



Rollback on gender equality and women and girls' rights in international fora since 2016

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Question

Where has there been rollback on gender equality and women and girls' rights in international fora since 2016?

- *Consider the UNGA, HRC and WHA, including pushback on the Istanbul Convention*
- *Is there any evidence of new or emerging groupings of country positions?*

Contents

1. Summary
2. Background: women's rights in international fora
3. Women's rights in international fora post-2016
4. Case studies
5. References

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1. Summary

Several studies document an increased backlash around women's rights and feminism in international fora – particularly in United Nations (UN) spaces – since 2016. A growing number of studies highlight that not only has progress in implementing the Beijing Platform for Action stalled, but that women's rights advocates in international fora are now fighting against regression of the rights of women and girls, due to the illiberal and conservative agendas of some particularly influential countries. This report focuses on evidence of backlash in international fora such as UN committees, councils and other spaces, and regional fora such as the European Parliament. It is accompanied by another helpdesk report on data and evidence of global rollback in women and girls' rights since 2016 (Birchall, 2020).

The report includes several case studies of international and regional spaces where the backlash on women's rights can be particularly illustrated. Case studies include: the European Parliament, the UN Human Rights Council, the UN Commission on the Status of Women, the UN General Assembly (UNGA), and the World Health Assembly. There is also a case study on the Istanbul Convention, a women's rights instrument that has been at the centre of recent efforts to roll back rights.

Several studies note that while conservative forces and religious fundamentalists disagree with each other on a number of subjects, when it comes to opposition to gender equality and women's rights, their views converge. These studies consider the alliances that have been developed and strengthened since 2016, with increasingly well organised and strategic coalitions involving state actors, religious organisations and civil society, mobilising in international fora with the aim of undermining women's rights.

There are also studies looking at the tactics and strategies being increasingly used to disrupt negotiations and consensus in multilateral human rights fora, through both direct and indirect opposition. These include: civil society training of UN delegates; reservations to treaties and covenants; developing and promoting parallel human rights frameworks; de-legitimisation and de-funding of UN agencies; "forum shopping" to set up anti-women's rights positions in policy debates; closing down civil society access in multilateral fora; exploiting divisions in the feminist movement; and social media attacks.

There is body of evidence examining the rhetoric and language used by the anti-rights actors at work in these alliances. These studies discuss the range of words and phrases – such as "reproductive health", "comprehensive sexuality education", and "various forms of the family" – that have been consistently vetoed and attacked by conservative forces taking part in negotiations in international fora. Meanwhile, these forces promote the language of the "natural family", "the right to life" and the rights of states to individual sovereignty, along with recognition of culture and religion. These actors understand "gender" as grounded in biological sex; either male or female, within the context of the heteronormative family, and they attack any views outside of this as dangerous "gender ideology." Goetz (2020) points out that these conservative actors target policies or perspectives that challenge patriarchal privilege; this means that policies related to sexual orientation and gender identity, and alternative perspectives to the "natural family" are targeted alongside policies and perspectives that promote sexual and reproductive health and rights (SRHR) for women, encourage men to take on unpaid care work, or tackle and seek accountability for gender-based violence (Goetz, 2020, p. 3).

The evidence included in this report is not exhaustive; it represents what was found in the time allocated. A significant amount of the evidence on some international fora focuses specifically on proceedings during 2015 and 2016, but slightly less has been published on developments in these fora between 2017 and 2019. While the report includes some peer reviewed articles, due to the nature of the research question it also relies on commentaries, articles and blogs from observers of the international negotiations discussed. Several experts with direct experiences of international fora were contacted, and their input is reflected in the report.

2. Background: women's rights in international fora

While the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) was adopted by the United Nations (UN) in 1979, the 1990s marked an era of unprecedented progress for women's rights and gender equality, with the adoption of a number of conventions such as the Declaration on the Elimination of Violence against Women (1993), the Inter-American Convention for the Prevention, Punishment and Elimination of Violence against Women (Belém do Pará Convention) (1995), the Universal Declaration on Democracy (1997) and the Optional Protocol on the Convention on the Elimination of All forms of Discrimination against Women (1999) (Roggeband, 2019; Goetz, 2019).

In 1995, when the Beijing Declaration and Platform for Action (BPfA) was signed by 189 governments, feminist activists hoped that a major battle had been won to get the rights of women and girls recognised as human rights. 'Gender inequality' was widely accepted as a legitimate concern for governments worldwide, and the promotion of women's empowerment was established as a goal in global governance and financial institutions (Abou-Habib et al., 2020, p. 223). However, there was always resistance to international women's rights frameworks, with the Holy See (or the Vatican) being the first and most prominent opposition, and the 1994 Cairo International Conference on Population and Development marking the first oppositional alliance between the Vatican and Muslim countries (Roggeband, 2019, p. 8).

By the 2000s, resistance to these gains was gathering momentum (Cupac and Ebeturk, 2020; Goetz, 2019; Roggeband and Krizsan, 2019). Roggeband (2019) notes that the last two decades have seen better organised opposition to gender equality at transnational level, mobilising both state and non-state actors (Roggeband, 2019, p. 6). Sen (2019) discusses the signs of backlash within international fora during the 2000s. The five, ten and fifteen year reviews of the Cairo and Beijing¹ conferences were "bitterly contested between feminists and forces attempting to turn back the clock on the achievements of the conferences of the 1990s in terms of gender equality and women's human rights" (Sen, 2019, p. 30). At the same time, the UN was seeing erosion in its social and economic mandates and core funding for UN agencies was falling, weakening the UN's abilities to act as intermediary across the fault lines that were developing (Sen, 2019, pp. 30-31), and feminist mobilisation engaged in a "partial retreat from multilateralism", partly due to a reduction in financing of feminist mobilising by multilateral and bilateral donors (Goetz, 2019, p. 164).

