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Agenda item 3

**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development****Escalating backlash against gender equality and urgency of
reaffirming substantive equality and the human rights of
women and girls****Report of the Working Group on discrimination against women and
girls****Summary*

In the present report, the Working Group takes stock of its past work, focusing on the past six years, and presents its vision for the future. It warns about the escalating gender backlash, which has reached extreme proportions in certain countries, including gender apartheid, and reaffirms its commitment to countering it, while charting a path towards the equal enjoyment of all human rights for women and girls. It presents the overarching framework that will guide its work for the next six years, one that is centred on developing an understanding of substantive equality for women and girls and the concrete implications that it holds for States and other actors in the face of contemporary challenges.

In its recommendations, the Working Group calls for a commitment to substantive gender equality and for coordinated efforts to counter the gender backlash.

* Agreement was reached to publish the present document after the standard publication date owing to circumstances beyond the submitter's control.



I. Activities

1. The present report covers the main activities of the Working Group on discrimination against women and girls from the time of submission of its previous report¹ until March 2024, and includes its stocktaking and vision-setting for the future.

A. Sessions

2. At its thirty-seventh session, held in New York from 8 to 12 May 2023, the Working Group met with civil society organizations, debriefed States members of the Security Council on its mission to Afghanistan, conducted jointly with the Special Rapporteur on the situation of human rights in Afghanistan, and held consultations on its future guidance documents. It also met with representatives of the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) and the Department of Economic and Social Affairs, the Special Rapporteurs on the right to development and on the rights of Indigenous Peoples and Member State representatives.

3. At its thirty-eighth session, held in Geneva from 9 to 13 October 2023, the Working Group met with representatives of the Committee on the Elimination of Discrimination against Women, the Committee on Economic, Social and Cultural Rights, the Committee on the Rights of the Child, UN-Women and the World Food Programme. It also met with the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity and the Special Rapporteur in the field of cultural rights, held hybrid consultations with activists and academics on discrimination against women and girls and launched its guidance documents on eliminating discrimination against sex workers and on men's accountability for gender equality.²

4. At its thirty-ninth session, held in Geneva from 15 to 19 January 2024, the Working Group held meetings with representatives of Member States, the United Nations Deputy High Commissioner for Human Rights, representatives of civil society organizations based in Geneva, the Special Rapporteur on Afghanistan and the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, among others. It also held four virtual regional consultations with civil society and one consultation with girl activists.

B. Country visits

5. The Working Group visited Afghanistan from 27 April to 4 May 2023, jointly with the Special Rapporteur on Afghanistan. It also visited Malta from 26 June to 7 July 2023 and Mauritania from 25 September to 6 October 2023. It thanks the Governments of Afghanistan, Malta and Mauritania for their cooperation and encourages States to respond positively to its requests for visits.

C. Communications and press releases

6. The Working Group addressed several communications to Governments and other stakeholders, individually or jointly with other mandate holders. The communications concerned a wide range of subjects, including discriminatory laws and practices, allegations of violations of the rights of women human rights defenders, journalists and lawyers, women deprived of liberty and migrant, refugee, asylum-seeking and stateless women and girls, as well as trafficking in women and girls, gender-based violence and violations of sexual and

¹ [A/HRC/53/39](#).

² See <https://www.ohchr.org/en/special-procedures/wg-women-and-girls/resources>.

reproductive health rights.³ The Working Group issued press releases, both individually and jointly with other mandate holders, the human rights treaty bodies and regional mechanisms.⁴

D. Other activities

7. The members of the Working Group undertook numerous other activities in their official capacity, including participation in regional consultations and expert meetings and engagements with stakeholders. In particular, the Chair presented an oral report to the General Assembly at its seventy-eighth session and addressed the Commission on the Status of Women at its sixty-eighth session, for the first time during the opening segment. Moreover, members of the Working Group contributed to the seventy-seventh ordinary session of the African Commission on Human and Peoples' Rights, the Gender Apartheid Inquiry conducted by a parliamentary panel in the United Kingdom of Great Britain and Northern Ireland and the Human Rights Institute of the International Bar Association, several discussions on advancing gender equality, organized by UN-Women, and a high-level panel discussion on gender apartheid in Afghanistan, organized by the Malala Fund for Girls' Right to Education, the International Peace Institute and the Atlantic Council. The Working Group continued to chair the Platform of Independent Expert Mechanisms on the Elimination of Discrimination and Violence against Women until 29 February and convened various meetings of the Platform during its sessions.

II. Thematic analysis: escalating backlash against gender equality and urgency of reaffirming substantive equality and the human rights of women and girls

A. Introduction

8. In the present report, the Working Group takes stock of its past work, focusing on the past six years, and analyses the main lessons learned. In addition, it presents its vision for the future. It is grateful for the responses to the questionnaire that it sent to all the Permanent Missions of Member States to the United Nations and other international organizations in Geneva and to other stakeholders on lessons learned, challenges and opportunities relating to the work of the mandate. Similarly, it wishes to thank all participants in the consultations held in connection with the preparation of the present report.

1. Conceptual framework

9. In fulfilling its mandate, the Working Group has consistently addressed the elimination of discrimination against women and girls in all fields – civil, political, economic, social and cultural – from the perspective of States' obligations to respect, protect and fulfil women's and girls' human rights. Mindful of the fact that women and girls are not uniform but diverse and distinct in many ways, the Working Group has considered and addressed the intersection of sex- and gender-based discrimination with other grounds of discrimination. At the same time, it has emphasized that there are shared aspects of discrimination against women and girls that persist in all cultures, albeit with differing levels of intensity and impact.⁵ It has reaffirmed and prioritized the obligation of States to remove obstacles to and

³ All communications are available at <https://spcommreports.ohchr.org/TmSearch/TMDocuments>.

⁴ See

https://www.ohchr.org/en/latest?field_content_category_target_id%5b162%5d=162&field_entity_target_id%5b1314%5d=1314&field_published_date_value%5bmin%5d=&field_published_date_value%5bmax%5d=&sort_bef_combine=field_published_date_value_DESC.

⁵ A/HRC/38/46, para. 11.

proactively ensure substantive gender equality in all human rights, as recognized under international human rights law.⁶

10. Since its establishment in 2010, the Working Group has underlined that progress in advancing gender equality has not been linear and has noted both positive reforms and regressions.⁷ In 2018, on the basis of what it was able to observe and document during its first six years of work, the Working Group warned about the resurgence of a conservative and retrogressive narrative in international forums and at the national level, accompanied by attempts to reinstate policies or legislation that are harmful to women and girls, especially in the areas of family life and bodily autonomy.⁸ Six years later, it is with the greatest concern that the Working Group observes that the backlash against women's and girls' human rights is intensifying and has reached extreme proportions in certain countries.⁹

11. The Working Group defines gender backlash as denial of the recognition, enforcement and realization of women's and girls' rights or retrogression in that regard. It emphasizes that the gender backlash not only destabilizes and undermines the foundation of the human rights system by denying equal rights to half of the world's population, but also makes impossible any prospect of just, inclusive, peaceful and sustainable societies. The need to reaffirm and recommit to the universality of women's and girls' rights, as well as the inalienable, indivisible, interdependent and interrelated nature of all human rights, is paramount and requires coherent, systematic, comprehensive and coordinated efforts by all.

