank you for your attention.

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Biography

Johanna Norrback-Ilvessalo

Senior Associate, Attorneys at Law Borenius Ltd

**Johanna Norrback-Ilvessalo** specializes in tax law and family law. She advises on domestic and international tax matters in personal and corporate income taxation. In addition, she is also experienced in change of generation and general corporate law.

Johanna has a wide experience of family businesses and is in charge of our Private Clients service.

Johanna has worked as a Lawyer at other Finnish law firms since 2002, prior to joining Attorneys at law Borenius Ltd.

Johanna has completed the Masters of Law degree in Umeå, Sweden 2000 and in Helsinki, Finland 2002. Prior to graduating she has also studied law at the University of Manchester, England.



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**"The Role CEDAW and the Convention on the Rights of Persons with Disabilities (CRPD) in the Promotion of the Rights of Women with Disabilities"**

A Lecture by Pirkko Mahlamäki, Secretary General of the Finnish Disability Forum; Board Member of European Disability Forum

Helsinki, March 10th - 12th, 2014



I wanted to tell you about CEDAW from people with disabilities perspective, as CEDAW has been used and must be used as a tool to empowering and promoting women's rights, including disabled women's rights. However, I want to tell you a little bit about the Convention on the rights of persons with disabilities that is a tool of human rights promotion as well. Just a word about the European Disability Forum: they are European and national disability organizations which try to promote and improve human rights.

I would like to start with the Convention on the rights of persons with disabilities as I think that it is not well-known by most of you. It is the latest UN treaty and one of the most ratified, with one hundred sixty-eight signatures, but I am afraid about the fact that Finland has signed but not still ratified the Convention. However, the ratification process is in progress and we hope that it will finish by the end of this year. So, why do we need this Convention? All the rights that

we already have include persons with disabilities but the problem is the lack of proper implementation of many international instruments. Considering international scenario we have to recall that about 80% of disabled people in the world live in developing nations. So, this is not only a national issue, but also a global issue. However, protection of disabled people is not completely realized so that they have problems in terms of being left in the marginal society in all parts of the world including the first world and Europe. The most important thing is that the aforementioned Convention strengthens the realization of rights of persons with disabilities, it strengthens the prohibition of discrimination on the ground of disability and also it affirms that we need positive initiatives promoting equality. In the treaty there is also a part related to social development and it is important to note that the treaty identifies these areas where adaptation need to be made, so that persons with disabilities can effectively exercise their rights. Now, I would like to note the paradigm shift: it is very traditional that persons with disabilities are objects of charity, medical treatment and social protection but not subject of rights, capable of claiming their rights and making decisions for our lives based on free consent. For this reason, I would like to underline what disability means under the Convention on persons with disabilities. By comparing this Convention with the CEDAW, it emerges that the latter affirms the necessity to eliminate all forms of discrimination against women, while in the former the level of goals was set a little bit lower. The purpose of the present Convention is to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity.

It's for all of us to ponder a bit about why the elimination of discrimination on the grounds of disability couldn't be a call for the global community. I would also like to highlight in terms of the general principles, full and effective participation as well as inclusion in society is important and it's recognition in the convention. The last should furthermore be recognised both as a general principle and also as a part of general obligation in some areas such as cultural life and sports.

We have already discussed the principle of non discrimination in earlier speeches, but I would like to highlight very important new element that the CEDAW brings. The discriminatory framework that we are trying to abolish and eliminate is to ensure that different spheres of life are accessible. In the definition, let's say in the whole convention and its principles are important in empowering and bringing about inclusion. The issue of accessibility, there is a debate going on internationally whether accessibility can be right in itself or just a tool for accessing other rights. Regardless of what the conclusion of the latter will be it is important to remember that in the CIPD, the definition of discrimination is highlighted with a very important addition: distinction, exclusion or restriction on the basis of disability which has the purpose or effect of impairing or nullifying the recognition, enjoyment or exercise, on an equal basis with others, of all human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. It includes all forms of discrimination, including denial of reasonable accommodation.

