

Input by the Committee on the Elimination of Discrimination against Women (CEDAW Committee) to the 2022 High-Level Political Forum on Sustainable Development (HLPF)

6 April 2022

Overview

The General Assembly in resolution 75/290 B defined the theme of the 2022 HLPF to be “*Building back better from the coronavirus disease (COVID-19) while advancing the full implementation of the 2030 Agenda for Sustainable Development*”. The 2022 HLPF will review progress towards SDGs 4 on quality education, 5 on gender equality and 17 on partnerships, among others. The Forum will also take into account the different and particular impacts of the COVID-19 pandemic across these SDGs and the integrated, indivisible and interlinked nature of the Goals.¹

This submission from the Committee on the Elimination of Discrimination against Women (the CEDAW Committee) to the 2022 HLPF follows upon its prior submissions to past HLPF sessions.² It addresses these issues:

- A. Progress, experiences, lessons learned, challenges and impacts of the COVID-19 pandemic on the implementation of SDGs 4, 5, and 17.
- B. Assessment of the situation regarding the “leaving no one behind” principle in the COVID-19 pandemic and for the implementation of the 2030 Agenda.
- C. Policy recommendations on SDG 5 in the context of COVID-19 as well as key messages for suggested inclusion into the Ministerial *Declaration* of the 2022 HLPF.

A. Progress, experiences, lessons learned, challenges and impacts of the COVID-19 pandemic on the implementation of SDGs 4, 5 and 17

1. The Convention on the Elimination of All Forms of Discrimination against Women (the CEDAW Convention), through its 189 States parties, and partners and activists supporting its implementation, offers a unique legally binding and human rights-based foundation for furthering the achievement of the SDGs. The work of the CEDAW Committee has been crucial in strengthening the accountability of States parties in accelerating the fulfilment of these political commitments and laid a solid legal foundation to ensure their mutual reinforcement. The success of the SDGs is linked to the full implementation of the rights and empowerment of women.

2. SDG Goal 5 on gender equality and COVID-19. The CEDAW Committee highlights that the SDG Goal 5 on gender equality is at the centre of Member States’ commitments enshrined in the 2030 Agenda. Member States decided to “*adopt and strengthen sound policies and enforceable legislation for the promotion of gender equality and the empowerment of all women and girls at all levels*”.³ Achieving gender equality is not a stand-alone goal. Goal 5 on gender equality cuts across the entire SDG framework as a principle recognizing that equal

¹ Letter from ECOSOC President, 26 November 2021 inviting submissions to the 2022 HLPF.

² See CEDAW Committee submission to 2021 and 2020 HLPFs, also addressing COVID-19 responses, <https://sustainabledevelopment.un.org/index.php?page=view&type=30022&nr=2754&menu=3170> and <https://sustainabledevelopment.un.org/index.php?page=view&type=30022&nr=2585&menu=3170>.

³ UN-DESA, <https://sdgs.un.org/goals/goal5>.

rights and participation of women and men, girls and boys, are preconditions to achieve all the Goals.⁴ The Committee welcomes the international support for the SDGs and calls for the realization of de jure (formal) and de facto (substantive) gender equality, in accordance with the provisions of the CEDAW Convention, throughout the process of implementing the 2030 Agenda. The Committee recalls the importance of Goal 5 and of the mainstreaming of the principles of equality and non-discrimination throughout all 17 Goals. It urges States to recognize women as the driving force of sustainable development and to adopt relevant policies and strategies to that effect.

3. COVID-19 has affected people regardless of sex, gender, geography, ethnicity, religion, disability, national or social origin, birth, property or any other status. However, the consequences of the pandemic have impacted women in a disproportionate and more severe manner. Women have experienced intersecting and compounded forms of discrimination while on the front lines of responses, at home, in the health workforce and in various sectors of production. The Covid-19 pandemic has had a severe impact on women's rights. The CEDAW Committee has expressed deep concern about exacerbated inequalities and heightened risks of gender-based violence and discrimination faced by women during the COVID-19 crisis and calls on States to uphold the rights of women and girls at all times. While many States considered restrictions on freedom of movement and physical distancing necessary to prevent contagion, such measures have disproportionately limited women's access to health care, in particular sexual and reproductive health services, adequate shelters, education, employment and economic life. The effects are aggravated for disadvantaged groups of women and women in conflict or other humanitarian situations. States parties to the CEDAW Convention have an obligation to ensure that measures taken to address the COVID-19 pandemic, as well as COVID-19 recovery strategies, do not directly or indirectly discriminate against women and girls. States parties also have an obligation to protect women from, and ensure accountability for, gender-based violence, enable women's socio-economic empowerment and guarantee their participation in policy and decision making in all crisis responses and recovery efforts.⁵