The Sustainable Development Goals (SDGs), introduced in 2015, were hailed as a significant moment for women and girls' rights, with the inclusion of a stand-alone goal on gender equality,

¹ The Beijing Declaration and Platform for Action, at the Fourth World Conference on Women, 1995.

as well as gender-specific targets across many of the other goals. However, Goetz (2019) argues that the SDGs marked a shift in the international environment for women's rights, with states not able to agree targets around domestic care work and the costs of childbearing and rearing (Goetz, 2019, p. 162). She states that "feminist activism seems to have hit a wall: states cannot agree on their responsibility to change social norms and therefore asked only to make efforts 'as nationally appropriate'" (Goetz, 2019, p. 162). Shameem (2017) documents similar issues, noting that the final draft of the goals did not include sexual rights or comprehensive sexuality education (Shameem, 2017, p.122-123).

By 2015, Goetz observed an "increasingly coordinated misogynist backlash" where "the rights of women, children and LGBTI individuals are subordinated to the project of preserving family stability" (Goetz, 2015). She describes the skirmishes over gender equality taking place in negotiations over the agreed conclusions of the annual meetings of the Commission on the Status of Women (CSW), and the Commission on Population and Development (ICPD). Both commissions "have become arenas for increasingly fraught negotiations that, clause by clause, claw back established agreements on women's rights, often in almost imperceptible ways" (Goetz, 2015).

3. Women's rights in international fora post-2016

Several studies document an increased anti-feminist backlash in international fora – particularly in UN spaces – since 2016 (Cupac and Ebeturk, 2020; Sandler and Goetz, 2020). Shameem (2017), in her study of anti-rights actors in global spaces, argues that the impact of conservative actors in international policy spaces has been stasis and regression. Writing in 2017, she notes that 2015 and 2016 saw the beginnings of a process of "the watering down of existing agreements and commitments; deadlock and conservatism in negotiations; sustained undermining of UN agencies, treaty monitoring bodies, and special procedures; and success in pushing through regressive language in international human rights documents" (Shameem, 2017, p. 108).

Sandler and Goetz (2020) argue that not only has progress in implementing the Beijing Platform for Action stalled, but the very notion of advances being made in women's rights through multilateral negotiation is now in doubt because of illiberal and anti-feminist agendas of some particularly influential countries, including the US, Russia and China (Sandler and Goetz, 2020, p. 239). In addition, they argue, misogyny and homophobia have begun to characterise some sectors of civil society that attend multilateral processes such as the Commission on the Status of Women (CSW). Despite gender equality remaining an urgent and under-actioned global priority, a decision was taken not to hold a fifth UN World Conference on Women in which a new global compact on gender equality would be agreed.² This decision was informed by increased polarisation and division around gender equality and women and girls' rights in the international arena (Sandler and Goetz, 2020, p. 239), and fears that the commitments made in Beijing at the fourth World Conference would be eroded (Shameem, 2017, p. 108).

² Instead, the governments of France and Mexico, and UN Women, will hold the Generation Equality Forum process in 2021.

Sandler and Goetz (2020) note that these developments come within a context of crisis for multilateralism itself, as influential countries renege on global commitments around human rights and climate change (Sandler and Goetz, 2020, p. 242). They argue that the lack of an effective multilateral response to the current Covid-19 global pandemic and the contestation around the World Health Organization (WHO)'s response to the virus, along with the UN Security Council's inaction around harmonisation of national responses, has put in question the continuing relevance of UN processes (Sandler and Goetz, 2020, p. 242). As more than one of the experts consulted in the preparation of this report noted, this comes at the same time as conservative states are moving to create "new forms of multilateralism", defunding agencies such as the WHO, UNFPA and OHCHR, and creating their own "consensus agreements" (there is more details on this in the World Health Assembly section, below).

One expert consulted for this report stressed the impact, since 2016, of the Trump administration, and particularly its reinstatement and expansion of the Mexico City Policy, also known as the Global Gag Rule, which has led to a rollback of women's and girls' rights globally through US foreign policy. That this has happened at the same time as other countries, such as Brazil, Poland and Hungary, have been moving to disengage from their commitments and entrench illiberal systems of democracy, the expert argued, has meant that already fragile multilateral spaces have been further disrupted and de-funded.

Speaking in 2018, the UN Assistant Secretary General for Human Rights stated: "At the UN, we see the backlash in various forms - as governments devise new means to cut the Human Rights Office's budget, reduce our effectiveness, protest our activities, and try to prevent us from speaking at meetings, and seek to block the entry of human rights activists to UN meetings. We see a backlash against women's rights, and also LGBTI rights, although the record there is mixed with progress in North and South America, Western Europe and a few other places, but regression in other parts of the world" (Gilmore, 2018).

Sexual and reproductive health and rights (SRHR) as a flashpoint

While SRHR have always proven a "flashpoint" within international fora (Doherty, 2017, p. 21), since 2016 they have been even more frequently at the heart of debates around women and girls' rights in international fora. Doherty (2017) explains how, despite substantial advancements on sexual rights within the international human rights system, some actors "continue to resolutely deny their very existence". Others, meanwhile, limit the term to mean sexual orientation and gender identity, or try to separate out sexual and reproductive health, sexual rights, and reproductive rights as distinct issues. She argues that "this lack of a common understanding of sexual rights as universal, affirmative, intersectional, and grounded in autonomy, has encouraged fragmented approaches to SRHR within the UN system" (Doherty, 2017, 21).

In international fora such as the UN Human Rights Council (HRC), there have been relentless attacks since 2015 around SRHR, organised by alliances of states from different regions, including Russia, Egypt, Pakistan, El Salvador, India, Saudi Arabia, Nigeria, Uganda, China and the US, among others (Doherty, 2017, p. 23). Set in the context of the Trump administration's reinstatement and expansion of the Global Gag Rule, these attacks mark a growing refusal to recognise sexual and reproductive rights (CHANGE, 2019, p. 4). One of the experts consulted as part of the preparation of this report noted that in intergovernmental negotiation contexts, the US

administration has increasingly opposed language on sexual and reproductive health and rights, including most recently, being unable to accept even language such as “reproductive health”, which it has purposely misinterpreted as meaning access to abortion.

