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**Human Rights Council****Twentieth session**

Agenda item 3

**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development****Report of the Working Group on the issue of  
discrimination against women in law and in  
practice***Summary*

The Working Group on the issue of discrimination against women in law and in practice was established pursuant to Human Rights Council resolution 15/23 of 1 October 2010.

In this first report to the Human Rights Council, the Working Group provides a brief historical overview of events leading to the establishment of its mandate (sect. II). It develops a conceptual framework that will guide its analyses of issues relating to equality and non-discrimination (sect. III) and highlights its thematic priorities for 2012-2013, which are discrimination against women in law and in practice in political and public life, and in economic and social life (sect. IV). The Working Group submits its agreed methods of work (sect. V) and an overview of activities that it has undertaken since its inception (sect. VI). Section VII contains concluding remarks.

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## I. Introduction

1. The Working Group on the issue of discrimination against women in law and in practice was established by the Human Rights Council in its resolution 15/23, in which the Council acknowledged 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. Accordingly, the Council mandated the Working Group:

(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.

2. In carrying out its mandate, the Working Group is requested to work in close coordination with other special procedures and subsidiary organs of the Human Rights Council, relevant United Nations entities, including the Commission on the Status of Women and the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) and, in particular, the Committee on the Elimination of Discrimination against Women and other treaty bodies, with a view to avoiding unnecessary duplication; to take into account the views of other stakeholders, including relevant regional human rights mechanisms, national human rights institutions and civil society organizations; and 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.

3. Five independent experts from different geographical regions were appointed as members of the Working Group for a period of three years by the Human Rights Council in March 2011. They assumed their functions on 1 May 2011 and have held three sessions in Geneva: from 6 to 10 June 2011, 24 to 28 October 2011, and 27 February to 2 March 2012. They are Emna Aouij, Mercedes Barquet, Kamala Chandrakirana, Frances Raday and Eleonora Zielińska. During its first session, the Working Group elected Ms. Chandrakirana as Chairperson-Rapporteur. The members wish to gratefully acknowledge the trust that has been placed in them by the Human Rights Council.

4. In this first report to the Council, the Working Group provides preliminary views on how the members intend to carry out their mandate. The report contains seven sections, the first of which is the present introduction. Section II contains a brief historical overview relating to the creation of the mandate of the Working Group. Section III spells out a conceptual framework that the Working Group has elaborated to guide its analyses of issues relating to equality and non-discrimination on the grounds of sex and to inform its dialogue

with States and other stakeholders in implementing its mandate. Section IV contains an overview of the thematic priorities identified by the Working Group for the biennium 2012-2013. Section V introduces the methods of work agreed upon by the Working Group, including how the Working Group has engaged and further intends to engage with all stakeholders in the discharge of its mandate. Section VI provides an overview of activities carried out by the Working Group since its inception. Section VII concludes the report.

## II. Historical overview

5. In September 1995, at the Fourth World Conference on Women in Beijing, participating Governments adopted the Beijing Declaration, by which they reaffirmed their fundamental commitment to “the equal rights and inherent human dignity of women and men” (para. 8) and stated unequivocally that “women’s rights are human rights” (para. 14). They also adopted the Beijing Platform for Action, in which they pledged to ensure equality and non-discrimination under the law and in practice (strategic objective I.1), and, more specifically, to “revoke any remaining laws that discriminate on the basis of sex and remove gender bias in the administration of justice” (para. 232 (d)). In 2000, during the five-year review and appraisal of the implementation of the Beijing Declaration and Platform for Action by the General Assembly at its twenty-third special session, Governments committed to reviewing legislation with a view to striving to remove discriminatory provisions against women, preferably by 2005.<sup>1</sup>

6. In 2005, during the 10-year review and appraisal of the implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly by the Commission on the Status of Women, concern was expressed that legislative and regulatory gaps, as well as lack of implementation and enforcement of legislation and regulations, perpetuated de jure and de facto inequality and discrimination and that, in a few cases, new laws discriminating against women had been introduced. The Commission therefore decided, in its resolution 49/3, to consider the advisability of the appointment of a special rapporteur on laws that discriminate against women, bearing in mind the existing mechanisms with a view to avoiding duplication. It requested the Secretary-General to report to the Commission on the implications of the creation of such a mandate and to include in his report the views of Member States and relevant United Nations bodies, including the Committee on the Elimination of Discrimination against Women and the Office of the United Nations High Commissioner for Human Rights (OHCHR). The Secretary-General subsequently produced two reports, in 2006 (E/CN.6/2006/8) and 2007 (E/CN.6/2007/8).

