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Unpaid care work, poverty and women's human rights: challenges and opportunities for the post-2015 agenda

Observer paper submitted by:

Magdalena Sepúlveda Carmona *

United Nations Special Rapporteur on extreme poverty and human rights

1. Introduction: the MDGs, gender equality and care

There is a widespread agreement that the MDG's ambitions on gender equality were too narrow and limited¹. MDG3 focused on education, which is important but not sufficient for gender equality and women's empowerment, and even the slightly more wide-ranging indicators on women's political and workforce participation were narrowly drawn and fail to address the structural and social factors that contribute to women and girls' greater vulnerability to poverty. Moreover, a major weakness of MDG3 is that, like the rest of the MDGs, it was not rights-based – a regressive step given that all countries of the world have committed to ensuring women's equal rights through various international human rights treaties² and the Millennium Declaration itself was founded on human rights.

Indeed, structural gender discrimination and inequality are a major challenge to the achievement of all of the MDGs, especially in ensuring that their benefits can be enjoyed by the most excluded and disadvantaged groups, including women and girls. The importance of socially and economically empowering women to development and economic growth is now well known.³

* The views expressed in this paper are those of the author and do not necessarily represent those of the United Nations.

¹ See for instance Kabeer, 'Gender equality and women's empowerment: a critical analysis of the third Millennium Development Goal', *Gender and Development*, Vol. 13 No.1, 2005; and ODI, 'Gender and the MDGs', Briefing Paper 24, 2008

² Including CEDAW, ICESCR, CRC and ICCPR.

³ See for example <http://www.worldbank.org/mdgs/gender.html>

When women are left behind, their rights are violated and society more broadly suffers, socially and economically.

My latest report to the General Assembly (A/68/293) examines the links between unpaid care work, poverty and women's human rights, arguing that heavy and unequal unpaid care workloads not only keep women in poverty, but also affect their enjoyment of several human rights and stunts progress towards gender equality.⁴ Unpaid care work⁵ has been so far mainly neglected in development and policy agendas.⁶ This must change if real, sustainable and inclusive progress is to be made. Care underpins economic growth and productivity, social development, wellbeing and social cohesion, but the costs of providing care are unequally borne across gender, income levels, social class, race, ethnicity and other lines of inequality.⁷ Unpaid care work is also an obstacle to moving out of poverty for many women and families.

In this paper, I will explain briefly the content of the report, in particular the human rights and poverty impact of unpaid care work and related human rights obligations. I will then make some recommendations as to how unpaid care work should be included in the post-2015 agenda, with a view to ensuring that development policy more adequately recognizes and tackles this obstacle towards women's rights enjoyment, equality and greater social and economic empowerment.

2. The impact of unpaid care work on poverty, inequality and human rights

Gender inequality and women's poverty

Around the world, in all countries, women commit substantially more time to unpaid care work than men.⁸ Moreover, women work longer hours than men when unpaid work is taken into account.⁹ However, due to structural discrimination, the work women do in the home is seen as unskilled and less valuable to society, meaning that men not only receive higher earnings but also more recognition for their contribution. This situation renders many women socially and financially dependent on men, thereby restricting their agency and autonomy.¹⁰

Dedication to unpaid care work and the resulting scarcity of time have significant financial and opportunity costs¹¹ that perpetuate not only social but also economic inequality for women. Intensive unpaid care workloads create chronic time deficits, limiting women and girls'

⁴ The report is available in English at <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N13/422/71/PDF/N1342271.pdf?OpenElement> and translations into all UN official languages are available from <http://www.ohchr.org/EN/Issues/Poverty/Pages/AnnualReports.aspx>.

⁵ Unpaid care work includes domestic work (meal preparation, cleaning, washing clothes, water and fuel collection) and direct care of persons (including children, older persons, persons with disabilities, as well as able-bodied adults) carried out in homes and communities.