We come back to the fundamental idea of removing barriers of access in different spheres of life, where CIPD and CRPD can really uphold each other. It has already been mentioned about problems with data collection, I would also add my voice and highlight the fact that our country has not yet been able to legislate or codify the prohibition of multiple discrimination, and violence against women is particularly acute for those women with disabilities. The issue of political participation, Finland is very proud but from my own part, I would be very proud if I could like in the 1980's, see someone who is disabled, be brought on the national parliament. Nowadays we do not have and disabled parliamentarians and also very few of us are in the public sphere. That is an aspiration for the future perhaps since we are in need of role models.

So, the challenges and implementation have already been touched upon, this is also very much an issue of access, the access change also needs an attitudinal change. For this to be realised we need support measures for practical support measure. I would like to highlight recent development, unfortunately many countries and parties in the international discourse are saying that accessibility to reasonable accommodation isn't exactly a form of discrimination. There are so many elements to look at in the evaluation of reasonability, was just that we wanted to be sure that when it is reasonable it has to be done.

My view on this debates whether accessibility is a human right or not, I am still waiting for the best argument. The potential of the CIPD is not at fault, if access to different spheres or lives is not improved. Whether it is considered a right or an instrument it is an essential one. And it is a reaffirmation. Without that we cannot realise the full potential of human rights for disabled women.

Thank you very much.

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Biography

Pirkko Mahlamäki  
Secretary General of the Finnish Disability Forum; Board Member of European Disability Forum

**Pirkko Mahlamäki** is the secretary general of the Finnish Disability Forum. She has worked as a disability expert and trainer in a number of projects focused on combating discrimination. She is currently preparing her thesis for a law degree on the UN Convention on the Rights of Persons with Disabilities, and she is looking forward to learning more about how to best fight discrimination as a woman with a mobility disability.

Ms. Mahlamäki holds a Master's degree in translation and in comparative literature. She is also an authorized translator.



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"Inheritance, Sexuality and Gender in the EU"

A Lecture by Prof. Dr. Stefan Kirchner, Visiting Professor for Fundamental and Human Rights, Faculty of Law, University of Lapland

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Many thanks; it is a pleasure and an honour to be here in Helsinki.

We have been talking a lot today on how Human Rights, on paper it is not enough and I want to talk today about one particular example, which is the top of the iceberg when it comes to Women's Rights.

One very specific problem that at first might not seem to be a very big problem, but it symbolizes a lot of Human Rights issues we can find around the world. We should ask ourselves, which contribution could we give to improve the protection of the rights of women in particular? We will soon come to the point where we see that an official document is not efficient anymore. In particular when it comes to protecting those who are the most vulnerable: because of a specific culture background, or because of specific structures within society.

This office in many places around the world still includes women. In an ideal world today's conference would not happen, in an ideal world there would be no instrument like CIDO because it would be something not necessary. However, existing general instrument such as the ICCPR, the International Covenant on Civil and Political Rights, or the International Covenant on Economic Social and Cultural Rights, apparently are not sufficient.

They should be sufficient to protect the Human Rights of everybody, yet these basic human rights obligations are often violated, and in particular the rights of women, or they are often under pressure. In fact, there might be also pressure in places where it is not expected for example in rich countries which, on paper, are much more dedicated to Human Rights.

This raises the question of how can be possible that even in developed countries that have very good human rights records most fundamentally the rights of women, are neglected even by public authorities.

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a very practical outcome in case of willingness of the majority society to deal with that specific different culture. The existing international obligations might not be enough to ensure the necessary access to health care for everybody. The short answer whatever is that, on paper obligations are fulfilled. On paper Norway has signed a lot of international treaties. At the end of the day all of us are responsible for the failure on the creation of an environment which is accessible to everybody. This responsibility interests all of us, not only the public authority. In fact, existing instruments already provide for equal access to health care, for example the first paragraph of article 12 of CEDO indicates that the right of non-discrimination, not only has a vertical dimension, referred to the relationship between the indigenous and the State, but also an horizontal dimension, meaning that every member of society has to contribute to the full realisation of this human right. And is this horizontal dimension that I want to talk about today.

