



Equality Rights Alliance

Women's Voices for Gender Equality

63rd Session of the UN Commission on the Status of Women

Submission re Australia's Position on the Priority Theme:

Social protection systems, access to public services and sustainable infrastructure for gender equality and the empowerment of women and girls

General focus for CSW63

The Equality Rights Alliance and other signatories to this document submit that Australia's overarching priorities at the 63rd session of the Commission on the Status of Women should include the following:

1. A firm reiteration that women and girls' access to social protections is a human right. The state duty to establish social protection systems flows directly from the human right to social security / social protection. It is therefore essential that all discussions about social protection systems are framed as a human rights discourse and reiterate the right itself.
2. An emphasis on the importance of access to social protections without discrimination of any kind.
3. A particular focus on the need to address the intersections of disadvantage and oppression: poverty, racism and xenophobia, harmful religious and cultural practices and values, heterosexism and homophobia, sexism and limitations on sexual and reproductive rights, in addition to the historical and ongoing impacts of colonialism on Indigenous peoples. We strongly recommend that Australia continue to advocate for an analysis of the priority and review themes which addresses and explores intersectionality and promotes the voices of women experiencing intersectional discrimination and disadvantage, including, but not limited to:
 - Indigenous women,
 - women living with disability,
 - women from marginalised socio-economic, racial and ethnic groups,
 - Women and girls in rural and remote areas;
 - young women and girls,
 - older women,
 - displaced, migrant and refugee women,
 - lesbian, gay, bisexual, intersex, transgender and non-binary people,
 - women in the sex industry; and
 - women in prison.

4. Further to (3) above, a focus on the challenges experienced when designing and delivering social protections to women and girls experiencing multiple and intersecting forms of disadvantage and an emphasis on the need to design and deliver such programs with the full involvement and consent of those women and girls.
5. Particular emphasis on preserving and promoting the language concerning gender equality in the Beijing Declaration and Platform for Action (BPfA), which is stronger and more detailed than the gender equality language in the Sustainable Development Goals (SDGs). BPfA remains the primary global policy document on gender equality. While there are benefits in using the 2030 Agenda to accelerate gender equality, the SDGs should not replace the Beijing Platform for Action (BPfA) at CSW, but rather strengthen it by providing a new site for the use of the BPfA language. We ask that Australia advocate for the preferential adoption of language used in the BPfA.
6. A strong assertion that States must take measures to protect women human rights defenders and must support and fund specialist women's services and women-led and feminist CSOs and networks, with particular attention to supporting specialist women's services which represent diverse experiences, knowledge / expertise and interests. Women's organisations, human rights organisations, feminist organisations (collectively 'CSOs') and academic institutions play a critical role in driving change and ensuring accountability for gender equality. In recent years, the space for meaningful CSO engagement in UN environments has shrunk significantly and attacks on women CSOs in both domestic and international spaces have increased. Australia has advocated for the role of CSOs in the CSW in the past and we urge Australia to continue to advocate for an active, meaningful and clearly defined role for CSOs at CSW.

Specific language recommendations for the Agreed Conclusions

7. **Human right to social protection** - The Commission should affirm that women and girls' access to social protections is a human right. Accessible and affordable service provision by public or private actors is critical for the realization of many human rights, particularly social and economic rights such as the right to housing, health, education and food.

[1966 ICESCR Art. 11](#)

[1995, A/RES/50/42, Beijing Declaration and Platform for action, para. 58 \(o\)](#)

[2015, A/RES/70/1, Transforming our world: the 2030 Agenda for Sustainable Development, Goal 10, Target 10.4](#)

8. **Discrimination** - The Agreed Conclusions should clearly prohibit discrimination on any ground in the provision of social protections, and require States to take action to end discriminatory practices and provide redress mechanisms for women and girls experiencing discrimination in service provision.

Prohibiting discrimination

[1995, A/RES/50/42, Beijing Declaration and Platform for action, para. 106 \(d\)](#)

[1995, A/RES/50/42, Beijing Declaration and Platform for action, para. 58 \(o\)](#)

[2017, E/CN.6/2017/L5, CSW61 Agreed Conclusions para 40\(u\)](#)

[2017, E/CN.6/2017/L.5, CSW61 Agreed Conclusions para. 40 \(v\)](#)

Taking action to end discrimination

[1979, CEDAW, Art. 11, 1 \(e\)](#)

[1995, A/RES/50/42, Beijing Declaration and Platform for action, para. 178 \(b\)](#)
(general)

[1995, A/RES/50/42, Beijing Declaration and Platform for action, para. 178 \(c\)](#) (in
the labour market)

[2014, A/HRC/RES/25/14, HRC Resolution 25/14, The right to food, OP.7](#)

[2017, A/HRC/RES/34/14, HRC Resolution 34/14, Right to work, OP. 10](#)

9. **Substantive equality** - Social protection programmes must work towards substantive equality. Inequality can be structural and discrimination indirect, consequently, equality has to be understood in relation to outcomes as well as opportunities. Universal social protection does not necessarily mean uniform measures - 'different' treatment may be required to achieve equality in practice. Policy makers must take into consideration the needs of different groups, and respect, protect and fulfil the rights of marginalized and disadvantaged groups, ensuring non-discrimination and equality. Where the text of the Agreed Conclusions refers to the aims and purpose of social protection programs, Australia should advocate for a reference to 'substantive equality' in the relevant paragraph.

