

## ORAL STATEMENTS

## WORKING GROUP ON DISCRIMINATION AGAINST WOMEN IN LAW AND IN PRACTICE

New York, 5 March 2012

It is an honour for me to be here, on behalf of the Working Group on discrimination against women in law and in practice, to contribute to the discussions of the Commission on the Status of Women (CSW) on this year's priority theme, "the empowerment of rural women and their role in poverty eradication", which is an issue of particular importance to all of us.

Allow me to take this opportunity to inform you about the working group on discrimination against women which was established by the Human Rights Council in its resolution 15/22 in October 2010. As I am sure you are all aware, the establishment of this mechanism among the Special Procedures of the Human Rights Council is the result of a process which, with the participation of all the stakeholders concerned, took place in the Human Rights Council's 15th session in Geneva in 2009. At that time, a number of mechanisms were discussed, and it was decided to establish a new Special Procedure on laws that discriminate against women in order to ensure that existing mechanisms with a view to avoid duplication. In connection with this, in 2007, the Office of the High Commissioner for Human Rights published a report commonly known as the "Banda report" which mapped out discriminatory laws remaining in force in 120 countries. This study concluded that, notwithstanding the work done in the past by the Human Rights Council, further measures were required to eliminate discriminatory laws and close the persistent gap between *de facto* and *de jure* equality. One of the proposed measures in that study was the establishment of a new Special Procedure of the Council that would focus on laws and practices that discriminate against women. During the 15th session in 2009, it was considered, but not adopted without a vote, Resolution 15/22 which established, for a period of three years, the mandate of the Working Group on discrimination against women. This is a significant milestone as it is the first time a mandate specifically focused on women was created by the Human Rights Council since that of the Special Rapporteur on violence against women in 1994.

Members of the Working Group, including myself, since their inauguration in July 2011.

The Working Group has so far met three times and has adopted its mandate and an analytical approach to its future work. A key element of this work was mandated by the resolution establishing the Working Group is to prepare a compendium of laws and practices that discriminate against women or are discriminatory to women in terms of implementation of international law. It was also tasked to undertake a study on the way of cooperation between the Working Group and States to eliminate discrimination against

women in various areas and make recommendations on the improvement of legislation  
and the implementation of law to promote gender equality and the empowerment of women. As a  
part of the Human Rights Council, the Working Group will be conducting two  
country visits each year; these visits will provide a unique opportunity to collect first-  
hand information on laws and practices, identify areas of concern against women and  
good practices in eliminating discriminatory laws, as well as to deepen the dialogue that the  
Working Group maintains with Member States on matters falling within its  
mandate. Within this framework, it is a privilege for the Working Group, so far, we have already had the  
privilege and honor to be invited by the Government of Morocco for a country visit this past  
month.

The Working Group intends to carry out its tasks in dialogue and  
cooperation with States, relevant human rights institutions, international bodies, relevant UN  
entities, regular and national human rights institutions, experts and civil society and in close  
coordination with bodies such as Special Representative on CSW on Women and CEDAW. While this is  
explicitly mandated by General Assembly Resolution 17/20, the Working Group strongly believes  
that full protection of women's human rights demands nothing less than the active  
collaboration among all participants in international, regional and  
national levels in an effective and coherent way.

Let me now turn to the thematic priorities that the Working Group has identified for the  
biennium 2012-2015. In 2012, the Working Group is addressing, as thematic priority, the  
issue of women's participation in public and  
political life. Within this thematic focus, the Working Group is paying particular attention to  
times of political transition as they provide a unique opportunity to address women's  
participation in the political system and women's human rights in the legal and social  
systems, including through transitional justice mechanisms. The Working Group is gathering  
information from States and other stakeholders on women's equal access to their political and  
public life, including a freedom of opinion and expression, the right to nationality and  
citizenship, and access to justice, including through transitional justice mechanisms. Efforts  
are being made to address the specific barriers experienced  
by women, such as rural women, who are facing multiple forms of discrimination, including  
from the feminization of poverty. In the recent country mission to Morocco, members of the  
Working Group were able to meet with local women leaders who actively participated in  
local elections and in governmental development programs. The findings and  
recommendations emerging from this visit will be reflected in the report the Working Group  
will present to the Human Rights Council in June of this year.

As part of its dialogue with States, the Working Group has sent to all Member States a letter  
summarizing information on constitutional and other legislative initiatives and reforms put in  
place to promote women's rights and gender equality, including through the  
repeal of discriminatory provisions in legislation; strengthening the framework of state  
mechanisms to complement existing ones in order to eliminate all forms  
of discrimination and violence against women; improving women's political participation, on  
equal terms with men, in the transitional and post-transitional process at all levels of  
decision making, including through the adoption of temporary special measures; and  
increasing women's access to justice, including through transitional justice mechanisms.  
We have received written responses from approximately 45 Member States and hope,  
with this address to the CSW, that even more will come our way.

I take this opportunity to inform you that the Working Group welcomes submissions from all stakeholders on these issues and refer to the United Nations Human Rights Office of the High Commissioner for Human Rights.

For the following year, in 2013, the Working Group intends to address the issue of discrimination against women in law and practice in economic and social life paying particular attention to the effects of the current economic crisis. Needs to say that the intersection of various grounds of discrimination will be a cross-cutting perspective in all the work carried out and particular attention will be given to specific groups of women, including rural women.

The Working Group sees the Commission's sessions as important for to address issues of equality and women's human rights as well as engage with stakeholders, notably States and women's civil society organizations working at the national level. The Working Group looks forward to the agreed conclusions of this session which will, with no doubt, inform the Group's future work. At the same time, the Group hopes that the agreed Conclusions of the Commission will also speak to the international human rights bodies to further enhance the full protection of women's human rights. The Working Group further hopes that today is only the beginning of a new era of cooperation between the Human Rights Council and its Special Procedures and OSW in the spirit of promoting a coherent approach in exercising the remaining UN Charter mandate to promote and protect human rights by all various bodies and mechanisms of the United Nations.

I thank you for your attention and look forward to engage in a constructive dialogue with the Commission.

I take this opportunity to inform you that the Working Group welcomes submissions from all stakeholders on these issues and refers you to the Working Group's page on the website of the Office of the High Commissioner for Human Rights.

For the following year, in 2013, the Working Group intends to address the issue of discrimination against women in law and practice in economic and social life paying particular attention to those efforts undertaken in light of economic crisis. Needless to say, the implementation of women's rights will be a major challenge in all the work carried out by the Working Group in 2013, including rural women.

The Working Group sees the Commission's sessions as important fora to address issues of equality and women's human rights. At the same time, the Working Group will continue to work with women's civil society organizations working at the national level. The Working Group looks forward to the 56th Session which will, with no doubt, inform the Group's future work. At the same time, the Working Group will also speak to the international human rights bodies to further enhance the full protection of women's human rights. The Working Group further hopes that today is only the beginning of a continuous and effective coordination between the Human Rights Council and its Special Procedures and OSW in the spirit of promoting a coherent approach in overcoming the remaining obstacles to full equality and women's human rights by the various bodies and mechanisms in the United Nations.

I thank you for your attention and look forward to engage in a constructive dialogue with the Commission.