7. In its resolution 12/17 of 2 October 2009, the Human Rights Council requested the High Commissioner for Human Rights to prepare a thematic study on discrimination against women in law and in practice and on how the issue was being addressed throughout the United Nations human rights system. The request represented a continuation of the commitment made during the World Conference on Human Rights, held in Vienna in 1993, to integrate women’s human rights into the overall human rights system. The report (A/HRC/15/40) was presented to the Council at its fifteenth session in September 2010 and discussed during an interactive plenary panel debate. In the report, the High Commissioner concluded that, notwithstanding the work undertaken by United Nations human rights mechanisms, further measures were required to eliminate de jure and de facto inequalities (para. 63). One of the proposed measures was the establishment of a new special procedure

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<sup>1</sup> General Assembly resolution S-23/3, para. 68 (b).

of the Human Rights Council that would focus on laws and practices that discriminate against women (para. 57).

8. The Human Rights Council adopted, without a vote, resolution 15/23, which established the mandate of the Working Group on the issue of discrimination against women in law and in practice during its fifteenth session, on 1 October 2010. It is the second special procedure of the Human Rights Council dedicated to addressing women's human rights, complementing the mandate of the Special Rapporteur on violence against women, its causes and consequences, which was established in 1994 immediately following the World Conference on Human Rights.

### **III. Conceptual framework**

9. Effective elimination of discrimination against women requires the consistent political will of States, with broad-based consensus of whole societies, to formulate and implement laws that promote equality between men and women, prohibit discrimination on the basis of sex, and prevent and provide redress for violence against women, along with policies and measures that create a conducive environment for women's empowerment.

10. In more than two decades of democratization projects worldwide, beginning with the breakdown of Latin American authoritarian regimes and the fall of the Berlin Wall up to the Arab Spring in the Middle East and North Africa today, a wide range of efforts by States, citizens and organizations to address discrimination against women have been made as integral parts of bold and historic processes of the renewal of whole nations and regions. In other contexts, breakthroughs in law and practice occur as part of the responsiveness and accountability of States to an active citizenry committed to equality, non-discrimination and human rights for all women and men. The success or failure of efforts to effectively eliminate discrimination against women depends on how securely they are located within genuine processes of social and political transformation.

11. The political will to revise or repeal discriminatory laws can arise voluntarily as part of an overall renegotiation of the social contract, and as an act of astute policymaking compelled by social economic developments that have brought about undeniable and irreversible changes in women's roles in practice. The growing participation of women in political, economic, social and cultural life has contributed to the introduction of gender-responsive changes in laws and policies on protection in the workplace, security in the home and community, and entitlements in property ownership and electoral processes.

12. Progress is not linear, however, and new political openings can bring about backlash, reverse advances and produce new forms of discriminatory laws and practices. Complex national reforms can result in contradictory laws and policies, between national/federal and subnational/local levels, across different regions of the country, and among sectors of social and economic life. Good practices in eliminating discrimination against women in law and in practice include the ability to overcome backlash or backsliding and establish grounds for the sustainability of achievements in substantive equality.

