**Beijing +25: Women as leading forces of change**

**Paper prepared by the Committee on the Elimination of Discrimination against Women (CEDAW)**

**A. The CEDAW Convention and the Beijing Platform for Action: strengthening synergies**

The CEDAW Convention, through its 189 States parties and the countless activists, civil society organizations and regional organizations, supporting its implementation, has become a leading force in ensuring the promotion, protection, and fulfillment of the powerful message of the Beijing Conference, "Women's rights are human rights". The Convention offers a unique legally binding and human rights-based foundation for furthering the full implementation of the Beijing Platform For Action, the Sustainable Development Goals and the Women Peace and Security agenda mandated by United Nations Security Council Resolution 1325 (2000; UNSCR 1325). Furthermore, the work of the CEDAW Committee has been crucial in strengthening the accountability of States parties in accelerating the implementation of these political commitments and laid a solid legal foundation to ensure their mutual reinforcement. In this regard, in 2019, the Committee adopted a Guidance note for States parties for the preparation of periodic reports in the context of the Sustainable Development Goals, which will ensure that throughout the whole state reporting process under the Convention, States parties will be able to provide concrete information on the implementation of the 2030 Sustainable Agenda for Development.

The Beijing +25 review, 20th anniversary of the adoption of UNSCR 1325, the five-year milestone towards the achievement of the SDGs by 2030, as well as the 75th anniversary of the United Nations Charter this year, offers a unique opportunity to celebrate the achievements made over the past decades. It is also an occasion to reflect on the work ahead to ensure the full promotion and protection of women's rights and substantive equality of women and men, sustainable development and lasting peace. It is in this context that during the 40th anniversary of the Convention on the Elimination of All Forms of Discrimination against Women, the proposal for a CEDAW Beyond 40 General Assembly Resolution on a CEDAW Beyond 40 Coalition was proposed which predominantly will engage with the youth on six priority areas for young women: faith actors, education, digital economy and empowerment, media, peace and security and leadership.-

It is widely recognized that the realization of these agendas requires transformative shifts, integrated approaches and new solutions, particularly when it comes to advancing gender equality and women's empowerment. The Convention is therefore a critical binding instrument for accelerating these achievements and responding to related challenges.

**B. Actions taken and innovative approach**

The Committee has taken significant steps concerning the twelve critical areas of concern highlighted in the BPFA.

Regarding ***women, poverty and the economy***, and in line with the BPFA's call to "give women equal rights with men to economic resources", the Committee has recognized that women's access to resources and productive assets, including their right to land, housing, property, markets, trading and procurement opportunities, economic value chains and social protection, determines their financial position. Under article 16.1 of the Convention and in line with the Committee's General Recommendation No. 21 (1994) on Equality in marriage and family relations and General Recommendation No. 29 (2013) on the Economic consequences of marriage, family relations and their dissolution, States parties need to ensure same rights to spouses in respect of ownership, acquisition, management, administration, enjoyment and disposition of property. The Committee has also consistently focused on the disproportionate impact that inequalities in the distribution of resources and unpaid work have on disadvantaged groups of women, disproportionately affected by discrimination as a consequence of different factors, which include, among others, disability, ethnic origin and migration status. In this regard, the Committee's General Recommendation No. 34 (2016) on rural women, reaffirms their rights to land, access to natural resources, including water, seeds and forests, and fisheries as fundamental human rights.

Furthermore, the Committee fully recognizes the potential that unlocking access to digital technologies and the cyber economy, including accessible Information and Communication Technologies (ICTs), have in empowering women. The Committee has repeatedly expressed concern about biases in the development and use of algorithms and artificial intelligence and is again urging States parties to tackle discrimination against women in education and employment. Discrimination against women in the employment sphere is palpable by the persistent gender pay gap, the persistent horizontal segregation and the difficulties that women still face in accessing high-level positions in both the public and private sectors. The Committee has also repeatedly recommended State parties to ensure regulatory frameworks for the informal sector, to ensure that women in that sector are eligible for maternity leave and covered by unemployment, pension and other social security benefits. Additionally, sexual harassment and other forms of gender-based violence in the workplace continue to be pervasive.

*In relation* ***to education and training for women****,* the Committee, in General Recommendation No. 36 (2017) on the right of girls and women to education, recognizes the pivotal, transformative and empowering role of education for achieving gender equality and empowering women*.*[[1]](#footnote-1) Inclusive education can empower girls, adolescent girls and women at different stages of their life-cycle and equip them with the ability to claim and exercise broader socioeconomic, cultural and political rights, on an equal basis with boys and men. In order to achieve gender equality in all aspects of the education system, the Committee has consistently recommended that legislations, policies, educational content, pedagogies and learning environments must be gender-sensitive, accessible, responsive to the needs of girls and women and transformative for all.[[2]](#footnote-2)

The underrepresentation of women and girls in science, technology, engineering and mathematics (STEM) contributes to a trend that could lead to the exclusion of women in this digital era. In line with article 4 of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, the Committee has repeatedly called on States parties to adopt measures to increase the participation of women and girls in STEM studies and digital education by providing incentives such as scholarships and adopting temporary special measures to ensure career paths in this regard.

