

DRAFT Dutch civil society's recommendations

70th session of the UN Commission on the Status of Women

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*

Background (work in progress)

Laws and legal frameworks are key instruments in combating harmful practices and promoting equal rights and opportunities for women and girls in all their diversity. According to the [Progress on the Sustainable Development Goals: The Gender Snapshot 2024](#) report, between 2019 and 2023, [56 positive legal reforms](#) were recorded, however [none of the 120 countries with data](#) have all the necessary laws to prohibit discrimination, prevent violence, ensure equal rights in marriage and divorce, guarantee equal pay, and provide full access to sexual and reproductive health.¹

Even when laws are in place, these fail to protect the rights of women and girls in all their diversity because they are rooted in and shaped by patriarchal values and structures and do not necessarily centre the needs of women and girls in all their diversity. Discriminatory informal laws, loopholes, insufficient legal sanctions, social norms and customary beliefs and practices impede progress on gender equality and undermine the effectiveness of laws and policies.

Unequal access to justice, structural, physical, cultural, economic barriers to seeking justice, gender bias, gender stereotypes and negative social norms in legal systems and procedures, victim blaming by legal officials and law enforcement, SGBV and discrimination

Context: armed conflicts, invasion and oppression, humanitarian crises, democratic backsliding, disinformation campaigns, conservative, far right, nationalist and anti-gender movements, erasure of gender and diversity language, shrinking civil space, (online) misogyny and hate speech and attacks on feminist organisations and WHRD, extreme budget cuts in social services and international cooperation, threatening the lives of millions of women and children worldwide²

Link to SDG16, CEDAW GR33, GR40

1. Equal access to justice

Full and equal access to independent, impartial and non-discriminatory justice is a human right and key to the rule of law, good governance and the realisation of all other human rights, including the

¹ UN Women and the United Nations Department of Economic and Social Affairs (2024). *Progress on the Sustainable Development Goals: The Gender Snapshot 2024*, p. 24. <https://www.unwomen.org/en/digital-library/publications/2024/09/progress-on-the-sustainable-development-goals-the-gender-snapshot-2024>

² Cavalcanti et al. (2025). Evaluating the impact of two decades of USAID interventions and projecting the effects of defunding on mortality up to 2030: a retrospective impact evaluation and forecasting analysis. *The Lancet*, 406, (10500), 283 - 294.

rights to non-discrimination and gender equality. Access to justice for women and girls in all their diversity is both a right and a safeguard against regression.

- Ensure equal and unhindered access to quality, independent, impartial, non-discriminatory, gender-responsive and survivor-centred justice systems, services and procedures for victim protection and remedy, legal aid and detention conditions for women and girls in all their diversity, adapted to their needs – both as victims and offenders.
- Remove structural, cultural, physical, economic and financial barriers to access to justice: ensure women and girls in all their diversity are not prevented from seeking justice due to dependency, isolation, lack of resources, intersectional forms of discrimination, or fear of reprisals and stigma by introducing and advancing stronger protections, financial independence measures, inclusive, gender-sensitive and survivor-centered support systems, independent complaint mechanisms, free legal aid and pro bono legal support.
- Invest in capacity building and training of law enforcement officials and legal professionals on gender equality and intersectional gender-specific knowledge to counter and prevent gender stereotyping, victim blaming and gender-based discrimination in legal procedures and services and implement gender-responsive measures.
- Address the rights, protection, and needs of women and girls in detention, including those serving long, extreme sentences, and implement evidence-based alternatives to imprisonment, particularly for offences that disproportionately impact women due to poverty or status.
- Guarantee access to justice for women and girls facing multiple and intersecting forms of discrimination, including women with disabilities; bicultural, migrant and refugee women; women in rural areas; women from marginalized communities; undocumented women; women in emergencies, humanitarian and conflict settings; and especially girls and young women: eliminate stigma, societal expectations, patriarchal cultural norms, values and stereotypes that prevent access to justice, strengthen access to inclusive, intersectional, gender and culturally sensitive legal aid and support.
- Guarantee that women, girls and LGBTIQ+ persons have access to effective and adequate justice, remedy and grievance mechanisms in case of sexual and gender-based violence and harassment, violations of sexual and reproductive rights or other human rights violations, including in conflict settings, for example in the cases of denial of services and restricting access and undermining rights for marginalized groups.

