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Agenda item 3

**Promotion and protection of all human rights, civil,
 political, economic, social and cultural rights,
 including the right to development**

Albania,* Australia, Austria, Belgium,* Bulgaria, Canada,* Chile, Croatia,* Cyprus,*
 Czechia, Denmark, Ecuador,* Estonia,* Fiji, Finland,* France,* Georgia,* Germany,
 Greece,* Hungary,* Iceland,* Ireland,* Italy, Japan, Latvia,* Liechtenstein,*
 Lithuania,* Luxembourg,* Madagascar,* Malta,* Mexico, Monaco,* Montenegro,*
 Nepal, Netherlands, New Zealand,* North Macedonia,* Norway,* Paraguay,* Peru,
 Portugal,* Romania,* San Marino,* Slovenia,* Spain, Sweden,* Switzerland,*
 Thailand,* Tunisia,* Turkey,* Ukraine, United Kingdom of Great Britain and
 Northern Ireland* and Uruguay: draft resolution

44/...Elimination of all forms of discrimination against women and girls

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Racial Discrimination and all other relevant human rights treaties and instruments,

Recalling that gender equality and the condemnation of discrimination and violence against women and girls have been recognized in the Vienna Declaration and Programme of Action, the Programme of Action of the International Conference on Population and Development, the Beijing Declaration and Platform for Action and the outcome documents of their review conferences, the Durban Declaration and Programme of Action and the outcome document of the Durban Review Conference,

Noting that 2020 marks the twenty-fifth anniversary of the Fourth World Conference on Women and the adoption of the Beijing Declaration and Platform for Action, which have contributed greatly to the progress made towards achieving substantive gender equality, and the empowerment of women and girls, and in this regard welcoming the political declaration adopted by the Commission on the Status of Women at its sixty-fourth session on the occasion of the anniversary,

Recalling all relevant resolutions and agreed conclusions adopted by the Human Rights Council, the General Assembly, the Security Council, in particular Security Council resolution 1325 (2000) of 31 October 2000 on women, peace and security, the Commission

* State not a member of the Human Rights Council.



on the Status of Women and other United Nations agencies and bodies that consider the issue of discrimination against women and girls,

Recalling also the inclusion of both gender equality and the empowerment of all women and girls as a stand-alone goal and their mainstreaming into all goals and targets of the 2030 Agenda for Sustainable Development, and the adoption of the Addis Ababa Action Agenda of the Third International Conference on Financing for Development,

Underscoring the fact that international human rights law prohibits discrimination, inter alia on the basis of gender, and that national legislation, policies and practices should comply with States' international obligations,

Expressing profound concern at the backlash against progress made by States, international and regional organizations and civil society, including women's and girls' rights and community-based organizations, feminist groups, women and girl human rights defenders, trade unions and girl- and youth-led organizations, to respect, protect and fulfil all human rights, and recognizing that these retrogressions can be linked to economic crisis and inequality, racial discrimination, negative social norms and gender stereotypes, retrogressive lobbies, ideological views or misuse of culture or religion to oppose the struggle for women's and girls' equal rights,

Recognizing that women and girls are subject to multiple, intersecting and systemic forms of discrimination throughout their life based on, inter alia, gender, age, race, ethnicity, indigeneity, religion or belief, physical and mental health, disability, civil status, socioeconomic background and migration status, in private and public spaces, both online and offline, and that substantive equality requires the elimination of the root causes of structural discrimination against them, including deep-rooted patriarchal and gender stereotypes, negative social norms, sociopolitical and economic inequalities and systemic racism, as well as traditional understandings of gender roles that perpetuate unequal power relations, discriminatory attitudes, behaviours, norms, perceptions, customs and harmful practices, such as female genital mutilation and child, early and forced marriage,

Acknowledging that States should consider recognizing intersecting and systemic discrimination in law and in practice where applicable, and address its compounded impact on women and girls by adopting and implementing policies and programmes that take into consideration multiple and intersecting forms of discrimination, and recognizing the importance of men and boys fully engaging as strategic partners and allies, as well as agents and beneficiaries of change, for the achievement of gender equality and the empowerment of all women and girls,

Reaffirming that the full enjoyment of all human rights by all women and girls includes sexual and reproductive health and reproductive rights, free from coercion, discrimination and violence,

Recognizing that sexual and reproductive health information and services include inter alia accessible and inclusive family planning, safe and effective methods of modern contraception, emergency contraception, prevention programmes for adolescent pregnancy, maternal health care and services, such as skilled birth assistance and emergency obstetric care, including midwives for maternity services, perinatal care, safe abortion where not against national law, post-abortion care, and prevention and treatment of reproductive tract infections, sexually transmitted infections, HIV and reproductive cancers,