10. **Standing before the law** - Ensure women have access to justice and full legal standing before the law and that the rule of law and human rights are enforced regardless of gender. (See (8) above for suggested text re non-discrimination.)
[1966 International Covenant on Civil and Political Rights Art 26](#)

11. **Customary legal systems** - States should work with communities to ensure that the human rights of women and girls are protected within customary legal systems. In the course of dispute resolution, legal proceedings or other legal operations, due consideration should be given to the rights of women and girls under customary or Indigenous legal systems. The rights and entitlements of women and girls under traditional and customary legal systems should be acknowledged and taken into account in the application of formal legal systems.
[2007 United Nations Declaration on the Rights of Indigenous Peoples: resolution A/RES/61/295 Art 13\(2\)](#)
[2007 United Nations Declaration on the Rights of Indigenous Peoples: resolution A/RES/61/295 Art 17](#)

[2007 United Nations Declaration on the Rights of Indigenous Peoples: resolution A/RES/61/295 Art 18](#)

[2007 United Nations Declaration on the Rights of Indigenous Peoples: resolution A/RES/61/295 Art 40](#)

12. **Women's machineries** - States must develop or strengthen the authority and capacity of national mechanisms for promoting gender equality and the empowerment of women, young women and girls, at all levels, which should be placed at the highest possible level of government, with sufficient funding, and to mainstream a gender perspective across all relevant national and local institutions, including labour, economic, social and financial government agencies, in order to ensure that national planning, decision-making, policy formulation and implementation, budgeting processes and institutional structures are focussed on the development of social protections which facilitate gender equality.

[2017 E/CN.6/2017/L.5, CSW Agreed Conclusions on Women's economic empowerment in the changing world of work, para. 42](#)

[2015 E/RES2015/12, Mainstreaming a gender perspective into all policies and programmes in the United Nations system, OP.8](#)

13. **Gendered budgeting and mainstreaming gender in policy development** - The Commission should stress the importance of applying a gender perspective to the design, implementation, monitoring and evaluation of social protection systems. States must prioritize the implementation of a gender lens throughout the process of conceiving, planning, approving, executing, analysing and ordering budgets in order to ensure all funded measures and programs operate to promote gender equality. Funding for gender equality measures should be clearly identified and constant. Gender sensitive and relevant data collection must be funded by States. The Commission should encourage States to use multidimensional poverty measures.

[2017 A/HRC/35/18 Elimination of discrimination against women and girls OP 7](#)

[2017 E/CN.6/2017/L5 CSW61 Agreed Conclusions para 40\(q\) \(t\) and \(u\)](#)

[2006, Convention on the Rights of Persons with disabilities, Art 28, 2, \(b\)](#)

[1979, CEDAW, Art. 11, 1 \(e\)](#)

[2008 E/C.12/GC/19 GENERAL COMMENT NO. 191 The right to social security \(art. 9\) OP 59\(f\) \(Obligation to monitor\)](#)

14. **Poverty** - Women and girls bear a disproportionate burden of the world's poverty. Women are more likely than men to be poor and at risk of hunger because of the systematic discrimination they face in education, health care, employment and control of assets. Poverty implications are widespread for women, leaving many without even basic rights such as access to clean drinking water, sanitation, medical care and decent employment. Being poor can also mean they have little protection from violence and have

no role in decision making. The Commission should acknowledge the importance of social protections in alleviating poverty for women and girls and require States to ensure that social protections are designed with a focus on eliminating gendered poverty. The Commission should acknowledge the link between robust social protection systems and sustainable development for women and girls. In accordance with target 1.2 of the SDGs, States should set poverty reduction targets which specifically set out reduction targets for women, young women and girls in poverty, including sole parents and single mothers, women with disability, Indigenous women and other relevant categories of women facing multiple and intersecting disadvantage.

[2017, E/CN.6/2017/L.5, CSW61 AC para 40](#)

[2014, E/CN.6/2014/L.7, CSW58 AC para 42 \(ff\)](#)

[1979, CEDAW, Art. 14\(2\)\(c\)](#)

[2016, E/2016/27-E/CN.6/2016/22, CSW Agreed conclusions para. 8](#)

[2015, A/RES/70/1, Transforming our world: the 2030 Agenda for Sustainable Development, Goal 1, Target 1.2](#)

[2015, A/RES/70/1, Transforming our world: the 2030 Agenda for Sustainable Development, Goal 1, Target 1.3](#)

[2015, A/RES/70/1, Transforming our world: the 2030 Agenda for Sustainable Development, Goal 3, Target 3.8](#)

[2015, A/RES/70/1, Transforming our world: the 2030 Agenda for Sustainable Development, Goal 8, Target 8B1](#)

[2015, A/RES/69/313, Addis Ababa Action Agenda of the Third International Conference on Financing for Development \(Addis Ababa Action Agenda\), Annex, para. 12](#)

15. **Social protections across the life cycle** - States must ensure that social protections are designed to apply across the life cycle. Programs and policies must emphasise that the best interests of children should be respected at all times, and their special needs should be accommodated. Programmes should factor in age- and gender-specific risks and vulnerabilities at each stage of the life course, especially considering the needs of families with children and single mothers. Special provisions should be made for single mothers and sole parents, particularly in contexts where stigmas against such women exist. Special provisions should be made for children without parental care and those who are marginalized within their families due to gender, disability, ethnicity, HIV/AIDS status or other markers of identity. To achieve these ends, it is necessary that intra-household dynamics be carefully considered, including the balance of power between men and women. A child-sensitive programme must also include the voices and opinions of children and youth, and their caregivers in design and implementation processes.

[2014, E/CN.6/2014/L.7, CSW Agreed conclusions para. 42 \(ff\)](#)

[1995, A/RES/50/42, Beijing Declaration and Platform for action, para. 106 \(d\)](#)

