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

Andorra,* Argentina, Australia,* Austria,* Belgium,* Bosnia and Herzegovina,* Bulgaria,* Canada,* Chile,* Costa Rica,* Croatia,* Cyprus,* Czechia, Denmark,* Dominican Republic,* Ecuador,* Estonia,* Fiji,* Finland, France, Georgia,* Germany, Greece,* Honduras, Iceland,* Ireland,* Italy,* Latvia,* Liechtenstein,* Lithuania, Luxembourg, Malta,* Mexico, Monaco,* Nepal, Netherlands, New Zealand,* North Macedonia,* Norway,* Paraguay, Peru,* Portugal,* Republic of Moldova,* Romania,* San Marino,* Slovenia,* Spain,* Sweden,* Switzerland,* Thailand,* Tunisia,* Türkiye,* Ukraine, United States of America and Uruguay* : draft resolution

50/... 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, the Convention on the Rights of Persons with Disabilities, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights 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,

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

* State not a member of the Human Rights Council.



Recalling further 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,

Taking note of the recommendations contained in the report of the Human Rights Council Advisory Committee entitled "Current levels of representation of women in human rights organs and mechanisms: ensuring gender balance",¹ submitted to the Human Rights Council at its forty-seventh session as requested by the Council in its resolution 41/6, aimed at ensuring women's representation and active participation at the international level and gender equality in international organizations,

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, organizations of indigenous women and of women of African descent, women and girl human rights defenders, journalists, trade unions, girl- and youth-led organizations and other relevant actors, 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, as well as to shrink civic space,

Recognizing that women and girls are subject to multiple, intersecting and systemic forms of discrimination throughout their life course based on, inter alia, gender, age, race, ethnicity, indigeneity, religion or belief, physical and mental health, disability, civil status, socioeconomic 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 systems and gender stereotypes, harmful gender norms, negative social norms and cultural patterns of conduct, sociopolitical and economic inequalities and systemic racism, as well as deeply entrenched social norms and expectations of gender roles that perpetuate unequal power relations, discriminatory attitudes, behaviours, norms, perceptions, customs, disregard for women's and girls' dignity, bodily integrity and autonomy, sexual and gender-based violence, and harmful practices, such as female genital mutilation and child, early and forced marriage, including during the coronavirus disease (COVID-19) pandemic and humanitarian crises or emergencies,

Acknowledging that States should recognize intersecting and systemic discrimination in law and in practice where applicable, and implement policies and programmes addressing its compounded impact on women and girls, and recognizing the importance of eliminating all forms of discrimination in private and public spheres, and of fully engaging men and boys as strategic partners and allies, and as agents and beneficiaries of change, in efforts to break intergenerational cycles of discrimination, to achieve gender equality and the empowerment of all women and girls, and to respect, protect and fulfill their human rights and fundamental freedoms throughout their life course,

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, education and services include, inter alia, accessible and inclusive family planning, safe and effective methods of modern contraception, emergency contraception, prevention programmes for adolescent pregnancy and unintended pregnancies, maternal health care and services, such as skilled birth assistance and emergency obstetric care, including midwives for maternity services, prenatal and perinatal care, safe abortion ~~where when~~ not against national law, post-abortion

¹ A/HRC/47/51.

care, and prevention and treatment of reproductive tract infections, sexually transmitted infections, HIV/AIDS 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, misogyny, racism, stigma, xenophobia, ableism and sociopolitical and economic inequalities, and has increased the occurrence of sexual and gender-based violence and harassment, women's and girls' disproportionate share of paid and unpaid care and domestic work, as well as loss of employment and livelihoods, particularly among women who work in the informal sector, and a higher risk, for girls, of child, early and forced marriage, and that these disproportionate impacts compound existing obstacles to women's and girls' meaningful participation and decision-making in public life,

~~*Reaffirming that the full, equal, effective and meaningful participation of all women at all levels of decision-making, as well as that of girls, free from violence and discrimination, is essential to the achievement of gender equality, inclusive economic growth and sustainable development, the rule of law, good governance, peace and democracy,*~~

Reaffirming also the need to strengthen efforts to enhance the participation and leadership of women and girls with disabilities in society through the elimination of all barriers that prevent or restrict the full and equal participation of women and girls with disabilities,

Expressing particular concern about systemic and structural discrimination, violence and harassment faced by women and girl activists, including sexual and gender-based violence as well as defamation and smear campaigns, both online and offline,