Alliances

Several studies note that while conservative forces and religious fundamentalists are often at odds with each other on a number of subjects, when it comes to opposition to gender equality and women’s human rights, their views converge (Goetz, 2019; Sen, 2019; Sanders, 2020; Shameem, 2017). Other studies have mapped the flow of funding between anti-feminist groups and actors, particularly from the US to European initiatives to defend the traditional family (Goetz, 2019, p. 171), and the “dark money” spending of the US Christian right (Brough et al., 2020). Evidence has also been collected on the broad-reaching engagement that “pro-family”, religiously affiliated actors, such as the World Congress of Families, have across regions (Shameem, 2017, p. 29-50). Increasingly strategic and well organised coalitions and alliances, involving state actors, religious organisations and civil society, are mobilising in international fora with the aim of undermining women’s rights (Cupac and Ebeturk, 2020; Sanders, 2020; Shameem, 2017). These alliances have included the Holy See, along with post-Soviet, Catholic, and Islamic-identified states, and the US when under republican administrations. Sometimes it is joined by regional grouping such as the League of Arab States, the UN Africa Group, and the G77.³ All have played prominent roles in challenging women’s rights within UN arenas, despite their political differences (Cupac and Ebeturk, 2020; Sanders, 2020; Shameem, 2017).

Since 2015, the “Group of the Friends of the Family” has been mobilising in UN spaces. Estimates vary on the number of countries in this group, but it involves countries with Muslim dominant populations, such as Iran, Iraq, Malaysia, Saudi Arabia and Egypt; prominent African countries such as Sudan, Zimbabwe and Uganda; and populous democracies such as Bangladesh, Indonesia and Nigeria. From Catholic-dominant countries, there is Nicaragua, and the Holy See is a “consistent if informal presence” (Goetz, 2019, p. 167). Goetz notes that the Holy See produced a guide for UN missions considered amenable to their own positions, on recommended conservative positions on family-related matters in UN negotiations. The guide covers a range of topics from youth sexuality to abortion, and it is updated annually by conservative organisation Family Watch International (Goetz, 2019, pp. 165-6).

Strategies

Shameem (2017), in her study of anti-rights actors in global spaces, observes that the strategies used by the religious right in their opposition to the rights of women, girls, and people with non-conforming sexualities or genders have developed considerably in recent years. This, she argues is because they have learnt from their opposition – feminists and other progressives at UN conferences in the 1990s. They have mirrored successful tactics developed in partnership with powerful elites, and have moved from symbolic protest to ‘insiders’ within the processes of international fora (Shameem, 2017, p. 88). These actors are now strategic and proactive.

³ The Group of 77 (G77) at the United Nations is a coalition of 134 developing countries, designed to promote its members' collective economic interests and create an enhanced joint negotiating capacity in the United Nations.

Shameem argues that they “do not only attempt to tinker at the edges of agreements and block certain language, but to transform the framework conceptually and develop alternative and parallel tracks of influence, standards, and norm production” (Shameem, 2017, p. 88).

Some studies describe the actions of conservative alliances as multilateral “norm spoiling” efforts (Goetz, 2019, p. 149). Sanders (2020) describes the strategy of norm spoiling – a process where existing norms are challenged and weakened – which is more difficult to recognise, but easier to accomplish, than traditional advocacy (Sanders, 2020, pp. 271-2). Norms that are particularly targeted are those around SRHR and the distinction between biological sex and socially constructed gender roles, and most spoiling efforts are seen in fora where these norms can take centre stage, such as Cairo and Beijing follow-up meetings and conferences (Sanders, 2020, pp. 278). Norm spoilers use a range of tactics to block and reverse norms, and they advance their own versions of norms, including around the protection of the right to life, family rights and the ‘natural family’ (Sanders, 2020, p. 282).

Norm spoiling, Sanders argues, has successfully slowed the international women’s rights agenda, with disproportionate amounts of time being spent at meetings and conferences discussing abortion. Women’s rights advocates are now wary of trying to expand existing declarations, in fear that existing commitments, particularly around reproductive rights may be lost in the process (Sanders, 2020, p. 289). In addition, “norm spoiler states” hold influential positions within the UN, with, for example, Saudi Arabia being elected to the CSW in 2017 (Sanders, 2020, p. 290).

Both Shameem (2017) and Goetz (2019) describe the tactics used by these alliances. These include: civil society training of UN delegates; international and cross-regional convening, state reservations to treaties and covenants; developing and promoting a parallel human rights framework (for example focusing on the rights of families and parents); development and citation of alternative “scientific” sources; youth mobilisation; de-legitimisation and de-funding of UN agencies, special procedures and treaty monitoring bodies; and online organising (Shameem, 2017, pp. 89-97). Tactics also include: “forum shopping” to set up anti-feminist positions in policy debates; closing down civil society access in multilateral forums; exploiting divisions in the feminist movement and recruiting feminist “defectors”; and social media attacks (Goetz, 2019, p. 167).

As a result, women’s rights advocates are also shifting their tactics and focus. While states such as New Zealand, Australia, Mexico, Nordic countries and many EU countries remain supportive, formerly friendly states such as the US, Brazil, the Philippines and Turkey can no longer be relied upon for support (Goetz, 2019, p. 167). Increasingly, women’s rights advocates are looking to emerging feminist champions for support; for example Uruguay, Tunisia and Lebanon, Liberia, Cape Verde and Namibia (Goetz, 2019, p. 167).

Language and rhetoric

Several studies demonstrate the battleground around language, gender and rights within international fora. Sanders (2020) discusses the ways that “norm spoilers” have sought to exclude words and phrases they consider objectionable in UN documents, including “various forms of the family”, “reproductive health”, “comprehensive sexuality education” and “sexual orientation and gender identity” (Sanders, 2020, p. 284). She notes that during 2017 meetings of the UN General Assembly (UNGA)’s Third Committee, the Trump administration sought to

replace condemnation of “all forms of violence” against women and children with “all unlawful forms of violence” (Sanders, 2020, p. 286). During the same meetings, the Africa Group, led by Egypt, were successful in introducing language to weaken commitments to provide comprehensive sexuality education to children (Sanders, 2020, p. 286-7).