16. **Maternity Protections** - Maternity protections are an essential prerequisite for the achievement of women's rights and gender equality. Maternity protections must be multidimensional and encompass health, income security and employment protection. Social protections must not discriminate against women on the basis of their maternity, particularly unmarried or single mothers. Positive action should be taken to ensure that stigmatising cultural attitudes and practices are challenged and States should undertake to review existing policies and programs to ensure they promote the economic security and human rights of mothers and women caring for children. States should:
- promote paid maternity, paternity or parental leave and adequate social security benefits for both women and men, take appropriate steps to ensure they are not discriminated against when availing themselves of such benefits and promote men's awareness and use of such opportunities, as a means of enabling women to increase their participation in the labour market,
[2017, E/CN.6/2017/L.5, CSW61 AC para 40\(y\)](#)
 - take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations by ensuring the same rights and responsibilities with regard to custody, guardianship, wardship, trusteeship and the adoption of children. In all cases, the interest of the children shall be paramount,
[2015, A/HRC/RES/29/4 HRC Resolution 29/4 OP 6\(e\)](#)
 - in cooperation with relevant stakeholders and in accordance with national plans and policies, strengthen provisions for parental leave, extend flexible working arrangements for employees with family responsibilities, promote gender equality and the empowerment of women, enhance paternal involvement in family responsibilities and support a wide range of accessible quality childcare arrangements, including investing in quality early childhood care and education, in order to improve work-family balance,
[2013, A/RES/68/227 Women in development OP15](#)
 - Promote the reconciliation of work and family responsibilities for women and men, as well as the equal sharing of employment and family responsibilities between women and men, including by: designing, implementing and promoting family-friendly legislation, policies and services, undertaking campaigns to sensitize public opinion and other relevant actors to these issues; and promoting measures that reconcile care and professional life and emphasize men's equal responsibilities with respect to unpaid and household work
[2011 E/2011/27-E/CN.6/2011/12 CSW55 Agreed Conclusions para 22\(gg\)](#)
 - Protection against suspension or loss of income during maternity leave. Maternity leave supported with cash benefits to fully or partially replace women's earnings during the final stages of pregnancy and after childbirth is of critical importance for the well-being of pregnant women, new mothers and their families. The absence of income security during the final stages of pregnancy and after childbirth forces many women, especially those in the informal economy, to return to work prematurely, thereby putting at risk their own and their children's health. States must adopt programs which guarantee adequate maternity leave for women, paternity leave for men, and parental leave for both men and women.

[2008 E/C.12/GC/19 GENERAL COMMENT NO. 191 The right to social security \(art. 9\) OP 32](#)

[2017, E/CN.6/2017/L.5, CSW Agreed para. 40 \(y\)](#)

- Protection of women's rights at work during maternity and beyond, through measures that safeguard employment, protect women against discrimination and dismissals, and allow them to return to their jobs after maternity leave under conditions that take into account their specific circumstances.
- Ensure policies contain all occupational safety and health components that are essential to protect the health of pregnant and breastfeeding women and their babies, as well as -women's -reproductive capacity.

The Commission should also acknowledge that mothers and women raising children make significant contributions to their communities and to their families: as producers and processors of food for the family, as the earliest and primary educators of children and as the primary caregivers of other dependent family members, including older persons.

[1966, International Covenant on Economic, Social and Cultural Rights](#)

[Article 10\(2\)](#)

17. **Conditional social protections** - States should refrain from imposing co-responsibilities or conditionalities on receipt of social protection, and instead should channel financial and human resources into improving the level of benefits provided and the quality and accessibility of social services available. Withholding entitlements cannot be a correct response to structural challenges such as lack of jobs and childcare.
18. **Role of the public service** - High quality public services are essential to the delivery of social protection systems (para 3n), in particular with regard to ensuring access to health, education and care services. The delivery and value of basic social protections relies on the efficient functioning of other public services such as electricity, education, emergency services, environmental protection, fire service, gas, health care, law enforcement, military, postal service, public broadcasting, public security, public transportation, public housing, social services, telecommunications, town planning, waste management, and the water supply network. States should undertake to develop sustainable public services in accordance with the SDGs.

[2015, A/RES/70/1, Transforming our world: the 2030 Agenda for Sustainable Development, Goal 11](#) (*access to housing, transport, water, urban planning, waste management*)

[2015, A/RES/70/1, Transforming our world: the 2030 Agenda for Sustainable Development, Goal 9](#) (*infrastructure, credit, scientific and technological research, ICT*)

19. **Access to pensions / income support** - Programs which provide income support or pension must ensure an adequate standard of living, sufficient to sustain a life of dignity and full participation in public life. At a minimum, States must provide access to health care and basic income security at a level which reflects the economic, social and health needs of women across the lifecycle and population. Financial benefits which are available over the long term must be provided in a manner that protects against the erosion of their purchasing power. This means including provisions in law and in practice which secure the periodic adjustment of benefits with changes in living costs.

[1966 ICESCR Art. 11](#)

[2008 E/C.12/GC/19 General Comment 19 \(para 22\)](#)

[2012 ILO Recommendation No. 202, para 4](#)

[1952 Social Security \(Minimum Standards\) Convention No. 102, Articles 65 and 66](#)

20. **Labor: General** - States must adopt policies to extend or maintain the protection of labour laws and social security provisions to women and young women and, where relevant, children. States should take all appropriate measures to eliminate discrimination against women and girls in the field of education and employment and to tackle any legal, social or structural barriers to employment and leadership opportunities, such as in education, health, work and life balance and lack of maternity protection, in order to ensure women have the same rights and opportunities to work as men. States should implement policies and programs to ensure that women have the same access as men to:

- employment opportunities,
- promotion and leadership,
- free choice of profession and employment,
- job security and all benefits and conditions of service and rights to receive vocational training and retraining,
- equal remuneration and equal treatment in respect to work of equal value,
- social security and protection of health and safety in working conditions.

[2012 ILO Social Protection Floors Recommendation, 2012 \(No. 202\)](#)

[ILO Social Security \(Minimum Standards\) Convention, 1952 \(No. 102\)](#)

21. **Labor: Decent work** - Women should be able to work in conditions of freedom, equity, security and human dignity. Decent work involves opportunities for work that is productive and delivers a fair income; provides security in the workplace and social protection for workers and their families; offers better prospects for personal development and encourages social integration; gives people the freedom to express their concerns, to organize and to participate in decisions that affect their lives; and guarantees equal opportunities and equal treatment for all. States should promote women's economic rights and independence, women's right to work and rights at work through gender-responsive policies and programmes that promote decent work for all, ensure equal pay for equal work or work of equal value, protect women against discrimination and abuse in the

workplace, invest in and empower women in all sectors in the economy by supporting women-led businesses, including by tailoring a range of approaches and instruments which facilitate access to universal public services, finance, training, technology, markets, sustainable and affordable energy and transport and trade. States should also collect, analyse and disseminate sex-disaggregated data and statistics on women's access to decent work, unremunerated work and social protection and to assess the impact of associated policy measures, in cooperation with the United Nations system and other international organizations, upon the request of Governments.