⁶ Eyben, 'Getting unpaid care onto development agendas', IDS Policy Briefing 31, 2013

⁷ Razavi, 'The Political and Social Economy of Care in a Development Context', UNRISD 2007

⁸ See Budlender, *Time Use Studies and Unpaid Care Work*, UNRISD 2010 and Fontana, 'Gender Dimensions of Agricultural and Rural Employment', FAO 2010, pp.35-7.

⁹ See Antonopoulos, *The Unpaid Care Work-Paid Work Connection*, Levy Economic Institute 2008, p.20; Cook & Razavi, 'Work and Welfare: Revisiting the Linkages from a Gender Perspective', UNRISD 2012, p.13; ActionAid *Making Care Visible*, 2013, p.18.

¹⁰ Razavi, *The Political and Social Economy of Care*, p.19.

¹¹ A survey conducted in Scotland in 2011 found that 47 per cent of unpaid carers had to cut back on essentials (like food and heating) and 45 per cent were currently in debt as a result of caring (Carers UK, 2011, cited in Scottish Human Rights Commission *Getting it Right? Human Rights in Scotland*, 2012).

opportunities to access and progress in education, participate in income-earning activities and accumulate retirement incomes and savings – as well as the concentration of women in low-waged, precarious, unprotected employment with no social security benefits.¹² The combination of lack of time and social subordination created by these workloads also restrict women's ability to participate on an equal footing in public and political life.

Evidence clearly shows that the amount, intensity and drudgery of unpaid care work increases with poverty and social exclusion. Women and girls in poor households spend more time in unpaid work than in non-poor households,¹³ in all countries at all levels of development.¹⁴ This imbalance has a number of causes, including limited access to public services for people living in poverty, lack of adequate infrastructure in the regions and communities where they live, and lack of resources to pay for care services or time-saving technology.

For example, inadequate State provision of key infrastructure such as energy and water and sanitation facilities has a disproportionate impact on poor women and girls living in rural areas in developing countries, who spend large amounts of time collecting water and fuel for household use. Studies indicate that in sub-Saharan Africa, 71 per cent of the burden of collecting water for households falls on women and girls,¹⁵ who in total spend 40 billion hours a year collecting water, equivalent to a year's worth of labour by the entire workforce in France.¹⁶

Unequal enjoyment of human rights

The main aim of human rights is transforming power dynamics between individuals in society, in order to challenge oppression, subvert the subordination and marginalization of certain groups and individuals, and promote individual agency, autonomy and respect of the inherent dignity of every human being.

Thus, a human rights approach does not accept power dynamics as they are. Rather, it starts from the premise that power differentials must be eliminated and seek to explicitly recognize and challenge inequality, including structural and systemic power imbalances in social and economic life. In this regard, the unequal distribution of unpaid care work is a human rights concern because it is highly reflective and determinative of power relations between women and men. Inequality in this matter reflects and underlies many other aspects of discrimination against women and therefore has much wider implications for gender equality. Discriminatory gender stereotypes, which construe women as second-class citizens whose place is in the home, cause and perpetuate this unequal distribution of work, rendering women's equal enjoyment of rights impossible.

Furthermore, disproportionate care responsibilities throughout their life create multiple obstacles for women in enjoying many of their human rights equally with men, or indeed at all. Many human rights – economic, social, cultural, civil and political – are impacted by the unequal

¹² UNIFEM (2005), *Progress of the World's Women 2005: Women Work and Poverty*

¹³ See e.g. ILO and UNDP, *Work and Family: Towards new forms of reconciliation with social co-responsibility*, 2009, p.60.

¹⁴ See e.g. Australian Human Rights Commission (AHRC), *Investing in Care*, p.5.

¹⁵ Millennium Development Goals Report 2012.

¹⁶ UNDP, *Resource Guide on Gender and Climate Change*, 2009, p.32.

distribution of unpaid care work. A few examples are given briefly below; a more detailed analysis can be found in the report.

