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| **Statement by Ivana Radačić, Chair of the UN Working Group on the issue of discrimination against women in law and in practice**General Discussion63rd Session of the Commission on the Status of Women13 March 2019 |

Madame Chairperson,

Excellencies,

Distinguished delegates,

It is an honour to address the 63rd Session of the Commission on the Status of Women (CSW) on behalf of the UN Working Group on discrimination against women in law and in practice. The formal involvement of the Working Group in the CSW, instituted for the first time last year, is an important step in bringing the Group’s expertise to the principal global intergovernmental body dedicated to the promotion of gender equality and the empowerment of women.

In the past eight years since the institution of the mandate, through six thematic reports, sixteen official country visits and more than 200 communications to the Governments, the Working Group has documented good practices, as well as the remaining gaps and obstacles, and the recent backlashes in the area of women’s rights. In the context of this year’s focus on “Social Protection”, our expert group would like to share our observations on the progress and challenges in relation to women’s participation in economic and social life.

Although most states have constitutional provisions guaranteeing gender equality and many have adopted anti-discrimination legislation, in some states, discriminatory legislation persists, particularly under personal law systems. While constitutional and legal anti-discrimination guarantees are vital for protecting women’s rights, they are not sufficient in the face of negative stereotyping, intersecting systems of discrimination, gender-based violence and feminization of unpaid care responsibilities. To achieve de facto equality, it is essential to adopt a transformative agenda which addresses cultural and structural barriers.

Transformative agenda needs to adopt the life cycle approach to women’s economic empowerment, starting with education. Although barriers to girls’ school attendance persist in some societies, the education gap has been greatly reduced and disparities between girls and boys eliminated - even reversed - in some countries. But these gains have not consistently translated into equal economic opportunity and results.

Greater accountability for discrimination against women in employment is needed. Discrimination on the basis of pregnancy and motherhood exists globally. Moreover, wage gaps persist, with women clustered in service sector jobs with inferior working conditions. Women are disproportionally concentrated in informal work, particularly in low-income countries. Domestic workers and migrants are particularly vulnerable to exploitation. To secure decent work for women, it is necessary to reduce and reconstruct informal work. Good practices include increasing women’s opportunities in the formal labour market and extending social security rights to informal work.

In the business sector, the contribution of gender diversity to enhancing economic performance has been documented. Nevertheless, there is a severe gender gap in top economic leadership positions at both international and national levels. Good practices include mandating gender quotas for corporate boards and procurement contracts.

In the emerging area of corporate responsibility, disparate harm to women resulting from business and trade policies has been largely invisible. Corporate governance has produced a dramatic increase in resource and income inequalities, with harsh implications for women. Establishment of export processing zones, reliance on homework and sweatshops, and land dispossession are loci of human rights violations, particularly affecting women. The Group has recommended gender-mainstreaming in the principles of corporate responsibility.

The fact that care functions are performed largely by women creates a major structural barrier to women’s equal economic opportunity. Failure to properly integrate the biological function of reproduction and the gendered function of unpaid caring into macro-economic policy perpetuates this barrier. Women’s right to paid maternity leave in employment, guaranteed by CEDAW, has been implemented by most, but not all states, while good practice extends paid leave to self-employed women.

States must overcome the barriers to women’s economic opportunities resulting from the feminisation of care functions The Group commends good practices for recognition, reduction and redistribution of unpaid care work, by provision of paid care leave equally for fathers and mothers; subsidised childcare services;, tax deduction for care expenses; improving environmental infrastructures to reduce burdens of care; and synchronizing school and working hours. The Group also considers subsidising affordable childcare as a good practice, which might be engineered as an economic efficiency measure, linked to the parents’ participation in economic activity.

States should also address women’s poverty in older age, which derives from a culmination of stereotyping; precarious employment; informal labour; unpaid caring; interrupted careers and reduced labour force participation. Good practices include non-contributory social pensions schemes and reduction of contributory pension gender gaps by compensatory measures for childcare or joint annuities for spouses.

To summarise, a number of measures are required to promote women’s economic empowerment, including inclusion of women in leadership in economic decision-making; gender-sensitive analysis of the principles of corporate responsibility; enhanced accountability for employment discrimination; reduction and reconstruction of women’s informal work, particularly migrant and domestic work; carefully engineered social protection floor for care services; special measures for older women. In the time of economic crisis, gender-sensitive strategies that avoid labour market exclusion, loss of social protection floors and reduction of social services are needed. Practices in some countries show that these are feasible strategies.

Moreover, as discrimination of women in socio-economic life is interlinked with discrimination in family, as well civil and public life, comprehensive measures tackling gender inequality in all spheres of life are needed. In addition, the context of gender-based violence, including domestic violence and harassment in workplaces, educational institutions, public spaces and cyberspace, must be addressed as the main barrier to women’s economic empowerment. In addition, women’s sexual and reproductive rights must be secured.

In our last report we have identified the areas of family, culture and sexual and reproductive rights as those in which there has been a significant backlash. The persistent discrimination in these spheres has a debilitating impact on women’s capacity to claim equal standing in all aspects of life. Without eliminating discrimination in family and cultural life as well as securing sexual and reproductive rights, there will be no lasting progress in other fields.

All of us with the responsibility for promoting and protecting women’s rights, in our different roles, need to address the current backlash against women’s rights and gender equality as exemplified in the discourse on the so-called gender ideology, arising out of the context of rising authoritarianism in political governance, economic crises and rocketing inequality and politicization of traditionalist religions. The UN should not shy away from challenging this discourse and calling upon actors that undermine gender equality.

Moreover, we need to improve the coherence of international mechanisms aimed at eliminating discrimination against women and secure global leadership and partnerships. The fact that 40 years since the adoption of the CEDAW and more than two decades since the Beijing Platform for Action no country has achieved full equality calls on all of us to unite in an effort to protect, promote and fulfil women’s rights. There is a need to protect the gains from the past and to urgently advance women’s substantive equality, which is crucial for the indivisibility of human rights and the human development of families, communities and countries.

I thank you for your kind consideration.

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