[2016 E/2016/27-E/CN.6/2016/22 CSW60 Agreed Conclusions para 23\(f\)](#)

[2015, A/RES/70/219, GA Resolution 70/219, OP29](#)

22. **Sexual harassment in the workplace** - The Commission should recognise sexual harassment as a form of violence and an abuse of human rights which impedes the achievement of gender equality and the empowerment of all women and girls

[2018, CSW 62 Agreed Conclusion para 26.](#)

Pursue, by effective means, programmes and strategies for preventing and eliminating sexual harassment against all women and girls, including harassment in the workplace and in schools, and cyberbullying and cyberstalking, including in rural areas, with an emphasis on effective legal, preventive and protective measures for victims of sexual harassment or those who are at risk of sexual harassment.

[2018, CSW 62 Agreed Conclusion para i](#)

The Commission should recognise some groups of women are more likely to be targets of workplace sexual harassment and face additional barriers to reporting and seeking redress, including women facing multiple and intersection disadvantage, women in low skilled or insecure work and those employed in male-dominated occupations.

Strategies to prevent sexual harassment should account for the broader context of women's disadvantaged position in the workplace, as organisational cultures of sexual harassment in the workplace exist alongside a socio-economic landscape characterised by imbalances in the distribution of domestic labour, the stubbornness of the gender pay-gap and inequitable representation of women in senior management/executive roles.

23. **Labor: Women with disability** - The Commission should note that many women with disabilities and women in vulnerable situations continue to face multiple and intersecting forms of inequality and discrimination, which represent significant obstacles in exercising their right to work on an equal basis with others, and that they are frequently subject to less favourable conditions of pay, precarious, often informal work conditions and poor career prospects in a context of environmental, social and economic barriers in their access to work and within work, and in education and training. States should implement programs to address the obstacles to women with disability entering and participating in the workforce, with particular emphasis on combating discrimination and providing or requiring workplace adjustments and supports to mitigate the effects of disability.

24. **Labor: Young women** - The Commission should recognise that full and productive employment and decent work for young women plays an important role in their safety and ability to live free from violence, their economic security and their ability to participate in public life. It should note the fundamental importance of equal opportunities, education and vocational training in the context of realizing the right to work for young women.
25. **Labor: Children** - States must commit to prevent the economic exploitation of children and implement measures to protect them from performing work that is likely to be hazardous or to interfere with their education or to be harmful to their health or physical, mental, spiritual, moral or social development.
- [2017 A/HRC/34/L.22 Right to Work OP 12 \(child labor\)](#)
- [1995, A/RES/50/42, Beijing Declaration and Platform for action, para. 175 \(g\), 178 \(b-c\), 282 \(c\), \(iii\), 179 \(a-b\)](#)
- [2017, A/HRC/RES/34/14, Right to work, OP. 10](#)
- [2013, A/RES/68/227, Women in development, OP33](#)
26. **Labor: work in the home** - States must adopt policies to extend or maintain the protection of labour laws and social security provisions for women and girls who do paid work in the home, particularly (but not exclusively) outworkers, piece workers and women running small enterprises from home. States must ensure that policies and regulations do not discriminate against micro, small and medium-scale enterprises run by women.
- [1995, A/RES/50/42, Beijing Declaration and Platform for action, para. 175 \(g\) and \(i\)](#)
27. **Unpaid work** – The issues of unpaid care work of are critical importance for women across the life cycle. The responsibilities associated with engaging unpaid care work are often a barrier for young women and girls participating in education at all levels, paid employment and other opportunities outside of the home. There is a need to measure, recognise and value unpaid care work and work towards equal division of unpaid care work across genders.
- States should encourage the recognition, reduction and redistribution of women's disproportionate share of unpaid care and domestic work through policies and initiatives supporting the reconciliation of work and family life and the equal sharing of responsibilities between women and men, through flexibility in working arrangements without reductions in labour and social protections, through the provision of infrastructure, technology and public services, such as water and sanitation, renewable energy, transport and information and communications technology, as well as accessible, affordable and quality childcare and care facilities and by challenging gender stereotypes and negative social norms and promoting men's participation and responsibilities as fathers and caregivers. States should also take steps to measure the value of unpaid care and domestic work in order to determine its contribution to the national economy, for example through periodic time-use surveys, and include such measurements in the formulation of gender-responsive economic and social policies;

[2017, A/HRC/RES/35/18, HRC Resolution 35/18, Elimination of discrimination against women and girls, OP. 6](#)

[2017, E/CN.6/2017/L.5, CSW Agreed Conclusions on Women's economic empowerment in the changing world of work, para. 40 \(z\), Implementing economic and social policies for women's economic empowerment\)](#)

[2017, E/CN.6/2017/L.5, CSW Agreed Conclusions on Women's economic empowerment in the changing world of work, para. 40 \(aa\), Implementing economic and social policies for women's economic empowerment\)](#)

28. **Informal work** – States should take steps to facilitate the transition of informal workers, including those engaged in informal paid care and domestic work, to the formal economy, and to extend rights to non-discrimination, paid parental leave, workplace safety and childcare provisions to those women.

[2017, E/CN.6/2017/L.5, CSW Agreed Conclusions para. 40 \(nn\)](#)

[2017, E/CN.6/2017/L5, CSW61 AC para 40\(u\)](#)

29. **Superannuation** - When designing and implementing social security, superannuation and pension schemes that link benefits with contributions, States should take steps to eliminate the factors that prevent women from making equal contributions to such schemes, such as intermittent participation in the workforce due to caring duties, family responsibilities or other unpaid work and unequal wage outcomes. States should ensure that schemes take account of such factors in the design of benefit formulas or by using systems such as carer credits. Differences in the average life expectancy of men and women should also be taken into account in the design of schemes. Non-contributory schemes must also take account of the fact that women are more likely to live in poverty than men and more often have sole responsibility for the care of children.

[2008 E/C.12/GC/19 GENERAL COMMENT NO. 191 The right to social security \(art. 9\) OP 32](#)

30. **Education** - Accessible high quality education is crucial to gender equality for women, young women and girls across the life cycle. The Commission should recognise the role of both formal and informal education in reducing poverty and gendered inequality.