***Women's access to health care*** is a basic human right under article 12 of the Convention and further elaborated in General Recommendation No. 24 (1999) on women and health, which gives particular attention to women with HIV/AIDS and women with disabilities. The health-related aspects of gender-based violence against women, harmful practices and inequality in family relations are also addressed under article 12 of the Convention. In this regard, the Committee consistently monitors States parties in connection to intersectional discriminations faced by women and girls, such as migrant women, refugee and internally displaced women, rural women, girls child, adolescent girls, elderly women, women in prostitution, indigenous women, women with disabilities and lesbian, bisexual, transgender and intersex women (LBTI). In this regard, the Committee calls for all women's and girls' autonomy and access to information and free and informed consent to decide over their bodies as well as all other health-related matters. This includes universal access to sexual and reproductive health and reproductive rights, including for elderly women, girls child, women with disabilities and LGBTI women. The Committee has acknowledged that violations of women's sexual and reproductive health and rights such as forced sterilization and abortion, forced pregnancy, criminalization of abortion, denial or delay of safe abortion services and/or post-abortion care, forced continuation of pregnancy, obstetric violence, non-voluntary menstrual treatment and other forced treatments, and abuse and mistreatment of women and girls seeking sexual and reproductive health information, goods and services, are all forms of gender-based violence. These often stem from discriminatory stereotypes and, in certain circumstances, may amount to torture or cruel, inhuman or degrading treatment. The Committee has also confirmed that failure to provide reproductive health services such as abortion is discriminatory towards women and measures should be introduced to ensure that women are referred to alternative health providers in cases of conscientious objection.

*Furthermore,* the Committee observed in its landmark General Recommendation No. 19 (1992) on violence against women and reaffirmed in its General Recommendation No. 35 (2017) on gender-based violence against women, and in general recommendation No. 37 (2018) on the gender-related dimensions of disaster risk reduction in the context of climate change, that gender-based violence against women is a form of discrimination against women within the meaning of article 1 of the Convention. Gender-based violence is a critical obstacle to the achievement of substantive gender equality and to the enjoyment by women of their human rights and fundamental freedoms. Most notably, the Committee recognizes violence against women as gender-based, rooted in gender-related factors, and calls for the adoption and implementation of measures aimed at eradicating prejudices, stereotypes and practices which the Committee identifies as its main root causes.The Committee has adopted four general recommendations specifically addressing gender-based violence[[3]](#footnote-3) and explored its specific dimensions and dynamics,[[4]](#footnote-4) creating a comprehensive framework to address gender-based violence against women, including its interrelated forms in the private and public spheres. The Committee has also recognized that gender-based violence may affect some women to different degrees and ways and that appropriate and inclusive legal and policy measures should be taken in this regard by States parties.[[5]](#footnote-5)

The commitment towards the eradication of all forms of gender-based violence against women is a priority for CEDAW and for the United Nations. In this regard, the Committee is building on harmonized synergy through a joint platform with UN entities and other international and regional mechanisms to eliminate gender-based violence and discrimination against women, combining efforts to ensure the implementation of women's human rights and to address gender-based violence and discrimination worldwide.

*In the field of* ***women and armed conflict***, the Committee has recognized that United Nations Security Council Resolution 1325 (2000) on Women, Peace and Security, and subsequent resolutions, provide an important and structured framework. In 2013, the Committee adopted General Recommendation No. 30 on women in conflict prevention, conflict and post-conflict situations, recognizing that protecting women's human rights and advancing substantive gender equality before, during and after conflict is necessary to ensure that women's diverse experiences are fully integrated into all peacebuilding, peacemaking and reconstruction processes. The prohibition of discrimination against women reinforces and complements the international legal protection regime for refugees, displaced and stateless women and girls and international criminal law, including the definitions of gender-based violence and sexual violence. In this regard, the Committee has signed a Cooperation Framework with the Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict.

By including information on the implementation of WPS resolutions in the CEDAW reporting procedure, the Committee consolidates both the Convention and the Security Council's Agenda, by broadening, strengthening and operationalizing gender equality. To this end, the Committee commends the 2015 Guidebook of UN Women, which elaborates on the use of general recommendation No. 30 and the UN Security Council resolutions on WPS, which includes a checklist of questions that will guide States parties to report systematically on the WPS agenda and enhance their accountability, particularly in relation to conflict or post-conflict situations.

