

1998/12

Conclusions of the Commission on the Status of Women on critical areas of concern identified in the Beijing Platform for Action

The Economic and Social Council

Endorses the following conclusions adopted by the Commission on the Status of Women with respect to the four critical areas of concern addressed by the commission at its forty-second session:

I. Violence against women

The Commission on the Status of Women

Reaffirms the Beijing Platform for Action,¹⁴ notably chapter IV.D on violence against women, the Convention on the Elimination of All Forms of Discrimination against Women,¹⁵ and the Declaration on the Elimination of Violence against Women;¹⁶

Requests States parties to the Convention on the Elimination of All Forms of Discrimination against Women to take into account in their initial and periodic reports to the Committee on the Elimination of Discrimination against Women, general recommendation 19 on violence against women, adopted by the Committee at its eleventh session,¹⁷ and the Declaration on the Elimination of Violence against Women;

Requests States parties to international human rights treaties to compile information and report on the extent and manifestations of violence against women, including domestic violence and harmful traditional practices, and

¹⁴ *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution I, annex II.

¹⁵ General Assembly resolution 34/180, annex.

¹⁶ General Assembly resolution 48/104.

¹⁷ See *Official Records of the General Assembly, Forty-seventh Session, Supplement No. 38 (A/47/38)*, chap. I.

the measures taken to eliminate such violence, for inclusion in reports under the Committee on the Elimination of Discrimination against Women, and to include such information in reports to other treaty bodies;

Proposes, in order to accelerate the implementation of the strategic objectives of chapter IV.D:

A. An integrated, holistic approach

Actions to be taken by Governments and the international community:

- Formulate comprehensive, multidisciplinary and coordinated national plans, programmes or strategies, which will be widely disseminated, to eliminate all forms of violence against women and girls and provide for targets, timetables for implementation and effective domestic enforcement procedures by monitoring mechanisms, involving all parties concerned, including consultations with women's organizations;
- Call upon the international community to condemn and act against all forms and manifestations of terrorism, in particular those that affect women and children;
- Develop strong and effective national, regional and international cooperation to prevent and eliminate trafficking in women and girls, especially for purposes of economic and sexual exploitation, including the exploitation of prostitution of women and girls;
- Encourage the media to take measures against the projection of images of violence against women and children;
- Strengthen effective partnerships with non-governmental organizations and all relevant agencies to promote an integrated and holistic approach to the elimination of violence against women and girls;
- Integrate effective actions to end violence against women into all areas of public and private life, as a means of working to overcome the violence and discrimination that women face because of such factors as race, language, ethnicity, poverty, culture, religion, age, disability and socio-economic class or because they are indigenous people, migrants, including women migrant workers, displaced women or refugees;

- Ensure that comprehensive programmes for the rehabilitation of victims of rape are integrated into global programmes.

B. Provision of resources to combat violence against all women

Actions to be taken by Government, non-governmental organizations and the public and private sector, as appropriate:

- Support the work of non-governmental organizations in their activities to prevent, combat and eliminate violence against women;
- Provide adequate resources for women's groups, helplines, crisis centres and other support services, including credit, medical, psychological and other counselling services, as well as focus on vocational skill training for women victims of violence that enables them to find a means of subsistence;
- Provide resources for the strengthening of legal mechanisms for prosecuting those who commit acts of violence against women and girls, and for the rehabilitation of victims;
- Support and encourage partnerships for the establishment of national networks and provide resources for shelters and relief support for women and girls, so as to offer a safe, sensitive and integrated response to women victims of violence, including the provision of programmes designed to heal victims of trafficking and rehabilitate them into society;
- Consider increasing contributions for national, regional and international action to combat violence against women, including for the Special Rapporteur of the Commission on Human Rights on violence against women, its causes and consequences and the Trust Fund in Support of Action to Eliminate Violence against Women of the United Nations Development Fund for Women;
- Develop special programmes that would assist women and girls with disabilities in recognizing and reporting acts of violence, including the provision of accessible support services for their protection and safety;
- Encourage and fund the training of personnel in the administration of justice, law enforcement agencies, security, social and health-care services, schools and migration authorities on matters related to gender-

based violence, and its prevention, and the protection of women from violence;

- Include in national budgets adequate resources related to the elimination of violence against women and girls.

C. Creation of linkages and cooperation with regard to particular forms of violence against women

Actions to be taken by Governments:

- Consider, where appropriate, formulating bilateral, subregional and regional agreements to promote and protect the rights of migrant workers, especially women and girls;
- Develop bilateral, subregional, regional and international agreements and protocols to combat all forms of trafficking in women and girls, and assist victims of violence resulting from prostitution and trafficking;
- Improve international information exchange on trafficking in women and girls by recommending the setting up of a data-collection centre within Interpol, regional law enforcement agencies and national police forces, as appropriate;
- Strengthen the implementation of all relevant human rights instruments in order to eliminate organized and other forms of trafficking in women and girls, including trafficking for the purpose of sexual exploitation and of pornography;
- Strengthen gender focal points of the regional commissions, and further enhance their contributions to gender-balanced development policies, as they have already made significant contributions by helping Member States to build capacities and as regards gender-mainstreaming for alleviating gender-based violence against women, and have contributed actively to promoting the human rights of women.

