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Commission on the Status of Women
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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": implementation of strategic objectives and action in critical areas of concern and further actions and initiatives: priority theme: ensuring and strengthening access to justice for all women and girls, including by promoting inclusive and equitable legal systems, eliminating discriminatory laws, policies and practices, and addressing structural barriers

Ensuring and strengthening access to justice for all women and girls, including by promoting inclusive and equitable legal systems, eliminating discriminatory laws, policies and practices, and addressing structural barriers

Agreed conclusions

1.The Commission on the Status of Women reaffirms the Beijing Declaration and Platform for Action, the outcome documents of the twenty-third special session of the General Assembly and the declarations adopted by the Commission on the occasion of the tenth, fifteenth, twentieth, twenty-fifth and thirtieth anniversaries of the Fourth World Conference on Women and commits to their full, effective and accelerated implementation.

2.The Commission reiterates that the Universal Declaration of Human Rights, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child, and the Optional Protocols thereto, as well as other relevant conventions and treaties, such as the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Convention on the Rights of Persons with Disabilities, the International Convention on the Elimination of All Forms of Racial Discrimination and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families provide an international legal framework and a comprehensive set of measures for realizing gender equality and the

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empowerment of all women and girls and the full and equal enjoyment of all their human rights and fundamental freedoms throughout their life course.

3.The Commission reaffirms that the Beijing Declaration and Platform for Action as well as the commitments to gender equality and the empowerment of all women and girls made at major United Nations conferences and summits, including the International Conference on Population and Development and its Programme of Action, and the follow-up to those conferences and summits, will make a crucial contribution to a gender-responsive implementation of the 2030 Agenda for Sustainable Development, including the pledge to leave no-one behind, and recognizes the importance of strong leadership and action demonstrated through global leaders' meetings on gender equality and the empowerment of women and girls.

4.The Commission reaffirms that the promotion and protection of, and respect for, the human rights and fundamental freedoms of all women and girls, including the right to development, which are universal, indivisible, interdependent and interrelated, are crucial for the full, equal and meaningful participation of women and girls in society and for women's economic empowerment, and should be mainstreamed into all policies and programmes aiming at ensuring and strengthening access to justice for all women and girls, including by promoting inclusive and equitable legal systems, eliminating discriminatory laws, policies, and practices, and addressing structural barriers.

5.The Commission recalls the establishment of the women and peace and security agenda and reaffirms that the full, equal and meaningful participation of women in all stages of peace processes, conflict prevention, conflict resolution and peacebuilding is one of the essential factors for the maintenance and promotion of international peace and security.

6.The Commission expresses deep concern at discrimination faced by women and girls, globally which acts as a barrier to justice, including discriminatory laws and practices, gender stereotypes, negative social norms, stigma, power imbalances, and multiple and intersecting forms of discrimination, that results in persistent disadvantage in accessing effective remedies, protection and full, equal and meaningful participation in public and political life and the prevalence of all forms of violence against all women and girls, rooted in historical and structural inequalities and unequal power relations between women and men, which is a major impediment to gender equality and the empowerment of all women and girls and it violates impairs or nullifies their full enjoyment of all human rights and fundamental freedoms and their effective access to justice and to the accountability for the violations and abuses of their rights.

7.The Commission also notes with concern the persistent challenges of access to justice where justice systems do not fully reflect or respond to the lived realities and needs of all women and girls, including implementation gaps affecting the realization of rights in law and in practice, encompassing socio economic conditions, such as multidimensional and intergenerational poverty, as well as the feminization of poverty, insufficient domestic resources and international financing, informality of employment, climate change, unequal access to education, decent work and healthcare services, rapid urbanization, in addition to the disproportionate impacts of conflict and humanitarian emergencies on women and girls. The Commission acknowledges that ensuring and strengthening access to justice for all women and girls across the life course is fundamental for the achievement of gender

equality, their empowerment and the full and equal enjoyment of all their human rights and fundamental freedoms.