4. During the confinements and lockdowns due to the COVID-19 pandemic, women and girls have been at increased risk of domestic, sexual, economic, psychological and other forms of gender-based violence by abusive partners, family members, and care persons, as well as in rural communities. States have a due diligence obligation to prevent and protect women from, and hold perpetrators accountable for, gender-based violence against women. They should ensure that women and girls who are victims or at risk of gender-based violence, including those living in institutions, have effective access to justice, particularly to protection orders, medical and psycho-social assistance, shelters and rehabilitation programmes. In relation to COVID-19 response and lessons learned, national response plans should prioritize availability of safe shelters, hotlines and remote psychological counselling services and inclusive and accessible specialised and effective security systems, including in rural communities, and address women's mental health issues, which stem from violence, social isolation and related depression. States should develop protocols for the care of women not admitted to such services due to their exposure to COVID-19, which includes safe quarantine and affordable access to testing and vaccines. States have an obligation to ensure that measures taken to address the COVID-19 pandemic and its consequences do not discriminate against women and girls. States also have an obligation to protect women from, and ensure accountability for, gender-based

⁴ CEDAW and CRC Committee, Joint Statements on the International Day of the Girl, Protecting and empowering girls and demanding equality, Geneva, 11 October 2019.

⁵ See CEDAW Committee, Guidance on CEDAW and COVID-19, 2020, p. 1, www.ohchr.org/Documents/HRBodies/CEDAW/Statements/CEDAW_Guidance_note_COVID-19.docx.

violence, enable women's socio-economic empowerment and guarantee their participation in policy and decision making in all crisis responses and recovery efforts.⁶

5. SDG Goal 4 on quality education and COVID-19. The CEDAW Committee has observed that due to the shutdown of educational institutions and children staying at home during the pandemic, many women and girls have been relegated to stereotyped roles in domestic work. While online schooling can help ensure continuous education in some contexts, this is not an option for many girls and women who carry the burden of domestic work and/or lack the necessary resources and devices to access the internet. States have an obligation to provide inclusive alternative educational tools free of charge, including in rural or remote areas where internet access is limited. Suspension in the delivery of subsidized school meals and provision of sanitary commodities for girls and young women through educational institutions may result in lack of food and unhygienic menstrual practices. States should therefore redeploy such subsidies and commodities to domestic households during times of school shutdown.⁷

6. As outlined in CEDAW's General Recommendation 36, the need to ensure inclusive and quality education for all and promote lifelong learning is a priority under SDG 4. Two critical education targets aim at ensuring that all girls and boys complete free, equitable and quality primary and secondary education leading to relevant and effective learning outcomes; and eliminating gender disparities in education and ensuring equal access to all levels of education and vocational training for the disadvantaged and marginalized girls and women, including girls and women with disabilities and indigenous girls and women. Barriers to access to education for girls and women from disadvantaged and marginalized groups include poverty and economic crises, gender stereotyping in curricula, textbooks and teaching processes, gender-based violence against girls and women in and out of school and structural and ideological restrictions to their engagement in traditionally male-dominated fields of studies and vocational fields. In order to achieve gender equality in all aspects of the education system, the CEDAW Committee considers that legislation, policies, educational content and learning environments must be gender-sensitive, accessible, responsive to the needs of girls and women and transformative for all.⁸

7. SDG Goal 17 on partnerships and COVID-19. The CEDAW Committee considers that the coordination of all public policies, including development aid policies, the private sector, the programmes and projects of international organizations, and the mobilization of civil society must serve the implementation of the CEDAW Convention and advance gender equality. The Committee highlights that civil society, institutional actors, NGOs, the media, religious leaders, and youth must mobilize to bring about transformative change. The Committee invites Governments, multilateral institutions, the private sector and other actors should ensure women's equal representation, including through women's rights organisations, meaningful participation and leadership in the formulation of COVID-19 response and recovery strategies, including economic and social recovery plans, at all levels and recognize women as active agents of societal change during the pandemic and the post-COVID-19 period.⁹

⁶ See CEDAW Committee, Guidance on CEDAW and COVID-19, 2020, p. 2, www.ohchr.org/Documents/HRBodies/CEDAW/Statements/CEDAW_Guidance_note_COVID-19.docx.

⁷ Ibid, page 2.

⁸ CEDAW General Recommendation #36 on the right of girls and women to education, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N17/398/03/PDF/N1739803.pdf?OpenElement>.

⁹ See CEDAW Committee, Guidance on CEDAW and COVID-19, 2020, p. 1, www.ohchr.org/Documents/HRBodies/CEDAW/Statements/CEDAW_Guidance_note_COVID-19.docx.

