



General Assembly

Human Rights Council

Fifteenth session

Agenda item 3

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

Resolution adopted by the Human Rights Council *

15/23 Elimination of discrimination against women

The Human Rights Council,

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

Guided also by the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Convention on the Elimination of All Forms of Discrimination against Women and the International Convention on the Elimination of All Forms of Racial Discrimination,

Recalling the Vienna Declaration and Programme of Action adopted on 25 June 1993 by the World Conference on Human Rights, the Beijing Declaration and Platform for Action adopted on 15 September 1995 by the Fourth World Conference on Women, and their 2005 and 2010 reviews, the Durban Declaration and Programme of Action adopted on 8 September 2001 by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the outcome document of the Durban Review Conference adopted on 24 April 2009,

Welcoming the establishment of the United Nations Entity for Gender Equality and the Empowerment of Women, known as UN Women,

Bearing in mind the challenges still faced by all countries throughout the world to overcome inequality between men and women,

Recalling the outcome of the twenty-third special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century", the declaration adopted by the Commission on the Status of Women at its forty-ninth session and the outcome document of the Durban Review Conference,

Recalling also Commission on Human Rights resolutions 2000/13 of 17 April 2000, 2001/34 of 23 April 2001 and 2003/22 of 22 April 2003, as well as Council resolution 6/30 of 14 December 2007 on integrating the human rights of women throughout the United Nations system and Council resolution 12/17 of 2 October 2009 on the elimination of discrimination against women,

Bearing in mind that international human rights treaties, including the Convention on the Elimination of All Forms of Discrimination against Women, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, prohibit discrimination on the basis of gender and include guarantees to ensure the enjoyment by women and men, and girls and boys, of their civil, political, economic, social and cultural rights on a basis of equality,

Deeply concerned by the fact that women everywhere are still subject to significant disadvantage as the result of discriminatory laws and practices and that de jure and de facto equality has not been achieved in any country in the world,

Recognizing that women face multiple forms of discrimination,

Reiterating the need to intensify efforts to eliminate all forms of discrimination against women throughout the world,

Recognizing that the full and equal participation of women in all spheres of life is essential for the full and complete economic and social development of a country,

Recognizing also that the elimination of discrimination against women, in law and in practice, is primarily the responsibility of States, and that the United Nations human rights system plays an important role in contributing to these efforts,

Mindful of the fact that the elimination of discrimination against women requires the consideration of women's specific socio-economic context, and recognizing that laws, policies, customs and traditions that restrict women's equal access to full participation in development processes and public and political life are discriminatory and may contribute to the feminization of poverty,

Recalling its resolution 5/1 on institution-building of the Council and resolution 5/2 on the code of conduct for special procedures

mandate holders of the Council, of 18 June 2007, and stressing that the mandateholder shall discharge his/her duties in accordance with those resolutions and the annexes thereto,