Goetz (2019), discusses increasing pressure by conservative alliances participating in UN fora to insert language into texts and agreements such as “natural”, “fundamental”, and “the family”, and to use language celebrating women’s roles as mothers (Goetz, 2019, pp. 166-167). Some studies highlight the ways that conservative factions position themselves as proponents of human rights, but in fact, selectively appropriate human rights in support of their own positions (Shameem, 2017; Roggeband, 2019). For example, conservative and religious actors that oppose women’s rights position themselves as defending the “right to life” (Article 3 of the Universal Declaration of Human Rights (UDHR)), and “the family as the natural and fundamental group unit of society” that “is entitled to protection by society and the state” (Article 16c of the UDHR) (Roggeband, 2019, p. 10). President Trump, speaking at the UNGA in September 2020, stated that his administration was advancing “opportunity for women” as well as “protecting unborn children” (Aljazeera, 2020).

Shameem’s (2017) analysis of anti-rights actors in global spaces such as the UN demonstrates the array of concepts and discourses these actors use to frame their arguments:

Protection of the family

This narrative brings together a range of conservative forces active in international spaces. The rhetoric “emphasises the role of the family in social cohesion and in preserving morality, religious and cultural traditions, without regard to these traditions and norms’ consistency with international human rights legal standards” (Shameem, 2017, p. 61).

Cupac and Ebeturk’s (2020) analysis describes how proponents of the “natural family” concept argue that “family rights” should be prioritised over individual rights, and they have been successful in getting “the family” as agreed language in HRC declarations and agreed conclusions of the Commission on the Status of Women (Cupac and Ebeturk, 2020, p. 709).

Right to life

Appropriating the non-derogable human right to life, Christian right actors have argued that this right should begin at the moment of conception, and allied organisations have advocated at the UN Human Rights Committee, the treaty monitoring body for the International Covenant on Civil and Political Rights (ICCPR), for recognition of the rights of the unborn child (Shameem, 2017, p. 63).

Sexual rights

Rhetorical devices used around sexual rights include: denying that they exist; stating that they are new rights with no foundation in the Universal Declaration on Human Rights (UDHR); arguing that they cause harm to children, or that they are harmful to culture, tradition or national laws (Shameem, 2017, p. 65). Most debates on these rights centre around comprehensive sexuality education, with claims that it harms children and violates ‘parental rights’, and sexual orientation and gender identity, with opposition arguments hinging around national sovereignty and cultural and religious values, as well as moral and pseudo-scientific objections (Shameem, 2017, p. 66).

Reproductive health and rights

Rhetoric in this area can centre around population control, with anti-rights actors arguing that reproductive rights are part of a Western strategy of population control over the global South. Arguments around the right to life beginning at conception are also used here, as well as rhetoric about the health risks of abortion (Shameem, 2017, p. 68).

Protection of children and parental rights

This rhetoric seeks to pit parental rights, and the protection of children, against SRHR. However, Shameem notes that while conservative actors cite the UN Convention on the Rights of the Child (UNCRC) to promote parental rights that “protect” children, they are opposed to many of the rights set out in the conventions, especially those they see as ‘autonomous’ children’s rights, seeing these as undermining hierarchical and traditional concepts of family (Shameem, 2017, p. 69).

Violence against women and girls (VAWG)

Shameem’s analysis highlights the ways that religious right alliances have appropriated human rights language on violence against women, including sexual violence and violations in the context of conflict (Shameem, 2017, p. 71). Examples include groups describing themselves as “maternal feminists” who believe in family, faith and motherhood, arguing that “unstable” families, intimate partner relationships outside of heterosexuality, and sexuality education are the causes of VAWG. Conversations at the UN on sexual violence in conflict are also being used by these actors to argue against abortion (Shameem, 2017, pp. 72-3).

Gender and “gender ideology”

Shameem argues that the “gender anxiety” of the religious rights frequently manifests itself in UN negotiations through “coordinated lobbying to remove any mention of gender in final documents” (Shameem, 2017, p. 73). The Holy See has described gender as “ideological colonisation,” and the notion of “gender ideology” is used by allied states, non-state actors, and the religious right to critique feminist, with attention most focused on gender identity and trans rights (Shameem, 2017, p. 74).

Goetz (2019) argues that the UN is an arena where anti-feminists collaborate to oppose the free expression of non-heterosexual and non-binary versions of sexual orientation and gender identity (Goetz, 2019, p. 166). These conservative actors understand “gender” as grounded in biological sex; either male or female, and do not recognise views that see gender as more fluid or flexible (Roggeband, 2019, p. 12).

The UN Working Group on discrimination against women in law and practice observed in 2018 that in recent years “the concept of gender itself has been challenged, misunderstood and misused to further undermine the struggle towards the elimination of discrimination against women and towards gender equality”. It discussed examples of hostilities against “gender ideology”, presented as a threat to “traditional values”, particularly in Latin America and Eastern Europe. These conservative forces, the working group notes, “argue that international law prohibits only sex discrimination, denying that the term ‘gender’ has been used in international norms and standards since the 1970s” (UN Human Rights Council, 2018, p. 5).

Complementarity and human dignity

Ultra conservative actors have employed a discourse of complementarity of the sexes in response to feminist claims for equality. Women and men are seen as having different but

complementary roles within the family, community, politics and economic life (Shameem, 2017, p. 72). The complementarity discourse has been employed in a range of international human rights spaces, including the CEDAW committee, where Egypt, Malaysia, Pakistan, and the United Arab Emirates have justified differential treatment of women and men under their interpretations of sharia, arguing for differing and reciprocal obligations. Saudi Arabia has justified policies permitting polygamy under the principle of essential difference (Shameem, 2017, p 76).

Mos (2018) outlines the ways that conservative campaigns within the EU around marriage and the family, which pursued opposed abortion and same sex families, have avoided using the language of morality or religion, instead focusing on technical challenges around EU competences and values, particularly relating to “human dignity” (Mos, 2018, p. 332).

