

COMMISSION ON THE STATUS OF WOMEN

**GENDER AND ALL FORMS OF
DISCRIMINATION, IN PARTICULAR RACISM,
RACIAL DISCRIMINATION, XENOPHOBIA
AND RELATED INTOLERANCE**

CSW45 AGREED CONCLUSIONS (B)

United Nations, March 2001

GENDER AND ALL FORMS OF DISCRIMINATION, IN PARTICULAR RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND RELATED INTOLERANCE

1. The Charter of the United Nations, the Universal Declaration of Human Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women and other international instruments reaffirm the principles of equality and non-discrimination.
2. The consistent efforts of the international community in promoting gender equality through the convening of world conferences on women are recalled. It should also be recalled that the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights, the Beijing Declaration and Platform for Action adopted at the Fourth World Conference on Women and the outcome document of the twenty-third special session of the General Assembly entitled “Women 2000: gender equality, development and peace for the twenty-first century”, emphasize that all human rights of women and of the girl child are an inalienable, integral and indivisible part of universal human rights. The Platform for Action reaffirms that all human rights — civil, cultural, economic, political and social, including the right to development, are universal, indivisible, interdependent and interrelated.
3. The Beijing Declaration and Platform for Action indicate that many women face additional barriers to the enjoyment of their human rights because of such factors as their race, language, ethnicity, culture, religion, disability or socio-economic class or because they are indigenous people, migrants, including women migrant workers, displaced women or refugees. Also the outcome documents of the special session of the General Assembly indicate that in situations of armed conflict and foreign occupation, human rights of women have been extensively violated. Among the further actions and initiatives to implement the platform adopted by the special session were several directed at the elimination of racially motivated violence against women and girls.
4. The efforts of the international community in combating racism, racial discrimination, xenophobia and related intolerance are recalled.
5. There has been growing recognition that various types of discrimination do not always affect women and men in the same way. Moreover, gender discrimination may be intensified and facilitated by all other forms of discrimination. It has been increasingly recognized that without gender analysis of all forms of discrimination, including multiple forms of discrimination and, in particular, in this context, racial discrimination, xenophobia and related intolerance, violations of the human rights of women might escape detection and remedies to address racism may also fail to meet the needs of women and girls. It is also important that efforts to address gender discrimination incorporate approaches to the elimination of all forms of discrimination, including racial discrimination.
6. By its resolution 52/111 the General Assembly decided to convene a World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance to be held at Durban, South Africa, from 31 August to 7 September 2001. In its resolution 53/132 the Assembly proclaimed 2001 as the International Year of Mobilization against Racism, Racial Discrimination, Xenophobia and Related Intolerance. It is therefore timely that the gender dimensions of racism, racial discrimination, xenophobia and related intolerance are addressed by the Commission on the Status of Women.
7. The increasing gravity of different manifestations of racism, racial discrimination and xenophobia in various parts of the world requires a more integrated and effective approach on the part of relevant mechanisms of the United Nations human rights machinery. These trends affect the implementation of the outcome documents of the special session of the General Assembly entitled “Women 2000: gender equality, development and peace for the twenty-first century” as well as to the relevant international instruments against discrimination.

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The Commission recommends that the following actions be taken:

1. An integrated, holistic approach to address multiple forms of discrimination against women and girls, in particular racism, racial discrimination, xenophobia and related intolerance