[2017, E/CN.6/2017/L.5, CSW Agreed Conclusions on Women's economic empowerment in the changing world of work, para. 40 \(k\)](#)

The Commission should also note the importance of comprehensive sexuality and relationships education that empowers young women with the agency to manage their health, well-being and dignity, and for the prevention of violence against women and girls by equipping young people to negotiate safe and enthusiastically consensual sexual and intimate relationships, free from violence and coercion.

[2011, E/CN.9/2011/8 E/2011/25, CPD Resolution 2011/1. Fertility, reproductive health and development PP17](#)

States should undertake to:

- provide to women, young women and girls free and quality primary and secondary education, including catch-up and literacy education for those who have not received formal education or have left school early, including because of marriage and/or childbearing, which empowers young women and girls to make informed decisions about their lives, employment, economic opportunities and health,

[2017, A/HRC/RES/35/16, HRC Resolution 35/16, Child, early and forced marriage in humanitarian settings, OP. 6\)](#)

- provide scientifically accurate, age-appropriate comprehensive education, relevant to cultural contexts, that provides adolescent girls and boys and young women and men with information on sexual and reproductive health, provides a supportive environment for learning about diverse expressions of sexuality and gender identity alongside heteronormative education, promotes gender equality and the empowerment of women, human rights, physical, psychological and pubertal development. Such education should address power in relationships between women and men, to enable them to build self-esteem and informed decision-making, communication and risk reduction skills and to develop respectful relationships and should take a positive life-cycle approach to sexuality. Such education should be developed and delivered in full partnership with young women and girls, parents, legal guardians, caregivers, educators and health-care providers;

[2017, A/HRC/RES/35/16, HRC Resolution 35/16, Child, early and forced marriage in humanitarian settings, OP. 6\)](#)

- develop and implement programmes that specifically aim to prevent and eliminate gender disparities in enrolment and gender-based bias and stereotypes in education systems, curricula and materials, whether derived from any discriminatory practices, social or cultural attitudes or legal and economic circumstances;

[2017, A/HRC/RES/35/18, HRC Resolution 35/18, Elimination of discrimination against women and girls, OP. 8 \(b\)](#)

[2016, A/HRC/RES/32/20, HRC Resolution 32/20, Realizing the equal enjoyment of the right to education by every girl, OP2 \(k\)](#)

- address the barriers to education experienced by women and girls facing multiple and intersecting forms of discrimination by:
 - Recognising the impact of violence on restricting women and girls access to education;
 - Recognising the impact of pregnancy and childbirth on the continuation of education among women and girls beyond a primary level and implementing measures including creating child-friendly educational institutions, equal caregiving among the genders and comprehensive and accessible family planning as a means of increasing retention in education;

[2017, E/CN.6/2017/L.5, CSW Agreed Conclusions on Women's economic empowerment in the changing world of work, para. 40 \(n\)](#)

- Promoting educational opportunities that enhance opportunities for women and girls to pursue careers in occupations that are normally dominated by men;

[2017, E/CN.6/2017/L.5, CSW Agreed Conclusions on Women's economic empowerment in the changing world of work, para. 40 \(e\)](#)

- Promote, support and provide adequate and sustainable infrastructure (including energy) that facilitates the provision of quality education and the functioning of educational institutions – this is in line with the SDGs

[2017, E/CN.6/2017/L.5, CSW Agreed Conclusions on Women's economic empowerment in the changing world of work, para. 40 \(m\)](#)

[2015, A/RES/70/1, Transforming our world: the 2030 Agenda for Sustainable Development, Goal 4](#)

[2015, A/RES/70/1, Transforming our world: the 2030 Agenda for Sustainable Development, Goal 9](#)

31. **Health care** – The right to health is closely related to and dependant on the realisation of other human rights. The Commission should recognise the importance of recognising all human rights in the context of advancing women's health.

[2017, A/HRC/RES/35/18, HRC Resolution 35/18, Elimination of discrimination against women and girls, OP. 12](#)

[2017, A/RES/71/175, GA Resolution 71/175, Child, early and forced marriage, OP. 12\)](#)

The absence of effective access to health care coverage not only puts the health of women and their children at risk, but also exposes women and their families to significantly increased risk of poverty and materially affects the ability of women to participate in public life. States must provide reliable and universal health services across the lifespan, in particular mental health services, allied health services, maternity and maternal health services and sexual and reproductive health services (including abortion and contraception) in a timely, respectful, culturally appropriate and needs driven manner. To be adequate, healthcare must be affordable, available, accessible, and at the highest quality possible with reference to State's capacity. Women in need of health care should not face hardship or an increased risk of poverty due to accessing health care.

[2012 ILO Recommendation No. 202, para 5a\)](#)

[2009, E/2009/27-E/CN.6/2009/15, CSW53 Agreed conclusions, para. 15\(v\)](#)

[2016, A/HRC/RES/32/4, HRC Resolution 32/4, Elimination of discrimination against women, OP4](#)

States should promote, protect and fulfil the right of all women to have full control over and decide freely and responsibly on matters related to their health, their mental health, their sexuality and sexual and reproductive health, free from discrimination, coercion and violence, including through the removal of legal barriers and the

development and enforcement of policies, good practices and legal frameworks that respect the right to decide autonomously in matters regarding their own lives and health, including their bodies, and ensure universal access to sexual and reproductive health, services, information and education, including for family planning, safe and effective methods of modern contraception, emergency contraception, prevention programmes for adolescent pregnancy, maternal health care, such as skilled birth attendance and emergency obstetric care, safe abortion and the prevention and treatment of sexually transmitted infections, HIV and reproductive cancers and the integration of sexual and reproductive health into national strategies and programmes. States should particularly take steps to prevent forced procedures on Indigenous women, women who do not speak the dominant local language, women with disability and people with intersex variations.