National sovereignty and anti-imperialism

The discourse of national sovereignty is frequently used in international fora to push back against the universality of human rights (Shameem, 2019, p 77). National governments are presented as at risk of being undermined by the UN and treaty monitoring bodies, and human rights norms, processes, and activists are framed as fundamentally elitist and/or Western (Shameem, 2017, p 78).

Religious freedom

The rhetoric of religious freedom is used to justify violations of rights around gender and sexuality, but also to argue that such freedom is threatened by other human rights. Shameem notes that the reservations to CEDAW and states’ responses to the CEDAW committee’s reviews regularly use religion as justification for non-compliance. At the HRC, defamation of religion of resolutions have focused on protecting religion from perceived harm done by freedom of expression (Shameem, 2017, p. 79). Shameem argues that the anti-rights discourse around freedom of religion co-opts human rights language to give already powerful ideologies more power (Shameem, 2017, p. 79).

Right to culture and traditional values

Shameem argues that references to culture and tradition are used in international spaces to undermine human rights, with cultural rights serving as opposition to the rights of women and girls, as well as those of people with non-conforming gender or sexualities (Shameem, 2017, p. 80). An example of this is the amendments pushed by some states to the 2016 HRC resolution on sexual orientation and gender identity (SOGI), which called for cultural and religious value systems to be respected when considering human rights issues (Shameem, 2017, p. 80). In the same year, a HRC resolution on protection of the family presented culture as fixed and rigid, in stating that the family preserves cultural identity, tradition and morals (Shameem, 2017, p. 80).

Universal or fundamental human rights

Shameem’s analysis draws attention to the ways that anti-rights actors in international policy spaces have manipulated references to universal or fundamental human rights to actually reverse the universality of rights. By repeatedly referring to universal or fundamental human rights, but excluding some human rights, such as sexual and reproductive rights, from these references, these actors distinguish between what they see as “true” rights, and those that are new or optional (Shameem, 2017, p. 84). This distinction was used by Organisation of Islamic Cooperation (OIC) states in the language of amendments to the HRC resolution on sexual orientation and gender identity in 2016 (Shameem, 2017, pp. 84-85).

In addition, Halperin-Kaddari and Freeman (2016), in their study of global backlash on gender equality, note how, in a number of countries, governments resistant to transforming gender inequalities have adopted laws couched in gender-neutral language. The effect of these laws is not neutral, however, as they leave stereotypes and traditional practices untouched and exacerbate discriminatory outcomes (Halperin-Kaddari and Freeman, 2016, p. 168).

Some studies focus on the ways that language has been used in an attempt to protect rights around gender equality, when there is a risk of regression. One example is the inclusion of the term gender in the International Criminal Court's Rome Statute. Issues of polarisation and disparate points of view meant that the inclusion of gender was only managed by the use of "constructively ambiguous" language (Oosterveld, 2014, p. 563). Roggeband (2019) describes how, in response to conservative actors' attempts to use the term "right to life" to block women's rights to reproductive choice, the CEDAW committee⁴ has in some instances acted cautiously in order to avoid confrontation and regression, for example recommending access to emergency contraception for all, a measure accepted by some abortion opponents (Roggeband, 2019, p. 10).

Of course, many of the above discourses are used together and interrelate. Cupac and Ebeturk (2020) point out that the anti-feminist alliances operating in international fora are united in their opposition to "gender ideology" and their aim of restoring the "natural family". They note that "we might be observing a 'gender rights vs natural family' cleavage forming inside the UN, a cleavage that will not necessarily reshape the UN system but how politics is done within it" (Cupac and Ebeturk, 2020, p. 710-711). Anti-rights rhetoric is frequently used in opposition to, and as way of critiquing and undermining, feminism and women's rights advocacy. Sanders (2020) notes the allegations of conservative actors that "radical feminists" have hijacked the UN, and the term feminism is positioned as having extreme and subversive meanings (Sanders, 2020, p. 280).

Goetz (2020) points out that conservative actors target policies or perspectives that challenge patriarchal privilege; this means that policies related to sexual orientation and gender identity, and alternative perspectives to the heteronormative "natural family" are targeted alongside policies that promote SRHR for women, that encourage men to take on unpaid care work, or that tackle and seek accountability for gender-based violence (Goetz, 2020, p. 3).

4. Case studies

The case studies below outline evidence identified around either international or regional fora where rollback of women's rights has been attempted during the last four years, or examples of instruments of women's rights and gender equality that have been at the centre of efforts to roll back rights since 2016.

⁴ Committee on the Elimination of Discrimination Against Women, which oversees and monitors the Convention on the Elimination of All Forms of Discrimination Against Women.

The Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention)

In 2018, there were protests about the Istanbul Convention in several European countries. Protesters claimed that the convention had a hidden agenda of dismantling the traditional family and legalising same-sex marriage (Cupac and Ebeturk, 2020, p. 704).

Roggeband (2019) discusses how the ‘democratic backsliding’ in Central and Eastern Europe (CEE) has spilled over into the international arena, particularly in debates around the Council of Europe Istanbul Convention on preventing and combating violence against women and domestic violence.⁵ While all member states apart from Albania and the Russian Federation have signed the convention, there has been major opposition that is blocking ratification processes, particularly in the CEE (Roggeband, 2019, p. 15). Populist politicians argue that ratification will introduce the concept of gender into national laws. Protests against “gender ideology” led to Bulgaria and Slovakia opposing ratification in 2018. The Slovak Prime Minister argued that the convention is contrary to marriage as a heterosexual union, due to the use of the word gender in the convention. While Poland ratified the convention in 2015, it is now threatening to back out. Hungary has not yet ratified the convention, and Latvia opposes ratification on the grounds that religious leaders think it will bring “gender ideology” that runs counter to the constitution (Roggeband, 2019, p. 15).

Broader opposition to the convention has come from ultra conservative organisations, men’s rights groups, religious leaders and ‘family protection’ groups advocating for traditional family models (Roggeband and Krizsan, 2020, p. 5). Opposition has focused on Article 3 of the convention, which defines gender as “socially constructed roles, behaviours, activities and attributes that a given society considers appropriate for women and men”, and articles 12-16, which say that states should “promote changes in the social and cultural patterns of behaviour of women and men” through education and other methods (Roggeband and Krizsan, 2020, p. 5).

