

# Human Rights of Women

## Introduction

Strategic Objective I of the Beijing Platform for Action (BPfA) reaffirms that the first responsibility of governments is to protect and promote the human rights of women, prioritising three objectives: the implementation of CEDAW, ensuring full equality and non-discrimination of women in law and in practice, and achieving legal literacy.

In order to determine the progress made since the call to action in 1995 a working group was set up of women with expertise and interest in women's rights and the law from a range of countries in the ECE. A literature review of national-level and shadow reports, where available, was conducted. In addition, recommendations and reports from the Commission on the Status of Women (CSW) of achievements and challenges have been consulted.

While women and girls' rights have moved forward in the thirty years since the Beijing Conference, progress has now stalled.<sup>1</sup> There are increasing differences among ECE countries in legislation, policy making and practices. Sex- and gender-based discrimination against women is not always defined and indicators for measurement are lacking. Women have seen a rollback in reproductive rights, flagging support for gender equality policies, worsening stereotypes in both official and media narratives, as well as gender debates that challenge efforts to improve the lived reality of different groups of women and girls.<sup>2, 3</sup> The effects of Covid-19 revealed the fragility of women's position in society and the lack of formal support.<sup>4</sup> The ability to hold decision makers accountable has been undermined by shrinking spaces for women's organisations.<sup>5</sup> While the importance of women's rights and gender equality for sustainable development has been acknowledged by all ECE countries and is confirmed in CSW Agreed Conclusions, the underlying legislative and policy framework has grown weaker.

## Achievements

The majority of ECE states have ratified CEDAW. Yet, there are many challenges in practices and contradictory policies. The Beijing Platform for Action has been incorporated into the Sustainable Development Goals (SDGs), both specifically as SDG 5: Gender Equality, and horizontally across other goals, which strengthens the Platform for Action as a roadmap for sustainable development. The SDG Methods ask for state reforms to ensure women have equal economic resources and services as well as techniques, policy and legislation for women's empowerment. There is increasing awareness of the SDGs as an important tool for women to understand their rights.

---

<sup>1</sup> [Taking stock of gender equality in Europe and Central Asia 25 years after Beijing | UN Women and Generation Equality](#)

<sup>2</sup> [State of Civil Society Report 2024 | CIVICUS](#)

<sup>3</sup> [Global Gender Gap Report 2023 | World Economic Forum](#)

<sup>4</sup> [Assessing the Lights and Shadows of COVID-19: A Gender Analysis of Pandemic | UN Women](#)

<sup>5</sup> [Beijing +25 policy brief: Area I - Human rights of women: under threat | European Institute for Gender Equality](#)

There have also been significant achievements at the legislative level in many states. Laws on pay equity in some countries have strengthened the possibility to challenge unjust pay differences. Changes to pension systems have resulted in more equal pensions for women and men. The European Union (EU) has passed directives on gender balance in corporate boards, pay transparency, violence against women and domestic violence, as well as anti-trafficking. In addition, one country recently enshrined the right to abortion within its constitution.

The Istanbul Convention (IC) has been ratified by 38 states plus the EU. The IC creates a legal framework to protect women against many forms of violence, including FGM and rape, and prevent, prosecute and eliminate violence against women and domestic violence. A specific monitoring mechanism ("GREVIO") was established to ensure the effective implementation of its provisions by the parties.

Article 6 of CEDAW specifies the need for legislation and other measures to suppress all forms of trafficking in women and exploitation of prostitution of women, which has been achieved in an increasing number of ECE countries through legislation. For the first time in UN history, the Special Rapporteur on Violence Against Women established that prostitution constitutes a form of violence in and of itself, in violation of women's and girls' fundamental human rights. Moreover, prostitution thrives on sexualizing and racializing poverty while exacerbating racism.<sup>6</sup>

## **Gaps**

There are crucial States' reservations to CEDAW Articles 2 and 16, which outline measures that states must take to eliminate discrimination, including in marriage and family life. This has direct bearing on the objective to ensure equality and non-discrimination in both law and practice. Several states in the ECE have limited reference to CEDAW in their domestic courts, despite the fact that protection against sex-based discrimination is often stronger in CEDAW than in local law. Judges and attorneys in national courts are more likely to refer to their specific domestic legal system in evaluating cases concerning women's rights.

Many Member States also lack laws to address several violations of women's rights, as rape, FGM, femicide, hate crime, cyber violence, non-State torture or torture by non-State actors, despite the fact that States are obligated to adapt legislation on criminalizing them. The 2012 Vienna Declaration of Femicide defined this crime and urged Member States to undertake institutional initiatives to improve the prevention and provide legal protection. However, most countries lack a specific legal definition of femicide and do not collect meaningful data on the issue.

Cybercrime is presently being negotiated by the UN and State parties as part of the UN cybercrime treaty, but concerns that it could endanger human rights by criminalising free speech has stalled its progress.

There are significant gaps in achieving legal literacy resulting from lack of awareness regarding how CEDAW can supplement national legislation, as well as a lack of legal aid support. These gaps are related to insufficient funding, limited access for women with restricted resources, such as rural women, the disabled, migrants, asylum seekers, refugees, widows, Roma, Sinti and Camaniti women, and the limited number of legal aid facilities.