D. Legal measures

Actions to be taken by Governments:

- Ensure the gender-sensitive development of an integrated framework that includes criminal, civil, evidentiary and procedural provisions and

that addresses sufficiently the multiple forms of violence against women;

- Take all appropriate measures to develop an integrated and comprehensive legislative framework that addresses sufficiently the multiple forms of violence against women;
- Promote, where necessary, the harmonization of local legislation that penalizes acts of violence against women;
- Provide adequate infrastructure and support services to respond to the needs of the survivors of violence against women and girls, and to assist towards full recovery and reintegration into society, such as witness protection programmes, restraining order against perpetrators, crisis centres, telephone hotlines, shelters, provisions for economic support and livelihood assistance;
- Develop guidelines to ensure appropriate police and prosecutorial responses in cases of violence against women;
- Establish and support programmes that provide legal aid and assistance for women and girls bringing complaints relating to gender-based violence through various applicable ways and means, such as non-governmental organization support for women with claims relating to violence against women;
- Ensure the accountability of relevant law enforcement agencies for implementation of policies to protect women from gender-based violence;
- Investigate, and in accordance with national legislation, punish all acts of violence against women and girls, including those perpetrated by public officials;
- Implement strategies and practical measures, taking account of the Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice adopted by the General Assembly, in its resolution 52/86 of 12 December 1997, and contained in the annex thereto;
- Review national legislation in order to effect complete legal prohibition of rape and all forms of violence against women and girls, such as domestic violence, including rape, and to ensure that legislation that

protects women and girls from violence is effectively implemented;

- Criminalize all forms of trafficking in women and girls for the purposes of sexual exploitation and penalize all traffickers;
- Take steps to enable women who are victims of trafficking to make complaints to the police and to be available when required by the criminal justice system, and ensure that during this time women have access to social, medical, financial and legal assistance, and protection, as appropriate;
- Develop and implement national legislation and policies prohibiting harmful customary or traditional practices that are violations of women's and girls' human rights and obstacles to the full enjoyment by women and girls of their human rights and fundamental freedoms;
- Ensure that women are safe at work by supporting measures that promote the creation of a workplace environment free from sexual harassment or other violence and encourage all employers to put in place policies designed to eliminate and deal effectively with harassment of women whenever it occurs in the workplace;
- Encourage the participation of women in law enforcement agencies so as to achieve gender balance.

E. Research and gender-disaggregated data collection

Actions to be taken by Governments:

- Promote coordinated research on violence against women to ensure that it is multidisciplinary and addresses the root factors, including external factors, that encourage trafficking in women and girls for prostitution and other forms of sexual exploitation;
- Encourage research aimed at exploring the nature, extent and causes of violence and collect data and statistics on its economic and social costs, and its consequences, and conduct research on the impact of all laws relevant to combating all forms of violence against women;
- Develop common definitions and guidelines and train relevant actors for the collection of data and statistics on violence against women and ensure that all cases of violence against women are recorded systemati-

cally and appropriately, whether they are first reported to the police or to health and social services;

- Sponsor community-based research and national surveys, including the collection of disaggregated data, on violence against women, with regard to particular groups of women, such as women with disabilities, migrant women workers and trafficked women;
- Support evaluations of the impact of measures and policies, particularly with regard to legislative, evidentiary and procedural law reform, to address violence against women with a view to identifying and exchanging good practices and lessons learned, and initiate intervention and prevention programmes;
- Promote the sharing of research results, including information on best practices at national, regional and international levels;
- Explore the possibility of mechanisms such as national rapporteurs, who report to Governments on the scale, prevention and combating of violence against women, particularly trafficking in women and girls.

Action to be taken by the United Nations:

- Consider ways to share good practices and lessons learned, including establishing a readily accessible database of good practices and lessons learned with regard to all forms of violence against women.

F. Change attitudes

Actions to be taken by Governments and civil society, including non-governmental organizations:

- Work to create violence-free societies by implementing participatory educational programmes on human rights, conflict resolution and gender equality, for women and men of all ages, beginning with girls and boys;
- Support programmes of peer mediation and conflict resolution for schoolchildren and special training for teachers to equip them to encourage cooperation and respect for diversity and gender;
- Encourage innovative education and training in schools to enhance awareness of gender-based violence by promoting non-violent conflict

resolution, and short-, mid- and long-term strategic educational goals for achieving gender equality;