- (a) Examine the intersection of multiple forms of discrimination, including their root causes, from a gender perspective with special emphasis on gender-based racial discrimination in order to develop and implement strategies, policies and programmes aimed at the elimination of all forms of discrimination against women and to increase the role that women play in the design, implementation and monitoring of gender-sensitive anti-racist policies;
- (b) Establish and strengthen effective partnerships with and provide support, as appropriate, to all relevant actors of civil society, including non-governmental organizations working to promote gender equality and advancement of women, in particular women subject to multiple discrimination, in order to promote an integrated and holistic approach to the elimination of all forms of discrimination against women and girls;
- (c) Acknowledge the need to address the issues of racism, racial discrimination, xenophobia and related intolerance as and where they affect young women and men, boys and girls and recognize the role they play in the fight against racism, racial discrimination, xenophobia and related intolerance, including particular forms of racism experienced by young women and girls, and support the fundamental role played by youth non-governmental organizations in educating young people and children to build a society based on respect and solidarity;
- (d) Promote respect for and value of the full diversity of women's and girls' situations and conditions and recognize that some women face particular barriers to their empowerment and ensure that the goals of achieving gender equality and advancement of women, including marginalized women, are reflected in all strategies, policies and programmes aimed at the elimination of all forms of discrimination against women and girls; and mainstream a gender perspective into the preparation and implementation of policies integrating multiculturalism, ensuring the full enjoyment of all human rights and fundamental freedoms by all women and girls and reaffirming that human rights — civil, cultural, economical, political and social, including the right to development — are universal, indivisible, interdependent and interrelated;
- (e) Promote recognition that the empowerment of women is an essential component of a proactive strategy to fight racism, racial discrimination, xenophobia and other forms of related intolerance and take measures to empower women subject to multiple discrimination to fully exercise their rights in all spheres of life and to play an active role in the design and implementation of policies and measures that affect their lives;
- (f) Take action to raise awareness and promote the eradication of all forms of discrimination, including multiple discrimination experienced by women through, inter alia, education and mass media campaigns;
- (g) The Platform for Action recognized that women face barriers to full equality and advancement because of such factors as their race, age, language, ethnicity, culture, religion or disability, because they are indigenous women or of other status. Many women encounter specific obstacles related to their family status, particularly as single parents, and their socio-economic status, including their living conditions in rural, isolated or impoverished areas. Additional barriers also exist for refugee women, other displaced women, including internally displaced women, as well as for immigrant women and migrant women, including women migrant workers. Many women are also particularly affected by environmental disasters, serious and infectious diseases and various forms of violence against women;
- (h) Acknowledge that racism, racial discrimination, xenophobia and related intolerance manifest themselves in a differentiated manner for women,

increasing poverty, causing their living conditions to deteriorate, generating violence and limiting or denying them the full enjoyment and exercise of all their human rights;

- (i) Ensure the full and equal opportunity for the sustained participation and representation of indigenous women and girls and women and girls, as appropriate, from culturally diverse backgrounds in all relevant decision-making processes;
- (j) Ensure that the Commission on the Status of Women takes into account in its work the impact of all forms of discrimination, including multiple discrimination on women's advancement;
- (k) Acknowledge the ongoing work of the Committee on the Elimination of Discrimination against Women and the Committee on the Elimination of Racial Discrimination in taking into account the impact of multiple forms of discrimination on women's advancement and the achievement of gender equality.

2. Policies, legal measures, mechanisms and machineries

- (a) Establish and/or strengthen, where appropriate, legislation and regulations against all forms of racism, racial discrimination, xenophobia and related intolerance, including their gender-based manifestations;
- (b) Condemn all forms of racism and racial discrimination, including propaganda, activities and organizations based on doctrines of superiority of one race or group of persons that attempts to justify or promote racism or racial discrimination in any form;
- (c) Take concrete measures to promote equality based on the elimination of gender and racial prejudice in all fields, through, inter alia, improving access to education, health care, employment and other basic services to promote full enjoyment of economic, social and cultural rights for all women and girls;
- (d) Take measures to address, through policies and programmes, racism and racially motivated violence against women and girls and to increase cooperation, policy responses, effective implementation of national legislation and other protective and preventive measures aimed at the elimination of all forms of violence against women and girls;
- (e) Review, where appropriate, national legal and other mechanisms, including the criminal justice system, to ensure equality before the law so that women and girls can seek protection, shelter and remedies against all forms of discrimination, including intersectional discrimination;
- (f) Review, where appropriate, policies and laws, including those on citizenship, immigration and asylum, for their impact on the elimination of all forms of discrimination against women and the achievement of gender equality;
- (g) Design and implement policies and measures that address all forms of violence against women and girls, and empower victims of all forms of violence, in particular women and girls, to regain control over their lives, inter alia, through special protection and assistance measures;
- (h) Devise, enforce and strengthen effective measures to combat and eliminate all forms of trafficking in women and girls through a comprehensive anti-trafficking strategy consisting of, inter alia, legislative measures, prevention campaigns, information exchange, assistance and protection for and reintegration of the victims and prosecution of all the offenders involved, including intermediaries;
- (i) Develop and implement policies to ensure the full enjoyment of all human rights and fundamental freedoms by all women and girls regardless of race, colour, descent or national or ethnic origin;
- (j) Take measures, as appropriate, to promote and strengthen policies and programmes for indigenous women with their full participation and respect for their cultural diversity, to combat discrimination based on gender and race, to ensure their full enjoyment of all human rights;
- (k) Review and revise, as appropriate, emigration policies with a view to eliminating all discriminatory policies and practices against migrants, especially women and children, and to protect fully all their human rights, regardless of their legal status, as well as to provide them with humane treatment;