2. Reversing rollbacks of human rights and reaffirming the universality thereof

12. Retrogressive movements are jeopardizing women's and girls' human rights, as well as the progress achieved in advancing gender equality in all regions of the world. Active resistance to gender equality has been identified as among the key factors explaining the slow progress and, in some cases, reversals of gains made in achieving the Sustainable Development Goals, with no indicator under Goal 5 on gender equality having reached the "target met or almost met" level globally.¹⁰

13. In their responses to the questionnaire circulated by the Working Group, States indicated that constitutional amendments, legislation and policies directed at eliminating discrimination against women and girls have continued to be adopted in a number of countries, including in areas such as sexual and reproductive health rights, prevention of gender-based violence, labour inclusion, economic empowerment, public and political participation and the valuation and redistribution of unpaid care and domestic work. The institutional framework to oversee the implementation of such measures has been strengthened in some countries. The Working Group notes that, in the past decade alone, more than 40 countries have amended and rewritten their constitutions to incorporate provisions advancing women's and girls' rights.¹¹

14. However, also acknowledged in the responses were the growth of anti-rights movements, attacks on women's and girls' equal rights and the persistent challenge of

⁶ International Covenant on Civil and Political Rights, arts. 2 and 3; International Covenant on Economic, Social and Cultural Rights, arts. 2 and 3; Convention on the Elimination of All Forms of Discrimination against Women, arts. 2–5; Convention on the Rights of the Child, art. 2; African Charter on Human and Peoples' Rights, art. 18 (3); Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa; American Convention on Human Rights, art. 1; Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women; Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention on Human Rights), art. 14; and Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence.

⁷ [A/HRC/20/28](#), para. 12.

⁸ See [A/HRC/38/46](#).

⁹ See, for example, [A/HRC/53/21](#); and OHCHR, "Iran's proposed hijab law could amount to 'gender apartheid': UN experts", press release, 1 September 2023.

¹⁰ UN-Women and Department of Economic and Social Affairs, "Progress on the Sustainable Development Goals: the gender snapshot 2023" (New York, 2023).

¹¹ See Claudia Flores, "The long road ahead: the first period of a gender-responsive Constitution in Zimbabwe", in *From Parchment to Practice: Implementing New Constitutions*, Tom Ginsburg and Aziz Z. Huq, eds. (Cambridge, Cambridge University Press, 2020).

political violence against women. Some countries face obstacles in adopting, regulating and disseminating laws to advance gender equality, as well as gaps in both the adoption and the implementation of relevant public policies, including due to the non-allocation of the necessary funds. The Working Group has similarly observed that, even when progressive language to advance women's and girls' rights is introduced into national constitutions and legislation, including the prohibition of harmful practices, implementation often remains a challenge, as women's and girls' issues continue to be sidelined or minimized, and the social transformation required to remedy gender inequalities is frequently met with strong resistance.¹² In some cases, such resistance has fuelled attempts to withdraw existing guarantees, including the prohibition of harmful practices.

15. The gender backlash has been driven by nationalist, fundamentalist and conservative political, cultural and religious movements, encompassing governmental, religious and civil society actors. These movements have formed various national and transnational alliances aimed at promoting stereotypical attitudes about the roles of women and men in the family and society that restrict women's and girls' choices and potential in many aspects of their lives.¹³ They have attacked the term "gender", seeing it as a tool of "ideological colonization" that aims to destroy the "traditional family" and "family values".¹⁴ These alliances have succeeded in influencing legislation, policy and practice, as well as, in some cases, in altering public opinion. As a result, the world is witnessing a growing backlash against sexual and reproductive health rights, including comprehensive education on sexual and reproductive health, ever-present misogynistic statements in the media and the rise of anti-gender discourse in the public domain, even by high-ranking politicians, as well as attacks on women and girl human rights defenders.¹⁵

16. The backlash has been propelled by some Governments, which have challenged the universality of human rights, using religious and cultural justifications.¹⁶ The Special Rapporteur on freedom of religion or belief has referred to considerable evidence that, in all regions of the world, actors citing religious justifications for their actions have advocated to Governments and to the broader public for the preservation or imposition of laws and policies that directly or indirectly discriminate against women, girls and lesbian, gay, bisexual and transgender (LGBT+) persons.¹⁷ The Working Group emphasizes that arguments framed in terms of cultural diversity and freedom of religion cannot be invoked to justify denial of rights and discrimination against women and girls.¹⁸

17. Various types of crises, such as political, social, economic, public health, environmental and humanitarian crises, not only have a disproportionate impact in themselves on women and girls, but are also used to erode their rights.¹⁹ The Working Group has noted that rising authoritarianism and crises, uncontrolled greed for profit and skyrocketing socioeconomic inequality, which have been exacerbated since the coronavirus disease (COVID-19) pandemic, as well as the instrumentalization of religion, have contributed to the pushback against women's and girls' rights in all areas.²⁰ At the same time,

¹² Ibid.

¹³ See Working Group on discrimination against women and girls, "Gender equality and gender backlash", position paper, available at <https://www.ohchr.org/sites/default/files/Documents/Issues/Women/WG/Gender-equality-and-gender-backlash.pdf>. See also Haley McEwen and Lata Narayanaswamy, "The international anti-gender movement: understanding the rise of anti-gender discourses in the context of development, human rights and social protection", United Nations Research Institute for Social Development (May 2023).

¹⁴ Working Group on discrimination against women and girls, "Gender equality and gender backlash", p. 7. See also [A/HRC/38/46](#) and [A/HRC/43/48](#).

¹⁵ See, for example, [A/76/258](#), [A/78/288](#), [A/HRC/40/60](#), [A/HRC/43/48](#), [A/HRC/47/38](#), [CEDAW/C/BGR/CO/8](#), [CEDAW/C/HUN/CO/9](#) and [CEDAW/C/SRB/CO/4](#). More generally, see Working Group on discrimination against women and girls, "Gender equality and gender backlash".

¹⁶ [A/HRC/47/38](#), para. 48.

¹⁷ [A/HRC/43/48](#), para. 7.

¹⁸ [A/HRC/47/38](#), para. 47. See also [A/HRC/29/40](#).

¹⁹ See [A/HRC/47/38](#).

²⁰ See [A/HRC/38/46](#); [A/HRC/53/39](#); and Working Group on discrimination against women and girls, "Gender equality and gender backlash".

anti-gender discourses and attacks on women's and girls' rights appear to be "crisis management" strategies: they serve to maintain, assert or revive certain social hierarchies, which are at once gendered, classed and racialized, in the face of the systemic crisis of transnational neoliberal economics and neocolonial geopolitics, which have been thriving on the "depletion" of women and nature.²¹

18. In some contexts, the gender backlash has not been immediately evident. As noted in the responses to the Working Group's questionnaire, in many cases, it takes subtle forms, such as impediments in the implementation of relevant policies, a lack of or reductions in budget allocations or the dismantling or defunding of gender-equality bodies.²² It can take forms that promote progress in one area but involve a hidden cost or disproportionate burden on women and girls in another.

19. The backlash has become evident in extreme manifestations of gender inequality that fail to generate a proportionate response from the global community. A devastating expression of the rollback of gender equality is gender apartheid, understood as inhumane acts committed in the context of an institutionalized regime of systematic discrimination, oppression and domination by one group against another group or groups, based on gender, and committed with the intention of maintaining that regime.²³ The Working Group considers that the case of Afghanistan, and the predominantly muted State reaction, is a concerning example of gender backlash. The pattern of large-scale systematic violations of women's and girls' fundamental rights in Afghanistan by the discriminatory and misogynistic edicts, policies and harsh enforcement methods of the Taliban, all in the service of the political goals of an extremist regime, constitutes an institutionalized framework of apartheid based on gender, and merits an unequivocal response.²⁴

B. Women's and girls' rights between progress and regressions

20. Over the past six years, the Working Group has strived to identify progress towards achieving gender equality and promising practices, in a global context marked by a mounting gender backlash. It has continued to document the main challenges to eliminating discrimination against women and girls in all their diversity.