- Introduce and invest in comprehensive public awareness campaigns, such as “zero tolerance”, that portray violence against women as unacceptable;
- Encourage the promotion in media portrayals of positive images of women and of men, presenting them as cooperative and full partners in the upbringing of their children, and discourage the media from presenting negative images of women and girls;
- Encourage the media to create positive images of women and men as cooperative and crucial actors in preventing violence against women through the development of voluntary international media codes of conduct, on positive images, portrayals and representations of women, and on the coverage of the reporting of violence against women;
- Raise awareness and mobilize public opinion to eliminate female genital mutilation and other harmful traditional, cultural or customary practices that violate the human rights of women and girls and negatively affect their health;
- Promote the responsible use of new information technologies, in particular the Internet, including the encouraging of steps to prevent the use of these technologies for discrimination and violence against women, and for trafficking in women for the purposes of sexual exploitation, including the exploitation of prostitution of women and girls;
- Create policies and programmes to encourage behavioural change in perpetrators of violence against women, including rape, and monitor and assess the impact and effect of such programmes;
- Establish legal literacy programmes to make women aware of their rights and the methods of seeking protection under the law;
- Recognize that women and girls with disabilities, women migrants and refugee women and girls could be particularly affected by violence, and encourage the development of programmes for their support;
- Encourage campaigns aimed at clarifying opportunities, limitations and rights in the event of migration so as to enable women to make

informed decisions and to prevent them from becoming victims of trafficking;

- Encourage and support men's own initiatives to complement efforts of women's organizations to prevent and eliminate violence against women and girls;
- Conduct research on, and create policies and programmes to change, the attitudes and behaviour of perpetrators of violence against women within family and society;
- Actively encourage, support and implement measures aimed at increasing the knowledge and understanding of violence against women, through gender analysis capacity-building and gender-sensitive training for law enforcement officers, police personnel, the judiciary, medical and social workers, and teachers.

II. Women and armed conflict

The Commission on the Status of Women

Reaffirms the Beijing Platform for Action,¹⁸ notably chapter IV.E on women and armed conflict;

Proposes the following, taking into account the Commission's conclusions on human rights of women, violence against women and the girl child, in order to accelerate the implementation of the strategic objectives of chapter IV.E:

A. *Ensuring gender-sensitive justice*

Actions to be taken by Governments:

- Ensure that national legal systems provide accessible and gender-sensitive avenues of redress for victims of armed conflict;

¹⁸ *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex II.

- Ensure that a gender-sensitive perspective is integrated in the drafting and interpretation of international law and domestic legislation, including for the protection of women and girls in armed conflict;
- Support efforts to create an international criminal court that integrates a gender perspective in its statute and functioning, enabling a gender-sensitive interpretation and application of the statute;
- Provide and disseminate to the public in local languages, including to women's groups and non-governmental organizations, information on the jurisdiction and procedures for accessing the ad hoc war crimes tribunals, human rights treaty bodies and all other relevant mechanisms; this information should be widely and actively disseminated in cooperation with the United Nations system and non-governmental organizations;
- Protect children in situations of armed conflict, especially the girl child, against participation, recruitment, rape and sexual exploitation through adherence to the applicable principles of international human rights law, international humanitarian law, and national legislation;
- Promote a gender balance and gender expertise in all relevant international bodies, at all times, including the International Law Commission, the ad hoc war crimes tribunals and the human rights treaty bodies, having due regard for the principle of equitable geographical distribution;
- Examine and consider modifying existing legal definitions and standards to ensure that they encompass concerns of all women and girls affected by armed conflict, and, in particular, reaffirm that rape, systematic rape and sexual slavery in armed conflict constitute war crimes;
- Ensure that where crimes of sexual violence are committed in situations of conflict, all perpetrators, including those among United Nations and international peacekeeping and humanitarian personnel, are prosecuted.

B. Specific needs of women affected by armed conflict

Actions to be taken by Governments and international organizations:

- Collect and provide information on violations of the human rights of women under foreign occupation and take steps to ensure the full enjoyment of the human rights of these women;
- Take account of the impact of armed conflict on the health of all women and introduce measures to address the full range of women's health needs, including those of women with disabilities, and the psychological needs arising from trauma stemming from sexual abuses and the effects of violations of their rights;
- Address the specific needs and concerns of women refugees and displaced persons and ensure appropriate training for relevant bodies to address the specific needs and concerns of women refugees, who should receive special protection, including the proper design and location of camps and the adequate staffing of camps;
- Recognize the importance of fully involving women in designing rehabilitation policies in post-conflict situations and take steps to assist household economies, including the social and economic conditions of women-headed households and widows;
- Ensure the physical safety and security of all refugee women and girls and those internally displaced by, inter alia, adequately providing for and increasing their access to the right of return to their country or place of origin, and the participation of women in the committees responsible for the management of camp(s), and ensure that the camps are designed in accordance with the 1995 Guidelines on the Protection of Refugee Women¹⁹ of the United Nations High Commissioner for Refugees; and arrange for gender-sensitive legal, social and medical services in camps, and for the talents and capabilities of refugee and displaced women and girls to be fully integrated in the development and implementation of these programmes while they are in such camps;

¹⁹ Geneva, United Nations High Commissioner for Refugees, 1995.

- Provide refugee victims of sexual violence and their families with adequate medical and psychosocial care, including culturally sensitive counselling, and ensure confidentiality;
- Take measures in accordance with international law with a view to alleviating any negative impact of economic sanctions on women and children;
- Mainstream a gender perspective, as appropriate, into national immigration and asylum policies, regulations and practices, in order to extend protection to those women whose claim for protection is based on gender-related persecution;
- Provide and strengthen assistance to all women and girls in conflict and post-conflict situations, including through non-governmental organizations, as appropriate. Refugee women and men must have equal rights in the administration and distribution of goods and services in the camps;
- Condemn and bring to an immediate end massive violations of human rights, especially in the form of genocide, and ethnic cleansing as a strategy of war, and its consequences, such as rape, including systematic rape of women in war situations;
- Encourage rehabilitation centres to ensure that the knowledge and professions of displaced and refugee people are utilized;
- Mainstream a gender perspective into humanitarian responses to crises and armed conflicts and into post-conflict reconstruction activities.