Usually International law states legal obligations in regards of other states, if one State ratifies International Treaty, it has obligations towards the other State which also has done so. Human Rights are an exception so far and they create obligations for the State towards individuals. One of the most important instruments when it comes to the protection of the rights of indigenous people is the 1999 convention 169 by the ILO. Art 55 of this convention obliges to commit towards a goal of making the best health care possible, also for indigenous persons. The idea is that there should be no discrimination between the minority and the majority societies when it comes to assessing health services. States that have ratified the Convention have the obligation to remove such barriers. But this treaty has not yet found universal approval, a much newer document is supported by almost all States worldwide, and that is the United Nations Declaration on the Rights of Indigenous Peoples. This declaration however, is not binding legally; yet the UNDRIP prohibits discrimination and reiterates on article 7 the right to life to seek a mental integrity of indigenous people.

The Oviedo Convention could be considered sufficient for the most practical proposals to actually establish rights to universal health care. However, the Oviedo Convention cannot be used for individual claims.

In the European Convention there is not such right as health care. Many cases at the European Court for Human Rights dealt with the legal situation of prisoners, who demanded a specific form of access to health care. However in 2012 the Great Chamber of the ECHR found that applicants who suffered of health problems and who lost their health insurance, were due to discriminatory treatment by State. They could claim a violation of the right to private life, art 8 of the European Convention. The existence of the right to access to health care has to be guaranteed by States without any discrimination, neither by gender, nor by ethnicity. That could lead us to the conclusion that in principle the lack of language skills should not be a barrier to the right to access to health care. But the question is, as often happens with social rights, who gets to pay for this? The idea behind social rights is that States don't have the excuses to say "we don't have money for that". The idea is that they are not obliged to do everything at the same time.

However, the 2012 decision by the European Court of Human Rights has changed the scenario significantly. The European Convention obliged the States to deal with the issue right now. In order to be fully effective, the right to access to health care has to be both vertical and horizontal; not only public but also private sector should take this into account.

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Biography

Dr. Stefan Kirchner

Visiting Professor for Fundamental and Human Rights, Faculty of Law, University of Lapland

**Prof. Dr. Stefan Kirchner** was admitted to the practice of Law in Germany and has been involved in cases at the European Court of Human Rights, Inter-American Court of Human Rights, German Federal Constitutional Court and the German Federal Supreme Court for Administrative Law. He is a visiting professor for Fundamental and Human Rights at the University of Lapland, Rovaniemi, Finland. He is an expert lecturer for Human Rights and for the Law of the Sea at Vytautas Magnus University in Kaunas, Lithuania.



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**"Equal Treatment also for The Smallest"**

A Lecture by Terttu Savola, Chairperson, the Poor Party of Finland; Member, Council of the City of Espoo; Ambassador for Human Rights and Children's Rights in the Finnish United Nations Alliance

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I feel it is a privilege to be here and to talk about a so important issue as human rights. I have very seldom written my speeches, and now I would like to edit it very fast, even though we have no much time.

I am one of the Ambassadors of Human Rights of the UN in Finland and being an ambassador has meant that I had to visit schools and organizations, and to talk about human rights. Sometimes people are not sure what human rights are and they even mix people and animals. I experienced an incident like this when I visited a school during a cold winter day. The weather was very cold as it could be during a good winter and I was driving to the schoolyard and these students made me get out of my car in a very cold. Then my lecture started and comments started in the classroom. At the beginning they started to claim the rights of minks and wanted I answered concerning them even though my aim was already in the cloakroom for a long while. Yes, animals rights are important and all the nature relating rights are important. However, the nature rights differ a bit from the human rights.

I decided to speak about equal treatment also for the smallest. How it would be to live in a society where all people are treated equally? Sometimes we may think that it is already so, we have heard about human rights and we think that everything is ok. But in reality things are not so smooth.