21. There has been some progress, but gender equality is not nearly a reality. Even when legal and policy advancements are achieved, implementation gaps are often alarmingly wide, impeding substantive progress, and they do not benefit all women and girls equally. Thus, women and girls continue to face discrimination in all spheres of their lives, frequently starting within their families and communities, while the gender backlash undermines current achievements and prospects for further progress.

22. In the following sections of the present report, the Working Group outlines the progress and regressions identified in its thematic reports, which were devoted to the five themes that it identified as priorities in 2018, when it set out its vision for its second six-year mandate:²⁵ women deprived of liberty;²⁶ women's human rights in the changing world of work;²⁷ women's and girls' sexual and reproductive health rights in crisis;²⁸ girls' and young women's activism;²⁹ and feminist and human rights-based approaches to gendered inequalities of poverty.³⁰ The sections are organized around four main areas – political and

²¹ See, for example, Jerker Edström, Alan Greig and Chloe Skinner, "Patriarchal (dis)orders: backlash as crisis management", *Signs: Journal of Women in Culture and Society*, vol. 49, No. 2 (2023).

²² See also Conny Roggeband and Andrea Krizsán, "Democratic backsliding and the backlash against women's rights: understanding the current challenges for feminist politics", Discussion Paper No. 35 (UN-Women, 2020).

²³ See [A/HRC/53/21](#) and [A/HRC/WG.11/40/1](#).

²⁴ See [A/HRC/53/21](#).

²⁵ [A/HRC/38/46](#), paras. 73–81.

²⁶ [A/HRC/41/33](#).

²⁷ [A/HRC/44/51](#).

²⁸ [A/HRC/47/38](#).

²⁹ [A/HRC/50/25](#).

³⁰ [A/HRC/53/39](#).

public life, economic and social life, family and cultural life, and health and safety – which the Working Group has used to guide its work since its inception in an effort to address discrimination in all aspects of women’s and girls’ lives.³¹

1. Advancing gender equality

23. In its report on girls’ and young women’s activism, the Working Group noted that girls and young women were at the forefront of initiatives aimed at transforming societies towards social justice, gender equality and sustainability, despite, and frequently in reaction to, the barriers that they continued to face in participating in public and political life. Some States had adopted specific legislation that expressly contemplated the right of children and young people to participate in decision-making processes concerning them and provided for the adoption of special measures to encourage their participation. In some other States, dedicated programmes, policies and strategies had been adopted to promote the participation of children and young people in decision-making. A number of initiatives had been introduced to promote and support the engagement of children and young people, including girls, with independent national human rights mechanisms. In addition, international human rights bodies were increasingly involving children.³² The Working Group has incorporated a girls’ rights approach into its work, has been meeting with girls and young women during its country visits and has carried out specific consultations with them for its thematic reports.

24. In its report on women’s human rights in the changing world of work, the Working Group noted that important trends, including technological change, demographic change, accelerated globalization and the shift to sustainable economies, were affecting the world of work and would shape its future. Those trends provided some opportunities to advance gender equality and women’s rights in the world of work, provided that structural and systemic discrimination against women and girls was addressed. In this respect, the Working Group welcomed the adoption of the International Labour Organization (ILO) Violence and Harassment Convention, 2019 (No. 190), which marked a significant advancement towards creating a world of safe and decent work for all, with a particular focus on addressing women’s experiences of violence and harassment.³³

25. More generally, regarding strategies to address the poverty and socioeconomic inequality faced by women and girls, in its report on gendered inequalities of poverty, the Working Group highlighted the contribution of social movements advocating for transformative change from the perspective of feminist political economy and human rights, which had drawn attention to the existence of alternatives to unjust economic and social policies and institutions. Several social movements were championing a feminist and decolonial Global Green New Deal, which would entail a redistribution and revalidation of labour, and investments in the care sector, as well as a reimagining of the global public commons and goods so that they were used equitably and sustainably. It was highlighted in the report that poverty and inequality were not inevitable. Poverty was a gendered phenomenon that resulted from specific policy choices and structures that urgently needed transformation with a feminist and human rights-based approach.³⁴

26. In its report on women’s and girls’ sexual and reproductive health rights in crisis, the Working Group noted that some States had enshrined women’s and girls’ sexual and reproductive health rights in their constitutions. Moreover, sexual and reproductive health services had been formally recognized as essential in certain States. The Working Group highlighted the interventions, in some States, of national human rights institutions and courts aimed at protecting sexual and reproductive health rights during situations of crisis, including during the COVID-19 pandemic, by drawing attention to shortcomings in the design and/or implementation of crisis responses.³⁵ Furthermore, States had been held responsible for failing to protect the sexual and reproductive health rights of women and girls in cases

³¹ A/HRC/20/28, para. 21.

³² A/HRC/50/25, paras. 8, 61, 62, 64 and 66.

³³ See A/HRC/44/51.

³⁴ A/HRC/53/39, paras. 13, 16 and 23.

³⁵ A/HRC/47/38, paras. 28 and 38.

concerning access to therapeutic abortion,³⁶ non-discriminatory and timely access to maternal health care,³⁷ mistreatment during childbirth³⁸ and access to contraceptive information and services.³⁹ The Working Group welcomed the judicial recognition of the harms caused by sexual and reproductive violence during conflict and the provision of reparations.⁴⁰

2. Facing and countering setbacks

(a) Political and public life

27. The Working Group has devoted particular attention to the political and public participation of girls and young women. It has noted that common misperceptions around children's right to participation in political and public life, restrictions on their autonomy, disregard for their best interests, paternalistic control and superficial, tokenistic efforts to involve them in diverse processes limit the freedom and space of engagement of children and young people in general. In the case of girls and young women, these barriers are dramatically compounded by predominant gender stereotypes and patriarchal social norms.⁴¹

28. Lack of safety and security is a major barrier to the activism of girls and young women, who are often exposed to attacks, harassment and violence, including sexual violence. They may face domestic violence as a reprisal for their activism or may be separated from their children by their partners and family as a form of punishment. In addition, some of the activists with whom the Working Group met mentioned their experience of arbitrary arrests, intimidation, threats of killings, kidnappings, being tracked and spied on and the abuse of anti-terrorist legislation to further shrink the civic space and restrict their activities. Digital gender-based violence and harassment add a further layer of challenges to girls' and young women's activism.⁴² In the context of the backlash against gender equality, girls and women face increased risks of harassment and violence when engaging on themes related to gender equality.⁴³

29. The Working Group recognizes girl and young women activists who take action to advance human rights as human rights defenders, regardless of how they identify themselves or are perceived by others, and they are thus entitled to all related legal protections.⁴⁴ It has underscored that girls' and young women's equal rights and opportunities in all areas are the basis for creating an enabling and just environment for their activism. The dignity and agency of all girls and young women must be recognized and actively promoted, supported and protected, while ensuring safeguards against threats, violence and reprisals, including offline and online harassment and violence, and undertaking concrete steps to remove the structural barriers and the systemic disadvantages that they face.⁴⁵

(b) Economic and social life

30. Women and girls are disproportionately represented among the world's poor. Global projections show that an estimated 388 million women and girls were living in extreme poverty in 2022 (compared with 372 million men and boys).⁴⁶ The current situation is the result of historical and continuing economic policy choices that have been developed within

³⁶ See Committee on the Elimination of Discrimination against Women, *L.C. v. Peru* (CEDAW/C/50/D/22/2009).

³⁷ See Committee on the Elimination of Discrimination against Women, *Da Silva Pimentel v. Brazil* (CEDAW/C/49/D/17/2008) and *S.F.M. v. Spain* (CEDAW/C/75/D/138/2018).

³⁸ See CEDAW/C/IRL/CO/6-7.