C. Increasing the participation of women in peacekeeping, peace-building, pre- and post-conflict decision-making, conflict prevention, post-conflict resolution and reconstruction

Actions to be taken by Governments and international and regional intergovernmental institutions:

- Increase, including through measures of affirmative action, women's participation and leadership in decision-making and in preventing conflict;

- Mainstream a gender perspective into peace-promoting activities at all levels as well as humanitarian and peace-building policies, including through gender analysis and the encouragement of the participation of more female personnel at all levels, in particular at senior or high levels in field missions, and monitor and review such policies as appropriate, on the basis of equitable geographical distribution where applicable;
- Recognize and support women's non-governmental organizations, particularly at the grass-roots level, in respect of their preventing conflict, including early warning and peace-building;
- Take note of the Kampala Action Plan on Women and Peace,²⁰ as well as the post-Beijing follow-up Kigali Declaration on Peace, Gender and Development,²¹ and A Plan of Action for Conflict-affected Areas,²² and, if appropriate, convene conferences to assess progress and promote implementation;
- Regional research and training institutes should carry out research on the role of women in conflict resolution and identify and analyse policies and action programmes;
- Create mechanisms to encourage more women candidates with the appropriate qualifications to apply for judicial, prosecutorial and other positions in all relevant international bodies, in order to achieve gender balance on the basis of equitable geographical distribution;
- Nominate and appoint more women as special representatives in conflict resolution, taking due consideration of the principle of equitable geographical distribution;
- Enhance the role of women in bilateral preventive diplomacy efforts as well as those undertaken by the United Nations in accordance with the Charter of the United Nations;
- Ensure that the participants in humanitarian missions and in peacekeeping operations, both military and civilian, are given specific gender-sensitive training;

²⁰ Document E/ECA/ATRCW/ARCC.XV/94/7, April 1994.

²¹ A/52/720, annex. sect. 4.

²² *Ibid.*, sect. 3.

- Develop and implement innovative strategies to increase the participation of women in peacekeeping operations and invite the Secretary-General to analyse their effectiveness in his reports on peacekeeping operations, if appropriate, based on an expert group meeting;
- Mainstream a gender perspective into bilateral and multilateral peace-building discussions and promotion of social development.

D. Preventing conflict and promoting a culture of peace

Actions to be taken by Governments, the international community

- Integrate a gender perspective into foreign policies and adjust policies accordingly;
- Support the establishment of women-for-peace networks;
- Discourage the adoption of and refrain from any unilateral measure that is not in accordance with international law and the Charter of the United Nations and that impedes the full achievement of economic and social development by the population of the affected countries, in particular women and children, that hinders their well-being and that creates obstacles to the full enjoyment of their human rights;
- Ensure that education, including teacher training, promotes peace, respect for human rights and gender-sensitivity, tolerance for diversity, including cultural and religious diversity, and pluralism;
- Encourage the incorporation of relevant international humanitarian law principles and their interpretation from a gender perspective into national legal systems;
- Encourage and support the participation of young people in programmes, seminars and workshops on conflict resolution and human rights, negotiations for the peaceful settlement of disputes and the importance of a gender perspective in the promotion of a culture of peace, development and human rights of women;
- Strengthen ongoing efforts to train international peacekeeping forces on human rights and gender-sensitivity, provide training on codes of conduct and prevention of violence against women, ensuring that trainers include civilians, women and experts in gender issues;

- Enhance the culture of peace and the peaceful settlement of armed conflicts, including through mass media, audio and video as appropriate;
- Draw upon and utilize the expertise of the Office of the United Nations High Commissioner for Refugees, the United Nations High Commissioner for Human Rights, the Division for the Advancement of Women of the United Nations Secretariat, the United Nations Development Fund for Women and the United Nations Children's Fund for the preparation of materials for the training of United Nations peacekeepers;
- Continue to make resources available nationally and internationally for prevention of conflict and ensure women's participation in the elaboration and implementation of strategies for preventing conflict;
- Recognize and support the work done by national machineries for the advancement of women and by non-governmental organizations and work towards mobilizing the action necessary to encourage the achievement by women of a critical mass at the national cabinet level in key ministries and departments and in international organizations that make or influence policy with regard to matters related to collective peace and security.

Actions to be taken by the United Nations:

- Acknowledge and support the vital work of non-governmental organizations in the field of peace in efforts towards preventing conflict and for peace-building;
- Organize programmes and seminars to sensitize community leaders and women on the important role that women should play in developing a culture of peace in society.