[2017, A/HRC/RES/35/18, HRC Resolution 35/18, Elimination of discrimination against women and girls, OP. 12](#)

[2016, A/HRC/RES/32/4, HRC Resolution 32/4, Elimination of discrimination against women, OP6](#)

32. **Gendered violence** - We support the submission of the Australian Women Against Violence Alliance (AWAVA).
33. **ICT** - Implement programs to eradicate the digital divide through equal access to affordable telecommunications, digital communications and technology and reliable internet access for women and girls, along with the necessary supporting infrastructure.
34. **Climate change and climate justice** - The Commission should note that women and girls are affected differently economically, physically and socially by climate change due to gender roles, norms and relations, and which gives rise to inequalities in vulnerabilities and capacities for adaptation to climate change. Note that due to women and girls' reproductive roles, they are particularly affected by negative climate change impacts to energy prices and resource availability, the ability to produce food and food prices, and to access water. Recommend that the voice, needs and agency of women be at the centre of climate change mitigation, adaptation initiatives and responses.
[2017, E/CN.6/2017/L.5, CSW61 Agreed Conclusions, para. 40 \(hh\)](#)
35. **Disaster response and recovery plans** - The Commission should note that women and girls are physically and economically vulnerable to natural disasters and essential to subsequent recovery initiatives and ensure that the voice and agency of women are central to all disaster mitigation and recovery plans must include women. States must commit to include women in the development and implementation of all disaster mitigation and recovery plans and a gender perspective should be mainstreamed throughout the design, implementation and monitoring process.

[2017, A/RES/71/226, GA Resolution 71/226, Disaster risk reduction, OP. 15 and 16](#)

[2017, A/RES/71/226, GA Resolution 71/226, Disaster risk reduction, OP. 15\)](#)

36. **Role of women in conflict / disaster recovery** - Ensure that women in armed conflict and post-conflict situations, women in other humanitarian emergencies and internally displaced women are empowered to effectively and meaningfully participate in leadership and decision-making processes and that the human rights of all women and girls are fully respected and protected in response and recovery strategies. Ensure that gender is mainstreamed throughout the design, implementation and monitoring process. Ensure that particular attention is paid to addressing all forms of violence against women and girls in such situations.

[2017, E/CN.6/2017/L.5, CSW61 Agreed Conclusions, para. 40 \(uu\)](#)

[2017, A/RES/71/170, GA Resolution 71/170, Intensification of efforts to prevent and eliminate all forms of violence against women and girls: domestic violence, OP.9](#)

37. **Economic crisis** - In global and national policy responses to financial and economic crises or volatile food or energy prices negative impacts on gender equality and the empowerment of women must be minimized with particular support provided to the most vulnerable women and girls.

[2014, E/CN.6/2014/L.7, CSW58 Agreed conclusions para. 42 \(oo\)](#)

38. **Food Security / hunger** – States must adopt measures to ensure the full and equal realization of the right to food and ensuring that women have equal access to relevant social protection and resources, including income, land and water and their ownership, as well as full and equal access to education, science and technology, to enable them to feed themselves and their families.

[2014, A/HRC/RES/25/14, HRC Resolution 25/14, OP7](#)

39. **Finance / Access to markets** – States must implement policies and programs to:
- increase women's access to and control over bank loans, mortgages and other forms of financial credit, giving special attention to poor and uneducated women;
 - support women's access to legal assistance,
 - encourage the financial sector to mainstream gender perspectives in its policies and programmes,
 - ensure women's full and equal access to training and productive resources, including land ownership,
 - facilitate equal access of women, particularly women in developing and least developed countries, to markets at all levels.

[2008, E/2008/27-E/CN.6/2008/11, CSW52 Agreed conclusions, para. 21, \(dd\)](#)

40. **Women in rural and remote areas** - In line with the SDGS, States must commit to:
- significantly increase investment to close resource gaps for building rural infrastructure (including transport, education, health and market infrastructure) in order to achieve gender equality and the empowerment of all women and girls;
 - design , implement and monitor access to and control of economic resources by women and girls in rural and remote areas;
 - Integrate a gender perspective into the design, implementation and evaluation of and follow-up to development policies, plans and programmes, including budget policies, where lacking, ensuring coordination between line ministries, gender policymakers, gender machineries and other relevant government organizations and institutions with gender expertise, and paying increased attention to the needs of rural women to ensure that they benefit from policies and programmes adopted in all spheres and that the disproportionate number of rural women living in poverty is reduced;
 - Strengthen measures, including funding, to improve women's health in rural and remote areas by addressing the specific health, nutrition and basic needs of rural women and taking concrete measures to enhance and provide access to the highest attainable standards of physical and mental health for women of all ages in rural areas,
 - Promote sustainable infrastructure, access to safe drinking water and sanitation and safe cooking and heating practices to improve the health and nutrition of rural women and girls;
 - Value and support the critical role and contribution of rural women, including indigenous women in rural areas, in the conservation and sustainable use of traditional crops and biodiversity for present and future generations as an essential contribution to food security and nutrition;
 - Invest in infrastructure and in time- and labour-saving technologies, especially in rural areas, benefiting women and girls by reducing their burden of domestic activities, affording the opportunity for girls to attend school and for women to engage in self-employment or to participate in the labour market;
 - Promote education, training and relevant information programmes for rural and farming women through the use of affordable and appropriate technologies and the mass media, and taking concrete measures to improve rural women's access to information and communication technologies, their skills, productivity and employment opportunities through technical, agricultural and vocational education and training;

[2015, A/RES/70/132, GA Resolution 70/132](#)

1979, CEDAW, Art. 14, (2), (c)

41. **Indigenous Women** - Promote existing language on Indigenous women in CSW61 / CSW62 but add language to recognise Indigenous stewardship of land and the importance of traditional knowledge and cultural practices in sustainable approaches to

climate change. States must commit to the provision of culturally appropriate social protections to Indigenous women and girls living in urban, regional, rural and remote areas and ensure non-discrimination in provision of social protections. States must actively seek the involvement of Indigenous women and girls in the design and implementation of social protections. The Commission should acknowledge the intersectional disadvantage experienced by Indigenous women and girls, particularly through gender, ethnicity, disability, age and the ongoing effects of colonialism. States should consider the adoption of national legislation to protect the knowledge, innovations and practices of women in Indigenous and local communities relating to traditional medicines, biodiversity and indigenous technologies;

[2007 United Nations Declaration on the Rights of Indigenous Peoples: resolution A/RES/61/295 Art 14](#) (*Education*)

[2007 United Nations Declaration on the Rights of Indigenous Peoples: resolution A/RES/61/295 Art 18 and 19](#) (*decision-making and consultation*)

[2007 United Nations Declaration on the Rights of Indigenous Peoples: resolution A/RES/61/295 Art 21](#) (*social protections*)

[2007 United Nations Declaration on the Rights of Indigenous Peoples: resolution A/RES/61/295 Art 22](#) (*rights and needs of women and others*)

[2015, A/RES/70/132, GA Resolution 70/132 PP2\(w\)](#) (*Medicine, biodiversity and tech*)

Red line: CSW62 language on Indigenous women must be maintained as a minimum.