13. For legal guarantees of gender equality to benefit all women, implementation frameworks and strategies must be responsive to the intersections of sex-based discrimination with other grounds of discrimination, such as race, ethnicity, religion or belief, language, political affiliation, health, status, age, class, caste, national or social origin, property, birth, and sexual orientation and gender identity. Legal guarantees and implementation frameworks and strategies must also integrate special measures to reach women who face multiple forms of discrimination, such as rural and indigenous women, women with disabilities, women living in poverty and women facing other forms of

marginalization. This requires a comprehensive and coherent human rights-based approach that ensures that women are at the centre of efforts to hold principally States accountable for implementing international standards guaranteeing civil, cultural, economic, political and social rights. National, regional and international human rights mechanisms play critical roles in ensuring the full enjoyment by women of their human rights.

14. At the same time, no effective implementation of equality guarantees for women can be sustained without the genuine empowerment of women in all fields. This can only be achieved on the solid foundation of women's equal access to fundamental freedoms and rights, including the rights to security of person, to privacy, to freedom of expression, to freedom of association, and to freedom of thought, conscience and religion, in the context of the broader array of civil and political rights. Women's enjoyment of those freedoms and rights, in turn, can be attained only if they are able to benefit from their economic, social and cultural rights, including equal rights to property, occupation and employment, social protection and participation in cultural life, as well as from effective protection against violence.

15. To achieve substantive equality in all fields, women initiate, lead and sustain long-term negotiations in formal political and legal institutions as well as in social and cultural organizations and communities. Women take action to end all forms of discrimination and human rights violations, independently as individuals and/or collectively as part of groups, organizations, coalitions and movements. Unprecedented levels of global migration, persistent poverty and inequalities, long-standing unresolved disputes and wars have compelled women to address the human rights of non-citizens and stateless persons, particularly the gendered implications of violations of their human rights. By claiming their place as full and equal citizens of nations and of the global community, women have become crucial agents of change in eliminating discrimination against women in law and in practice. Good practices in sustaining achievements in equality and non-discrimination involve the active agency of women themselves.

16. The Working Group on the issue of discrimination against women in law and in practice will incorporate this conceptual framework in developing its dialogue with States and other stakeholders on eliminating discriminatory laws, on implementing and improving existing legislation on equality and human rights, and on ways and means to achieve greater progress on gender equality and women's empowerment.

17. The Working Group has decided to address the elimination of discrimination against women in law and in practice in all fields and from the perspective of States' obligations to respect, protect and fulfil women's human rights. In view of the work being carried out by international and regional human rights bodies and other special procedure mandate holders, the Working Group agreed that it would build on existing standards and initiatives, as well as on the available knowledge and tools produced to date by States, United Nations bodies, and civil society on the subject. Pursuant to paragraph 18 (d) of Human Rights Council resolution 15/23, the Working Group aims to draw on and reinforce the work of the Commission on the Status of Women, the Committee on the Elimination of Discrimination against Women and other United Nations bodies on the issue of eliminating all forms of discrimination against women.

18. The Working Group will use the term of "good" or "promising" practices rather than "best" practices to take into account the complex contextual framework of practices located in the wide spectrum of bad to good practices. This builds on existing work on this issue by other special procedure mandate holders, which includes the preference towards using the terminology of "good practices". The Working Group seeks to look at good practices that have been transformative in relation to eliminating discrimination against women in law and in practice in different contexts and in the light of the different realities that women face.

19. The Working Group intends to identify practices that have strengthened States' efforts to achieve equality and to respect, protect and fulfil women's human rights. The Working Group will examine:

(a) The extent to which States have met the obligation to respect women's rights to equality and to the exercise and fulfilment by women of human rights and fundamental freedoms. This will involve surveying existing and newly introduced discriminatory laws and practices. The Working Group will pay special attention to the direct or indirect inclusion of discriminatory provisions in legislation or case law that apply discriminatory interpretations of statutory, customary, religious or deontological regulations. The Working Group will compile good practices in the elimination of laws and regulations that are both directly and indirectly discriminatory to women. The examination of good practices for this purpose would include constitutional amendments, judicial review, legislative reform, litigation and case law, policy and institutional reform, independent human rights monitoring, political action, and religious or cultural hermeneutic projects;