E. Disarmament measures, illicit arms trafficking, landmines and small arms

Actions to be taken by Governments:

- In order to alleviate the suffering of women and children caused by landmines, work towards the objective of eliminating anti-personnel landmines; and in this regard take due note of the conclusion of the

Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction and its implementation by those States that become parties to it;

- Join international efforts to elaborate international policies to prohibit illicit traffic, trade and transfer of small arms, and to control their excessive production, with a view to alleviating the suffering of women and children in the situation of armed conflict;
- Provide landmine awareness campaigns or classes in close cooperation with communities and community leaders formally and informally, making them accessible to women in afflicted areas, and provide resources and assistance for landmine clearance and share technology and information so that local populations can engage effectively in the safe clearance of landmines;
- Support programmes for the rehabilitation and social integration of women victims of anti-personnel landmines, and demining and mine awareness activities;
- Encourage as appropriate the role of women in the peace movement, working towards general and complete disarmament under strict and effective international control including disarmament of all types of weapons of mass destruction;
- Work to prevent and put an end to aggression and all forms of armed conflict, thereby promoting a culture of peace.

III. Human rights of women

The Commission on the Status of Women

Reaffirms the Beijing Platform for Action adopted by the Fourth World Conference on Women,²³ in particular chapter IV.I on the human rights of women, and the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights,²⁴

²³ *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex II.

²⁴ A/CONF.157/24 (Part I), chap. III.

Recommends that the Commission on Human Rights give particular attention to the economic and social rights of women in any discussions it may have at its fifty-fourth session on the question of the appointment and mandate of a special rapporteur on economic, social and cultural rights, or a specific aspect thereof; and invites the Secretary-General to report to the Commission on the Status of Women in 1999 on decisions taken by the Commission on Human Rights on this issue, and further recommends that the rapporteur on economic, social and cultural rights, if appointed, should make his or her reports available to the Commission on the Status of Women;

Proposes, in order to accelerate the implementation of the strategic objectives of chapter IV.I of the Platform for Action:

A. Creation and development of an environment conducive to women's enjoyment of their human rights and awareness-raising

Actions to be taken by Governments, non-governmental organizations, employers, trade unions, the private sector and other actors in civil society, as appropriate:

- Ensure universal awareness by all persons, women and men, girls and boys of all human rights and fundamental freedoms of women and children, including the girl child, through comprehensive human rights education in accordance with the United Nations Decade for Human Rights Education, and create and promote a culture of human rights, development and peace;
- Encourage and support broad-based national and community-based dialogues that include women and men, and girls and boys, from diverse backgrounds, on the meaning of human rights, on the obligations thereby created and on gender-specific discrimination and violations;
- Ensure that work, including, inter alia, work by treaty bodies within their mandates to develop an understanding of the gender dimensions of human rights, is compiled and widely disseminated, and that this gender-sensitive interpretation of human rights is fully integrated into all policies and programmes of international and regional organizations;

- Make widely available reports of United Nations mechanisms that deal with the human rights of women, such as on discrimination and violence against women, to the public, including the judiciary, parliamentarians and non-governmental organizations;
- Support, encourage and disseminate research, and collect gender- and age-disaggregated statistics on factors and multiple barriers that affect the full enjoyment by women of their economic, social, cultural, civil and political rights, including their right to development, and on violations that are particular to women, and disseminate the findings and utilize the collected data in assessing the implementation of the human rights of women;
- Develop and implement national legislation and policies prohibiting customary and traditional practices that are harmful to women and that are violations of women's human rights;
- Eradicate customary or traditional practices, particularly female genital mutilation, that are harmful to, or discriminatory against, women and that are violations of women's human rights and fundamental freedoms, through the design and implementation of awareness-raising programmes, education and training;
- Ensure that their personnel periodically receive gender training and are educated and made aware of all women's, men's and children's human rights;
- Mobilize the resources necessary and create the conditions for the full exercise of women's economic, social, cultural, civil and political rights;
- Establish and strengthen partnerships and cooperation with each other and with the United Nations system and regional organizations in order to promote more actively the full enjoyment by women of their human rights;
- Ensure that indigenous and other marginalized women's special conditions are taken fully into consideration within the framework of the human rights of women;
- Mainstream a gender perspective, as appropriate, into national immigration and asylum policies, regulations and practices in order to extend

protection to those women whose claim for protection is based on gender-related persecution.

B. Legal and regulatory framework

Actions to be taken by Governments:

- Guarantee the existence of a national legal and regulatory framework, including independent national institutions, or other appropriate mechanisms, that ensure the full realization of all human rights of women and girls on the basis of equality and non-discrimination, including their right to be free from violence, in accordance with the Charter of the United Nations, other instruments related to human rights and international law;
- Take steps, including a gender-sensitive review of national legislation, to revoke any laws or legal procedures and eradicate practices – national or customary – that promote discrimination on the basis of sex;
- Ensure that women and children have full and equal access to effective legal remedies for violations, including domestic mechanisms, which are monitored and revised to ensure that they function without discrimination, and international mechanisms that address human rights as provided, inter alia, under the Convention on the Elimination of All Forms of Discrimination against Women,²⁵
- Promote changes that ensure that women enjoy equal opportunities in law and in practice to claim their rights through national legal systems, including through educating them on these rights as well as ensuring availability of measures such as free or affordable legal aid, legal representation and court appeals procedures, and support existing programmes of non-governmental organizations and other agencies.