8.The Commission urges Governments at all levels and, as appropriate, with the relevant entities of the United Nations system and international and regional organizations, within their respective mandates and bearing in mind national priorities, policies, different national realities, capacities and levels of development and invites civil society, inter alia, women's rights organizations, youth-led organizations, feminist groups, faith-based organizations, trade unions, Indigenous-led women's organizations, African women-led organizations, African-descendent women-led organizations, activists, women human rights defenders, women journalists, women peacebuilders, women peacekeepers, women mediators, the private sector, national human rights institutions, where they exist, and other relevant stakeholders, as applicable, to take the following urgent actions to strengthen access to justice for all women and girls by 2030, while recognizing the specific needs of women and girls, including, but not limited to, women and girls with disabilities, migrant women and girls, women migrant workers, African women and girls, women and girls of African Descent, Indigenous women and girls, those in local communities, women and girls in rural, remote and maritime areas, women and girls living in vulnerable situations, adolescent girls, older women, women and girls belonging to national or ethnic, religious and linguistic minorities and women in detention and in imprisonment;

a.Consider ratifying or acceding to, as a matter of particular priority, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities, and the Optional Protocols thereto, limiting the extent of any reservations, formulating any such reservations as precisely and as narrowly as possible to ensure that no reservations are incompatible with the object and purpose of the Conventions, reviewing their reservations regularly with a view to withdrawing them, withdraw reservations that are contrary to the object and purpose of the relevant Convention and implement the Conventions fully by, inter alia, putting in place effective national legislation and policies;

b.Take all measures necessary to ensure that every woman and girl, can seek and obtain an effective remedy from competent, independent and impartial justice institutions when their rights are violated, without discrimination of any kind;

c.Promote, enforce and monitor gender equality and non-discrimination in legal frameworks policies and practices in all relevant fields, including in traditional justice systems, among others, by addressing all forms of discrimination, as well as gaps in legislation, policies and practices, while promoting the rule of law and ensuring equal access to justice;

d.Promote comprehensive legislative reviews and evaluation of national legal frameworks to identify and amend provisions that discriminate against women and girls and inconsistent with international human rights law, including provisions that allow female genital mutilation, child early and forced marriage, or in areas of family law, property rights, accessing financial credit and other civil law branches, and criminal laws and policies that have led to the disproportionate criminalization and incarceration of women;

e.Strengthen the institutional and technical capacity of relevant government entities, including legislative bodies, to systematically mainstream a gender perspective

throughout the planning, drafting, implementation, monitoring, and evaluation of laws, regulations, and policies, including by developing gender impact assessments for new and existing legislation;

f. Take appropriate measures to create a safe, enabling and violence-free environment for all women and girls and consider adopting, funding and implementing national action plans towards the elimination of all forms of violence against women and girls, in public and private spheres, online and offline, including sexual and gender-based violence, such as domestic violence, rape, gender-related killings including femicide, trafficking in persons, sexual exploitation and abuse, harmful practices such as child, early and forced marriage and female genital mutilation, and sexual harassment as well as all violence experienced by women that is comprised of actions aimed at economic abuse, making women financially dependent or exerting abusive control of finances, while establishing integrated information systems and interinstitutional coordination mechanisms to prevent, eliminate and respond to violence against women and girls throughout their life course, and improving the recognition, documentation and response to under-identified and emerging forms of violence against women and girls;

g.Ensure that legislative processes allow for meaningful, safe, and inclusive participation by civil society organizations and other relevant stakeholders;

h.Adopt and implement laws and other time-bound targeted policies and, where appropriate, temporary special measures, in order to eliminate all barriers, including structural and systemic barriers that prevent or restrict the full, equal and meaningful participation and leadership of women, with the aim to achieve gender balance at all levels of public governance and justice-related functions;

i. Enact, strengthen and enforce laws and regulatory frameworks that fully respect, protect and fulfil women's right to work and rights at work, taking into account obligations under relevant International Labour Organization conventions, by enhancing women's full and equal access to the labour market and decent work, eliminating discrimination, including based on maternity, as well as violence and harassment in the world of work, promoting equal pay for work of equal value, enforcing labour rights, including the right to organize and bargain collectively, providing social protection, supporting the transition from informal to formal work, investing in the care economy and strengthening care and support systems recognizing, reducing and redistributing women's disproportionate share of unpaid care and domestic work, and providing effective means of redress and access to justice in cases of non-compliance and accountability for violations and abuses of human rights in the world of work;

j. Adopt and implement accountable, whole-of-government justice strategies, in partnership with women's and girls' organizations, affected communities and individuals, to integrate and coordinate relevant ministries and entities, including national machineries for gender equality and women's empowerment, involved in the policy development, administration and delivery of justice and protection services for all women and girls, including during emergencies, disasters, humanitarian settings and other crises;

k.Consider establishing safe, effective, accessible, affordable and victim and survivor centered pathways and referral mechanisms that strengthen the linkages between law enforcement, courts, prosecution services, legal aid, corrections, probation, labour inspection, child protection, healthcare and social services