Women's **right to paid, decent work** (arts. 6 & 7 ICESCR, art. 11 CEDAW) is obstructed in many ways by heavy and unequal unpaid care responsibilities, as mentioned above.

In terms of the **right to education** (art. 13 ICESCR, art. 10 CEDAW), the impact can start from an early age, causing irrevocable harm to girls' life chances. Especially in families living in poverty, girls are often given care responsibilities, which in the most extreme cases results in withdrawal from school. More frequently, girls' care work impacts the time and energy they can devote to schoolwork, hindering their relative progress. In later life, women have less access to training and further education because of their care work.

The **right to health** (art. 12 ICESCR) of unpaid caregivers is another significant concern; there is only so much care a person can give without damage to their mental or physical health.¹⁷ Unpaid care work can be arduous, stressful, emotionally difficult and even dangerous (for example through exposure to communicable diseases, fumes or burns from cooking stoves or risk of attack/assault while fetching fuel or water). Moreover, women with heavy unpaid care workloads may not be able to access adequate healthcare due to lack of time or money.

Adequate and equal enjoyment of many other rights is also negatively impacted by heavy burdens of unpaid care – for example the right to participation (arts. 21 and 27 UDHR, art. 25 ICCPR, arts. 13.1 and 15.1 ICESCR and arts. 7, 8, 13(c) and 14.2 CEDAW), the right to social security (art. 9 ICESCR) and the right to enjoy the benefits of scientific progress (art. 15 ICESCR and art. 27 UDHR).

3. Human rights framework for unpaid care work: States' obligations

States' actions or inactions are deeply relevant to women's unpaid care work, ultimately defining who has access to quality care and who bears the costs of its provision. For example, where public services are unavailable, of low quality or not sufficiently adapted to the needs of carers — for example, school hours that do not correspond with parents' working hours — the unpaid care work of families and communities is intensified. When the State fails to adequately regulate, fund or provide care, the burden shifts to families who have to make their own arrangements. Owing to gender stereotypes related to family and work, this generally means that women assume the bulk of the work, to the detriment of their human rights enjoyment.

Human rights create duties and obligations. In the report, I explain what the human rights obligations of States are with regard to unpaid care work, under existing human rights standards, particularly those enshrined in the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) and the International Covenant on Economic, Social and Cultural Rights (ICESCR). The vast majority of States are signatory to both of these treaties. The main message is that States have a duty to act when the distribution of unpaid care work creates or perpetuates gender inequality or proves an obstacle to full and equal human rights enjoyment.

¹⁷ See for example Akintola, 'Towards equal sharing of care responsibilities: Learning from Africa', paper prepared for UNDAW Expert Meeting, 2008, p.5.

CEDAW expressly states that States Parties must take all appropriate measures to modify or abolish laws, regulations, customs and practices that discriminate against women (art. 2(f)). This includes the obligation to modify “the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women” (art. 5). The gendered division of unpaid care work, fostered by stereotypes of men as breadwinner and women as carers/nurturers, is clearly one such practice.

In order to ensure that men and women enjoy all their rights on equal terms with men, States must take all appropriate measures to ensure that care responsibilities are equally shared by men and women. CEDAW expressly notes that States parties must ensure “the recognition of the common responsibility of men and women in the upbringing and development of their children” (art. 5). This provision requires States to combat patriarchal attitudes and stereotypes regarding the roles and responsibilities of women and men within the family and society at large,¹⁸ as well as discrimination in education and employment and the compatibility of work requirements and family needs.¹⁹ States must, inter alia, prohibit discrimination or dismissal on the grounds of pregnancy or maternity and ensure that men and women have equal opportunities to choose their profession or occupation (see e.g. arts. 11.2 and 16 CEDAW).