The European Union

In November 2020, the European Union (EU) presented a new gender equality plan for EU foreign policy (Gender Action Plan III). The plan seeks to strengthen women’s, girls’ and LGBTQI rights worldwide by challenging gender stereotypes and norms (Von der Burchard, 2020). However, the plan faces strong opposition from Hungary and Poland, who argued that while they were committed to equality between women and men, they were unhappy with the term “gender equality”. A spokesperson for the Hungarian Representation to the EU argued that: “Defining the concept of gender falls under the exclusive competence of the member states, which must be respected [...] EU documents should therefore only contain references that are acceptable for each member state and build on sound legal foundations, consensual definitions” (Von der Burchard, 2020).

⁵ Adopted by the Council of Europe Committee of Ministers on 7 April 2011 and entered into force 1 August 2014.

The European Parliament (EP)

Kantola and Lombardo (2020) conducted analysis of populist interventions in EP plenary debates on gender equality during the 8th legislature (2014–2019). The EP is the only directly elected decision-making body of the European Union (EU). It has considerably increased its powers over the past ten years, and is also the most gender-equal of EU institutions, with women's representation at 40% in 2019. At the same time, however, radical right populist (RRP) parties and members of the European Parliament (MEPs) have come to form a substantive minority within the parliament. During 2014-2019, RRP parties obtained 23% of parliamentary seats (Kantola and Lombardo, 2020, p. 4). This minority is focused in its opposition not just towards the policies of the EU but also towards the institution itself (Kantola and Lombardo, 2020p. 3).

Opposition to gender equality has played a key role in RRP rhetoric and action in the EP. Analysis of plenary debates highlighted the following types of opposition to gender equality:

- Direct opposition, including:
 - Outright rejection of gender equality in relation to policy issues constructed as controversial, such as gender quotas and LGBTI rights.
 - Opposition to “gender ideology”, particularly in debates on gender and education, and as a strategy to oppose funding directed towards gender equality work (Kantola and Lombardo, 2020, pp.6-9).
- Indirect opposition, including:
 - Euroscepticism, where opposition to gender equality is voiced in terms of EU policies and legislation, including on equal pay, employment rights, VAWG, and SRHR.
 - Subsidiarity, where it is argued that EU gender equality strategies impose on and invade the competencies and remits of member states.
 - Bending, where the meaning of gender equality is bent towards other issues and goals, such as migration and Islamophobia, constructing a hostile “other” than endangers “native” women and girls.
 - Self-victimisation, where radical right populists argue that they themselves are victims, silenced by gender-sensitive language or accusations of sexual harassment.
 - Depoliticising gender equality, by presenting gender as an indisputable, biological given, thereby silencing discussions of topics such as intersex rights (Kantola and Lombardo, 2020, pp. 9-11).

The study notes one exception within RRP parties active in the EP. The Italian M5S MEPs (EFDD) are an ideological mix of left and right, and have some strategies that favour gender equality and sexuality policies (Kantola and Lombardo, 2020, p. 11).

The UN Commission on the Status of Women (CSW)

The CSW is the intergovernmental body dedicated to the promotion of gender equality and the empowerment of women. It is supported by UN Women (Shameem, 2017, p. 108). Members of the CSW produce an annual consensus outcome document on a priority theme intended to guide policy at national level (Goetz, 2019, p. 167).

Goetz (2019) argues that CSW has become a place where women's rights are subject to reversals (Goetz, 2019, p. 169). She discusses the impact of “anti-gender” campaigns on the

CSW since the 1990s, and with an increasing impact since 2012, when a small group of conservative states blocked consensus by refusing to accept the notion of comprehensive sexuality education (Goetz, 2019, p. 165). Goetz's research also shows that from 2012, some countries, such as Turkey and Egypt, started to exclude women's rights organisations from their CSW delegations (Goetz, 2019, p. 165). In 2017, representatives of C-Fam, a controversial NGO opposed to reproductive choice and LGBT rights, was included in the US delegation to the CSW (Sanders, 2020, p. 271).

In 2015, UN Women made the decision to hold negotiations on the CSW declaration prior to the arrival of national delegations. Shameem (2017) argues that this process exacerbated conservative regressions in the text, as women's rights activists could not engage with the process (Shameem, 2017, p. 109). During the negotiations, the "Group of Friends of the Family" worked to exclude references in the text to the human rights basis of the international framework on gender equality and women's empowerment. The Russian delegation argued for the removal of references to human rights in the text altogether, while the OIC argued that "human rights for all women and girls," should be amended to remove "all." The Holy See suggested that the word fundamental be placed before any mention of human rights (Shameem, 2017, p. 109).

Conservative impact was also evident at the CSW in 2016. The youth caucus held before the opening of the commission contained anti-rights activists who were vocal on anti-abortion and anti-SRHR (Shameem, 2017, p. 110). References to "comprehensive sexuality education", "SRHR" and "sexual orientation and gender identity" were deleted from the text of the agreed conclusions. The text did, however, contain a reference to "the family" as well as a recommendation that "different national realities, capacities and levels of development" and "respecting national policy space" should be taken into account in implementation of the 2030 Agenda for Sustainable Development (Shameem, 2017, p. 111).

In 2019, the priority theme of the CSW was social protection. This topic covers consideration of unpaid care work, as well as social security and pensions. The potential of transformative changes to the current gendered and unequal nature of unpaid care and economic safety nets, alongside potential costs to tax payers around pensions or universal basic income, meant that the 2019 priority theme "invited a convergence between religious and market fundamentalisms to reject the gender and class redistributive potential of social protection" (Goetz, 2019, p. 168). UN Women representatives said they had never seen so many rejections and edits to the negotiating draft, amid a "coordinated strategy of creating chaos" (Goetz, 2019, p. 168). In addition to objections around gender-equal social protection systems, there were also objections from the US, Russian Federation, Saudi Arabia and Malaysia about the use of the terms gender, sexual health and reproductive rights, and comprehensive sexuality education (Goetz, 2019, p. 168). While the compromise outcome document produced at the end of the negotiations did not undo previously agreed commitments to SRHR and sexuality education, its adoption was only due to the fact that Saudi Arabia and Bahrain's attempt to block consensus came at the wrong stage of proceedings and was therefore not allowed (Goetz, 2019, p. 168).