²⁵ General Assembly resolution 34/180, annex.

C. Policies, mechanisms and machineries

Actions to be taken by Governments:

- Ratify and accede to and ensure implementation of the Convention on the Elimination of All Forms of Discrimination against Women²⁶ so that universal ratification of the Convention can be achieved by the year 2000;
- Limit the extent of any reservations to the Convention on the Elimination of All Forms of Discrimination against Women: formulate any such reservations as precisely and as narrowly as possible; ensure that no reservations are incompatible with the object and purpose of the Convention or otherwise incompatible with international treaty law and regularly review those reservations with a view to withdrawing them; and withdraw reservations that are contrary to the object and purpose of the Convention or that are otherwise incompatible with international treaty law;
- Create channels of communication to promote information exchange between national institutions that address the human rights of women, and non-governmental organizations and relevant policy-making bodies of Government;
- Create gender mainstreaming mechanisms within all policy-making bodies so that women's ability to enjoy their rights is strengthened by all policies and programmes, including through gender-sensitive budgeting;
- Support efforts to create an international criminal court that integrates a gender perspective in its statute and functioning, enabling a gender-sensitive interpretation and application of the statute;
- Mainstream a gender perspective into all economic and social policies in order to promote the human rights of women and girls, including their right to development;
- Adopt measures to ensure by appropriate means that women enjoy equal opportunities to participate in decision-making processes, including parliamentary and other elected assemblies.

²⁶ Ibid.

Actions to be taken by States parties to human rights instruments:

- Promote gender balance in the nomination and election of independent experts to treaty bodies having expertise and sensitivity in regard to gender issues in the field of human rights, giving due consideration to equitable geographical distribution and different legal systems;
- Take note of the report of the United Nations Secretariat to the Committee on the Elimination of Discrimination against Women on reservations to the Convention on the Elimination of All Forms of Discrimination against Women²⁷ and encourage similar studies by other treaty bodies, as well as by the Sixth Committee of the General Assembly, especially with respect to their effect on women's and girls' enjoyment of their human rights;
- Ensure that their periodic reports to treaty monitoring bodies mainstream a gender perspective.

Within the United Nations system:

- Urge the Commission on Human Rights to ensure that all human rights mechanisms and procedures fully incorporate a gender perspective in their work, within their respective mandates;
- The Administrative Committee on Coordination Inter-Agency Committee on Women and Gender Equality should, as planned, conduct a workshop to clarify the understanding of a rights-based approach to women's empowerment and advancement and to gender equality, drawing on the work already being done in this regard by the United Nations Development Fund for Women and others;
- The Office of the United Nations High Commissioner for Human Rights and the Division for the Advancement of Women of the Department of Economic and Social Affairs of the United Nations Secretariat should strengthen and improve coordination in general human rights activities within their respective mandates and continue to prepare the joint annual work plan;
- The Office of the United Nations High Commissioner for Human Rights and the Division for the Advancement of Women should continue to

²⁷ CEDAW/C/1997/4.

prepare the joint annual work plan and strengthen cooperation and coordination in human rights activities, in particular:

- (a) By collaborating in the writing of reports for the Commission on the Status of Women and the Commission on Human Rights, the first initiative of this type²⁸ being welcomed;
 - (b) Through sharing information systematically on the Committee on the Elimination of Discrimination against Women, its sessions and documentation, in order to ensure that its work will be better integrated into the work of the other treaty bodies and United Nations human rights activities;
 - (c) Through capacity-building to implement agreed conclusions 1997/2 of the Economic and Social Council²⁹ on mainstreaming a gender perspective into all policies and programmes in the United Nations system, in particular training and gender-sensitization especially of human rights monitors;
- Take further steps to increase cooperation and promote integration of objectives and goals among the Commission on the Status of Women, the Commission on Human Rights and the Committee on the Elimination of Discrimination against Women, as well as the United Nations Development Fund for Women, the International Research and Training Institute for the Advancement of Women, the United Nations Development Programme, the United Nations Children's Fund and other United Nations funds and programmes;
 - Cooperation, communication and exchange of expertise should be enhanced between the Commission on the Status of Women and other functional commissions of the Economic and Social Council, including the Commission on Human Rights, in order to more effectively promote women's human rights;
 - The treaty bodies within their mandates should continue to promote a better understanding of the rights contained in international human rights instruments and their particular significance to women;

²⁸ E/CN.4/1998/22-E/CN.6/1998/11.

²⁹ See A/52/3, chap. IV, sect. A, para. 4.

- Given the importance of general comments in clarifying the provisions of human rights treaties, the Committee on the Elimination of Discrimination against Women is invited to draw up joint general comments with other treaty bodies, within their respective mandates, on the universality, indivisibility, interdependence and interrelatedness of human rights and should discuss these and other collaborative activities at the annual chairpersons meeting;
- The treaty bodies should continue to develop working methods that facilitate communications between non-governmental organizations, treaty bodies and the States parties;
- The Office of the United Nations High Commissioner for Human Rights is commended for establishing a gender team for studying, within the mandate of the Office, the human rights of women; the team should be given the necessary support by the most senior levels of management and decision-making to carry out its work effectively;
- Specialized agencies and other bodies of the United Nations system, as well as other international financial and national trade organizations, should develop innovative ways of integrating the promotion of women's enjoyment of their human rights in all their policies and programmes.