What are the human rights that all the people should have? The UN subscribed an international Declaration on Human Rights with 30 articles. A good thing descending from such a Declaration is that none can take away your human rights. These rights were written after the end of the second World War by a committee and edited by Ms. Eleanor Roosevelt, wife of the US president Franklin Delano Roosevelt. This special document declares the rights that everyone in the entire world should have. It became the International Declaration of Human Rights, a document that was written to guarantee that everyone had the opportunity to live happily here, in our Earth.

It is a very beautiful thought and starting from this moment the relevance of human rights begun. As Eleanor Roosevelt, chair of the UN Commission wrote "Where, after all, do universal human rights begin? In small places, close to home – so close and so small that they cannot be seen on any maps of the world. Yet they are the world of the individual person; the neighbourhood he lives in; the school or college he attends; the factory, farm or office where he works. Such are the places where every man, woman and child seeks equal justice, equal opportunity, equal dignity without discrimination. Unless these rights have meaning there, they have little meaning anywhere. Without concerned citizen action to uphold them close to home, we shall look in vain for progress in the larger world"

If these rights have meaning there, they can have little meaning everywhere. A big part of the population would be happy to see everyone happy but there are always some people who want to steal and kill third people physically and also mentally. This is the reason why human rights need to be kept alive in the discussions at the radio, on the other media. The reality is that we have to be active to talk about these basic rights in the society and at all levels. We need to teach our children how to live right so that they will be able to differentiate between right and wrong behaviour. Often we, the adults, need to take lessons. To be humble and to respect other people is not easy and children can teach us a lot of. In general by talking about human rights we have to take all the people into consideration. After all equality in human rights is a good thing, even though the birth is far from to be equal. We have the strong versus the weak, the rich versus the poor, the healthy versus the sick. The strong quite naturally tries to rule over the weaker ones and we do not need to worry about these strong people, but we need to worry about the smallest ones who need to have our special attention. The smallest one can be a child, a sick or a disable person, an elderly person, those presenting a different race or poor persons. The smallest are who we need to look after, to defend and whose rights we need to concern about. They are the ones who are not actively looking out from their own rights. Very often they are talented persons, who are not publicly demanding for their rights and making a big deal out of themselves. So, rights need to be turned towards our children since they are our future. Therefore, is very important how we treat them: they look up to us and they need our loving kindness.

Nowadays, our children are facing many new and very difficult challenges. A new problem today is something that can be defined as "Skype parenting". Unfortunately, it is an new trend we have seen and experienced. The differences in social security benefits among the EU countries have induced parents to seek solutions that do not benefit their children anymore. According to the European laws, most of the social support is paid to the parents by the country where they are working. They give some figures to clarify the situation, for instance child support in Estonia is 90 Euros per month for the first child and in Finland it is estimated to be 104 Euros per month in 2014.

Too many families with children are dealing with poverty and these differences are incremented on daily basis since parents actually leave their children since they have to move to work in another country. Recently, the media in an our neighbouring country, Estonia, has voiced many concerns relating to the trend that has been developing. Many Estonians teachers have found that kids do not live with their parents anymore but they remain at home being taken care by the elders siblings who are 14 or 15, or in the best cases by their grandparents. They keep in contact with their parents via Skype and do not meet them very often.