If women are unable to enjoy any right enshrined in the ICESCR (for example the rights to health, food, work, education, or social security) on an equal basis with men, this constitutes a violation of the right in question (see art. 3 ICESCR). Although human rights treaty bodies have not systematically addressed the issue of unpaid care work, several General Comments of the Committee on Economic, Social and Cultural Rights stress the need for positive action from States to tackle any obstacles to women’s *de facto* enjoyment of the right in question.²⁰ As already discussed, unpaid care work is a major barrier to women enjoying rights on an equal basis, and a major barrier to gender equality more broadly, which is a core human rights goal. Therefore, to move towards gender equality and women’s equal enjoyment of rights, as they are obliged to do under international human rights law, States must tackle the heavy burdens and unequal distributions of unpaid care.

Given the complexity and scale of the problem, in order to tackle this challenge States must act through a number of different channels: equality legislation, employment regulation and labour rights, infrastructure, public service provision, social protection, educational campaigns, and others. Moreover, policy-makers and legislators must look at all policies through a ‘care lens’. For example, are social protection programmes sensitive to the demands of unpaid care work and

¹⁸ See for example, CEDAW/C/SGP/CO/4, paras. 21-22; CEDAW/C/USR/CO/7, paras. 20-21; CEDAW/C/MUS/CO/6-7, para. 18.

¹⁹ CEDAW General Recommendation No.29 para. 8.

²⁰ For example, in regard to the right to work (art. 6), States must take all appropriate measures to ensure “that in law and in practice, men and women have equal access to jobs at all levels and all occupations” while in order to ensure the right to just and favourable conditions of work (art. 7), States must identify and eliminate the underlying causes of inequality and discrimination in this context, including of pay differentials, and reduce the constraints faced by men and women in reconciling professional and care responsibilities. (CESCR General Comment 16)

its gendered distribution?²¹ Do they implicitly reinforce the idea of women as the ‘natural’ carers or do they challenge negative gender stereotypes? Such considerations are sadly not generally taken into account, but they are crucial to ensure that policies move towards gender equality rather than inadvertently away from it.

States must act to ensure more equal distribution of care work. This requires redistribution in three forms: redistribution between women and men; redistribution from households to the State; and redistribution of resources towards poorer families and households (for example through pro-poor and gender sensitive budgetary allocations, fiscal and tax policies) to support their unpaid care work and reduce its time burden and intensity.

In order to achieve greater equality in sharing unpaid care work between women and men (in general and within households), the solutions must be public as well as private. It is necessary for the State to facilitate, incentivize and support men’s caring, for example by ensuring they have equal rights to employment leave as parents and carers, and providing education and training to men, women and employers.

For the latter two forms of redistribution, the crucial interventions are provision of public services and infrastructure, through which States can reduce the overhead time of poor households and the drudgery of unpaid care work, freeing women’s time and potential.²² Where public services are inadequate or inaccessible (which they often are in informal settlements and rural areas), women have to take on more unpaid care work – caring for the sick, elderly, children, persons with disabilities; fetching water and fuel, etc. Lack of decent roads and public transport also means long journeys to work, health centres and schools, which exacerbates their time poverty.

In contrast, where States pro-actively improve the quality and accessibility of public services in poor areas, the time and potential of women living in poverty is freed for employment, education, and participation in social, cultural and political life. This leads to greater equality, rights enjoyment and empowerment.

4. Conclusion: The urgency of action and recommendations for the post-2015 agenda

Overall, the unequal distribution, intensity and lack of recognition of unpaid care work causes and undermines the dignity of women caregivers, obstructs their enjoyment of several human rights on an equal basis with men, entrenches their disproportionate vulnerability to poverty across their lifetime, and undermines progress towards gender equality.