IV. The girl child

The Commission on the Status of Women

Reaffirms the Beijing Platform for Action adopted by the Fourth World Conference on Women,³⁰ notably chapter IV.L on the girl child, the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights,³¹ the Convention on the Elimination of All

³⁰ *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex II.

³¹ A/CONF.157/24 (Part I), chap. III.

Forms of Discrimination against Women,³² and the Convention on the Rights of the Child,³³

Proposes, in order to accelerate the implementation of the strategic objectives of chapter IV.L:

A. *Promotion and protection of the human rights of the girl child*

Actions to be taken by Governments, local authorities, non-governmental organizations and civil society and the United Nations system, as appropriate:

- Promote further the enjoyment by children, particularly the girl child, of their human rights, by the elaboration of an optional protocol to the Convention on the Rights of the Child on measures for the prevention and eradication of the sale of children, child prostitution and pornography;
- Organize community-based actions, including the setting up of local committees to create awareness of, and monitor conformity with, the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women, with a special focus on the situation of adolescent girls and young mothers;
- Conduct awareness-raising campaigns designed to mobilize communities, including community leaders, religious organizations, parents and other family members, especially male family members, with regard to the rights of the child, giving special emphasis to the girl child, and monitor changes in attitudes;
- Conduct awareness-raising campaigns and gender training targeted at law enforcement and justice system officials with regard to the rights of children, giving special attention to the girl child;
- Eliminate traditional and customary practices that constitute son-preference through awareness-raising campaigns and gender training;

³² General Assembly resolution 34/180, annex.

³³ General Assembly resolution 44/25, annex.

- Recognize and promote the contribution of girls and boys to development;
- Promote non-discriminatory treatment of girls and boys in the family and, in this regard, adopt measures to ensure equal access by girls and boys to food, education and health.

Actions to be taken by States parties to the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women:

- Include comprehensive information and sex- and age-disaggregated data on children in their reports to the Committee on the Rights of the Child and the Committee on the Elimination of Discrimination against Women, and invite the treaty monitoring bodies to pay special attention to the rights of the girl child while assessing those reports;
- Ensure that any reservations to the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child are formulated as precisely and as narrowly as possible and that they are not incompatible with the object and purpose of those conventions, and review the reservations to the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child with a view to withdrawing them.

B. Education and empowerment of the girl child

Actions to be taken by Governments, educational institutions and the United Nations system, as appropriate:

- Consider drawing upon the findings and recommendations of the United Nations Expert Group Meeting on Adolescent Girls and their Rights, held in Addis Ababa in October 1997;
- Consider making primary education compulsory;
- Ensure universal enrolment and retention of girls in school and ensure the continued education of pregnant adolescents and young mothers in order to guarantee basic education to the girl child;

- Encourage all levels of society, including parents, Governments and non-governmental organizations, to support the implementation of educational policies to enhance gender awareness in the community;
- Provide gender-sensitive training for school administrators, parents and all members of the school community, such as local administrators, staff, teachers, school boards and students;
- Review teaching materials, including textbooks, to promote the self-esteem of women and girls through positive self-images and revise these materials, highlighting women's effective role in society, including in decision-making, development, culture, history, sports and other social, political and economic endeavours;
- Develop programmes of sensitization on the gender perspective for staff of government offices working on educational issues concerning indigenous and rural girls, and develop educational materials adapted to their situation;
- Identify the special needs of girls in difficult circumstances, including girls from migrant families, refugee and displaced girls, girls from ethnic minorities, indigenous girls, orphaned girls, girls with disabilities and other girls with special needs, and provide the resources necessary to address their needs;
- Involve girls, including girls with special needs, and their representative organizations in the decision-making process and include them as full and active partners in identifying their own needs and in designing, planning, implementing and assessing policies and programmes to meet those needs;
- Provide training opportunities for girls to develop their skills in leadership, advocacy and conflict resolution;
- Make visible girls' and boys' unpaid work in the household by conducting research and documenting gender differences, particularly in rural communities, note the implications of household work for girls' equal access to basic and further education and career development and take measures to redress imbalances and eliminate discrimination.

C. Health needs of girls

Actions to be taken by Governments, civil society and the United Nations system, as appropriate:

- Protect the girl child from all forms of sexual exploitation and sexual abuse by taking appropriate measures, including, for example, designing and implementing legislation;
- Encourage parents, coalitions of concerned organizations and individuals, especially political leaders, popular and community figures and the media, to advocate for children's health, including adolescent girls' reproductive and sexual health;
- Eradicate all customary or traditional practices, particularly female genital mutilation, that are harmful to or discriminate against women and girls and that are violations of women's human rights and obstacles to the full enjoyment by women of their human rights and fundamental freedoms, through the design and implementation of awareness-raising programmes, education and training, as well as programmes to help the victims of such practices to overcome their trauma;
- Develop and implement national legislation and policies prohibiting customary or traditional practices that are violations of women's human rights and obstacles to the full enjoyment by women of their human rights and fundamental freedoms and prosecute the perpetrators of practices that are harmful to the health of women and girls;
- Make widely available information and counselling to adolescent girls and boys, especially on human relationships, reproductive and sexual health, sexually transmitted diseases and adolescent pregnancy, that are confidential and easily accessible and emphasize the equal responsibility of girls and boys;
- Improve the health care for adolescent girls by health personnel and provide the latter with appropriate training, and encourage health-care personnel to work with girls to understand their special needs;
- Recognize and protect from discrimination pregnant adolescents and young mothers and support their continued access to information, health care, nutrition, education and training;