*On* ***women's equal participation in political and public life***, through its General Recommendation No. 23 (1997) on women in political and public life, the Committee recognized that women's full participation in politics is essential not only for their empowerment but also for the advancement of society.[[6]](#footnote-6) As stated in the joint IPU-CEDAW statement "Women’s political leadership: Striving for balance: 50/50 by 2030” adopted on the occasion of the 2019 International Women’s Day, women's leadership and equal participation with men in public affairs and decision-making is a matter of human rights, a key element of democracy and lasting peace, and a prerequisite for achieving sustainable development. Data and statistics collected by the Committee show that women remain underrepresented in national parliaments and local governments. The Committee actively recommends that States parties, along with other temporary special measures, adopt gender quotas in order to achieve gender parity. The Committee also consistently calls on States parties to monitor these situations and adopt gender empowering policies, bearing in mind the additional challenges faced by the most disadvantaged groups of women.

In relation to the ***adoption of* *institutional mechanisms for the advancement of women***, the revision of national legal and policy frameworks in line with the Convention is key to strengthening the implementation of the BPFA and of the 2030 Agenda for Sustainable Development. In this regard, the Convention requires the adoption of legal frameworks to promote, enforce and monitor equality and non-discrimination based on sex and calls for the allocation of adequate budgetary resources and the involvement of women's civil society organizations in these activities.

*In relation to the socially-differentiated impact of* ***environment and climate change****,*[[7]](#footnote-7) the Committee has highlighted in General Recommendation No. 37 (2018) on gender-related dimensions of disaster risk reduction in the context of climate change that disproportionate risks and impacts on their health, safety and livelihoods are faced by many women and girls. Situations of crisis exacerbate pre-existing gender inequalities and compound intersecting forms of discrimination that affect disadvantaged groups of women and girls, including women and girls with disabilities, internally displaced women and girls, rural and indigenous women and girls, to a different degree or in different ways. The Committee has also called upon States parties to create a new environment friendly and sustainable economy in which women are fully involved partners in innovation and development. It also holds States parties accountable for guaranteeing equality between women and men, including through the adoption of participatory, gender-responsive and inclusive legislations, policies, strategies and programmes relating to disaster risk reduction and climate change, across all sectors.[[8]](#footnote-8)

The 2019 Committee’s joint statement with the Committee on Economic, Social and Cultural Rights, the Committee on the Protection of the Rights of All Migrant Workers and Members of their Families, the Committee on the Rights of the Child and the Committee on the Rights of Persons with Disabilities on "Human Rights and Climate Change"[[9]](#footnote-9) welcomes the mobilization by civil society and, in particular, by women, girls and youth, urging governments to take more ambitious actions. The Committee strongly believes that ensuring the participation of both rural and indigenous women and protecting and promoting their role as human rights defenders is strategic and will ensure an approach that fully captures their direct experiences and ancestral knowledge, and triggers better-empowering policies.

The Committee identifies women as agents of change and essential partners in local, national and international efforts to tackle climate change, rather than as mere victims.[[10]](#footnote-10) In this regard, the Committee restates the importance of strengthening women's and girls' access to education on STEM, digital technologies and other disciplines related to the environment and climate change to take active part in such discussions[[11]](#footnote-11), and recommends adopting an inclusive approach that captures the environment through a lens of gender, social and economic relationships.[[12]](#footnote-12)

*Finally,* ***regarding the girl child***, the Convention reflects a life-cycle approach, and as such, requires States parties to address the rights, their distinct needs of girls and to ensure their empowerment. The Committee has adopted a joint general recommendation with the Committee on the Rights of the Child on harmful practices (Joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child on harmful practices) to protect girls in order to remove obstacles that prevent the fulfillment of their potential. The Committee specifically considers the rights of girls in relation to education by recommending greater enrollment and involvement of girls in digital technologies. It also addresses gender-based violence, access to justice, and in the context of conflict, asylum, climate change and climate-induced disasters. On several occasions the Committee urged State parties to integrate into school curricula inclusive and accessible content on gender equality and age-appropriate education on sexual and reproductive health and rights, including comprehensive sexuality education for adolescent girls and boys.

**C. Persistent and emerging challenges**

The Committee recognizes that in spite of all efforts, each of the aforementioned areas presents with deep-rooted, persistent and emerging problems. One major challenge is the persistence of gender-based violence against women worldwide, which reveals new complexities. In this respect, the Committee observes that stereotyped portrayals of women is evident not only in the media but also inherent in algorithms, which in some cases dictate the availability and provision of services, the adoption of measures and policies and can influence attitudes, behaviors and decision making processes. Online violence and bullying and harassment against women, particularly of women human rights defenders and activists, is another worrying trend.