B. Assessment of the progress achieved towards achieving the “leave no one behind” principle during the COVID-19 pandemic and in the implementation of the 2030 Agenda

8. **The CEDAW Committee reiterates that, in order to adopt targeted measures for disadvantaged groups of women in the context of COVID-19 response and recovery strategies, States parties to the CEDAW Convention should uphold the SDG principle of ‘Leave no one behind’ promoting inclusive approaches in their legislative, policy and other measures.** Targeted measures, including temporary special measures in accordance with article 4 (1) of the Convention, to accelerate substantive equality of disadvantaged and marginalized groups of women must be reinforced.¹⁰

9. As provided in the OHCHR guidance on Covid-19 and women’s human rights:

- ✓ Women and girls are likely to face increase care-giving roles in the home, putting them under additional stress and potentially increasing their risk of infection. Across the globe, women comprise 70 per cent of health workers, including midwives, nurses, pharmacists and community health workers on the frontlines, increasing their risk of exposure and infection. Targeted measures to address the disproportionate impact of the crisis on women and girls are needed.
- ✓ In many countries, women face disproportionate risks in the job sector, where many work in the informal sector (e.g. domestic workers, nannies, agriculture or supporting family businesses) and may be the first to lose their jobs or suffer from the consequences of the crisis given that they do not have social security, health insurance, or paid leave. Many women are also dependent on accessibility and affordability of childcare, which is now decreasing, further restricting their ability to work and earn an income.
- ✓ Older women are more likely to live in poverty or with low or no pensions which may exacerbate the impact of the virus, and limit their access to goods, food, water, information and health services.¹¹

10. **Measures to advance the ‘Leave no one behind’ principle in the context of COVID-19 response and recovery include:**

- ✓ Mitigating the impact of COVID-19 on the health, including mental health, of **older women** and those with pre-existing health conditions by ensuring access to health care through medical home visits, safe transport to health care facilities and psycho-social counselling.
- ✓ Ensuring that basic services including health care, shelters for victims of violence, and inclusive education remain accessible for **women and girls with disabilities** during times of confinement and reduced service delivery, including in rural areas and for those in institutions.
- ✓ Ensuring access to adequate food, water and sanitation for **women and girls in poverty**, including by providing food stocks and upgrading related necessary infrastructures. Ensure that **migrant women and girls**, including those in an irregular situation, have adequate access to health care and that health care providers are not under a duty to report them to immigration authorities.

¹⁰ CEDAW Committee, Guidance on CEDAW and COVID-19, 2020, p. 2, www.ohchr.org/Documents/HRBodies/CEDAW/Statements/CEDAW_Guidance_note_COVID-19.docx.

¹¹ See OHCHR, COVID-19 and women’s human rights, www.ohchr.org/en/documents/tools-and-resources/covid-19-and-womens-human-rights-guidance.

- ✓ Taking special measures for the protection of **refugee and internally displaced women and girls**, such as systematic screening for COVID-19 in and around refugee and IDP camps, and address their increased risk of trafficking and survival sex during the pandemic.
- ✓ Ensuring that **indigenous women and girls** have access to culturally acceptable healthcare, including affordable access to vaccines, testing and urgent emergency treatment for COVID-19. States parties should ensure that **indigenous women and girls and those belonging to minorities** have access to continuous education and COVID-19 related information, including in native languages.
- ✓ Address discrimination against **lesbian, bisexual and transgender women** in access to health care and ensure that they have access to safe shelters and support services whenever exposed to gender-based violence.
- ✓ Consider alternatives to detention for **women deprived of liberty**, in particular for women detained on grounds of administrative or other non-severe offences, low-risk offenders and those who can safely be reintegrated into society, women nearing the end of their sentences, pregnant or sick women, older women and women with disabilities. **Women political prisoners**, including **women human rights defenders** detained without sufficient legal basis should be released.¹²

C. Policy recommendations on SDG 5 in the context of COVID-19 as well as key messages for suggested inclusion in the Ministerial Declaration of the 2022 HLPF

11. **The CEDAW Committee calls on States to accelerate the implementation of the CEDAW Convention and make it the roadmap for achieving gender equality in the context of the Vision 2030.** The Committee stresses the importance of consolidating the legal, constitutional, and institutional frameworks to eliminate all forms of discrimination against women. It recommends strengthening National Action Plans to ensure the elimination of all forms of discrimination and gender-based violence against women and foster an inclusive vision of gender equality. The Committee calls on States to create a favourable environment and remove obstacles to women's empowerment across the 2030 Agenda, eliminate discriminatory gender stereotypes and ensure the full participation of women in economic, political and public decision-making. The Committee recommends that State parties undertake a comprehensive review of the compatibility of national legislation with the Convention. Any remaining discriminatory provisions should be repealed or amended to ensure that all women, including those to disadvantaged and marginalized groups, can live a life free from gender-based violence and discrimination and enjoy equal rights as men. In addition, States should incorporate temporary special measures relevant legislation to ensure substantive equality of women and men, including equal access for women to economic and political decision-making.