Deeply concerned that the COVID-19 crisis has exacerbated pre-existing forms of inequality and systemic discrimination faced by women and girls, including patriarchy, racism, stigma, xenophobia and socioeconomic inequalities, and has increased the occurrence of sexual and gender-based violence and harassment, women's and girls' disproportionate share of unpaid care and domestic work, as well as loss of employment and livelihoods, particularly among women who work in the informal sector,

Noting that women make up 70 per cent of frontline workers in the health and social sector across a range of occupation, and deeply concerned that the COVID-19 pandemic has significant implications for women, by virtue of their gender, including in equitable and appropriate access to health-care services, taking disproportionate responsibility for unpaid

care work and domestic workloads, and that the economic impact of the COVID-19 pandemic will put women's and girls' livelihoods and economic security at significant risk,

1. *Calls upon States:*

(a) To ratify or accede to the Convention on the Elimination of All Forms of Discrimination against Women, and to consider ratifying or acceding to the Optional Protocol to the Convention as a matter of particular priority;

(b) To limit the extent of any reservations and to formulate them as precisely and narrowly as possible to ensure that no reservations are incompatible with the object and purpose of the Convention, in accordance with the Vienna Convention on the Law of Treaties;

(c) To implement the Convention through appropriate legislation, regulation, policies and programmes, including in relation to women's and girls' access to justice, redress and effective remedies;

(d) To cooperate fully with the Committee on the Elimination of Discrimination against Women and other human rights treaty bodies, and to implement its recommendations, as appropriate;

2. *Takes note* of the work undertaken by the Working Group on the issue of discrimination against women and girls,¹ including its recommendations to States with regard to their international obligations to support substantive equality by adopting appropriate measures, including temporary special measures, necessary to prevent, redress and eliminate patriarchal and gender stereotypes that cause or perpetuate discrimination in all spheres of life;

3. *Calls upon States:*

(a) To repeal all laws and policies that exclusively or disproportionately target or criminalize the actions or behaviour of women and girls, and laws and policies that discriminate against them, based on any grounds, including any custom, tradition or misuse of culture or religion, and to create accountability mechanisms to end impunity and prevent, eliminate and remedy the discriminatory application of the law;

(b) To consider reviewing all proposed and existing legislation in accordance with international human rights obligations, using an intersectional approach that takes into consideration, inter alia, age, gender and the historical, social, economic, cultural and political contexts of women's and girls' realities;

(c) To promote and implement legislation, regulation, policies and programmes that facilitate substantive equality, the social, political and economic empowerment of all women and girls, and prevent and eliminate all forms of discrimination and gender-based violence and harassment, including in the workplace, in digital contexts and in education;

(d) To establish more inclusive and gender-responsive social protection systems, to facilitate the transition from informal to formal work, and to ensure universal access to nationally appropriate social protection for all, without discrimination;

4. *Urges States:*

(a) To respect, protect and fulfil all women's and girls' equal enjoyment of all human rights by preventing and eliminating all forms of discrimination by all actors, State and non-State, in particular by combating gender-based and other bias, and acknowledging that multiple and intersecting forms of discrimination perpetuate deeply damaging stereotypes;

(b) To remove political, legal, social, practical, structural, cultural, economic, institutional or religious barriers that prevent the full, equal, effective and meaningful participation of women and, as appropriate, girls in all fields, including participation of

¹ See A/HRC/44/51 and Add.1.

women in leadership at all levels of decision-making in public and private sectors, and to actively promote diversity in leadership and a culture of inclusive and enabling leadership;

(c) To support substantive gender equality, including within families, in particular in the promotion of measures for the equal sharing of responsibilities in relation to unpaid care work, the burden of which the COVID-19 pandemic has exacerbated for women and girls;

(d) To ensure women's representation and leadership in local, national and global policy spaces and decision-making with regard to the COVID-19 pandemic, including concerning preparedness, response and recovery, and the allocation of funding and assistance;

(e) To promote long-term awareness-raising initiatives in education, in communities in the media and online, engaging men and boys, through the incorporation of curricula on all women's and girls' rights into teacher training courses, on topics including the root causes of gender-based discrimination and the prevention of sexual and gender-based violence, including domestic violence, and by ensuring universal access to evidence-based comprehensive sexuality education;

(f) To include an understanding of multiple and intersecting forms of discrimination in any training on combating gender bias for State officials;

5. *Urges* Member States to prevent and respond to the increase in violence against women and girls amid the COVID-19 pandemic by integrating prevention, response and protection measures into COVID-19 response plans, including through strengthened law enforcement and justice for victims and survivors of violence, designating and expanding the capacity of domestic violence shelters as essential services and increasing resources for them, in collaboration with civil society and communities, and stepping up advocacy and awareness-raising campaigns to address violence against women during confinement;