Moreover, the prevalence of armed conflict and mounting civil unrest, climate change and climate-induced disasters gain salience. In such contexts, migration can appear as the only option for a better life for many women. At the same time, migration places women’s human rights and security at risk, exposing migrant women and girls to loss of rights, sexual violence, abuse, trafficking and abusive working conditions, hate crime and detention.

The Committee has resolved to focus even more on the implementation of UNSCR 1325 and subsequent WPS Resolutions, in line with its General recommendation No. 30, in its concluding observations and to continue questioning States Parties about the status of implementation of these resolutions.

**D. Strategy and priorities for the period 2020 – 2030**

In order to accelerate the implementation of comprehensive legislative gender equality frameworks in all States parties which promote, protect and empower women’s and girls’ rights, the Committee calls for the establishment of new ways of cooperation and the consolidation of constructive dialogues with State parties in the implementation of the Agenda for Sustainable Development. In addition, strengthened engagement with civil society organizations, national human rights institutions, the United Nations system and regional organizations is required.

The CEDAW Committee seeks to strengthen its collaboration under the Framework of Cooperation with the Special Representative of the Secretary-General on Sexual Violence in Conflict and with the United Nations Special Rapporteur on Violence Against Women, to enhance information-sharing and the development of common positions. Such collaboration can increase the accountability not only of States parties but also of non-State actors operating in their jurisdiction in order to effectively prevent and curb sexual violence in conflict settings.

Under the Convention, the Committee will continue monitoring States parties’ compliance with their obligations to ensure equal rights of women and men to economic resources, inclusive access to education, services, ownership and control over land and other forms of property, inheritance, natural resources, appropriate new technology and financing, thereby promoting sustainable development.

The Committee further reiterates its commitment to continue assessing the impact of climate change and climate-induced disasters on women and girls and provide guidance to States parties on ways to meet their obligations under the Convention, particularly with regard to mitigation and adaptation to climate change. It also reiterates its commitment to assess the situation of women’s vulnerability to religious extremism, harmful practices and cultural prejudices.

Finally, the Committee highly appreciates the opportunity to be part of the action coalitions of the Generation Equality Forum commemorating the Beijing +25 review process and stresses the importance of establishing a platform for collaboration with all relevant actors, including both in the public and private sectors, as a crucial instrument to tackle the aforementioned challenges and as a coordinated effort to counter the existing backlash against women's rights, ensure women’s empowerment and substantive gender equality, and eradicating gender-based violence against women.

1. CEDAW General Recommendation #36 on the right of girls and women to education. [↑](#footnote-ref-1)
2. ibid, para 13. [↑](#footnote-ref-2)
3. Female Circumcision (General Recommendation 14) Harmful practices affecting children (General Recommendation 31) and Violence Against Women (General Recommendations 12, 19 and 35). [↑](#footnote-ref-3)
4. On family relations, conflicts and disasters, and on specific groups of women, such as rural women, migrant women workers, older women and disabled women. [↑](#footnote-ref-4)
5. General Recommendation 28, 19 and 35. [↑](#footnote-ref-5)
6. General Recommendation 23, para 17. [↑](#footnote-ref-6)
7. Beijing Platform, Global Framework, para 46. [↑](#footnote-ref-7)
8. See general recommendation No. 37 on the gender-related dimensions of disaster risk reduction in the context of climate change (2018); general recommendation No. 27 (2010) on older women and the protection of their human rights, para. 25, and general recommendation No. 28 (2010) on the core obligations of States parties under article 2 of the Convention, para. 11. For concluding observations, see CEDAW/C/SLB/CO/1–3, paras. 40–41; CEDAW/C/PER/CO/7–8, paras. 37–38; CEDAW/C/GIN/CO/7–8, para. 53; CEDAW/C/GRD/CO/1–5, paras. 35–36; CEDAW/C/JAM/CO/6–7, paras. 31–32; CEDAW/C/SYC/CO/1–5, paras. 36–37; CEDAW/C/TGO/CO/6–7, para. 17; CEDAW/C/DZA/CO/3–4, paras. 42–43; CEDAW/C/NLZ/CO/7, paras. 9 and 36–37; CEDAW/C/CHI/CO/5–6, paras. 38–39; CEDAW/C/BLR/CO/7, paras. 37–38; CEDAW/C/LKA/CO/7, paras. 38–39; CEDAW/C/NPL/CO/4–5, para. 38; and CEDAW/C/TUV/CO/2, paras. 55–56. [↑](#footnote-ref-8)
9. Joint Statement on "Human Rights and Climate Change", 16 September 2019. [↑](#footnote-ref-9)
10. CEDAW General Recommendation #37, paras 7-8. [↑](#footnote-ref-10)
11. CEDAW General Recommendation #36. [↑](#footnote-ref-11)
12. Seager, 2019. [↑](#footnote-ref-12)