(b) The extent to which States have met the obligation to protect women from any act by private persons or entities which would impair women's rights to equality and to the exercise and fulfilment of human rights and fundamental freedoms. This will involve identifying the success or failure of States with respect to eliminating all social, cultural, economic and political practices that constitute discrimination against women, including by establishing accessible and effective gender-responsive justice systems and human rights complaint mechanisms that ensure women's equal benefit and protection of the law. Where courts based on customary or religious law are recognized, special attention will be given to the steps taken by States to ensure compliance with international human rights standards, including on fair trial. This will also involve identifying steps taken by States to enact required equality guarantees in their constitutions and required equality provisions in legislation or other appropriate measures, including but not limited to equal-employment-opportunity laws, prohibitions on trafficking, family laws, and sexual and domestic violence legislation. An examination of good practices for this purpose would highlight the processes which led to the effective protection of women's human rights and basic freedoms on an equal basis with men;

(c) The extent to which States have met the obligation to fulfil women's rights to equality and to the exercise and fulfilment by women of human rights and fundamental freedoms. This will involve the identification of the variety of measures and steps taken by States to implement equality laws and to prevent the application of gender-neutral laws in a way that has a discriminatory impact on women. Special attention will be given to programmatic and institutional frameworks aimed at fulfilling the specific needs of women, including through specialized national mechanisms and machineries on women's human rights, and through the thorough and consistent compilation of sex-disaggregated data. The examination of good practices for this purpose would include temporary special measures, measures for the accommodation of maternity, and measures to prevent, prosecute, punish, and provide redress in relation to violations of women's human rights, including through transitional justice processes.

20. The Working Group will review these core obligations as binding on States parties to relevant international human rights treaties, covering all branches of the State (executive, legislative and judicial) and other public or governmental authorities, at all levels (national, regional and local).

## **IV. Thematic priorities**

21. In view of the broad thematic scope of its mandate, covering discrimination against women in law and in practice, the Working Group has identified four thematic areas of focus, namely, political and public life; economic and social life; family and cultural life; and health and safety. The Working Group regards violence against women and the intersection of various grounds of discrimination as cross-cutting in all of its work. It is paying particular attention to specific groups of women, including but not limited to women living in poverty, migrant women, women with disabilities, women belonging to minorities, rural and indigenous women, older women, girls, including adolescents, women in conflict and post-conflict situations, refugee women, internally displaced women and stateless women.

22. During the biennium 2012-2013, the Working Group decided to focus on two of the four thematic areas identified, namely, discrimination in political and public life, with a focus on political transition, and economic and social life, with a focus on economic crisis.

### **A. Political and public life, with a focus on political transition**

23. In 2012 and 2013, the Working Group will address the issue of discrimination against women in law and in practice in the context of political and public life, with a focus on times of political transition. The Working Group's research on this topic will inform its annual report to the Human Rights Council in 2013 and the compendium of good practices that it is expected to complete by the end of its three-year mandate.

24. The Working Group will address this issue from the point of view of States' obligations to eliminate discrimination against women in political and public life, to fulfil women's civil and political rights in their interrelatedness and interdependence with other human rights, and to provide equal opportunity and ways and means for the empowerment of women in these areas, in accordance with international human rights law. Its approach is based on the recognition of women's right to substantive equality in all aspects of political and public life as a human right essential to women's human dignity. The Working Group intends to articulate, in its 2013 thematic report, the most current understanding of discrimination against women in political and public life, including the intersection of multiple grounds of discrimination, with a keen eye on the differential impacts on women of efforts to eliminate discriminatory laws.

25. The Working Group is guided by articles 4, 7, 8 and 9 of the Convention on the Elimination of All Forms of Discrimination against Women, as well as the Committee on the Elimination of Discrimination against Women's general recommendation No. 23 (1997), in which the Committee states:

The political and public life of a country is a broad concept. It refers to the exercise of political power, in particular the exercise of legislative, judicial, executive and administrative powers. The term covers all aspects of public administration and the formulation and implementation of policy at the international, national, regional and local levels. The concept also includes many aspects of civil society, including public boards and local councils and the activities of organizations such as political parties, trade unions, professional or industry associations, women's organizations, community-based organizations and other organizations concerned with public and political life.