through coordinated and institutionalized approaches to ensure timely, effective and beneficial responses and safeguards;

l. Encourage the integration of issues and indicators related to access to justice for all women and girls into economic, social, labour, and environmental development, and peace and security frameworks, including in conflict and post-conflict contexts, at the global, regional and national levels in order to promote policy coherence and accountability;

m. Enhance coordination with and strengthen synergies between the Commission on the Status of Women, national, regional and international gender equality and human rights mechanisms, development system actors, as appropriate, to support implementation and accountability of commitments on access to justice for all women and girls;

n.Ensure that all justice systems respond to the needs, interests and rights of all women and girls taking into consideration their diverse situations, contexts and conditions, focusing on institutions that are accessible, timely, affordable and solution oriented and based on international human rights law and the rule of law;

o.Establish and improve dedicated national mechanisms, and prevent, investigate, prosecute, and punish all forms of violence against all women and girls, including sexual and gender-based violence, in public and private spheres, online and offline, by holding perpetrators accountable and ending impunity, and ensuring victims' and survivors' timely and effective access to justice and to just and effective remedies, and reparations, inter alia, by establishing and strengthening accessible, confidential, safe and effective reporting and justice mechanisms for cases of violence guarantees of non-revictimization, while ensuring that women and girls are informed of their rights in seeking redress through such mechanisms;

p.Address the specific needs and circumstances of all women and girls subject to arrest, detention, prosecution, trial and sentencing, including irreversible criminal penalties, or serving as witnesses, while taking into account the linkages between discriminatory laws, violence against women and girls and increased risk of incarceration, and adopt appropriate measures to address root causes and ensure accountability for perpetrators of abuse of women and girls in detention, custody or in prison settings;

q.Prevent, address and eliminate trafficking in women and girls and all forms of exploitation and adopt legislative and other measures to address the root causes that lead to all forms of exploitation of women and girls at risk, deter, investigate and hold accountable those who exploit, facilitate or profit from trafficking in women and girls, while applying the non-punishment principle, subject to national laws, rules and regulations, for victims and survivors of trafficking, enhance international, regional and cross-border cooperation and information-sharing in this regard, recognizing the increasing links between trafficking in women and girls and other forms of transnational organized crime and the need for strengthened international cooperation to address these interconnected challenges;

r. Ensure universal access to sexual and reproductive health and reproductive rights as agreed in accordance with the Programme of Action of the International Conference on Population and Development and the Beijing Platform for Action and the outcome documents of their review conferences;

s. Ensure that all administrative and justice mechanisms and dispute resolution services for justice delivery are independent, accountable, accessible, age- and gender-responsive, and disability inclusive, people-centered and compliant with international human rights law, and fully respect fair trial and due process guarantees, including by removing financial barriers, eliminating all laws and policies that discriminate against women and girls and ensuring that they are made aware of their rights and of the available legal remedies within such mechanisms and services;

t. Strengthen the role and capacities of national machineries for gender equality and the empowerment of all women and girls and national human rights institutions, where they exist, to identify, address and prevent all forms of discrimination and violence against women and girls as well as violations of their human rights, and to coordinate across different sectors and levels of government authorities;

u. Ensure the provision of continuous capacity-building for all justice system professionals in order to close substantive knowledge gaps and mitigate, address and eliminate negative social norms and gender stereotypes and any kind of discrimination against women and girls, including racial discrimination, and in credibility assessments, and put in place oversight systems to ensure that those professionals uphold the standards of gender equality and the empowerment of women and girls and are held accountable when violations occur;

v. Ensure and strengthen access to justice for all women and girls by investing in quality, equitable, affordable, accessible and inclusive education, lifelong learning, upskilling, and vocational training and studies, and by integrating public legal education and literacy into national curricula and community learning programs and developing public information campaigns, to promote awareness and knowledge of their human rights;

w. Consider developing national strategies that combine legal reform and public education campaigns to encourage the engagement of men and boys as agents and beneficiaries of change, and as strategic partners and allies, to support efforts to strengthen access to justice for all women and girls as well as the achievement of gender equality and empowerment of women and girls;

x. Strengthen women's access to justice and legal protection by eliminating all forms of discrimination against women and girls in all matters relating to family relations, and recognize the importance of promoting family-friendly and family-oriented policies and programmes in order to help ensure that the rights, capabilities and responsibilities of all family members are respected within the justice system;