---

<sup>6</sup> [A/HRC/56/48: Report on prostitution and violence against women and girls | UN Special Rapporteur on violence against women and girls, its causes and consequences. Reem Alsalem](#)

## **Challenges**

Closing these gaps will require ECE countries to overcome important challenges formulated in patriarchy. Women's rights organisations are not meaningfully engaged in formulating and implementing legislation and policies, though equal participation of men and women in decision-making is a "necessary condition for women's interests to be taken into account".<sup>7</sup>

There is a continued lack of representation of women in political and private spheres and also a recent rise in political forces that oppose anti-discrimination initiatives. Authoritarianism is growing and right-wing actors as well as relativists have stalled progress on women's issues by holding them captive to endless discussions on the concept of gender. The ability of women to hold decision makers accountable has been undermined as women's rights organisations have come under increasing pressure from these forces.

There are grave concerns about gender apartheid in some areas of the world, i.e., legal practices that bar women and girls from engaging in public life and denying their fundamental human rights. ECE Member States have a responsibility to react decisively to counter such retrogression on women's rights.

Women and minorities are often not properly represented within national human rights bodies in ECE countries. In many states, the creation of these bodies has been delayed or they are given limited capacity to investigate complaints and bring sanctions or file cases based on complaints. Often, these bodies are not independent and fail to carry out their mandates when it comes to minorities.

Negative stereotypes of women persist and have even strengthened, despite the fact that women are more educated than men in most ECE countries. These stereotypes flourish, in particular, in online media, which promotes, on one hand, the virtues of a "traditional stay-at-home wife and mother" while also increasingly sexualising women and girls, including through the thriving pornography industry. It is clear that stereotypes and violence towards women go hand in hand. The CEDAW reports of several ECE states identify the lack of a comprehensive strategy to address and eliminate gender stereotypes.

Finally, women lack trust in the legal systems that are intended to protect them. Women contend with persistent misogyny and discrimination in the legal and cultural system. Low conviction rates for human trafficking, exploitation, rape and sexual assault not only mean women are denied justice but also that they are reluctant to report crimes. Instruments for eliminating unjust pay gaps and illegitimate working conditions do not reach all women and girls, especially vulnerable groups such as migrants, refugees, and asylum seekers.

## **Looking forward**

ECE states have made firm commitments to women's rights by signing and ratifying CEDAW, BPfA and SDGs. All stakeholders must ensure that these commitments are turned into action. Putting an end to any discriminatory practice ensures that women can fully express their rights and

---

<sup>7</sup> Beijing Declaration and Platform for Action, para. 181

fundamental freedoms, which is the foundation of all critical areas identified in the Platform for Action.

## **Recommendations**

1. In the short-term, it is crucial to allocate sufficient funding and resources. Women's and girls' rights organisations need core funding so that they can plan and continue their work. Governments must prioritise the protection of poor women, women with low education and

women in marginalised groups. States should create a central policy coordination unit with the mandate to support mainstreaming gender equality between women and men in all governmental policies. Gender equality mainstreaming policies require accurate, sex-disaggregated and gender data collection. The work of civil society organisations is vital, so governments need to ensure that shadow reports are compiled. Finally, CEDAW needs to be accessible in Braille, Easy Read language, or other methods accessible through IT and AI, and be communicated.

- Secure core funding for women's organisations and ensure they are involved in policy making at all levels
- Enact legislation on sex-disaggregated and gendered data in all State policies and programmes
- Implement a system for tracking, evaluation, and accountability to ensure outcomes are achieved; highlight intersections with other critical areas, e.g., education barriers, economic inequality, violence
- Use the roadmap provided by the Sustainable Development Goals and Methods as a tool for immediate action on gender equality and sustainability

2. In the medium-term, governments need to focus on capacity building for officials, enabling them to reference CEDAW protection in legal cases. The justice system must be gender-sensitive and acknowledge the transformative power of women's equal participation. Moreover, we need to hold governments accountable for violations of humanitarian law concerning women. The ECE States and the EU must fully ratify regional and international conventions and treaties that advance and protect women's rights without restrictions.

- Ratify CEDAW (all ECE Member States and EU)
- Ratify regional conventions to eradicate violence against women, such as the Istanbul Convention in Europe with open accession to other States and Belém do Pará Convention in the Americas
- Harmonise national legislation with human rights standards, principles, and guarantees set by the UN system and regional bodies, such as the European Court of Human Rights and the Inter-American Court of Human Rights
- Develop and fund training programs for law enforcement as well as officials in the justice and protection systems regarding the legal tools within CEDAW and other regional conventions

3. In the long-term, our goal is to empower women to achieve full participation in shaping society and their own lives. We must promote the experiences of all women and girls in legislation and policy making so that women's rights are never seen as separate from human rights.

- Embed women's rights as a standing item in UN processes
- Empower women, especially marginalised and vulnerable, to achieve full participation in shaping society and their own lives
- Realise the dream of a truly woman friendly and just world for all

Contributors:

Co-Convenor: Gertrud Åström - SIE Soroptimist International Europe

Co-Convenor: Mary Manning - FAWCO

Mary Adams - FAWCO

Other collaborators

ShieldThem Support Organization

MAAM Foundation

FAWCO

Sonke Gender Justice

Alga Women's Association (Kyrgyzstan)

Association Nigerienne des Scouts de l'Environnement (ANSEN)

Dels Foundation

Society of Gender Professionals (GSP)

Soroptimist Int. Great Britain & Ireland

Women Empowered

Business and Professional Women International

UNA-USA

The Grail - International Women Movement

FAWCO

Persons Against Non-State Torture

Tabitha Cumi Foundation

Disability People's Forum Uganda

The Working Group on Girls (USA)

HandOvaHand LLC

WO-MI Women Migrants

Persons Against Non-State Torture

The Grail, Albert Einstein College of Medicine (NY, USA)

WAC-UNA-UK, NAWO

International Association for Religious Freedom

Soroptimist International