



Economic and Social Council

Distr.: General
13 December 2020

Original: English

Commission on the Status of Women

Sixty-fifth session

15–26 March 2021

Follow-up to the Fourth World Conference on Women and to the twenty-third special session of the General Assembly entitled “Women 2000: gender equality, development and peace for the twenty-first century”

Statement submitted by Human Rights Advocates 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

Introduction

Every human being has the right to participate in decisions that define her or his life... from the private to the public spheres of their lives, from the local to the global. This statement will discuss the interrelationship between private and public decision-making by women.

Recalling the Universal Declaration of Human Rights

Article 1 – “Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.”

Article 3 – “Everyone has the right to life, liberty and security”

Article 5 – “No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.”

Article 16 – “Marriage shall be entered into only with the free and full consent of the intending spouses.” (Article 16 section 2)

Article 28 – “Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.”

Private Decision Making – Cultural Impediment

A woman cannot have full and effective participation and decision making in public life if she does not have it privately. The Commission on the Status of Women should address the root of the problem in order to ensure effective participation and decision making in public life, gender equality, and freedom from violence.

“Under international laws and standards, there is a clear State responsibility to uphold women’s rights and ensure freedom from discrimination, which includes the responsibility to prevent, protect and provide redress – regardless of sex, and regardless of a person’s status in the family.” The UN High Commissioner for Human Rights has pointed out that the problem is exacerbated by the fact that a number of countries’ domestic legal systems, including through discriminatory laws, still fully or partially exempt individuals guilty of honor killings from punishment. Perpetrators may even be treated with admiration and given special status within their communities. Following are a few examples that highlight this.

Cultural Norms

Genital Mutilation

Women must have full autonomy over their own bodies.

The cost to treat the total health impacts of Female Genital Mutilation (FGM) amounts to \$1.4 billion globally per year. According to the United Nations Secretary-General, it is estimated that more than 200 million women and girls today have undergone FGM which is rooted in gender inequalities and power imbalances and sustains government by limiting opportunities for girls and women to realize their rights and full potential. “With millions of girls ‘at risk’ today of genital mutilation, UN Chief calls for zero tolerance,” UN News 6 February 2019.

“FGM is not about religion. It’s not about class. It’s not about education. I’ve seen some of the most educated people practice FGM because they believe it’s their

culture,” says Jaha Dukureh, UN Women Regional Goodwill Ambassador for Africa and an activist leading the movement to end FGM and child marriage. Many governments have taken important steps to stamp it out. At least 59 countries have passed laws against FGM, including 26 of the 29 African countries where FGM is most concentrated. However, several states where the practice is rampant, still lack legislation, and even in places where the practice has been outlawed, enforcement is weak and prosecutions are rare. UN Women, Looking back and pushing forward: the global fight to end FGM.

Recommendations

Gender equality and the empowerment of all women and girls cannot be achieved without addressing their rights in the private as well as public sector. With this in mind, Human Rights Advocates recommends that the CSW:

Encourage Nations to recognize that human rights violations should not be justified in the name of cultural sovereignty.

Encourage Nations to recognize that women in their countries have the freedom and right to choose whether to be bound by cultural norms;

Nations should provide the opportunity for redress of the violations of women’s rights in both the private and public sector, including to be free from torture, family imprisonment, right to self-determination, and right to freedom;

Recognize that culture should always be respected unless basic human rights are being violated, such as the prohibition of torture, family imprisonment, women’s self-determination, and freedom.