- Support the activities of non-governmental organizations in the area of reproductive health and health orientation centres for girls;
- Enact laws concerning the minimum age for marriage and raise the minimum age for marriage when necessary in order to ensure respect for the rights of the child, as stipulated in the Convention on the Rights of the Child.³⁴

D. Girls in armed conflict

Actions to be taken by the United Nations and Governments:

- Incorporate information on the rights of the child in the mandates and operational guidelines of peacekeeping forces, the military and humanitarian workers and provide them with gender-sensitive training;
- Encourage girls and other individuals and communities to play a key role in reporting violations of rights of girls in armed conflict to the appropriate authorities and ensure adequate, accessible and gender-sensitive support services and counselling;
- Protect the girl child in situations of armed conflict against participation in armed conflicts, recruitment, rape and sexual exploitation, in particular through the adoption of an optional protocol to the Convention on the Rights of the Child,³⁵ as recommended by the General Assembly;
- Take measures to address the special needs of girls for protection and for gender-appropriate support and counselling centres in refugee camps, and in resettlement and reintegration efforts;
- Create and respect zones of peace for children in armed conflict.

³⁴ General Assembly resolution 44/25, annex.

³⁵ Ibid.

E. Trafficking, including for purpose of prostitution and other forms of sexual exploitation

Actions to be taken by Governments, international organizations and civil society:

- Collect information and raise public awareness on the issue of trafficking, physical and psychological abuse, and sexual exploitation of girls in order to better design and improve preventative programmes;
- Consider implementing the recommendations of the Declaration and Agenda for Action of the World Congress against Commercial Sexual Exploitation of Children,³⁶ held in Stockholm in 1996;
- Establish recovery programmes for children who have been abused or sexually exploited, with specially trained personnel to provide a safe and supportive environment.

Actions to be taken by Governments:

- Enact and enforce laws that prohibit sexual exploitation including prostitution, incest, abuse and trafficking of children, paying special attention to girls;
- Prosecute and punish persons and organizations engaged in and/or promoting the sex industry, sexual exploitation, acts of paedophilia, trafficking in organs, child pornography and sex tourism involving minors, and condemn and penalize all those offenders involved, whether local or foreign, while ensuring that children who are victims of those practices are not penalized;
- Design mechanisms and strengthen international cooperation to better protect girls and bring to justice the perpetrators of such crimes;
- Adopt measures that ensure that judicial and legal processes are sensitive to the specific needs of abused girls to prevent further traumatization or victimization.

³⁶ A/51/385, annex.

F. Labour and the girl child

Actions to be taken by Governments, international organizations and the private sector:

- Consider ratifying and implementing international agreements that are designed to protect children, including conventions of the International Labour Organization, and bring national legislation into conformity with those agreements in order to protect the girl child;
- Ensure that girls who work have access to education and vocational training, health, food, shelter and recreation on equal and favourable conditions, and are protected from economic exploitation, sexual harassment and abuse in the workplace;
- Pay special attention to girls in the informal sector, such as domestic workers, and develop measures to protect their human rights and fundamental freedoms and prevent their economic exploitation, ill-treatment and sexual abuse;
- Raise government and public awareness as to the nature and scope of the special needs of girls employed as domestic workers and of those performing excessive domestic chores in their own households, and develop measures to prevent their economic exploitation and sexual abuse;
- Actively contribute to efforts at the 1998 session of the International Labour Conference to draw up a new international convention to eliminate the most abhorrent forms of child labour;
- Consider the implementation of the actions identified in the Agenda for Action³⁷ of the 1997 Oslo Conference on Child Labour.

³⁷ A/53/57.

G. General recommendations

Actions to be taken by Governments and the United Nations system:

- Prepare programmes for the girl child as part of national action plans in order to fully implement the Beijing Platform for Action adopted by the Fourth World Conference on Women;³⁸
- The organizations of the United Nations system, in particular the United Nations Children's Fund, as the agency mandated to deal with the rights and concerns of children, should give greater attention to the girl child through Fund country programmes, using its goodwill ambassadors for raising awareness on the situation of the girl child on national, regional and international levels;
- The Secretary-General should report on the girl child to the Commission on the Status of Women prior to the five-year review of the implementation of the Beijing Platform for Action;
- Base programmes and policies for the girl child on the rights of the child, the responsibilities, rights and duties of the parents and the evolving capacity of the girl child, in accordance with the Beijing Platform for Action and the Convention on the Rights of the Child.³⁹

³⁸ *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex II.

³⁹ General Assembly resolution 44/25, annex.