- (l) Take steps to eliminate any violations of the human rights of women refugees, asylum seekers and internally displaced persons who are often subjected to sexual and other violence;
- (m) Urge all States that have not yet done so to become parties to the International Convention on the Elimination of All Forms of Racial Discrimination in order to achieve its universal ratification emphasizes the importance of the full compliance of States parties with the obligations they have accepted under this Convention;
- (n) Consider signing, ratifying or acceding to the International Convention on the Protection of the Rights of all Migrant Workers and Members of Their Families as a matter of priority, and consider promoting ratification of the relevant conventions of the International Labour Organization.

3. Change attitudes and eliminate stereotypes and prejudice

- (a) Develop gender sensitive education and training programmes aimed at eliminating discriminatory attitudes towards women and girls, and adopt measures to address the intersection between racist and gender-based stereotypes;
- (b) Develop and implement programmes and policies to raise awareness among all relevant actors at national, regional and international levels to the issue of multiple discrimination against women and girls;
- (c) Review and update educational materials, including textbooks, and take appropriate action to remove all elements promoting discrimination, in particular gender-based discrimination, racism, racial discrimination, xenophobia and related intolerance;
- (d) Ensure that education and training, especially teacher training, promote respect for human rights, the culture of peace, gender equality and cultural, religious and other diversity, and encourage educational and training institutions and organizations to adopt policies of equal opportunities and follow up their implementation with the participation of teachers, parents, boys and girls and the community;

- (e) Develop strategies to increase awareness among men and boys with respect to their shared responsibility in promoting gender equality and combating all forms of discrimination, in particular racism, racial discrimination, xenophobia and related intolerance as well as multiple discrimination;
- (f) Develop anti-racist and gender-sensitive human rights training for personnel in the administration of justice, law enforcement agencies, security and health-care services schools and migration authorities, paying particular attention to immigration officials, border police and staff of migrant detention centres, as well as for United Nations personnel;
- (g) Bearing in mind gender perspective, encourage the mass media to promote ideas of tolerance and understanding among peoples and different cultures.

4. Research and collection of data and information

- (a) Develop methodologies to identify the ways in which various forms of discrimination converge and affect women and girls and conduct studies on how racism, racial discrimination, xenophobia and related intolerance are reflected in laws, policies, institutions and practices and how this has contributed to the vulnerability, victimization, marginalization and exclusion of women and the girl child;
- (b) Collect, analyse and disseminate quantitative, qualitative and gender-sensitive data regarding the impact of all forms of discrimination, including the multiple discrimination, on women and girls and sponsor, where appropriate, surveys and community-based research, including the collection of disaggregated data by sex, age and other factors as appropriate.

5. Preventing conflict and promoting a culture of peace, equality, non discrimination, respect and tolerance

- (a) Respect fully international human rights law and international humanitarian law applicable to the rights and protection of women and girls and take special measures to protect women and girls from gender-based violence, particularly rape and all other forms of sexual violence during armed

conflict, and end impunity and prosecute those responsible for genocide, crimes against humanity and war crimes, including those relating to sexual and other gender-based violence against women and girls;

(b) Violence against women and girls is a major obstacle to the achievement of the objectives of gender equality, development and peace. Violence against women both violates and impairs or nullifies the enjoyment by women of their human rights and fundamental freedoms. Gender-based violence, such as battering and other domestic violence, sexual abuse, sexual slavery and exploitation, international trafficking in women and children, forced prostitution and sexual harassment, as well as violence against women resulting from cultural prejudice, racism and racial discrimination, xenophobia, pornography, ethnic cleansing, armed conflict, foreign occupation, religious and anti-religious extremism and terrorism, are incompatible with the dignity and worth of the human person and must be combated and eliminated;

(c) Ensure the full and equal opportunity for sustained participation and representation of women at all levels and in all areas in conflict prevention, management and conflict resolution and in post-conflict peace-building.

6. World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance

The Commission on the Status of Women stresses the importance of mainstreaming a gender perspective into the preparations, work and the outcome of the World Conference, and urges the inclusion of women in delegations to the Conference. ■

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