³⁹ See CEDAW/C/OP.8/PHL/1.

⁴⁰ A/HRC/47/38, para. 39.

⁴¹ A/HRC/50/25, paras. 29 and 70.

⁴² *Ibid.*, paras. 36, 38, 39 and 41.

⁴³ See Working Group on discrimination against women and girls, "Gender equality and gender backlash".

⁴⁴ A/HRC/50/25, para. 14.

⁴⁵ *Ibid.*, para. 72.

⁴⁶ UN-Women, "Poverty deepens for women and girls, according to latest projections", 1 February 2022, available at <https://data.unwomen.org/features/poverty-deepens-women-and-girls-according-to-latest-projections>.

patriarchal political, legal and socioeconomic systems and institutions, ignoring the specific experiences and rights of girls and women. Predominant approaches to women's poverty concentrate on increasing the economic productivity of individual women, rather than analysing the systems of power that generate and reproduce unequal gender relations within families, communities, institutions and markets.⁴⁷

31. The Working Group has highlighted that the meaningful participation of diverse groups of women and girls in conceptualizing, implementing and monitoring socioeconomic policies, norms and strategies, including by international economic institutions, is vital to realizing the right to be free from poverty, because this right cannot be achieved in isolation from individual and collective rights to substantive equality. The challenge is to move away from non-discrimination as a vehicle for the protection of individual rights towards the implementation of the relational and redistributive obligations that are an integral but, as yet, largely unrealized part of international human rights law.⁴⁸

32. The Working Group has dedicated special attention to the world of work. Globally, women's labour force participation rate stood at 47.4 per cent in 2022, compared with 72.3 per cent for men.⁴⁹ Women remain concentrated in the lowest-paid jobs and in vulnerable forms of employment, including in the informal sector. The global gender pay gap stands at 20 per cent and is even wider for women who experience multiple and intersecting forms of discrimination. Mothers face a larger pay gap and dramatically lower retirement savings or pension contributions (the "motherhood penalty"). Furthermore, despite the growing number of laws addressing it, sexual harassment at work continues to be pervasive and dramatically unreported.⁵⁰

33. The major trends affecting the world of work and shaping its future risk aggravating gender inequality and exacerbating the labour discrimination that women currently face, unless a gender perspective is adopted when examining and addressing them. Realizing women's human rights in the changing world of work requires a fundamental transformation of the structure of work and the economy: current economic models exploit and thrive on women's unpaid care and domestic work, while depleting their time and economic security. However, there are policy alternatives, which require reimagining the economy to focus on redistributing power and resources, generating decent work and placing value on the well-being and care of people and the planet.⁵¹

(c) Family and cultural life

34. The Working Group has noted the persistence of discriminatory prejudices and stereotypes that affect and constrain women's and girls' choices and opportunities throughout the life cycle.⁵²

35. Within the home, many societies and ideologies expect women and girls to be governed by men. Several States maintain legal codes requiring married women to obtain their husband's permission to leave the house or requiring all women to obtain the permission of a male "guardian" to engage in public activity.⁵³ Legal provisions and social practices that restrict women's agency and mobility on the basis of requirements of male guardianship are inherently discriminatory, humiliating and derogatory. They are blatant violations of women's and girls' right to equality and rights to freedom of movement, education, work, access to justice, and privacy and family life. The Working Group has recommended that States repeal all laws that support the patriarchal oppression of women in families. It has also recommended that States ensure that the right to equality has primacy over all religious and

⁴⁷ [A/HRC/53/39](#), paras. 11 and 21.

⁴⁸ *Ibid.*, para. 48.

⁴⁹ ILO, *World Employment and Social Outlook: Trends 2023* (Geneva, 2023), p. 12.

⁵⁰ [A/HRC/44/51](#), paras. 12, 14 and 44.

⁵¹ *Ibid.*, para. 58.

⁵² See [A/HRC/41/33](#).

⁵³ *Ibid.*, paras. 21 and 22.

customary norms, codes and rules, with no possibility of exemption, waiver or circumvention.⁵⁴

36. Stereotyped notions about gender roles within the family underlie a number of cultural and religious practices limiting girls' opportunities to pursue education and self-determined life paths. Some of these practices lead to girls being removed from school to perform domestic labour or being subjected to child and forced marriages.⁵⁵ Furthermore, predominant gender stereotypes and patriarchal social norms limit the freedom and space of engagement of girls and young women, who are often portrayed as destroyers of family values and national traditions and confronted with threats and violence, when engaging in activism.⁵⁶

(d) Health and safety

37. An estimated 810 maternal deaths occur each day globally, and 25 million unsafe abortions take place annually, resulting in approximately 47,000 deaths, primarily in developing countries and among members of socioeconomically disadvantaged and marginalized populations. Every 16 seconds, there is a stillbirth. More than 200 million women who want to avoid pregnancy are not using modern contraception, due to a range of barriers. Millions of women and girls are denied the ability to manage their monthly menstrual cycle safely and with dignity. Those outcomes and barriers increase significantly in times of crisis.⁵⁷

38. The Working Group has drawn attention to the failure of States to adequately recognize, respect, protect and fulfil the sexual and reproductive health rights of women and girls, both before and during times of crisis. It has also highlighted the frequent lack of attention to the key underlying factors that make a given situation "critical" for various populations, especially women and girls. Many situations of crisis are predetermined by cumulative layers of pre-existing inequalities and discrimination, which may be starkly exposed and deeply exacerbated by a specific event.⁵⁸

39. During crises, States often divert financial and human resources from sexual and reproductive health care and impose restrictions on services, thereby deeming them non-essential, which amounts in practice to a retrogression incompatible with States' human rights obligations. Such restrictions often continue to undermine access to sexual and reproductive health care after a crisis has ended, and, in the majority of cases, reconstruction programmes and recovery plans fail to prioritize sexual and reproductive health. Furthermore, gender equality does not always figure among the priorities of donors, which often drive interventions in situations of humanitarian crisis. Sexual and reproductive health services are typically not considered essential or urgent, despite the specific risks and vulnerabilities faced by women and girls. In some cases, even maternity care is reportedly not adequately funded or prioritized because it is not perceived as a "humanitarian" concern.⁵⁹

3. Challenges to gender equality for specific groups of women and girls

40. In its thematic reports, the Working Group has identified specific challenges faced by distinct groups of women and girls who, because of multiple and intersecting forms of discrimination, experience compounded inequality in all aspects of their lives. Some of these challenges, which are related to the themes covered by the Working Group's reports over the past six years, are outlined below.

(a) Women and girls belonging to racial or ethnic minorities or Indigenous Peoples

41. The Working Group has emphasized that there are communities of women and girls that have been subjected to a "persistent state of crisis", such as Indigenous and Roma women

⁵⁴ A/HRC/29/40, para. 73 (a) (i) and (c) (v).

⁵⁵ A/HRC/41/33, para. 24.

⁵⁶ A/HRC/50/25, para. 29.

⁵⁷ A/HRC/47/38, para. 16.

⁵⁸ Ibid., paras. 9, 11 and 14.