12. **The CEDAW Committee calls for a new impetus in considering equality of women and men as a key factor of transformative action and sustainable development in order to face new challenges.** Those challenges include:

- ✓ Climate change. We call for decisive progress in the protection of women's rights and empowerment in line with CEDAW General Recommendation No.37 (2018) on gender-related dimensions of disaster risk reduction in the context of climate change (SDG 13).
- ✓ Digital transition. We call for a proactive approach to equality in order to avoid new structural discrimination against women and to ensure inclusive and equitable development in the area of digital transformation and transition (SDGs 4, 8 and 9).

¹² CEDAW Committee, Guidance on CEDAW and COVID-19, 2020, pp. 2-3, www.ohchr.org/Documents/HRBodies/CEDAW/Statements/CEDAW_Guidance_note_COVID-19.docx.

- ✓ Crisis prevention, social inclusion, fight against inequalities (SDG 10). We call for women's equal participation in decision-making in political and public life, with a view to promoting a better, just and peaceful world (SDG 16) and contributing towards meeting all SDGs by 2030 and promoting sustainable development and peace.

13. **Specifically in the response to the COVID-19 pandemic, the CEDAW Committee calls for joint action from a gender perspective, and solicits participation from all key stakeholders, and in particular Member States, society organizations, national human rights institutions, the United Nations system and regional organizations. States parties to the CEDAW Convention.** The CEDAW Committee has issued a guidance note on CEDAW and COVID-19 with practical guidelines for States to mitigate the devastating impact that the pandemic is having more specifically on women and girls. It provides for the following **nine priority areas of policy recommendations to States to:**

- ✓ Address the disproportionate impact of the pandemic on women's health;
- ✓ Provide sexual and reproductive health as essential services;
- ✓ Protect women and girls from gender-based violence;
- ✓ Ensure equal participation of women in decision-making, including in the formulation of COVID-19 response and recovery strategies and plans;
- ✓ Ensure continuous education;
- ✓ Provide socio-economic support to women;
- ✓ Adopt targeted measures for disadvantaged groups of women;
- ✓ Protect women and girls in humanitarian settings and continue implementing the women, peace and security agenda; and
- ✓ Strengthen institutional response, dissemination of information and data collection.¹³

14. **The CEDAW Committee recommends that States strengthen and coordinate national machineries for the advancement of women to effectively respond to and recover from the COVID-19 pandemic.** States should widely disseminate updated, scientifically accurate and transparent information on the gendered risks of COVID-19 and measures for available health and support services for women and girls. Such information should be available in plain and multiple languages and accessible formats, through all appropriate channels, including the internet, social media, and radio and text messages. In view of the post COVID-19 recovery path, States should collect accurate and comprehensive age- and sex-disaggregated data on the gendered impact of the health pandemic to facilitate informed and evidence-based policy making regarding women and girls.

15. **Furthermore, the CEDAW Committee calls for innovation in implementing SDG 5 on gender equality, as well as in COVID-19 response and recovery strategies and plans.** It encourages the use of information technology, communication technology, and social networks, with a view to enabling transformative change, advancing women's rights and achieving the SDGs. The Committee encourages States to create spaces to exchange good practices and knowledge to achieve SDG 5, including information about legal remedies available to women to claim their rights and victim support services.

16. The CEDAW Committee, jointly with other UN human rights treaty bodies, has called on States to take the opportunity of these unprecedented challenges of the COVID-19 pandemic

¹³ CEDAW Committee, Guidance on CEDAW and COVID-19, 2020, pp. 2-3, www.ohchr.org/Documents/HRBodies/CEDAW/Statements/CEDAW_Guidance_note_COVID-19.docx
See also OHCHR, COVID-19 and women's human rights, www.ohchr.org/en/documents/tools-and-resources/covid-19-and-womens-human-rights-guidance.

to **build comprehensive public health care systems** based on the principles of universality, inclusiveness, equality, affordability, and transparency. The pandemic has shown that the right to physical and mental health cannot be ensured without available, affordable and acceptable health facilities and services that are accessible to everyone without any type of discrimination.¹⁴

¹⁴ OHCHR press release, 'Comprehensive, inclusive and universal COVID-19 human rights policies urgently needed – UN Treaty Bodies' statement on Human Rights Day, 10 December 2021, <https://www.ohchr.org/en/statements/2021/12/comprehensive-inclusive-and-universal-covid-19-human-rights-policies-urgently>.