Recognizing that women and girls are among those who are most affected by violence and discrimination in participation in public affairs, including, inter alia, the persistence of gender, disability and age-related stereotypes, and negative social and cultural norms in this regard,

Deeply concerned that girls and young women continue to lack the same opportunities as boys and young men to participate in and learn about the social, economic and political functioning of society, and that they are often directly or indirectly discouraged from taking part in decision-making processes and the subsequent implementation and evaluation phases,

Recognizing that stereotypes and negative cultural and social norms ascribing lower status to girls and young women perpetuate discrimination against them in the public and private spheres, and increase the likelihood of confinement to the home, burdensome domestic and care work, lack of access to all education levels, unequal and limited access to health-care services, limited opportunities for leisure, sport and recreation, and lack of access to cultural life and the arts, and increase the gender digital divide,

Noting with deep concern that girl and young women activists face particular challenges owing to common misperceptions around their participation in public life ~~and on their rights to freedom of expression, association and peaceful assembly, restrictions on their autonomy,~~ violence and harassment, disregard for their best interests, and superficial involvement in diverse processes,

Recognizing that girls and young women have an interest in and engage in a wide and varied array of topics, such as gender equality, eliminating all forms of gender-based violence and harmful practices, children's rights, climate justice, social and economic inequalities, inclusive development, racial discrimination, good governance, digital inclusion, and peacebuilding, and that their engagement and initiatives contribute to positive transformative changes in the local, national and international contexts,

~~*Also recognizing the contribution that family members can have in combating discrimination against women and girls, by, inter alia, providing for a protective and supportive environment for the empowerment of girls,*~~

Underlining the necessity of respecting and protecting the human rights and autonomy of all girls and young women, and of actively promoting and supporting their agency, while

ensuring safeguards against threats, acts of intimidation, reprisals and violence and harassment, both online and offline, and of undertaking concrete steps to remove the structural barriers and the systemic disadvantages they face,

Recognizing that the right to education, and access to inclusive and quality education, has a transformative potential and is a multiplier right that supports the empowerment of all women and girls to claim their human rights, including the right to participate in the conduct of public affairs, as well as in economic, social and cultural life, and to fully, equally and meaningfully participate in the decision-making processes that shape society,

Recalling that discrimination against women and girls violates the principle of equality, and that States should ensure effective measures to promote substantive equality and non-discrimination, including by taking into account and addressing pre-existing gender inequalities,

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 discrimination against women and girls,² 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, race, gender, disability 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 gender 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, in all spheres of life, both online and offline;

4. *Urges States:*

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

² See A/HRC/47/38 and A/HRC/50/25.

deeply damaging stereotypes, while also undertaking special measures, in accordance with international obligations, to accelerate progress towards substantive equality and ensuring that women and girls can enjoy their rights in practice;

(b) To remove political, legal, social, practical, structural, cultural, economic, institutional and physical barriers, and those derived from misuse of religion, that prevent the full, equal, effective and meaningful participation, in all fields, of women, and of girls in accordance with their age and maturity, including participation of women in leadership at all levels of decision-making in the public and private sectors, to actively promote diversity in leadership and a culture of inclusive and enabling leadership; ~~and to consider adopting, where necessary, on the basis of reliable disaggregated data on participation, temporary special measures, including legislative acts, aimed at increasing their participation;~~

(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 and domestic work, the burden of which the COVID-19 pandemic has exacerbated for women and girls, especially those in marginalized and vulnerable situations;

(d) To ensure women's representation and leadership in local, national and global policy spaces and decision-making with regard to pandemics and other health emergencies, such as the COVID-19 pandemic, including in task forces, standing committees and other decision-making bodies, concerning preparedness, response and recovery, and the allocation of funding and assistance for their strengthened participation, and promote and facilitate the meaningful participation and active consultation of girls in those spaces;

(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;~~

(g) 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, 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;

(h) To review and repeal, when appropriate, any law or policy that restricts women with disabilities and prevents their effective and full participation in political and public life, and to take steps to ensure that care and support systems are resourced appropriately and implemented in a way that supports community inclusion;