⁵⁹ Ibid., paras. 26 and 33.

and girls and women and girls of African descent, whose lives have been shaped by histories of oppression, enslavement, exclusion, racial discrimination, forced assimilation and apartheid, linked to conquest and colonization, as well as systematic violence and disregard for their culture, spirituality and traditions. Many have been systematically subjected to reproductive violence, including forced pregnancy and sterilization, and have been separated from their children.⁶⁰

42. Compounded discrimination also affects their experience of the world of work. For example, for Roma women in many parts of Europe, lack of access to education, coupled with residential segregation and discrimination, exclude them from the formal labour market, forcing them to engage in precarious and low paid work, creating a poverty trap.⁶¹

(b) Women and girls with disabilities

43. The Working Group finds that women with disabilities are often seen as weak or in need of protection. Consequently, they may be confined in institutions or their homes and may be deprived of legal capacity. Girls with disabilities are more likely to experience confinement in the family context, associated with fears that they might be prone to sexual abuse, combined with panic about girls' sexuality.⁶² They are also more likely to be excluded from education and employment, as compared with both men with disabilities and women without disabilities.⁶³

44. Furthermore, in crisis responses, the needs of women and girls with disabilities, for example, the need for reasonable accommodations, such as the installation of ramps and the provision of portable beds and wheelchairs, are often not specifically taken into account. Information is usually not available in accessible formats, which leads to difficulties in seeking services and communicating with staff. Negative stereotypes linked to their sexual and reproductive health status can lead to the further marginalization of their needs and concerns in situations of crisis.⁶⁴

(c) Older women

45. The Working Group has highlighted that poverty and inequality influence the lives of older women, who are perceived in some societies as dangerous and in need of control. In certain communities, these women may experience non-judicial confinement and banishment from their homes because of accusations of witchcraft. Moreover, older women without resources or livelihoods may find themselves involuntarily isolated in the home or in a care facility.⁶⁵

(d) Girls and adolescent girls

46. The Working Group has highlighted that girls and adolescent girls are at increased risk of sexual violence, child, adolescent and unplanned pregnancy, coerced sex and harmful practices because of, inter alia, lack of access to sexual and reproductive information, goods and services, combined with pervasive stereotyping and taboos. During crises, arranged and forced marriages increase in frequency, driven by harmful traditional practices in the context of aggravated poverty. Nevertheless, child marriage and adolescent girls' sexual and reproductive health needs remain largely unaddressed in humanitarian settings.⁶⁶ Girls and adolescent girls also face barriers in participating in public and political life, an issue to which the Working Group devoted one of its thematic reports.⁶⁷

⁶⁰ Ibid., para. 63.

⁶¹ A/HRC/44/51, para. 17.

⁶² A/HRC/41/33, para. 44.

⁶³ A/HRC/44/51, para. 17.

⁶⁴ A/HRC/47/38, para. 59.

⁶⁵ A/HRC/41/33, paras. 28 and 55. See also A/HRC/53/39.

⁶⁶ A/HRC/47/38, paras. 55 and 56.

⁶⁷ A/HRC/50/25.

(e) Rural women and girls

47. The Working Group has highlighted that women face discrimination in the allocation of rights to productive land, making up fewer than 15 per cent of owners of agricultural land globally. Laws, policies, social norms and stereotypes may also restrict their rights to seeds and other natural resources, agricultural inputs and labour.⁶⁸ Land-grabbing and the operations of extractive industries in the territories of Indigenous Peoples and other communities are experienced by women and girls as a crisis, threatening their very survival.⁶⁹

48. In addition, rural women and girls face specific challenges in fully enjoying their sexual and reproductive health rights. Contraceptive access is low, and maternal mortality and morbidities, such as obstetric fistula and uterine prolapse, are high among them. There is also a higher incidence of stillbirths. Barriers commonly faced by rural women and girls include long distances from health centres, cost, lack of trained providers, long waiting times, lack of information and confidentiality and the constraints of a heavy workload.⁷⁰

(f) Women and girls in poverty

49. The Working Group has emphasized that women and girls living in poverty experience stigma and intersecting discrimination. In many jurisdictions, the criminal law is disproportionately applied to them because of their economic or social status. The security of land tenure or housing and the accessibility of legal and justice systems are also severely limited for women and girls living in poverty, who frequently have no effective means to assert their rights to be free from violence, to contest or to receive compensation for illegal or unfair evictions, displacement due to development projects, land-grabbing and environmental destruction, or to access or claim adequate housing, decent working conditions or social security entitlements.⁷¹

(g) Migrant, asylum-seeking, refugee and internally displaced women and girls

50. Reception structures and arrangements often lack the capacity to respond to the needs of migrant, refugee and internally displaced women and girls, who frequently arrive carrying the traumas of violence, persecution, conflict and poverty. Many women and girls live in camps under a persistent threat of violence, including from intimate partners, while sexual and reproductive health is typically deemed a taboo topic. Moreover, their specific needs, including routine menstrual hygiene and pain management, are often not taken into account in relief programmes.⁷² Gender stereotypes in immigration administration result in a lack of consideration of women's experiences of violence, in particular domestic violence, for the purpose of granting asylum. Moreover, certain legal systems require that asylum claims be submitted through a male head of household rather than allowing women to submit an individual asylum claim.⁷³

51. The Working Group has highlighted the persistence of situations akin to slavery or indentured servitude among local and migrant domestic workers.⁷⁴ Conversely, restrictions that aim to prevent women from legally migrating, on the grounds that they may become victims of trafficking or forced prostitution, push women to seek alternative (irregular) migration channels and consequently increase their vulnerability to forced or bonded labour, confinement and other human rights violations.⁷⁵

(h) LBTQI+ women and girls

52. Sexual and gender-nonconforming women are disproportionately targeted for social control based on their perceived challenge to or "transgression" of established norms of

⁶⁸ A/HRC/53/39, para. 35.

⁶⁹ A/HRC/47/38, para. 58.

⁷⁰ Ibid., para. 57.

⁷¹ A/HRC/53/39, paras. 31–33.

⁷² A/HRC/47/38, paras. 60 and 62.

⁷³ A/HRC/41/33, para. 26.

⁷⁴ A/HRC/53/39, para. 39.

⁷⁵ A/HRC/41/33, para. 59.

gender roles and sexuality. As a result, they face increased vulnerability to criminalization and deprivation of liberty. Even in cases in which they are not expressly criminalized on the basis of their sexual orientation or gender identity, they may face a heightened risk of encountering the criminal justice system. For example, transgender women are arbitrarily profiled and targeted for sex work.⁷⁶ The Working Group has noted that transgender women experience disproportionate levels of poverty and economic insecurity because of the discrimination that they face in accessing employment.⁷⁷

(i) Women who use drugs

53. The Working Group has highlighted the discriminatory and disproportionate impact on women of punitive approaches to the drug problem. Women may receive disproportionate sentences under regimes that do not take level of involvement into account and may have fewer opportunities to negotiate reduced sentences or plea bargains owing to their lowly status within criminal networks. Furthermore, pregnant women suspected of drug use can be involuntarily detained and forced to undergo medical treatment, often without sound medical evidence that they have a drug dependency or that the fetus is at risk.⁷⁸

(j) Sex workers

54. Women in sex work are likely to face deprivation of liberty because of laws and social attitudes that seek to control women's morality and sexuality. In States in which sex work is criminalized, women are disproportionately affected and targeted by law enforcement agents. When sex work is not criminalized, they may be prosecuted and incarcerated for other offences, including loitering, vagrancy and public indecency, and for migration-related infractions. In some States, they may be confined to "re-education" institutions, designed to "cure" them of "deviant behaviour".⁷⁹ Criminalization of women sex workers increases their vulnerability to violence and compounds their exclusion from essential services.⁸⁰ The Working Group recommended that States ban laws and practices policing, targeting, punishing or confining women in relation to sex work.⁸¹

C. Taking stock of the Working Group's work

1. Impact and main contributions to the advancement of gender equality

(a) Thematic reports

55. In its thematic analysis, the Working Group has endeavoured to spotlight the principal root causes of discrimination against women and girls, while also identifying encouraging practices and providing guidance to States and other stakeholders on how to make further progress towards achieving gender equality.