26. The Working Group will further refer, in particular, to articles 2, 3 and 25 of the International Covenant on Civil and Political Rights and Human Rights Committee general comments No. 28 (2000) on the equality of rights between men and women and No. 25

(1996) on the right to participate in public affairs, voting rights and the right of equal access to public service. With regard to the obligation of States to modify cultural patterns of conduct inhibiting the advancement of women's human rights, the Working Group also refers to Human Rights Committee general comment No. 34 (2011) on the freedoms of opinion and expression.

27. In relation to its focus on times of political transition, the Working Group will look at countries that are presently going through processes of political transition,<sup>2</sup> as well as countries with lessons learned from past political transitions, particularly since the entry into force of the Convention on the Elimination of All Forms of Discrimination against Women in 1981. The Working Group is attentive to the fact that while political transitions provide a unique opportunity to improve respect for women's civil and political rights, including their participation in the political system, and women's status in the legal and social systems, there is also a danger of regression on women's human rights.

28. The Working Group will also incorporate into its review the fact that women participating in political change and public life are often exposed to violence. The Working Group takes note of reports that women defenders are more at risk than men of suffering from certain forms of violence and other violations, due to the perception that they are challenging accepted sociocultural norms, traditions, perceptions and stereotypes about femininity, sexual orientation, the family and the role and status of women in society.<sup>3</sup>

29. The Working Group intends to examine measures taken by States in political transition to improve women's constitutional and political position and their status in society and protect them from all forms of violence. It recognizes the agency of women, including as conducted through international and regional institutions and networks, in influencing positive change at the national level. Recommendations will be made on improving legislation and the implementation of laws to empower women and to secure women's right to a full and equal political and public life.

30. In order to develop its research on this thematic priority, the Working Group sent letters to all States Members of the United Nations on 8 December 2011 seeking information on: constitutional and other legislative initiatives and reforms put in place to promote women's rights and gender equality; the framework of State institutions, machineries and mechanisms to implement actions in order to fight against all forms of discrimination and violence against women; women's political participation, on equal terms with men, in the transitional and post-transitional process at all levels of decision-making; and women's access to justice, including transitional justice mechanisms. The Working Group takes this opportunity to thank the 40 States that had responded to the call for information at the time of submission of the document.

31. The Working Group also posted a call for submissions on its web page for information on good practices, lessons learned and promising experiences in the field of political and public life both in general terms and/or with particular reference to times of political transition.

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<sup>2</sup> The Working Group understands political transition in the widest sense of the term, including transitions that involve fundamental change of the political regime and/or of the legal system.

<sup>3</sup> See the report of the Special Rapporteur on the situation of human rights defenders (A/HRC/16/44 and Corr.1).

## **B. Economic and social life, with a focus on economic crisis**

32. Between 2013 and 2014, the Working Group intends to address the issue of discrimination against women in law and in practice in economic and social life, including in times of economic crisis. The research undertaken on this topic will inform the annual report of the Working Group to the Human Rights Council in 2014 as well as the compendium of good practices.

33. The Working Group will examine this issue from the normative perspective of the obligations of States to eliminate discrimination against women in economic and social life and to provide equal opportunity and ways and means for the empowerment of women in these areas in accordance with international human rights law. The conceptual context of the study is the recognition of women's right to substantive equality in access to economic and social resources, as a human right, essential to women's human dignity.

34. In addition, the Working Group will pay specific attention to the way in which current and past economic crises have affected women's access to economic and social resources, as well as policies that effectively protect women's social and economic status during and after economic crisis

35. The Working Group will carry out its work on this theme in accordance with its working methods and, in this regard, has initiated cooperation with the International Labour Organization (ILO), the United Nations Research Institute for Social Development (UNRISD) and academic experts and institutions.