42. **Women with disability** – language must:

- Require non-discrimination in access to social protections.
- Address harmful social norms and stereotypes regarding disability.
- Require access to all necessary disability-related services, particularly those required to maintain health, economic security and public participation.
- Promote the conscious consideration of the needs and rights of women and girls living with disability when designing social protections systems, including through additional resourcing for access measures.
- Require States to take all appropriate legislative, administrative, social, educational, employment and other measures to protect and promote the rights of all women and girls with disabilities to ensure their full and effective participation and inclusion in society, and to address the multiple and intersecting forms of discrimination they face.
- Require that women and girls with disability must be consulted and included in the design and implementation of social protections.
- Require that social protections extended to women with disability must include accessible and affordable services and facilities to promote sexual and reproductive health and rights. Accessible, age appropriate and relevant information regarding sexual and reproductive health and rights must be provided to women and girls with disability.

- Require specific steps to be taken to address violence against women with disability, including violence occurring in institutional or health care settings, in the home and in public.
- Describe sterilisation, forced abortion, forced contraception or other medical procedures conducted without the full, free and informed consent of the woman or girl as violence against women and girls.

[2006, Convention on the Rights of Persons with Disabilities, Art 28](#)

[A/C.3/72/L.18/Rev.1, OP18 Implementation of the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto](#)

43. **Migrant and refugee women** - ERA supports the submission of the Harmony Alliance.
44. **LGBTI+** - Promotion of rights relating to sexual orientation and gender identity and expression including the rights of lesbian, gay, intersex, transgender and bisexual people. Non-discrimination in provision of social protections. Avoid gendered language where unnecessary in Agreed Conclusions.

[Committee on the Rights of the Child CRC/C/GC/20, General comment No. 20 on the implementation of the rights of the child during adolescence 2016 para 33, 59, 60, 616 \(CSE, LGBTI+\)](#)

[2016 Human Rights Council: Protection against violence and discrimination based on sexual orientation and gender identity A/HRC/32/L.2/Rev.1 \(Violence due to sexual orientation or gender identity\)](#)

45. **Corporations** - Ensure that all corporations, including transnational corporations, comply with national laws and codes, social security regulations, applicable international agreements, instruments and conventions, including those related to the environment, and other relevant laws. States to develop a comprehensive strategy for improving accountability and access to redress mechanisms for individuals whose human rights have been violated by non-State actors. States to take steps to improve the effectiveness of international cooperation between State agencies and judicial bodies with respect to law enforcement of domestic legal regimes to address business-related human rights abuses, particularly with respect to with respect to cross-border investigation, legal assistance and enforcement of judicial decisions.

[1995, A/RES/50/42, Beijing Declaration and Platform for action, para. 106 \(l\)](#)

[2016 A/HRC/32/L.19 Business and human rights: improving accountability and access to remedy](#)

46. **Women human rights defenders** - Women human rights defenders (WHRDs) are organizing and advocating around the world under circumstances that lead to attacks against them (some of which result in death), discrimination and other rights violations. Simply recognising the crucial work of WHRDs in the Agreed Conclusions is not sufficient.

States must undertake to protect women human rights defenders, support and fund specialist women's services and women-led and feminist CSOs and networks and work in consultation with WHRDs to develop solutions to attacks and rights violations.

[A/RES/68/181 on women human rights defenders](#)

[2017, A/HRC/RES/35/18, HRC Resolution 35/18, Elimination of discrimination against women and girls, OP. 13](#)

[1998 A/RES/53/144 Declaration on human rights defenders](#)

47. **National Human Rights Institutions** - Affirm the increasingly important role of national human rights institutions in the promotion and protection of human rights in supporting cooperation between their Governments and the United Nations in the promotion and protection of human rights of the role of National Human Rights Institutions in the CSW process. And encourage the CSW secretariat to enhance the participation of national human rights institutions in CSW.

[2018, CSW62 Agreed conclusions paras 41 and 51](#)

[A/RES/72/181 National institutions for the promotion and protection of human rights paras 14 and 16](#)

48. **Sexual and reproductive health and rights** - Language about sexual and reproductive health and rights should:
- Include references to both health and rights.
 - Clearly articulate and require States to implement the sexual and reproductive rights of women.
 - Recognise that human rights include women's right to have control over and decide freely and responsibly on matters related to their sexuality, including their sexual and reproductive health, free from coercion, discrimination and violence.
 - Include a right to education about sexual and reproductive health and rights for women and girls. Require the development and implementation of age-appropriate, inclusive and accessible, evidence-based, scientifically accurate mandatory curricula at all levels of education covering comprehensive information on sexual and reproductive health and rights, responsible sexual behaviour, prevention of early pregnancy and sexually transmitted diseases. Include the phrase 'comprehensive sexuality education' (CSE).
 - Acknowledge the damage and abuse experienced by LGBTI+ people as a result of stigmatisation of particular sexual orientations, gender identities or trans status. Urge the ending of discrimination against LGBTI+ people and CSE which incorporates comprehensive information about sexual orientation and gender.