56. The responses to the Working Group's questionnaire indicate that its reports have continued to influence the language of resolutions adopted by the Human Rights Council. For instance, one State indicated that the thematic reports had served as a basis for the preparation of the Council's annual resolution on the elimination of discrimination against women and girls. In addition, the Working Group's reports have been referenced by some regional human rights mechanisms. Moreover, they have been used by United Nations agencies and have informed the 2023 report by the Secretary-General to the Commission on the Status of Women.

57. In addition, the reports have been used to inform the development of national public strategies, policies and programmes. For example, in one country, the analysis and recommendations contained in the Working Group's thematic report on gendered inequalities

⁷⁶ Ibid., para. 34.

⁷⁷ A/HRC/44/51, para. 17.

⁷⁸ A/HRC/41/33, paras. 32 and 39.

⁷⁹ Ibid., para. 36.

⁸⁰ A/HRC/44/51, para. 43.

⁸¹ A/HRC/41/33, para. 80 (c). See also A/HRC/WG.11/39/1.

of poverty have contributed to the debate and development of a public strategy on care. In another country, the recommendations contained in the Working Group's report on women's human rights in the changing world of work have been used to elaborate a national labour policy, as well as to design targeted actions in support of the economic empowerment of women and girls from marginalized communities. In the same country, other reports by the Working Group have inspired sensitization campaigns on "new masculinities" and the implementation of a programme for the development and dissemination of comprehensive sex education.

58. Lastly, one State indicated that certain judicial decisions, including one decriminalizing abortion, had been inspired by the Working Group's reports.

(b) Country visits

59. The Working Group assessed the situation of women's and girls' human rights in Poland, Greece, Romania, Kyrgyzstan, Maldives, Afghanistan, Malta and Mauritania, in collaboration with the States concerned and other stakeholders, noting achievements, challenges and pathways to progress and putting forward recommendations for further advancement towards the elimination of discrimination against women and girls. It met with representatives of central and local authorities and women's and girls' rights organizations and with women and girls themselves. In the preparation phase, it engaged with United Nations country teams, including UN-Women, when present, and built on the recommendations made by international and regional human rights mechanisms. Furthermore, in 2023, the Working Group undertook its first-ever joint country visit, together with the Special Rapporteur on Afghanistan.

60. Some of these country visits contributed to triggering important changes. For example, in the light of the concerns raised and the recommendations formulated by the Working Group, one State amended its legislation to recognize that sex without consent is rape. Another State started developing an implementation plan based on the Working Group's recommendations.

61. The Working Group has tried to ensure a follow-up to its country visits, within the limits of the resources available. In 2023, it sent follow-up letters to the States visited and looks forward to their cooperation. It thanks the six States that have responded, as well as the civil society organizations that have provided inputs.

(c) Communications

62. In its communications, the Working Group has continued to collaborate with other mandate holders, sending joint communications whenever relevant in the light of the cross-cutting human rights issues involved. It has maintained its practice of using such communications as a tool to start a dialogue with concerned actors on widespread discriminatory legal approaches and practices, such as restrictions on women's mobility due to requirements of "male guardianship". Between 1 April 2018 and 21 October 2023, the Working Group sent 498 communications, 487 of them jointly with other mandate holders. In total, 251 substantive replies were received.

63. The communications have contributed to bringing about positive changes in national legislation and practices. For example, one State reported that the Working Group's communications had been important in drawing attention to certain legislative provisions and practices that discriminate, directly or indirectly, against women and girls and that they had consequently informed national efforts to change those provisions and practices, including in areas such as establishing the minimum age for marriage. They had also contributed to counteracting regressions in family law. In another State, the Working Group's communications contributed to the adoption of a piece of legislation providing for safe, legal and affordable access to abortion. In yet another, a communication sent by the Working Group helped to bring about the distribution of free sanitary pads to underprivileged primary and secondary school students, women in vulnerable situations and prisoners.

64. The responses to the Working Group's questionnaire highlight that the urgent appeals that the Working Group has sent jointly with other mandate holders have helped to raise

awareness about the restrictions faced by women human rights defenders and have even achieved the release of at least two of them from prison.

(d) Working Group's sessions

65. The Working Group has continued to use its sessions as an opportunity to engage with States, civil society organizations and other mechanisms working on women's and girls' human rights in an effort to strengthen collaboration, establish synergies and seek their contribution to the preparation of its thematic reports.

66. To facilitate access to its sessions for stakeholders outside Geneva, the Working Group has increasingly used online tools and held two sessions at the regional level, in Addis Ababa and Bangkok. It has also created a microsite that includes graphic, summarized and user-friendly versions of its thematic reports.⁸²

(e) Other tools

67. The Working Group has used public statements to sustain efforts at the international, regional and national levels directed at strengthening women's and girls' human rights. It has continued to make use of amicus briefs to offer national courts expert advice on issues of domestic law that are directly related to States' international human rights obligations to eliminate discrimination against women and girls. The responses to the Working Group's questionnaire testify to the usefulness and impact of interventions of this kind. In one country, the Working Group's intervention contributed to the decriminalization of abortion; in another, it contributed to the reinsertion into formal education of girls who had been expelled from school due to pregnancy; in yet another, it contributed to ensuring justice for women who had been arbitrarily detained because of their sex work.⁸³

68. The Working Group has continued to develop guidance documents, formerly known as position papers, on certain themes, with a view to promoting greater conceptual clarity and filling any protection gaps left by underdeveloped interpretation of standards. Over the past six years of work, the Working Group has issued a position paper on gender equality and gender backlash and guidance documents on men's accountability for gender equality, on eliminating discrimination against sex workers and, earlier in 2024, on the draft articles on prevention and punishment of crimes against humanity, which included the recommendation that gender apartheid be included as a crime against humanity.⁸⁴

69. Furthermore, the Working Group has contributed to various international and regional processes by providing written and/or oral inputs, including, for example, on the ILO Violence and Harassment Convention, 2019 (No. 190), draft general recommendation No. 40 of the Committee on the Elimination of Discrimination against Women, the Committee on World Food Security Voluntary Guidelines on Gender Equality and Women's and Girls' Empowerment in the context of Food Security and Nutrition and the draft directive of the European Parliament and of the Council on violence against women and domestic violence, and by participating in trainings and consultations with a broad range of actors.

70. The Working Group has continued to contribute to the dialogue among States within the framework of the Commission on the Status of Women by contributing formally to the Commission's general discussions. Moreover, the Working Group is a member of the Platform of Independent Expert Mechanisms on the Elimination of Discrimination and Violence against Women⁸⁵ and chaired the Platform in 2023. Within that framework, it joins forces with the other United Nations and regional independent expert mechanisms that have a mandate related to women's and girls' human rights to curb rollbacks and advance gender equality.

⁸² See <https://unworkinggroupwomenandgirls.org/>.

⁸³ The Working Group's submissions to national courts are available at <https://www.ohchr.org/en/special-procedures/wg-women-and-girls/submissions-courts>.

⁸⁴ All position papers and guidance documents can be accessed, respectively, from <https://www.ohchr.org/en/special-procedures/wg-women-and-girls> and <https://www.ohchr.org/en/special-procedures/wg-women-and-girls/resources>.

⁸⁵ See <https://www.ohchr.org/en/edvaw>.

2. Lessons learned and opportunities for enhanced action

71. The Working Group faces a challenge in ensuring a systematic follow-up to its work, including its communications and country visits, due to the limited resources available and, to a certain extent, to the limited degree of engagement of the States concerned, a challenge that is shared by other mandates. The responses to the Working Group's questionnaire suggest that, despite its efforts, the visibility and dissemination of its work are limited. New strategies to reach out to women and girls from marginalized communities and facing multiple and intersecting forms of discrimination should be explored, in collaboration with national and local actors. Similarly, current engagement with girl activists should be institutionalized and a methodology for engagement with them should be devised.

