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WOMEN FACING MULTIPLE FORMS OF DISCRIMINATION

Racism and related intolerance do not affect all members of victim groups in the same way. The Durban Declaration and Programme of Action (DDPA) focused attention on the issue of multiple, or aggravated, forms of discrimination, which are most significantly experienced by female members of discriminated groups, but which are also suffered by persons with disabilities, persons affected by HIV/AIDS, children and the elderly, among others. These are often among the most vulnerable members of society, and are at greater risk of economic hardship, exclusion and violence; discrimination against them is often compounded.

The intersection of discrimination based on race and gender has the most widespread effects. Although this intersection had long been ignored, the 1995 Fourth World Conference on Women, held in Beijing, recognized 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."

In the DDPA, states declare they "Are convinced that racism, racial discrimination, xenophobia and related intolerance reveal themselves in a differentiated manner for women and girls, and can be among the factors leading to a deterioration in their living conditions, poverty, violence, multiple forms of discrimination, and the limitation or denial of their human rights." States further recognized "the need to integrate a gender perspective into relevant policies, strategies and programmes of action against racism, racial discrimination, xenophobia and related intolerance in order to address multiple forms of discrimination."



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World Food Programme, Food-for-education scheme, encouraging student enrollment. A girls school in Nangarhar, Afghanistan

Equality and non-discrimination

The principles of equality and non-discrimination form the basis of all human rights instruments. It is therefore clear that as a matter of human rights law, all women must be entitled to the full enjoyment of their human rights. Women are not a homogenous group of rights holders and discrimination against them can be expressed in many different forms and contexts. In order to protect, promote and advance women's human rights, advocates and policy makers must take into account differences among women with respect to age, socio-economic status, racial/ethnic background, religion, national origin, citizenship, status, health, particularly HIV/AIDS, and disability among others. Among the most disadvantaged and vulnerable are women from minority communities, whose problems are compounded by their uniquely disadvantaged positions in society.

The majority of the world's poorest people are women, who are further affected by discrimination if they belong to minority groups. Women suffer disproportionately from discriminatory labour practices and are frequently forced into underground or informal sectors. Members of racially discriminated groups do not enjoy equal access to health, education or justice, and such access is further limited for women.



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Women who are victims of trafficking frequently also suffer from racial discrimination, doubly subjugated and vulnerable, and women from certain racial or ethnic groups may be particularly vulnerable to trafficking or targeted by traffickers. Women refugees and migrants are also more vulnerable to violence, lack of representation and limitations on their freedom of movement.

Women who are discriminated against on the basis of both gender and race are frequently subject to violence. In armed conflicts, women are sometimes explicitly targeted because of race or ethnic background. Rape and other forms of violence against women have been used as weapons of war in conflicts throughout history.

Among the numerous references to gender in the DDPA, violence against women is given some prominence. In the Programme of Action, the World Conference against Racism urges States “To recognize that sexual violence which has been systematically used as a weapon of war, sometimes with the acquiescence or at the instigation of the State, is a serious violation of international humanitarian law that, in defined circumstances, constitutes a crime against humanity and/or a war crime, and that the intersection of discrimination on grounds of race and gender makes women and girls particularly vulnerable to this type of violence, which is often related to racism, racial discrimination, xenophobia and related intolerance.” The DDPA also calls for an end to impunity for such crimes and the prosecution of those responsible.

Global and local civil society, national governments, regional courts and institutions, and international institutions increasingly recognize women's rights through such international instruments as the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), regional mechanisms like the Maputo Protocol on the Rights of Women in Africa to the African Charter on Human or Peoples' Rights, or the European Union Gender Equality Directives. Other mechanisms, such as the Convention to Eliminate Racial Discrimination (CERD), also address the rights of minority women.

The 185 Member States who have ratified the CEDAW are prohibited under the provisions of the Convention from perpetrating direct and indirect discrimination against women on the basis of their sex and gender, both in law and practice, by state and by private agents in all areas of their lives. The Convention forbids structural discrimination and intersectional discrimination, the first being caused by past discrimination and cultural traditions, and the second by several grounds of discrimination coming together and compounding each other, as in the case of sex and race-based discrimination against women.

However, despite the crucial intersection of discrimination against women and racism, racial discrimination, xenophobia and related intolerance, there are as yet limited efforts that link these human rights mechanisms to promote the rights of women facing multiple forms of discrimination.

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