## **V. Methods of work**

### **A. Sessions**

36. The Working Group will hold three sessions per year, each covering five working days. Two sessions will be held in Geneva and one in New York so as to be able to engage with the widest possible range of stakeholders. The sessions are expected to follow approximately the same calendar, namely one session towards the end of February, another in July in New York to coincide with the session of the Committee on the Elimination of Discrimination against Women, and the last, around October. During its first session, the Working Group initiated discussions on its methods of work. It concluded those discussions at its second session and agreed on its methods of work,<sup>4</sup> which respond to the specific features of its mandate as contained in resolution 15/23. The Working Group will continue to refine its methods of work as it carries out its mandate. At its third session, the Working Group began identifying ways and means to fulfil its mandate, incorporating regional and global expertise.

### **B. Functioning of the Working Group**

37. The Working Group decided to nominate a Chairperson-Rapporteur for a one-year term on a rotational basis. The next rotation will take place in October 2012, at the fifth session of the Working Group.

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<sup>4</sup> Available from [www.ohchr.org/EN/Issues/Women/WGWomen/Pages/MethodsOfWork.aspx](http://www.ohchr.org/EN/Issues/Women/WGWomen/Pages/MethodsOfWork.aspx).

## **C. Country visits**

38. The Working Group agreed to conduct two to three country visits each year. The members see such visits as an opportunity to deepen dialogue with Member States and to collect first-hand information on laws and practices that discriminate against women. In addition, such visits offer the opportunity to identify good practices in eliminating discriminatory laws and to better understand the contexts in which they occur and flourish.

39. The Working Group decided that country visits would be undertaken, to the extent possible, by the Chairperson-Rapporteur together with another member of the Working Group from the region where the country visit takes place. Members of the Working Group seek to avoid conducting official visits in their country of origin. As per standard practice, the final composition of the delegation will be communicated to the Government concerned prior to the visit.

## **D. Communications**

40. The Group will use communications with Governments and other actors in a spirit of soliciting dialogue on issues falling within its mandate. Relevant information may be submitted to the Working Group by a State, State organ, intergovernmental or non-governmental organization (NGO), or any other organization or individual. The Working Group will review the information with a view to taking appropriate action. It intends to develop a form to facilitate the submission by anyone of information related to cases or situations of discrimination against women in law and in practice.

## **E. Engagement with stakeholders**

### **1. Member States**

41. The Working Group intends to develop and maintain a constructive dialogue with States and will seek full engagement of States from all regions on issues relevant to its mandate. This dialogue will take the form of consultations, letters soliciting information on good practices in thematic areas it has identified, and the dissemination of questionnaires on specific issues of concern.

### **2. United Nations and other international organizations**

42. The Working Group aims to build constructive partnerships with United Nations and other international organizations. At its first session, the members heard briefings from a range of United Nations entities and other international organizations, including the ILO, the Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict, the Economic Commission for Europe, the United Nations Children's Fund (UNICEF), the United Nations Development Programme, the United Nations Population Fund (UNFPA), the Office of the United Nations High Commissioner for Refugees (UNHCR) and the World Health Organization, as well as the International Organization for Migration and the Inter-Parliamentary Union (IPU), and engaged in preliminary discussions in relation to possible areas of focus for the Working Group. The Working Group also had the opportunity to meet informally with the Executive Director of UN-Women to discuss potential areas of cooperation and support by UN-Women. At its second and third sessions, the Working Group again engaged in dialogue with the ILO, IPU and UNRISD on its 2012 theme of political and public life and its 2013 theme of economic and social life. At its third session, it held a meeting with UNHCR on the issue of gender discrimination, nationality and statelessness.

### 3. Human rights mechanisms

43. The Working Group subscribes to the absolute importance given by the Human Rights Council in its resolution 15/23 to coordination with other United Nations human rights mechanisms. In this regard, two members of the Working Group met with the Committee on the Elimination of Discrimination against Women in October 2011 to discuss modes of cooperation. The Working Group also held an exchange of views with the Chair of the Committee on the Rights of the Child during its second session and with a member of the Human Rights Committee during its third session. The Working Group is expected to meet with the Committee on the Elimination of Discrimination against Women during its fourth session in New York (23-27 July 2012).