72. The Working Group considers that regional human rights mechanisms and national human rights institutions are key allies in its work. A strategy to facilitate their regular cooperation, as well as their involvement in the follow-up and dissemination of the Working Group's work, would be desirable. Moreover, the Working Group believes that it is crucial to intensify collaboration with other special procedures, as was done, inter alia, to address the situation of women's and girls' rights in Afghanistan and Gaza and to call for an independent investigation into allegations of sexual violence in Israel and Palestine.⁸⁶

D. Setting the vision for the coming years of the mandate: women's and girls' substantive equality

1. Committing to substantive gender equality

73. As the Working Group embarks on a new six-year mandate, it will continue to focus on counteracting the escalating gender backlash through all its working methods. At the same time, as an overarching framework, it will develop an understanding of substantive equality for women and girls and the concrete implications that it holds for States and other actors in the face of contemporary challenges. Substantive equality requires not only ensuring de facto equality between women and men and girls and boys, but also committing to a conception of transformative equality, in other words, the transformation of elements of society, culture, politics and the economy that create barriers to equality.

74. The principle of substantive equality is central to the international human rights framework and human dignity. It involves ensuring equality of opportunity, as well as equality of results. It requires addressing discrimination in laws, policies and practices; redressing disadvantage; addressing stigma; providing reasonable accommodations for the particular needs of women and girls; combating harmful stereotypes, prejudice and violence; adopting positive measures, when necessary; and making the structural changes necessary for women and girls to fully participate in all areas of life.⁸⁷ Substantive equality involves an affirmative ideological commitment to human dignity for all and a further practical commitment on the part of States and other actors to engage in the sometimes difficult and intensive work of achieving it.

75. On the basis of that framework, the Working Group will devote its annual thematic reports and other analyses to identifying and addressing the specific challenges to the advancement of substantive gender equality in all spheres of life. It will do so with renewed

⁸⁶ See, for example, [A/HRC/53/21](#); OHCHR, "Gaza: UN experts call for prioritisation of gender-responsive humanitarian interventions", press release, 21 February 2024; OHCHR, "Israel/oPt: UN experts appalled by reported human rights violations against Palestinian women and girls", press release, 19 February 2024; OHCHR, "Occupied Palestinian territory and Israel: UN experts call for permanent ceasefire to protect rights and futures of women and girls", press release, 14 December 2023; and OHCHR, "UN experts urge States to unite for peace and push for ceasefire in Gaza", press release, 8 December 2023.

⁸⁷ See Convention on the Elimination of All Forms of Discrimination against Women, arts. 1–5 and 24; Committee on the Elimination of Discrimination against Women, general recommendation No. 25 (2004); and [A/43/38](#). See also [A/HRC/53/39](#); and Sandra Fredman, *Discrimination Law*, 3rd ed. (Oxford, Oxford University Press, 2022).

dedication and a focused recognition of the various intersectional identities of women and girls.

2. Challenging the challenges to substantive gender equality

76. The responses to the Working Group's questionnaire and the inputs gathered through the regional consultations provide a comprehensive overview of the many challenges that globally impede full delivery on the world's commitments to end discrimination against women and girls, beyond those stemming from the gender backlash described above.

77. Patriarchal power structures continue to perpetuate discrimination and inequality in all aspects of women's and girls' lives, often intersecting with other grounds of discrimination and power relations, including on a racial, ethnic or caste basis. Where advancements have taken place, including in areas such as political representation, education and the legal recognition of sexual and reproductive health rights, implementation gaps – often caused by a mix of lack of political will, non-harmonization of national frameworks with relevant international standards, insufficiently allocated resources and capacity, lack of support measures and the promotion of restrictive or regressive interpretations of existing legal guarantees, among other factors – hamper progress in practice and are frequently compounded by limited accountability for violations of women's and girls' rights. Attitudinal barriers, notably on the part of enforcement authorities, adversely affect access to justice and contribute to impunity and the normalization of discrimination and violence.

78. States and other stakeholders pointed out further obstacles to advancing gender equality, ranging from the disparate and disproportionate impact of climate change and environmental degradation on women and girls to the gender bias and discrimination inherent in artificial intelligence algorithms and technology design, the digital divide and online violence and harassment, among others. They emphasized the urgent need to invest in social protection measures to address, inter alia, gender gaps in employment, remuneration and pensions and the lack of universal access to early childhood education or childcare and their cost, alongside overarching concerns about the gendered dimensions of the care economy. More broadly, they pointed to the need for integrated approaches to tackle the root causes of inequalities and for a focus on collective rights, including the right to food sovereignty, the right to development and rights to territories, lands and resources.

79. In addition, they highlighted the situation of particular groups of women and girls, such as those living in conflict and post-conflict situations or under occupation, rural and Indigenous women and girls, refugees, displaced and migrant women and girls, Dalit women and girls, older women, and women and girls with disabilities, stressing the need for targeted attention. They furthermore shed light on the marginalization, abuse and criminalization of women using drugs and sex workers.

80. Taking into account the above, the Working Group sets out, as a starting point, to focus its next annual reports on the thematic areas outlined below. These are subject to change depending on the social or political momentum concerning women's and girls' rights.

(a) Care and its gendered dimensions

81. Across the world, women perform three quarters of unpaid care work.⁸⁸ This outsized responsibility for care is due to the prevalence of traditional gender norms and stereotypes about women's role in the family and society and is compounded by the absence of adequate normative and policy frameworks to promote and ensure the recognition, reduction and redistribution of unpaid care work. The life opportunities and choices of women and girls are consequently deeply constrained, and their enjoyment of a wide range of human rights, including the rights to work, social security, education, health, rest and leisure, is adversely affected. At the same time, paid care workers – the majority of whom are women and many of whom are migrant workers – often face precarious working conditions, rights violations

⁸⁸ ILO, *Care Work and Care Jobs for the Future of Decent Work* (Geneva, 2018).

and exploitation as a result of an overall lack of reward for care work and limited representation, social dialogue and collective bargaining.⁸⁹

82. The Working Group has previously highlighted that the dominant economic growth-based models of development thrive on women's and girls' "depletion", through their filling of care gaps, and the draining of care resources from poorer nations, through globalized care chains.⁹⁰ As the world faces increasing demands for care owing to changes in family structures, ageing societies and an increase in women's employment in certain countries, as well as the impacts of climate change,⁹¹ the Working Group will examine more closely current challenges and policy approaches to the global care crisis with a view to promoting a human rights-based, feminist, intersectional approach to care, one that is conducive to greater gender equality and protective of the socioeconomic rights of workers. In so doing, it will take into account women's and girls' role as "carers for the planet".

(b) Gender equality in our digital lives

83. Digital technologies are rapidly and increasingly transforming lives and societies, bringing about both opportunities and challenges with regard to the advancement of gender equality.⁹² In its previous reports, the Working Group has highlighted the gender-related digital divide, restrictions on access to digital devices faced by women and girls and online violence and harassment, as well as the challenges and opportunities created by technology for women's employment, political participation and privacy, inter alia.⁹³

84. As the use of digital technologies, as well as their design and technical content, are affected by social, economic and political factors, it is crucial to recognize and address the distinct effects of digitalization on women and girls and pursue an intentionally gender-responsive approach to the design and implementation of digital technology, including in the development of artificial intelligence.⁹⁴ Otherwise, discriminatory social norms and stereotypes will be reinforced and inequalities will be amplified and perpetuated through biased digital platforms and algorithmic tools.⁹⁵ In one of its future reports, the Working Group will thus explore discrimination against women and girls in the digital sphere and the impact of current and future developments on their rights, well-being and potential.

