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Statement submitted by C-Fam, Inc., a non-governmental organization in consultative status with the Economic and Social Council*

The Secretary-General has received the following statement, which is being circulated in accordance with paragraphs 36 and 37 of Economic and Social Council resolution 1996/31.

* The present statement is issued without formal editing.



Statement

There is longstanding multilateral agreement that a just and prosperous world, women and girls will be empowered to enjoy full equality with men and boys and not face discrimination on the basis of their sex. In order to achieve gender equality, including by addressing poverty and issues of institutional strengthening and financing, it is important to clearly understand what the term “gender equality” means.

The equal dignity of men and women is fundamental and unalienable, existing prior to modern human rights discourse, and is not bestowed by the state or any multilateral institution. The term “gender” has been clearly defined in multilateral negotiations, including in the Rome Statute of the International Criminal Court, where it is clearly stated that “gender” “refers to the two sexes, male and female, within the context of society” and “does not indicate any meaning different from the above.”

Being a woman or girl involves both biological and societal realities that are distinct from being a man or boy, and ensuring full equality for all requires recognizing that women and girls face specific challenges and have unique perspectives. It is also important to note that the goal of equality is not simply an effort to achieve sameness. While it is important to remove artificial and unjust barriers to achievement for women and girls, it is not always the case that doing so will result in exact parity in all professions or areas of life, nor that this should be the desired outcome. It has been observed, for example, that in some of the countries considered leaders in the area of gender equality, when men and women are free to choose their field of education and work, they often choose differing paths.

While it is convenient for statistical reasons to envision a world where equality means strict parity, in many cases this would limit women’s choices and in fact disempower them. For some women, participating in the formal workforce is empowering and fulfilling, and barriers to such participation should be removed, along with the provision of education, mentorship, access to financial institutions, and opportunities for such advancement. Yet for other women, working outside the home is not a matter of choice, but rather, a necessity due to financial hardship and the need to support themselves and their families, despite a preference to remain at home caring for those families, particularly young children.

Women and girls do not exist in isolation, but in families, which are in turn entitled to support from society and the state, as they are the natural and fundamental group unit of society, as written in the International Declaration of Human Rights. The family is where children are first educated and provided for, and throughout the life course, the family is the most essential form of support for its members, both socially and materially. The family is the first line of defence against poverty and societal dysfunction. When young people receive a good education, then form stable marriages, and then bear and raise their children, the family tends to be more prosperous and the outcomes for the children are improved.

Nevertheless, we are observing a flight from marriage at the global level, and people are increasingly isolated. This was greatly exacerbated during the COVID-19 pandemic, exacting a mental and physical toll that we have barely begun to estimate. When states closed schools and workplaces were shuttered, families stepped up to care for their members amid uncertainty and difficulty. Single-parent households with children are also becoming more common, particularly in more developed countries such as the United States of America, and the majority of single-parent households are headed by women. High divorce rates as well as rising out-of-wedlock births are both contributing to this trend. Single-parent households in the United States are more

likely to live in poverty, particularly if the parent is a woman, and during the pandemic, they were hardest hit in terms of food insecurity and unemployment.

Crises like the recent pandemic illustrate the fact that the state can never replace the family, but that its role is to support families in caring for their members and supplement with services where necessary.

Unfortunately, international commitment to supporting families as the natural and fundamental group unit of society, and the primordial source of empowerment and protection for women and girls, is now up for debate. Like the word “gender,” the definition of the family in international human rights discourse has also become contested despite having been previously clearly understood and agreed. Indeed, even the meaning of the word “woman” has become a divisive matter in recent years, which risks calling into question the meaning and mission of the Commission on the Status of Women itself.

While people live in a wide variety of household structures, the family enjoys a distinct status in international human rights law, which reflects the fact that it is natural and existed prior to the state, much less international institutions. While individual people have rights irrespective of their household structure, the family is entitled to support because it is uniquely beneficial to both its own members and the broader society. Where families thrive, women and girls thrive, as do men and boys. When families break down, societal dysfunction, including increased poverty, physical and mental health problems, crime, and an epidemic of loneliness result. While abuse and harm can occur within the family, and must be addressed, it is important not to allow these exceptional cases to be used to support policies that would weaken, rather than strengthen, the family and its role in society.

Women and girls have real and distinct needs, many of which are related to their biological differences from men and boys, and some of which relate to societal divisions that are not biologically necessary and may at times be harmful or discriminatory. Ending preventable maternal mortality has been a global priority for decades, yet we have seen a slowing in progress since the Millennium Development Goals, where it was one of a much smaller set of targets than in the Sustainable Development Goals. Sadly, the effort to ensure that births are safe everywhere, including in low-resource areas, are threatened by the distraction of endless debates over the issue of abortion, which remains highly controversial, and is not a human right. Further efforts are also needed to ensure that girls are not excluded from educational opportunities because of the need for menstrual hygiene products, safe and sex-segregated facilities, or the cost of basic products like books and uniforms. Legal and social standards that exclude women from accessing financial services or prevent them from inheriting money and property must be addressed. Security from violence, access to justice, and ending impunity for those who commit violent acts against women and girls are also necessary. The Commission on the Status of Women is an important opportunity for these relatively uncontroversial – though sometimes difficult – priorities to be elevated.

To that end, and in the hope of achieving a successful agreed outcome, it is necessary that the commission’s priority theme be understood in the context of prior consensus. Attempts to create ambiguity around terms that have historically been clearly understood, such as “women,” “gender,” and “family” – or to redefine them entirely, should be rejected.