44. The Working Group has engaged with other special procedure mandate holders. Informal meetings were held with the Special Rapporteur on violence against women, and a joint statement on the importance of women's voices during times of transitions and reform was issued on 8 December 2011 on the occasion of the 16 Days of Activism against Gender Violence.<sup>5</sup> The Working Group has also contacted the newly established Working Group on the issue of human rights and transnational corporations and other business enterprises to explore possible areas of collaboration. It has provided inputs to the draft guiding principles on foreign debt and human rights being elaborated by the Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights. On 19 March 2012, the Working Group, along with 21 other special procedures mandate holders, co-sponsored an open letter calling on States to, inter alia, incorporate universally agreed international human rights norms and standards, including relating to gender equality, into the process leading up to the United Nations Conference on Sustainable Development (Rio+20 Conference) and into the outcome document of the conference.

45. Representing the Working Group, Mercedes Barquet attended the fourth session of the Forum on Minority Issues, held in Geneva on 29 and 30 November 2011, and side events on empowering minority women to claim their rights and violence against minority women and their access to justice. She delivered a statement on minority women and their effective participation in political life. The Forum was of particular interest to the Working Group, as it addressed the complex layers and interplay of various forms of discrimination that many women face because they are women and members of a minority group. It was also an opportunity to engage with NGOs and other stakeholders, and to inform them of the mandate, priorities and methods of work of the Working Group.

46. The Working Group places high priority on learning the views, issues and concerns of different regions, and is seeking to reflect regional diversity in its work, including by drawing on and centralizing the knowledge and resources of a range of stakeholders. The Working Group also intends to explore cooperation with regional human rights mechanisms, including the African Commission on Human and Peoples' Rights, in particular its Special Rapporteur on the Rights of Women in Africa, the Inter-American Commission on Human Rights, the European Union, the Council of Europe, the Inter-Governmental Commission on Human Rights of the Association of Southeast Asian Nations (ASEAN) and the ASEAN Commission for the Promotion and Protection of the Rights of Women and Children.

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<sup>5</sup> See [www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=11700&LangID=E](http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=11700&LangID=E).

#### 4. Other stakeholders

47. The Working Group believes that partnerships with civil society organizations are essential to the fulfilment of its mandate. Civil society organizations are providing useful inputs into the mandated work of the Working Group. The Working Group has already met with a large number of Geneva-based NGOs working on relevant issues and has received inputs from other NGOs in various regions. It is also engaging with academics.

48. The Working Group has issued calls for submissions to stakeholders to solicit information, documentation and material relating to its thematic priorities. It will consider additional means to collect relevant information, including through consultations and expert meetings.

## VI. Activities of the Working Group

49. As indicated above, the Working Group held three sessions during the reporting period. At its third session, from 27 February to 2 March 2012, the Working Group discussed, *inter alia*, its first country mission to Morocco, its participation in the session of the Commission on the Status of Women, and its statement on International Women's Day. It held day-long discussions on its 2012 and 2013 priority themes with United Nations entities, NGOs and expert researchers, and agreed on a plan of action for carrying out its research agendas. As regards the latter, the Working Group is finalizing detailed questionnaires to gather inputs on the issues of discrimination against women in law and in practice in political and public life, and in economic and social life. It has conducted a mapping of resources on economic and social life and is currently conducting a mapping of resources on political and public life. The Working Group intends to contract experts to gather region-specific information, and will discuss and vet this information during its upcoming sessions and in the context of consultations and expert group meetings. Data and analyses will serve as the basis for the Working Group's upcoming annual reports to the Human Rights Council and the compendium of good practices it is expected to produce.

50. The Chairperson-Rapporteur of the Working Group participated in the eighteenth annual meeting of special procedure mandate holders, which was held in Geneva from 27 June to 1 July 2011. She was elected as a member of the Coordination Committee of Special Procedures.