5. *Calls upon States:*

(a) To promote the full, inclusive and meaningful participation of, and active involvement of young women, as well as girls in accordance with their age and maturity, on all issues in which they are interested, particularly those affecting them, without discrimination of any kind, by addressing the root causes of the barriers they face, including poverty and lack of access to resources, by strengthening their agency, autonomy and leadership, and by providing them life and leadership skills, training and opportunities, including catch-up and literacy education, digital literacy skills, human rights education, lifelong education opportunities, and remote learning opportunities that empower them and that allow them to express themselves and to become agents of change within their communities and beyond;

(b) To create and enhance safe and accessible spaces, online and offline, for girl and young women activists to participate and express their views freely and meaningfully, within which their views are given due consideration, including formal mechanisms and institutions, such as children's and youth parliaments and other possible mechanisms having

a gender, disability and age perspective, and in an inclusive manner that addresses the root causes of inequalities;

(c) To adopt policy measures and laws enabling and supporting the formation of groups, organizations and networks led by girls and young women aimed at encouraging and facilitating their full, effective, inclusive and meaningful participation in public life, and their opportunities to influence policymaking, in accordance with girls' age and maturity, including by creating and strengthening mentoring programmes facilitating intergenerational dialogue, collaboration and solidarity and providing them with relevant women role models;

(d) To adopt comprehensive national laws and policies that respect, protect and fulfil the human rights of girls and young women, including their rights to take part in the conduct of public affairs, to freedom of expression, association and assembly, and to seek, receive and impart information, integrating a gender, disability and age perspective and removing discriminatory barriers that impede girls' and young women's exercise of their civil and political rights, ensuring that any restrictions placed are in conformity with international human rights law;

(e) To adopt all necessary measures, including sustainable awareness-raising campaigns and policies, to encourage all stakeholders, including families, government officials, justice sector, educators and education institutions, local communities, civil society organizations and actors, faith groups, media and the private sector, to enable girls and young women to freely form an informed view and to support them in that regard by ensuring, among other things, their access to inclusive and quality education and health care, promoting their personal holistic development, empowerment and self-awareness, providing them with comprehensive, free, accessible and child-friendly information and promoting their active participation in decision-making processes in private and public life;

(f) To adopt specific measures to close the gender-related digital divide for girls and young women, and to ensure that particular attention is paid to access, affordability, digital literacy, privacy and online safety, enhance the use of information and communications technology, and promote equal opportunities in the design and implementation of information and communications technology and in mainstreaming a gender and disability perspective in policy decisions and the frameworks that guide them;

(g) To establish protection systems, with a gender, disability and age perspective, to safeguard girl and young women activists against any form of discrimination, violence, harassment, intimidation or reprisal, online and offline, in private or public life, and ensure accountability for human rights violations and abuses by, inter alia, putting in place accessible and child-friendly complaint mechanisms and facilitating access to applicable international complaint procedures;

6. *Also 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-, disability- 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, including for adolescent girls and young women, 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; and to ensure timely access to maternal health services and emergency obstetric care, including treatment for pregnancy-related morbidities, respectful of individual privacy;

8. *Calls upon* 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, and to take a human rights-based and gender-responsive approach in their responses to the COVID-19 pandemic and their recovery strategies, 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; and equal access to livelihood and socioeconomic opportunities and health-care services, including testing, treatment, vaccines and respectful, inclusive and non-coercive sexual and reproductive health information and services;

9. *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;

10. *Decides* to extend the mandate of the Working Group on discrimination against women and girls for a period of three years, on the same terms provided for by the Human Rights Council in its resolution 15/23 of 1 October 2010, and requests the Working Group to continue considering, and mainstreaming across all its work, an age dimension in the fulfilment of its mandate, and to examine the specific forms of discrimination that girls face;

11. *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 to it;

12. *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, in proximity with the reports of the Special Rapporteur on violence against women, its causes and consequences and of the Committee on the Elimination of Discrimination against Women;

13. *Encourages* States to make public any progress made and good practices adopted in order to ensure women's equal representation in human rights bodies and mechanisms;

14. *Invites* the United Nations High Commissioner for Human Rights to inform the Human Rights Council periodically of progress made to implement the recommendations addressed to her office in the report of the Human Rights Council Advisory Committee entitled: “Current levels of representation of women in human rights organs and mechanisms: ensuring gender balance”;

15. *Encourages* States to consider means to enhance the participation of women in the work of the Human Rights Council, taking into consideration existing guidelines and standards as set out in Council resolution 6/30 of 14 December 2007, Council decision 6/102 of 27 September 2007 and President’s statement OS/12/1;

16. *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 fifty-sixth session.