y. Ensure that sufficient resources are allocated for the justice sector and for the implementation of all laws related to gender equality and the empowerment of women and girls, inter alia, through gender-responsive budgeting, partnerships and international cooperation, including official development assistance, particularly for developing countries;

z. Provide adequate and sustainable resources to institutions and organizations, including well-funded shelters, that provide trauma-informed and victim and survivor centered services for women and girls subjected to sexual and gender based violence, including access to justice, free or low-cost legal aid, psychological counselling, education and social services, health-care services, including sexual and reproductive health, and economic empowerment initiatives that are safe,

hygienic, secure, age-sensitive and disability-inclusive, and respectful of their privacy and dignity, including during emergencies;

aa. Establish adequate and sustainable funding mechanisms such as a dedicated reparations fund for women's and girls' victims and survivors of violence, including sexual, physical or psychological violence, including those in vulnerable situations;

bb. Ensure adequate and sustainable funding for justice facilities and services that are inclusive and accessible for all women and girls through universally accessible physical and digital infrastructure, information and communication technology services, reasonable accommodations and trained personnel, including for women and girls with disabilities;

cc. Refrain from promulgating and applying any unilateral economic, financial or trade measures not in accordance with international law and the Charter of the United Nations that impede the full achievement of economic and social development, particularly in developing countries;

dd. Consider establishing and promote mobile, community-based and decentralized justice and support services, as well as good practices and innovations such as specialized courts on violence against women and girls, mobile and e-courts, one-stop-centers for all women and girls, including to reduce geographic barriers that disproportionately affect women and girls in rural, remote, maritime and crisis-affected areas;

ee. Ensure accountability for all violations of international law and the most serious crimes of international concern, including those that disproportionately affect women and girls, through a domestic, regional or international justice mechanism which has jurisdiction;

ff. Ensure women's and girls' full and equal access to justice and reparations in humanitarian, conflict and post-conflict settings, including by strengthening legislation and taking proactive steps to prevent, investigate and prosecute sexual violence in conflict and other forms of violence against women and girls;

gg. Ensure that transitional and international justice mechanisms are gender-responsive in their design and implementation, and provide adequate resources to comprehensively address all forms of violence against women and girls, in a manner that is trauma-informed and centered on victims and survivors, and to eliminate impunity and ensure non-recurrence;

hh. Undertake and implement inclusive administrative reparations programmes to address the volume of need, without prejudicing avenues for judicial remedy, while ensuring equal access for all women and girls, including those in vulnerable situations;

ii. Remove all structural barriers and promote the full, equal and meaningful participation of all women, including victims and survivors and their organizations, throughout justice processes, as well as in leadership and decision-making positions in the justice system;

jj. Ensure that the human rights of women and girls who are engaged with traditional justice mechanisms are respected and that their participation in such systems does not undermine their access to formal justice systems;

kk. Engage with broad-based and intergenerational civil society organizations, as essential partners in advancing access to justice as part of a whole-of-society approach to tackling discrimination, racism and other structural barriers, including those rooted in patriarchal norms, colonial legacies, and other forms of systemic discrimination;

ll. Promote an enabling and safe environment, online and offline, for the civil society actors engaged in access to justice initiatives for women and girls, including through sustaining access, as appropriate, to core, predictable, flexible and multi-year funding, as well as by protecting civic space, preventing and addressing all forms of intimidation, harassment, threats, reprisals, including the misuse of laws, violence and discrimination, and ensuring their access to justice and protection from these violations;

mm. Ensure timely, accessible, effective, adequate, affordable or free legal aid services for all women and girls, including through bar associations, law schools, public interest law firms, and civil society organizations, as well as the availability of specialized lawyers and trained personnel with expertise in responding to all forms of violence against women and girls, so that women and, as appropriate, girls, including women and girls living in poverty and in detention can make informed decisions regarding legal proceedings bearing in mind the United Nations Bangkok Rules;

nn. Remove barriers to facilitate women's and, as appropriate, girls' access to the justice system, including by waiving fees, providing affordable services to increase legal literacy, and simplifying administrative and legal procedures where possible, ensure effective legal assistance to enable informed decision-making regarding proceedings, and prevent and address discrimination and reprisals;

oo. Consider formally recognizing, within national legal frameworks, non-lawyer community justice workers or paralegals, and ensuring that they are subject to professional oversight and safeguards, in order to reach all women and girls seeking to resolve justice problems, including community-based legal empowerment approaches that strengthen women's and girls' knowledge of their rights and available remedies, and support access to formal justice systems;