51. The Working Group, represented by its Chairperson-Rapporteur and Emna Aouij, undertook its first country visit to Morocco from 13 to 20 February 2012 at the invitation of the Government. The report on the country visit is available as an addendum to the present report (see A/HRC/20/28/Add.1). The Working Group thanks other States who have responded positively to its request for invitations to visit, namely, the Republic of Moldova, Tunisia and South Sudan, and encourages other States to consider extending invitations. The Working Group is expected to undertake its second country visit—to the Republic of Moldova—from 21 to 30 May 2012.

52. On 5 March 2012, the Chairperson-Rapporteur delivered a statement to the Commission on the Status of Women at its fifty-sixth session (27 February–9 March 2012). She took the opportunity of her first address to introduce the mandate of the Working Group and inform the Commission of its 2012-2013 priorities. The Working Group sees the Commission as an important body through which the Working Group can engage with stakeholders, notably States and women's civil society organizations, on equality and women's human rights issues. Its participation in the sessions of the Commission on the Status of Women contributes to coordination with the Human Rights Council and a coherent approach to addressing the remaining obstacles to full equality and women's human rights by the various bodies and mechanisms of the United Nations.

53. The Working Group took the opportunity of International Women's Day 2012 to remind States of their obligations to promote equality and women's human rights in political transitions and to protect women from violence. The Working Group also encouraged States to ensure that women do not bear the brunt of the current economic and financial crises, and to put in place special protective measures. Member Frances Raday participated in an NGO event on International Women's Day (8 March 2012) on the issue of "Women in the Arab Spring".

54. During the reporting period, the Working Group sent, itself or jointly with other mandate holders, a total of six communications in relation to issues falling within its mandate. Some of these communications raised gaps and concerns the Working Group had found in anti-discrimination legislation. Others aimed at drawing the attention of the Government concerned to discriminatory provisions based on sex in nationality legislation.

55. The above activities cover the period from the inception of the Working Group to the submission date of the present report, namely, 23 March 2012. The Working Group is expected to participate in several events before the consideration of the report by the Human Rights Council at its twentieth session, including an expert meeting on the gendered impacts of enforced disappearances, to be held in Addis Ababa from 17 to 19 April 2012, and the commemoration of the thirtieth anniversary of the establishment of the Committee on the Elimination of Discrimination against Women in July 2012. These activities will be reflected in the 2013 annual report to the Human Rights Council.

## VII. Conclusion

56. **The five members of the Working Group on the issue of discrimination against women in law and in practice assumed their functions on 1 May 2011. The Working Group has held three sessions since then and conducted one country visit, namely, to Morocco. At the time of drafting the present report, the Working Group was engaged in dialogue with the Government of the Republic of Moldova on conducting a visit to that country from 21 to 30 May 2012. It will report on its visit to the Republic of Moldova during the twenty-third session of the Human Rights Council. It has pursued active engagement with a range of stakeholders, including States, United Nations organizations and intergovernmental bodies, human rights mechanisms, civil society organizations and academic experts, and has participated in a number of activities of relevance to its mandate, including by contributing inputs on equality and non-discrimination, and protection and promotion of women's human rights, to various initiatives undertaken by others, including other special procedure mandate holders.**

57. **In its one year of existence, the Working Group has developed and refined its methods of work, articulated its substantive priorities and developed a plan for implementing its tasks. Given the breadth of its mandate, covering discrimination against women in law and in practice in all fields, the Working Group is focusing on two priority themes in 2012 and 2013, namely, discrimination against women in law and in practice in the contexts of political and public life and of economic and social life. The Working Group is looking at the impact of political transitions and the economic crisis on the enjoyment by women of their human rights.**

58. **The Working Group is aiming to respond to the expectations placed on it by numerous individuals and organizations in relation to issues of discrimination against women. It is communicating with Governments on various issues within its mandate and is undertaking outreach and partnerships with a range of stakeholders to both inform and support its own work and ensure that its outputs catalyse further actions by stakeholders. It looks forward to continuing this engagement with all stakeholders**

**and to responding to issues addressed to it on discrimination against women in law and in practice.**

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