[1995, A/RES/50/42, Beijing Declaration and Platform for action, para 9, 11](#)

[2015, A/RES/70/1, Transforming our world: the 2030 Agenda for Sustainable Development, Goal 3, Target 3.7 \(Access to SRH services\)](#)

[2015, A/RES/70/1, Transforming our world: the 2030 Agenda for Sustainable Development, Goal 34 Target 4.1 and 4.2](#) (*Access to education*)

[2015, A/RES/70/1, Transforming our world: the 2030 Agenda for Sustainable Development, Goal 5, Targets 5.1, 5.2, 5.3, 5.6](#) (*Gender equality, discrimination, violence, harmful practices, universal access to sexual and reproductive health and reproductive rights*)

[2016 Committee on Economic, Social and Cultural Rights General Comment No. 22 on the Right to sexual and reproductive health \(article 12 of the International Covenant on Economic, Social and Cultural Rights\) para 11.5, 11.6, 9](#)

[2017 A/HRC/35/L.15 Human Rights Council: Accelerating efforts to eliminate violence against women: engaging men and boys in preventing and responding to violence against all women and girls, para \(g\)](#) (*role of CSE in eliminating violence against women*)

[Committee on the Rights of the Child CRC/C/GC/20, General comment No. 20 on the implementation of the rights of the child during adolescence 2016 para 33, 59, 60, 616](#) (*CSE, LGBTI+*)

[2016 Human Rights Council: Protection against violence and discrimination based on sexual orientation and gender identity A/HRC/32/L.2/Rev.1](#) (*Violence due to sexual orientation or gender identity*)

[Education 2030 Incheon Declaration and Framework for Action for the implementation of Sustainable Development Goal 4. Towards inclusive and equitable quality education and lifelong learning for all 2015. World Education Forum para 63](#) (*Comprehensive sexuality education*)

[2016 A/RES/70/266 Political Declaration on HIV and AIDS: On the Fast Track to Accelerating the Fight against HIV and to Ending the AIDS Epidemic by 2030 paras 41, 61\(c\)](#) (*control over sexuality, freedom from coercion or discrimination in context of HIV prevention*)

[2016 A/RES/70/266 Political Declaration on HIV and AIDS: On the Fast Track to Accelerating the Fight against HIV and to Ending the AIDS Epidemic by 2030 paras 41, 62\(c\)](#) (*CSE*)

[A/C.3/72/L.18/Rev.1, OP18 Implementation of the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto](#) (*access to sexual and reproductive health for women with disability*)

Red Line: Defend existing language (CSW62) re sexual and reproductive rights of women and girls. [2018, CSW62 Agreed conclusions paras 41 and 51](#)

49. Promote language describing the 'diversity of women' / 'women in all their diversity'.
50. **Families** - Promote language describing families in all their diverse forms. The Commission should recognise that in different cultural, political and social systems,

various forms of the family exist, as stated in the Beijing Declaration and Platform for Action, and that, in this context, the rights, capabilities and responsibilities of all family members must be respected, without discrimination.

[CEDAW/C/GC/21, 23, 24, 28, 29](#) (*Families are fundamental units of society and take many forms*)

[A/RES/59/147 Celebration of the tenth anniversary of the International Year of the Family and beyond pp2](#) (*in different cultural, political and social systems various forms of the family exist*)

[1994 A/RES/49/128 Programme of Action of the International Conference on Populations and Development, Principle 9](#)

51. **Women's human rights** - Advocate for specific language referring to 'women and girls' human rights' and 'the human rights of women and girls' throughout the Agreed Conclusions.

Red line: resist all attempts at redefinition of women's and girls' human rights that subsume these within the framework of the family or which differentiate between 'women's rights' and 'human rights'.

52. **Men and Boys** - The Commission should recognise the importance of fully engaging men and boys, as strategic partners and allies agents and beneficiaries of change, for the achievement of gender equality and the empowerment of all women and girls. States should design, implement and regularly monitor the impact of national policies, programmes and strategies that:

- address the roles and responsibilities of men and boys, including through transforming social-cultural norms and traditional and customary practices that condone violence against women and girls, counteracting attitudes by which women and girls are regarded as subordinate to men and boys or as having stereotyped gender roles that perpetuate practices involving violence or coercion,
- Aim to ensure the equal sharing of responsibilities between women and men and girls and boys in unpaid care and domestic work, including through parental leave policies, and increased flexibility in working arrangements which would facilitate the equal sharing of responsibilities,
- Increase men and boys' understanding of the harmful effects of discrimination and violence on the victim/survivor,
- Encourage men and boys to take responsibility and be held accountable for their behaviour, including sexual and reproductive behaviour, and behaviour that perpetuates and normalizes patriarchal attitudes and gender stereotypes that underlie discrimination and violence against women and girls.

[2017 A/HRC/RES/35/10 Accelerating efforts to eliminate violence against women: engaging men and boys in preventing and responding to violence against all women and girls OP 6 and 9](#)

[2016 E/2016/27-E/CN.6/2016/22 CSW60 Agreed Conclusions para 23\(t\) strengthening normative, legal and policy frameworks](#)

53. **Sanitation** - The Commission should acknowledging that water and sanitation has gendered impacts and that women usually carry water in the absence of pipes, must sit or squat to use a toilet, are responsible for small children's toilet use, spend an average of forty years managing menstruation, and face gender-specific risks to their safety when using public sanitation facilities or when in search of water.

States must ensure that:

- Sustainable water and sanitation public services and infrastructure must be designed with women's participation and with women's unique needs in mind.
- Ensure that infrastructure systems (both human and physical) support social protection measures and public services in a way that prioritizes women's needs, interests and multiple roles
- Implement effective mechanisms to manage women's safety in the use of public sanitation services and facilities in efforts to eliminate open defecation, including in schools and health clinics, at transportation hubs, in refugee camps, government offices, marketplaces, and work sites.
- Integrate menstrual hygiene management (MHM) as a mandatory feature of all public sanitation interventions, and as a feature of public education curriculum, in order to break harmful social taboos.

54. **National Sovereignty** - avoid or reject language which makes the implementation of women and girls' human rights subject to or optional due to national sovereignty.

The Equality Rights Alliance thanks the Australian Government for this opportunity to provide our views and look forward to working with the Australian Delegation to continue its advocacy in these areas.