pp. Ensure women's and girls' equal access to justice by providing accessible, confidential, supportive and effective services for all women, including by strengthening the effectiveness, transparency and accountability of relevant institutions, highlighting the importance of mainstreaming a gender perspective into environmental, climate change and disaster risk reduction policies, recognizing the disproportionate effect on women and girls, and promoting women's participation and leadership in decision-making on environmental and climate change issues;

qq. Harness the potential of technology and promote technological cooperation to close digital divides, including the gender digital divide, within and among countries, to enhance inclusive and affordable access to justice for all women and girls, including online justice services and information, while maintaining offline alternatives as well as expanding digital learning, literacy and capacity-building opportunities, and addressing the risks and challenges emerging from the use of technologies;

rr. Develop and enforce frameworks, laws and regulations for digitally-enabled justice platforms, including data protection, transparency and algorithmic accountability, including by eliminating gender bias, with a people-centered approach and with full respect for human rights, and with appropriate safeguards to prevent discrimination and inequality, and ensure that digital systems, in their design and use, do not obstruct, undermine or discriminate against women's and girls' equal access to justice;

ss. Develop measures, safeguards and oversight to identify, address and eliminate gender-based violence that occurs through or is amplified by the use of technology and all forms of discrimination against all women and girls, including in the design, development and deployment of technology, by addressing the misuse of digital tools, such as social media and online platforms, new and emerging technologies, including artificial intelligence, and predictive algorithms, by ensuring due diligence in preventing and mitigating adverse impacts, guaranteeing access to justice, accountability for human rights violations, and effective remedies, and by making sure that new technological developments do not perpetuate existing patterns of inequality and discrimination;

tt. Encourage collaboration among justice system professionals, technology providers, the private sector and civil society to promote responsible innovation and evidence-based design that enhances gender equality and the empowerment of women and girls, fairness, inclusion and user safety including through developing justice-related artificial intelligence tools and ensure that there are robust data protection laws aligned with the right to privacy when digital technologies, including artificial intelligence, are employed in the administration of justice, bearing in mind the UN Guiding Principles on Business and Human Rights;

uu. Invest in national statistical systems and systematic justice-sector data collection and gender analysis, ensuring that data are disaggregated by income, sex, age, marital status, migration status, disability, geographical location, educational level as well as by other characteristics relevant in national contexts for comprehensive metrics;

vv. Establish partnerships with relevant stakeholders to identify gaps and challenges and generate research for gender and age-sensitive justice systems inter alia to co-create and disseminate inclusive research agendas on gender equality and the empowerment of all women and girls;

ww. Develop evidence-based, data-driven policy formulation and invest in data systems to address disinformation, misinformation, and hate speech, and to monitor progress on achieving justice for all women and girls in a manner consistent with international law;

xx. Consider to create and, where they already exist, expand global and regional repositories of data focused on all forms of violence against women and girls, including on femicide, with indicators aligned to international law, accessible to policymakers, researchers and advocates to inform prevention and protection for comparative analysis and accountability.

9.The Commission emphasizes that development cooperation, including official development assistance, North-South, South-South and triangular cooperation, debt sustainability, technology transfer on mutually agreed terms, capacity-building and the exchange of experiences and best practices, remains essential to enable

developing countries to strengthen access to justice for all women and girls, ensure effective implementation of laws and fulfill commitments under the Beijing Declaration and Platform for Action and the 2030 Agenda.

10. The Commission reaffirms its primary role in the follow-up to the Beijing Declaration and Platform for Action and underscores the need to integrate gender equality and the empowerment of all women and girls throughout national, regional, and global reviews of the 2030 Agenda, through a life course, age-sensitive and disability inclusive approach and ensure strong synergies between both frameworks.

11. The Commission calls upon United Nations system entities, within their respective mandates, to support Member States, upon their request, in ensuring and strengthening access to justice for all women and girls, including through the promotion of inclusive and equitable legal systems, the elimination of discriminatory laws, policies, and practices, addressing and eliminating systemic and structural barriers, and further calls upon UN Women to continue to fulfill its mandate in promoting gender equality and the empowerment of all women and girls and in supporting Governments and national gender equality mechanisms upon their request, coordinating the United Nations system, and mobilizing relevant stakeholders, including civil society, legal aid providers, public administration, and the judiciary at all levels, in support of the full, effective, and accelerated implementation of the Beijing Declaration and Platform for Action and the gender-responsive implementation of the 2030 Agenda.