Meanwhile, in the civil society spaces outside of 2019's closed negotiations, conservative groups were "aggressively visible" (Goetz, 2019, p. 169). There were pro-life demonstrations and side events, panels including former feminist speakers who had changed their views and now advocated against abortion and the rights of trans people (Goetz, 2019, p. 169). Cyber bullying occurred, when 3000 anti-abortion text messages were sent to a UN diplomat (Cupac and

Ebeturk, 2020, p. 710). Conservative groups also used more subtle or creative opposition strategies, such as praising the value of women's care work – but not agreeing it should be redistributed, or condemning the harm caused by rigid gender roles – but rejecting the rights of trans and non-binary people (Goetz, 2019, p. 169).

The UN Human Rights Council (HRC)

The HRC is the intergovernmental body responsible for the promotion and protection of human rights. It has been the site of significant progress on SRHR, but it too has faced campaigning from conservative actors (Shameem, 2017, p. 112).

Goetz (2019) argues that the HRC has more meaningful, structured access for civil society groups than any other part of the UN. It meets at least three times each year, providing more opportunity to counter conservative mobilisation, and its universal periodic review mechanism offers opportunities for civil society reporting on women's rights deficits. In addition, the HRC makes decisions not on the basis of consensus but on votes. This means that it has been able to act even when there is conservative opposition, as was seen with the creation of an independent expert on protection against violence and discrimination based on sexual orientation and gender identity, in 2016 (Goetz, 2019, p. 170). Similarly, Aylward and Halford (2020, p. 1) argue that in very challenging and increasingly hostile circumstances, the HRC has been able to secure some significant gains, and ward off regressions around SRHR.

Shameem's (2017) study of anti-rights actors in global fora discusses HRC sessions held in 2015 and 2016. These sessions illustrate the direction of travel for HRC sessions post-2016. In June 2015, the text of the council's resolution on discrimination against women, originally based on a progressive report from the UN working group on discrimination against women in law and practice, was shaped by opposition from member states in the OIC, who argued that the text was offensive in terms of culture and religion (Shameem, 2017, p. 112). At the same session, the second HRC resolution on "protection of the family: contribution of the family to the realization of the right to an adequate standard of living for its members, particularly through its role in poverty eradication and achieving sustainable development" was issued. During negotiations, core group of states (including Egypt, Bangladesh, Belarus, China, Cote d'Ivoire, el Salvador, Mauritania, Morocco, Qatar, the Russian Federation, Saudi Arabia and Tunisia) refused to include language highlighting the human rights of individual family members, including their rights to safety from abuse, violence, and discrimination, and their rights to bodily autonomy. They also refused to include language stating that around the world, various forms of the family exist (Shameem, 2017, p. 113).

At the March 2016 HRC session, a resolution on "protecting human rights defenders addressing economic, social and cultural rights" was adopted by vote. During negotiations, a group of states led by Russia, China, Egypt, Cuba and Pakistan proposed 30 amendments. These included calls to remove any reference in the text to the term "human rights defenders" and to deny the legitimacy of human rights defenders' work. However, all 30 amendments were rejected upon voting (Shameem, 2017, p. 115).

Shameem notes that the June-July HRC session in 2016 was particularly contentious, as a high number of resolutions were proposed, many with a focus on gender and sexuality (Shameem, 2017, p. 115). The progressive text of the HRC's resolution on violence against women was

amended after push back from several states. The Russian Federation introduced eleven hostile amendments, of which seven were withdrawn and four were defeated in the final vote. The Russian Federation also introduced hostile amendments to the text of the annual resolution of discrimination against women in law and practice, and the annual resolution on civil society space (Shameem, 2017, p. 116-117).

Also at the June-July 2016 session, negotiations around a resolution on “protection against violence and discrimination on the basis of sexual orientation and gender identity (SOGI)” were boycotted by the Russian Federation, most African states, and almost all members of the OIC, and Saudi Arabia put forward a no-action motion on the whole resolution (Shameem, 2017, p. 118). This opposition meant that will the resolution was eventually passed, it contains language that undermines the universality of rights and supports national exceptions (Shameem, 2017, p. 118). Meanwhile, discussions around the family were reopened, with the third resolution on “protection of the family”. Shameem argues that while the attention of states supportive of human rights protections was focused on the SOGI resolution, this third resolution received less push back. While the UK, Switzerland and Norway opposed the regressive language used in the resolution, their amendments were defeated in the vote (Shameem, 2017, p. 119).

The September 2016 session of the HRC was marked by unprecedented levels of opposition to the resolution on “preventable maternal mortality and morbidity”. The Russian Federation proposed 14 amendments, many of which related to SRH. Five of these amendments were passed in the vote (Shameem, 2017, p. 120).

In 2018, the US withdrew from its membership of the HRC, calling it a “protector of human rights abusers, and a cesspool of political bias” (Wolfe, 2018). However, one of the experts consulted in the preparation of this report noted that even after the US’ departure, the conservative CSOs who have continued influencing the decision making in the council are “serving as shadow diplomacy tactics of the US”.

In 2019, a joint CSO statement noted of the HRC’s 41st session, a “highly politically charged environment, with conservative states and CSOs alike trying to instrumentalise women’s and girls’ rights as a means to create rifts between human rights organizations and progressive states” (Centre for Reproductive Rights et al., 2019). Despite concerted opposition during the session, resolutions were passed on child, early and forced marriage, discrimination against women and girls, and VAWG. The statement observed that conservative states were “dissociating themselves from paragraphs in these resolutions focusing on sexual and reproductive health and rights and on the autonomy and participation of girls in a bid to weaken the consensual nature of these texts, all the while using cultural relativism as their main rationale” (Centre for Reproductive Rights et al., 2019).