Such challenges are compounded by various current trends and phenomena that are intensifying care needs and putting pressure on caregivers around the world. Austerity measures in developed and developing countries are intensifying care needs in the home through cuts to community

²¹ According to CESCR General Comment 19 (para. 32), social security and social assistance schemes must take account of women’s unequal burden of unpaid care work

²² According to CEDAW, immediate actions to alleviate the intensity of women’s unpaid care work and redistribute their disproportionate share, including through the “provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life” (art. 11(2)(c) CEDAW).

services, health budgets and care services for the elderly, children and persons with disabilities. These policies simply intensify the workload of poor households – usually women - while families also have to make do with less income due to unemployment and welfare cuts.²³ Meanwhile, in countries afflicted by the HIV/AIDS pandemic, rather than providing more extensive State-funded health care and palliative care in hospitals or the communities, governments are relying on ‘home-based care’ – again, usually undertaken by women living in poverty at great cost to their income-earning or other opportunities.²⁴

It is high time that States, human rights advocates and development actors recognize the importance of unpaid care work and its impact on poverty, inequality and human rights. The post-2015 agenda can make a major contribution to human rights-based, equitable development by positioning care as a social and collective responsibility - crucial for development and poverty reduction in all countries.

Attention to unpaid care in the post-2015 agenda can help new goals succeed where old ones fell short (either in results or ambition) – for instance, on maternal mortality, child mortality, hunger and sanitation. It can also help us push beyond the old framework, towards real and sustainable progress on gender equality.

The potential of the post-2015 agenda to eradicate poverty, tackle inequality and boost enjoyment of human rights would be greatly enhanced if the issue of unpaid care work was included. By including commitments on unpaid care work and by encouraging States to consider the care economy when creating and pursuing goals and targets in relevant sectors including employment and social protection, the framers of the new agenda can overcome one of the major constraints of the MDG framework for women and girls.

The post-2015 development goals should therefore include commitments on recognizing, reducing and redistributing unpaid care work as a major element of a rights-based goal on gender equality and women’s empowerment. UN Women have called for a target on reducing women’s time burdens, with indicators including the average weekly number of hours spent on unpaid domestic work by sex, and the proportion of children under primary school age enrolled in organized childcare.²⁵ Based on my report and what I identify as the main levers to help reduce and redistribute the intensive unpaid care work of women living in poverty, I would also urge further commitments on improving gender-sensitive infrastructure and public services in disadvantaged areas, and investments in affordable time-saving domestic technologies.²⁶

Goals in other relevant areas of the framework should also take account of unpaid care work as a major determinant of the opportunities and rights enjoyment of women living in poverty. For instance, goals on employment should fully integrate targets on gender equality and non-discrimination in employment, promoting and facilitating women’s participation in decent work (for instance by providing affordable childcare services) and commit to promoting a more equal

²³ See for example European Women’s Lobby, *The Price of Austerity in Europe*, 2012.

²⁴ Akintola, ‘Towards equal sharing of care responsibilities’, 2008, p.3.

²⁵ UN Women, *A Transformative Stand-Alone Goal on Achieving Gender Equality, Women’s Rights and Women’s Empowerment: Imperatives and Key Components*, 2013. Available at <http://www.unwomen.org/en/digital-library/publications/2013/7/post-2015-long-paper>

²⁶ For more detailed recommendations, see the full report.

distribution of unpaid care work. Goals on social **protection** should also mainstream gender equality and human rights concerns stemming from the distribution of - and stereotypes around - unpaid care work. For example, social protection programmes should not reinforce women's caring roles by tying payments to mothers' performance of certain duties.

In order to recognize unpaid care work and provide an evidence base for informed policy-making, improved data collection will be necessary. As well as overall commitments to collect disaggregated data, the post-2015 agenda should encourage States to conduct regular time-use surveys – in line with the recommendations of the Beijing Declaration and Platform for Action over twenty years ago.²⁷

Ultimately, the recognition, reduction and redistribution of unpaid care work must be a central plank of the struggle for gender equality, with all the much-discussed social and economic benefits that that brings. Without concerted effort by States to recognize, reduce and redistribute unpaid care, women living in poverty will be obstructed in enjoying the benefits of development and their human rights fully and equally, and the inter-generational feminized transmission of poverty will continue.

²⁷ CEDAW General Recommendation 17 also urged States to develop methods for assessing the value of unremunerated work.