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A school of psychology declared to be worried because of the many teenagers coming to their offices just to talk with an adult. Parents working abroad and supporting their kids financially in order to grow up as balanced individuals with kids need to feel secure. Security might mean money, but children need that their parents are with them and not behind a computer screen. We need to change the legislation in this area and we cannot simply effort to not abandon our children, because they are the small ones who need to be the apple of our eyes. However, a part from families with children, poverty is a big issue also among the elderly persons who have to understand how to manage the rest of their life. According to the recent European report, single retired females are the most exposed to the risk of poverty. Another issue we have to take into consideration is the gender pensioner gap. Gender pay gap in Europe 16% but retired gender gap is twice as high, with an average of 39%. Women are still concentrated in the lowest sector and in lower hierarchic positions and this continues to affect negatively their career lives and the opportunity to get a good pension. Alerts in the EU countries are also linked to taxes and social security systems and we need to take in mind the gender aspect because the absence of a gender equality perspective in pension reforms will further increase the gap between women and men. This situation should be improve also in Europe. A report from the European Union Agency for Women rights presents results on violence against women and reveals the extend of abuse suffered by women at home, at work, in public and online. These are issues that unfortunately exist and we need to be aware of them. This is the reason why policy makers need to introduce and implement comprehensive measures to prevent and response to violence against women. Women still experience mass discrimination even here in Finland where the women's rights are usually considered to be quite good. I have experienced that sometimes human rights are totally neglected: for example, I myself was hold in a police station without any reason in the 2011 here in Finland. The police told the media that I was not accused of anything but I was hold in custody during the election evening because I was representing a small political party instead of a big political party. I have been trying to defend the small and the poor for many years but it seems that if a woman says something it is worse than if a man does so. Luckily, reporters did not write about this because the police tried to keep it quite. It was an attack against human rights and it demonstrates that many human rights related issues still need to be talked constantly.

Finally, rights and values are doubtless a theological matter too. Theologically speaking, human rights and human dignity come from the moment we have been created as imitation of God. Every person reflects in his/her being the essence of God that is Holy. Therefore, every person in spite of gender, race or social position is trust as valuable. We should take courage to defend the smaller ones even though it is not very popular. However, to defend the smallest ones is not just a question of courage or popularity, it is a question of duty. After all we can be happier if we make the people around us happy.

Thank you.

## Biography

Terttu Savola, Chairperson

Member, Council of the City of Espoo; Ambassador for Human Rights and Children's Rights in the Finnish United Nations Alliance

**Terttu Savola** is a Finnish politician. She is the chairperson of the For the Poor party, a member of the council of the city of Espoo, the ambassador for human rights and children's rights in the Finnish United Nations Alliance, a lecturer in the Finnish Refugee Help Association, and a member of the city court of Espoo.

In the early 1990s, Savola belonged to the council of the Christian Democratic Party and was the chairperson of the party's women association. In November 1995, Savola attended the founding conference of the True Finns party, where she was elected as the party's deputy chairperson. Savola resigned from the Christian Democratic Party after her election as deputy chairman of the True Finns. In the June 1997 party conference Savola lost her place as deputy chairperson but she still remained a member of the party council. In early 1998, Savola resigned from the True Finns and joined the "Renovation Group" party. In October 1998 Savola was elected to lead the party's women association Naisremmi ("Band of women").

Savola was elected to the city council of Espoo in the 2008 municipal elections and the party For the Poor received its first council seat in its entire history. The cause for this was an electoral alliance with the True Finns. She was a candidate for the European Parliament in 1996, 2004 and in 2009.

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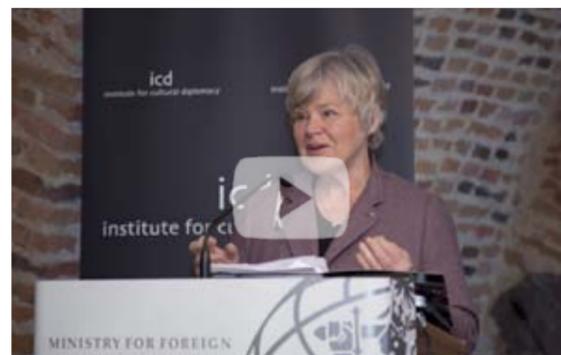
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Minister of Foreign Affairs of Finland



Mari Kiviniemi  
Former Prime Minister of Finland



Elisabeth Rehn  
Former Minister of Defense of Finland



Datin Seri Blanche Olbery  
Ambassador of Malaysia to Finland

Interviews



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Norma Bertha Pensado Moreno  
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