6. *Calls upon* States to implement policies and actions directed:

(a) To collect, share, promote, support, implement and widely publicize evidence and good practices, including awareness-raising programmes to prevent and eliminate all forms of discrimination against women and girls and to counter gender and other stereotyping, negative portrayals of women and girls, including those who face multiple and intersecting forms of discrimination, to reduce sexual and gender-based violence and to promote and support the implementation of awareness-raising programmes to combat gender and other stereotypes and gender-based discrimination in all settings;

(b) To ensure access to justice and accountability mechanisms and timely and effective remedies for the effective implementation and enforcement of laws aimed at preventing and eliminating all forms of discrimination and gender-based violence, including by informing women and girls about their rights under relevant laws in an accessible way and by improving legal infrastructure, and mainstreaming age- and gender-responsive training into justice systems to ensure equality before the law and equal protection of women and girls by the law;

(c) To modify social and cultural patterns of conduct in order to prevent and eliminate racist, xenophobic, patriarchal, disability, age and gender stereotypes and any other negative social norms, attitudes or behaviours, or unequal power relations that view women and girls as subordinates or that underlie and perpetuate multiple and intersecting forms of discrimination and violence against women and girls;

7. *Urges* States to respect, protect and fulfil the right to sexual and reproductive health, free from discrimination, coercion and violence, including by addressing social and other determinants of health, the removal of legal barriers and the development and enforcement of policies, good practices and legal frameworks that respect dignity, integrity and the right to bodily autonomy and guarantee universal access to sexual and reproductive health services and evidence-based information and education, including for family planning;

8. *Also urges* States to develop, support and protect an enabling environment for the full, effective, meaningful and equal participation of civil society, including women's and girls' rights organizations, feminist groups and women and girl human rights defenders and

girl- and youth-led organizations in the creation, design, implementation and monitoring of all legislation and policies relevant to achieving substantive gender equality;

9. *Calls upon* States to take a human rights-based and gender-responsive approach in their responses to the COVID-19 pandemic, and to pay special attention to women and girls, in particular those in vulnerable situations, and their specific needs, including protection from xenophobia, social stigma, sexual and gender-based violence, and domestic violence; equal access to livelihood and socioeconomic opportunities, health-care services, including testing, treatment and vaccines, timely, adequate and accurate information about the pandemic; the ability to maintain social distancing; and access to testing and treatment, and to other necessities, including food, education, adequate housing, safe drinking water and sanitation, and essential health services, including sexual and reproductive health information and services;

10. *Urges* States to systematically gather outbreak-related data that are disaggregated by sex, age, disability and other characteristics relevant in national contexts, to examine and report on the gender-specific and intersectional health, social and economic effects of the COVID-19 pandemic on women and girls, both direct and indirect, as well as on the gender-specific human rights impact of the pandemic, and utilize these data in the formulation of responses;

11. *Calls upon* all States to continue to develop and enhance standards and methodologies using a human rights-based approach in the design and roll-out of population censuses and household surveys, as well as in the collection, analysis and dissemination of gender statistics, and sex-, age- and disability- disaggregated data by strengthening national statistical capacity, including by enhancing the mobilization, from all sources, of financial and technical assistance to enable developing countries to systematically design, collect and ensure access to high-quality, reliable and timely data disaggregated by sex, age, disability, income and other characteristics relevant in national contexts;

12. *Also calls upon* all States to cooperate with and assist the Working Group in its task, to supply all necessary available information requested by it and to give serious consideration to responding favourably to its requests to visit their country to enable it to fulfil its mandate effectively, invites relevant United Nations agencies, funds and programmes, in particular the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), the treaty bodies and other special procedures, within their respective mandates, and civil society actors, as well as the private sector, to cooperate fully with the Working Group in the fulfilment of its mandate, and requests the Working Group to continue to engage with the Commission on the Status of Women, including by participating in its work and formally reporting;

13. *Requests* the Secretary-General to ensure that the reports of the Working Group are brought to the attention of the Commission on the Status of Women and the General Assembly, and requests the Working Group to present an oral report annually to the Commission and to the Assembly;

14. *Welcomes* the annual full-day discussion on women's human rights held at its forty-fourth session, and requests the Office of the United Nations High Commissioner for Human Rights to present a summary report on the annual discussion to the Council at its forty-seventh session;

15. *Decides* to continue its consideration of the issue of the elimination of all forms of discrimination against women and girls as a matter of high priority, in conformity with its programme of work, at its fiftieth session.