(c) Gender justice in post-conflict situations

85. In 2022, an estimated 614 million women and girls were living in conflict-affected countries.⁹⁶ The Secretary-General has underscored that post-conflict reconstruction and recovery efforts significantly underfund women's priorities.⁹⁷ Women and girls also continue to be sidelined in peace processes, despite the fact that they are the primary victims and contrary to the call made by the Security Council in resolution 1325 (2000) on women and peace and security.⁹⁸ In 2022, of 18 peace agreements reached, only one was signed or witnessed by a representative of a women's group or organization.⁹⁹ However, a gendered analysis of post-conflict needs is crucial to defining interventions – including in areas such

⁸⁹ ILO, "From global care crisis to quality care at home: the case for including domestic workers in care policies and ensuring their rights at work", policy brief (March 2024). See also <https://globalallianceforcare.org/en/>.

⁹⁰ See, for example, [A/HRC/53/39](#).

⁹¹ ILO, *Care Work and Care Jobs for the Future of Decent Work*; ILO, *Care at Work: Investing in Care Leave and Services for a More Gender Equal World of Work* (Geneva, 2022); and UN-Women, "The climate-care nexus: addressing the linkages between climate change and women's and girls' unpaid care, domestic and communal work", working paper (New York, 2023).

⁹² See, for example, [E/CN.6/2023/3](#).

⁹³ See [A/HRC/44/51](#), [A/HRC/50/25](#) and [A/HRC/53/39](#).

⁹⁴ See [E/CN.6/2023/3](#).

⁹⁵ See UN-Women, "Placing gender equality at the heart of the Global Digital Compact" (New York, 2024).

⁹⁶ [S/2023/725](#), para. 2.

⁹⁷ *Ibid.*, para. 58.

⁹⁸ See African Commission on Human and Peoples' Rights, *Study on Transitional Justice and Human and Peoples' Rights in Africa* (2019).

⁹⁹ [S/2023/725](#), para. 8.

as access to education, health care and equal work opportunities – that ensure the sustainability of peacebuilding and reconstruction efforts, while addressing the structural conditions that make women vulnerable to violence and other human rights violations during conflicts.¹⁰⁰

86. Impunity for atrocities committed against women and girls is still prevalent.¹⁰¹ In one of its previous reports, the Working Group noted that, while some progress had been made in investigating and prosecuting crimes of sexual violence in situations of conflict, many violations of sexual and reproductive health rights continued to be either neglected or tolerated and to occur with impunity.¹⁰² More generally, the collapse of the law in post-conflict situations risks resulting in the masculinization of the law.¹⁰³ Against this overall background, the Working Group will examine women's and girls' access to substantive justice in transitional phases.

III. Conclusions and recommendations

A. Conclusions

87. **Despite some advancements, no country has achieved gender equality. Humanity is in the midst of a backlash aimed at curtailing the equal enjoyment by women and girls of their rights in all major areas of life. The backlash is escalating and undermining current achievements and prospects for further progress, reaching extreme proportions in certain countries, including the regime of gender apartheid imposed by the Taliban in Afghanistan. However, the Working Group cannot overemphasize the transformative force of millions of women and girls worldwide and of their movements and allies that strive to advance women's and girls' rights, resist pushbacks and build just, inclusive, peaceful and sustainable societies for all, despite, and often in reaction to, the many barriers that they continue to face. They are an inspiration to everyone and the main reason for hope and optimism for the future.**

88. **The status quo that denies half of the world's population their human rights and fundamental freedoms is unacceptable. States must be held accountable for failures to respect, protect and fulfil women's and girls' rights to substantive gender equality. States must also be held accountable for failing to cooperate and contribute to the equality of women and girls outside their borders. They must ensure the equal recognition, enjoyment and exercise of all human rights and fundamental freedoms and work together to build substantive gender equality, as required under international human rights law. Other actors, such as those in the private sector, should support these efforts and respect and protect women's and girls' rights. The realization of substantive gender equality cannot be further delayed.**

B. Recommendations

1. Counter the gender backlash

89. **International, regional and national human rights mechanisms should develop coherent, systematic, comprehensive and coordinated efforts to reaffirm the universality of women's and girls' rights, as well as the inalienable, indivisible, interdependent and interrelated nature of all human rights, with a view to pushing back on denials and retrogressions with regard to women's and girls' rights and misinformation campaigns.**

¹⁰⁰ See African Commission on Human and Peoples' Rights, *Study on Transitional Justice and Human and Peoples' Rights in Africa*.

¹⁰¹ S/2023/725, para. 1.

¹⁰² A/HRC/47/38, para. 35.

¹⁰³ See <https://www.ungeneva.org/en/news-media/meeting-summary/2013/02/committee-elimination-discrimination-against-women-discusses-0>.

90. States and international and regional organizations should uphold an integrated approach to the advancement of gender equality, encompassing the elimination of discrimination against women and girls in the family, culture, the economy and sexual and reproductive health rights.

91. States should:

(a) Consider recognizing gender apartheid as a crime against humanity in the draft convention on prevention and punishment of crimes against humanity;

(b) Leverage feminist foreign policies to promote gender equality in all forums;

(c) Address the specific impacts of business activities on women and girls, incorporate a gender perspective into all measures to regulate business activities and seek business cooperation and support to implement women's and girls' rights;

(d) Ensure that the situation of human rights of women and girls in other countries is central to their policy decisions and engagement with those countries;

(e) Promote and pursue international cooperation to ensure women's and girls' rights, including through institutional capacity-building.

2. Eliminate discrimination and commit to achieving substantive gender equality

92. States should eliminate discriminatory laws, policies and practices, including those that discriminate against women and girls on the grounds of tradition, culture or religion, and should take proactive measures to achieve substantive gender equality, including by:

(a) Identifying and addressing, with the full and meaningful participation of the women and girls concerned, the specific challenges faced by distinct groups of women and girls who, because of multiple and intersecting forms of discrimination, experience compounded inequality;

(b) Recognizing the sexual and reproductive health rights of women and girls as essential, fully integrating them into crisis prevention, response, assessment, management, recovery, rehabilitation and reconstruction plans and providing comprehensive sexuality education;

(c) Recognizing, reducing and redistributing unpaid care and domestic work, while ensuring decent work, representation, social dialogue and collective bargaining for paid care workers;

(d) Guaranteeing universal, accessible, adequate, available, gender-responsive and comprehensive social protection;

(e) Providing effective remedies, including in situations of conflict and other crises, and ensuring accountability for violations of women's and girls' rights;

(f) Establishing appropriate participatory monitoring and evaluation mechanisms and disaggregated intersectional data collection to oversee the implementation of relevant programmes and policies, assess their impacts and adopt any corrective measures needed, including with regard to sufficient fund allocation and gender budgeting;

(g) Embarking on a feminist, human rights-based review of socioeconomic policies and strategies with a view to designing and implementing the necessary reforms towards realizing substantive equality;

(h) Regulating private service providers, including education and health-care providers, to ensure that the services that they provide are accessible to all, are adequate and are regularly assessed in order to meet the needs of women and girls;

(i) Establishing parity, including through temporary special measures, to ensure the equal representation of women in public, political and economic

decision-making and leadership and adopting the support measures required to make their participation effective;

(j) Addressing discrimination against women and girls in the digital world and ensuring that technology responds to the needs of women and girls, including by protecting their rights to expression, participation and privacy;

(k) Creating an enabling, supportive environment in which civil society, women's and girls' movements and other stakeholders can advance gender equality and ensuring protection for human rights defenders, access to effective remedies and prompt and impartial investigations into alleged violations.