1. *Reaffirms* the obligation of States to take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise;
2. *Welcomes* the commitments made by the international community to fully implement the Millennium Development Goals, and stresses, in that context, the resolve of Heads of State to promote gender equality and the empowerment of women as effective ways to combat poverty, hunger and disease and to stimulate development that is truly sustainable;
3. *Also welcomes* the efforts made by States around the world to reform their legal systems in order to remove obstacles to women's full and effective enjoyment of their human rights;
4. *Expresses concern* at the fact that, despite the pledge made at the Fourth World Conference on Women and the review conducted by the General Assembly at its twenty-third special session to modify or abolish remaining laws that discriminate against women and girls, many of these laws are still in force and continue to be applied, thereby preventing women and girls from enjoying the full realization of their human rights;
5. *Calls upon* States to fulfil their international obligations and commitments to revoke any remaining laws that discriminate on the basis of sex and remove gender bias in the administration of justice, taking into account the fact that those laws violate the human right of women to be protected against discrimination;
6. *Recognizes* that women's inequality before the law has resulted in the lack of equal opportunities for women in education, access to health, economic participation and access to labour markets and disparities in, inter alia, salaries and compensation, public and political participation, access to decision-making processes, inheritance, ownership of land, financial services, including loans, and nationality and legal capacity, as well as increased vulnerability to discrimination and violence, and that all countries face challenges in these areas;
7. *Acknowledges* the work undertaken by the Commission on the Status of Women, the Committee on the Elimination of Discrimination against Women, the Special Rapporteurs of the Council on violence against women, its causes and consequences, on trafficking in persons, especially in women and children, and on contemporary forms of slavery and other relevant United Nations bodies, agencies and mechanisms to eliminate discrimination in law and in practice throughout the world;
8. *Emphasizes* the significant role that women play in economic development and in the eradication of poverty, and stresses the need for promoting equal pay for equal work or work of equal value and for promoting the recognition of the value of women's unremunerated work, as well as for developing and promoting policies that facilitate the reconciliation of employment and family responsibilities;
9. *Calls up on* States to ensure full representation and full and equal participation of women in political, social and economic decision-making as an essential condition for gender equality and the empowerment of women and girls and a critical factor in the eradication of poverty;
10. *Welcomes*, in particular, the work undertaken by the Committee on the Elimination of Discrimination against Women on women's equality before the law;
11. *Recognizes* the important role played by the Council in addressing the issue of discrimination against women, both in law and in practice;
12. *Welcomes* the convening of a panel on equality before the law during the eleventh session of the Council;
13. *Notes* that, although human rights treaty bodies and special procedures do, to some extent, address discrimination against women within their mandates, their attention to such discrimination is not systematic;
14. *Also notes* the work undertaken by the Office of the United Nations High Commissioner for Human Rights on the issue;
15. *Takes note* of the thematic study on discrimination against women, in law and in practice, and on how the issue is addressed throughout the United Nations human rights system, prepared by the Office of the High Commissioner;
16. *Welcomes* the half-day panel discussion on discrimination against women in law and in practice;
17. *Calls upon* States to pay particular attention to discrimination against women in situations of vulnerability, such as women living in poverty, migrant women, women with disabilities and women belonging to minorities;
18. *Decides* to establish, for a period of three years, a working group of five independent experts, of balanced geographical representation, on the issue of discrimination against women in law and in practice, whose tasks will be:
 - (a) To develop a dialogue with States, the relevant United Nations entities, national human rights institutions, experts on different legal systems, and civil society organizations to identify, promote and exchange views on best practices related to the elimination of laws that discriminate against women or are discriminatory to women in terms of implementation or impact and, in that regard, to prepare a compendium of best practices;
 - (b) To undertake a study, in cooperation with and reflecting the views of States and relevant United Nations entities, national human rights institutions and civil society organizations, on the ways and means in which the working group can cooperate with States to fulfil their commitments to eliminate discrimination against women in law and in practice;

(c) To make recommendations on the improvement of legislation and the implementation of the law, to contribute to the realization of the Millennium Development Goals, in particular goal 3 on the promotion of gender equality and the empowerment of women;

(d) To work in close coordination, in the context of the fulfilment of its mandate, with other special procedures and subsidiary organs of the Council, relevant United Nations entities, including the Commission on the Status of Women and UN Women and, in particular, the Committee on the Elimination of Discrimination against Women and other treaty bodies, within their respective mandates, with a view to avoiding unnecessary duplication;

(e) To take into account the views of other stakeholders, including relevant regional human rights mechanisms, national human rights institutions and civil society organizations;

(f) To submit an annual report to the Council, starting at its twentieth session, on the issue of discrimination against women in law and in practice, and on good practices in eliminating such discrimination, drawing upon the findings of the United Nations human rights machinery and the broader United Nations system;

19. *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 the requests of the working group to visit their countries, to enable it to fulfil its mandate effectively;

20. *Invites* relevant United Nations agencies, funds and programmes, treaty bodies and civil society actors, including non-governmental organizations, as well as the private sector, to cooperate fully with the working group in the fulfilment of its mandate;

21. *Requests* the working group to make its reports available to the General Assembly, the Commission on the Status of Women, UN Women and other relevant United Nations entities;

22. *Also requests* the working group to contribute to the provision of technical assistance or advisory services by the Office of the High Commissioner to better promote the elimination of discrimination against women;

23. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide all the necessary human resources and financial assistance to the working group for the effective fulfilment of its mandate;

24. *Decides* to continue consideration of this question in conformity with the annual programme of work of the Council.

33rd meeting 1 October 2010 [Adopted without a vote.]