2. Inclusive and gender-transformative legal frameworks, legal reform, compliance, implementation and accountability

Recognising, addressing and eliminating structural inequalities, discriminatory laws, and the feminisation of poverty is essential for achieving inclusive justice systems.

- Address the root causes of women's criminalisation by tackling systemic discrimination, colonial-era legal harms, patriarchal cultural norms and other structural injustices that disproportionately impact women and girls in all their diversity globally.
- Promote legislative and policy reform, in line with international human rights standards including the UN Bangkok Rules, UN Common Position on Imprisonment, and regional legal frameworks, to eliminate discriminatory laws, policies and practices, and to achieve de jure

and de facto gender equality. Accompany legal reforms with public awareness and engagement initiatives to address stigma and gender-based discrimination.

- Decriminalise offenses that disproportionately affect women due to poverty, caregiving responsibilities, or social status. Mitigate the negative impacts of existing punitive laws while legal reforms are in progress.
- Eliminate harmful practices through legal reform, closing legal loopholes and ensuring consistent enforcement of protective laws.
- Implement measures for state and private sector accountability: end impunity, ensure prevention measures, implement and enforce sanctions, guarantee full and equal access to comprehensive services, legal aid and victim/survivor support and protection, and implement effective and independent oversight mechanisms and monitoring.
- Invest in comprehensive, disaggregated data on women's and girls' access to justice and representation in legal systems and procedures, including women in detention, and in the judiciary, transparent monitoring and reporting of gender-based violence, and improved and harmonized statistics on gender-based violence and analyses of the gendered impact and implementation of laws and policies, and enforcement gaps.
- Actively counter any attempt to undermine or weaken the rule of law, democratic systems and processes, existing international commitments and standards and obligations under international law, and the universality of human rights, by protecting human rights, protecting civic space, and combatting mis- and disinformation.

3. Full, effective and meaningful participation, decisionmaking and leadership in justice systems

- Ensure full, effective and meaningful participation, decision-making and leadership of women and girls in all their diversity in all spheres and levels of public and political life, including in the judiciary and all other branches of the justice system, policy making and justice reforms.
- Ensure equal representation of women in all their diversity in highest levels of judicial systems
- Ensure full, effective and meaningful participation of young women and girls in all their diversity in justice and policy processes, including decision making and legal power on UN level
- Strengthen community-led solutions: center the leadership of affected women, survivors/victims, civil society and grassroots organisations, and experts with lived experience in justice reforms and in the design, implementation and monitoring of policies, social protection measures and service delivery.
- Invest in intersectional legal literacy and empowerment of women and girls in all their diversity through accessible education on rights and mechanisms for seeking justice, focusing on youth and marginalized communities, and community-led paralegal networks and peer-support strategies targeting those least reached by current justice systems.
- Respect and protect the human rights of women and girls in all their diversity, including the right to freedom of expression, autonomy, privacy, security, participation in democracy, the right to association and demonstration, both online and offline and without barriers and discrimination.

- Ensure sustainable, predictable and flexible funding for human rights, gender equality, youth-led, and feminist organizations and women human rights defenders, and ensure access to funding and other resources including safety and protection.

4. Prevent and eliminate (online and technology-facilitated) sexual and gender-based violence (SGBV) and discrimination in all spheres, laws and procedures and in practice

Protection from any kind of violence and discrimination is central to justice.