The UN Security Council

In April 2019, the UN Security Council adopted Resolution 2467 into its Women, Peace and Security (WPS) agenda. However, this only happened after four weeks of difficult negotiations and debates, centring around the use of the term “sexual and reproductive health”. Despite the term being used many times before in UN documents, the Trump administration objected to it and threatened to veto the resolution. As a result, the final resolution contained watered down language (Cupac and Ebeturk, 2020, p. 70). In October 2019, the same dynamics re-emerged during the adoption of Resolution 2493 during the Security Council’s open debate on WPS.

Again, the US blocked SRHR, and China and Russia withdrew their support for human rights defenders (O'Rourke and Swaine, 2019).

The UN General Assembly (UNGA) and its Third Committee

The UNGA's Third Committee includes all 193 UN Member States, and focuses on agreements on human rights and humanitarian affairs. Shameem (2017) discusses the committee's 70th session in 2015, where a proposed resolution on human rights defenders received substantial pushback from China and Russia, along with Nigeria, Kenya, South Africa and Myanmar, including 39 hostile amendments. Shameem also discusses events of 2016, where the General Assembly was "the scene of feverish anti-rights organising" in response to the HRC's creation of an independent expert role on SOGI (Shameem, 2017, p. 126). She argues that the attempts to block the expert's mandate represented troubling new tactics, as conservative forces used the space of the General Assembly to target the autonomy and powers of the HRC.

Jacobson (2017) discusses the Third Committee's session in November 2017, which was marked by contentious negotiations. New commitments were made around the rights of women and girls with disabilities, and on rural women and girls' rights (Jacobson, 2017). However, these gains were made within an environment of disengagement and divisiveness. The US administration sought to replace condemnation of "all forms of violence" against women and children with "all unlawful forms of violence" (Sanders, 2020, p. 286). In discussions around comprehensive sexuality education, over 40 countries acted together to ensure that three out of four attempts to weaken existing commitments on access to CSE passed (Jacobson, 2017). Jacobson argues that previously, attempts to bring last minute changes to established agreements would not have succeeded, but the US' new, extreme positions on women's rights and SRHR and their breaking of diplomatic norms meant that other countries were enabled to do the same (Jacobson, 2017).

The World Health Assembly

The World Health Assembly (WHA) is the decision-making body of the WHO. It meets annually and is attended by delegations from all WHO member states. During the 72nd session of the WHA, in 2019, there was a discussion on the UN High Level Meeting on universal health coverage (UHC) and the global strategy on women's, children's and adolescents' health. A cross-regional statement was delivered by Sweden on behalf of 45 countries, arguing for the need to integrate SRHR into UHC, because it is cost-effective and cost-saving, as well as because it is necessary to address the need of women, girls, adolescents, and people in the most marginalised situations. However, the Philippines and the US emphasised member state sovereignty and the importance of national legislation (Countdown 2030 Europe, 2019).

During the discussion on the global strategy, 21 like-minded countries emphasised the centrality of SRHR to the health and rights of women and adolescents, and stressed the importance of quality and affordable comprehensive sexual and reproductive health information, education, and health services, as well as the removal of harmful social, cultural, gender norms and structural barriers. Meanwhile, the US delivered a joint statement, on behalf of itself, Brazil, Egypt, Saudi Arabia, Indonesia, Haiti, Nigeria, Ghana and Iraq, stating that "the family" is the foundational institution of society, and that member states should focus on topics that unite, rather than on

issues around women, children's and adolescents' health that divide (Countdown 2030 Europe, 2019).

The 2020 Geneva meeting of the WHA was postponed due to Covid-19. The US, along with Brazil, Egypt, Hungary, Indonesia and Uganda, had been planning to conduct a multinational ceremonial signing of their Geneva Consensus Declaration (GCD) on Promoting Women's Health and Strengthening the Family. Instead, a virtual gathering was held in October 2020. Explanatory text for the declaration states that it will help achieve: better health for women; the preservation of human life; strengthening of family as the foundational unit of society; and protection of every nation's national sovereignty in global politics. An example given to illustrate this last point is that "it is the sovereign right of every nation to make their own laws in regard to abortion, absent external pressure" (US Department of Health and Human Services, 2020). In addition to the above countries, the declaration was endorsed by 26 others. One expert consulted as part of this report's preparation noted that: "The GCD is part of an alternative system that anti-SRHR and anti-LGBTQI groups have created through the Trump administration to reject UN agencies, internationally agreed upon language and multilateralism. These groups want an alternate channel for 'consensus', while redefining fundamental international agreements and principles."

The CEDAW committee

Goetz (2019) points out some of the ways that the CEDAW committee has successfully expanded the remit of the convention. She gives the example of negotiations in 2019 around a new general recommendation on trafficking, where agreement was brokered about the need to defend the human rights of sex workers, despite differences between those seeking to outlaw sex work and those seeking legal protection for sex workers (Goetz, 2019, p. 171).

However, as Plan International (2018) points out, CEDAW is also the human rights convention with the largest number of reservations, with 48 states having made reservations, in particular on the issues of condemning all forms of discrimination (Article 2), equal nationality rights (Article 9), equality before the law (Article 15), and equality in family life (Article 16). This indicates that "states parties have varying levels of commitment to the principles of CEDAW, consequently limiting equal rights" (Plan International, 2018, p. 1).

The Human Rights Committee

The Human Rights Committee is the treaty monitoring body for the International Covenant on Civil and Political Rights (ICCPR). In 2015, the committee drafted General Comment No. 36 on article 6 of the International Covenant on Civil and Political Rights, on the right to life. It explicitly included abortion, setting out that states must provide safe access to abortion to protect the life and health of pregnant women, as well as providing information and education about reproductive options and contraceptive methods, particularly to adolescents. The inclusion of these issues was opposed by conservative states and NGOs. Russia and the US argued that it was inappropriate to include abortion, and Poland and conservative NGOs argued that the text was in opposition to Article 6 of the ICCPR, interpreting the "right to life" as beginning at conception (Roggebrand, 2019, p. 11).

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