- Prevent and end all forms of discrimination and SGBV, including partner violence, non-partner sexual violence, rape (including within marriage), marital captivity, femicide, violence based on gender identity and/or expression, and online and technology-facilitated gender-based violence, conflict-related sexual violence, and violations of sexual and reproductive rights. This includes providing financial, legal and medical support, addressing harmful norms and practices, and ensuring the right to self-determination and bodily integrity for all women and girls, including access to comprehensive safe abortion care.
- Implement legally binding international conventions, including CEDAW, the Istanbul Convention and ILO Convention 190 and encourage other governments to ratify and implement these.
- Ensure a coherent, integrated and gender-transformative and survivor-centred policy strategy and legal framework to sustainably prevent and eliminate (online) SGBV and discrimination in all its forms, with adequate and dedicated long-term sustainable funding. Address key omissions from legal and policy frameworks including online and technology-facilitated gender-based violence, conflict-related sexual violence, intimate partner violence and marital rape.
- Develop policies, systems and tools to identify and address risk factors and root causes of (online) SGBV, safeguarding the rights of women and girls in all their diversity. This includes eliminating stigma, gender stereotypes and negative social norms and unequal power and dependency relations, promoting positive social norms and explicitly addressing and engaging men and boys in preventing SGBV, including through comprehensive sexuality education.
- Guarantee that SGBV can be reported through safe, accessible, confidential and supportive mechanisms, including accessible, comprehensive and inclusive legal mechanisms and frameworks.
- Guarantee inclusive, gender-responsive and specialized services for victims of SGBV, including in conflict situations.
- Ensure safe access to gender sensitive, preventive health care services and safe shelters for people of all gender identities.
- Prioritize reaching those furthest behind in eliminating and preventing SGBV, by ensuring and protecting the rights, autonomy, privacy and safety of the most marginalized and stigmatized groups of women and girls in all their diversity and those facing multiple and intersecting forms of discrimination or at additional risk, including people from the LGBT+ community, human rights defenders and WHRDs, and women and girls in conflict situations and detention.

5. Ensure effective and meaningful access to justice in times of digital transformation (work in progress, see also CSW67. Input welcome!)

- Prevent and eliminate new and emerging forms of gender-based violence, such as online and technology-facilitated sexual and gender-based violence, through a coherent, integrated, whole-of-society and gender-transformative approach that includes preventative interventions, such as education, including comprehensive sexuality education (CSE), digital and media literacy, policy and legal reform and private sector accountability.
- Dedicate funding and policy reform for technology-driven legal empowerment, including free cyber security tools for youth and gender-diverse groups.
- Criminalize internet shutdowns and online harassment that undermine youth's and women's public participation and rights advocacy, especially from marginalized groups and communities, with robust accountability protocols for state and private actors.

6. Ensure a gender-transformative approach to transitional justice (work in progress, input welcome!)

- Ensure gender-transformative transitional justice mechanisms and processes
- WPS agenda: prioritize survivor leadership, holistic care, collective memory, and state accountability
- Ensure justice for survivors of conflict-related sexual and gender-based violence, adopting a survivor-centered and survivor-led approach: recognize and address intergenerational consequences, guarantee access to comprehensive services, including sexual and reproductive health services, —medical, psychosocial, legal, and economic—that enable healing and empowerment, support collective Memory and Recognition projects fostering societal transformation, long-term peace and reconciliation and addressing impunity.
- Survivors and survivor-led networks should be placed at the heart of prevention, response, transitional justice, and peace processes. Invest in survivor leadership
- Access to land rights: impact on women's social, economic, political standing and prerequisite for gender-just climate, biodiversity and desertification action.
- Access to labour justice in global supply chains
- Climate justice & intergenerational justice, global north and private sector accountability (see CSW66)

International mechanisms

- Connect international, regional and national advocacy mechanisms that further justice, incl CSW and CEDAW
- Launch the proposal for a UN International Day to End Child Marriage, Forced Marriage and Marital Captivity, ensuring global awareness, accountability, and solidarity for survivors
- Urge ratification and implementation of existing international commitments and treaties at UN and regional level (e.g. EU directives, Istanbul convention, Maputo protocol)
- Urge ratification and implementation of existing international commitments and treaties in the area of human rights and gender equality, including BPfA, CEDAW, UNSCR 1325, ICPD

Platform for Action, ILO Conventions, the Istanbul Convention, COP, UN Convention on Disability, etc. Raise awareness about these commitments, especially the CEDAW and Istanbul conventions