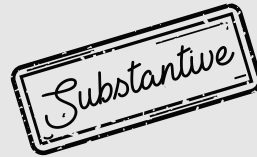




# LET'S EXPLAIN



# EQUALITY

for Women and Girls

These are the concepts created by international law:

## A DISCRIMINATION AGAINST WOMEN\*

\* Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW, 1979)

Any **distinction, exclusion or restriction** made on the basis of **sex**

Which has the effect or purpose of **impairing or nullifying** the recognition, enjoyment or exercise by women,

Irrespective of their marital status, on a basis of **equality of men and women**, of human rights and,

**Fundamental freedoms** in the political, economic, social, cultural, civil or any other field.

It can be

### DIRECT DISCRIMINATION

In the object of the law or practice



### INDIRECT DISCRIMINATION

It appears neutral, but the result is not



For example, at the workplace

We are confusing Sex and Gender, but they are two distinct concepts

### Distinction

(or lack of it)

*It's arbitrary*



### A

### SEX



*Difference*

Biological differences between women and men (Art 5, GR 28)

### B

### GENDER

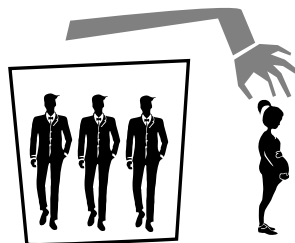


*Subordination*



### Exclusion

*It's unfair*



### Restriction

*It's unjustifiable*



a. Social and cultural patterns of conduct, prejudices, customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women. (Art 5a, CEDAW)

b. Gender has resulted in hierarchical relationships between women and men and in the distribution of power and rights favoring men and disadvantaging women. (Art 5, GR 28)

# B

## SUBSTANTIVE EQUALITY\*

It is the absence of any form of discrimination against women for being women, in relation to the enjoyment and exercise of all their human rights

\* CEDAW General Recommendation No. 28 (2010)

1

### It Recognizes and Values

- Biological differences, while affirming equality
- The human dignity of women and men

2

### It Considers

- Direct or indirect discrimination in the public or private sphere
- Multiple forms of discrimination (**ethnicity, religion, disability, age, class and others**) among certain groups of women
- Differences due to tradition, culture, society and historical patterns disadvantaging women



### It Corrects

3

- Relationships and paradigms that produce unequal results between men and women
- Unequal power relationships between men and women

### It Eliminates

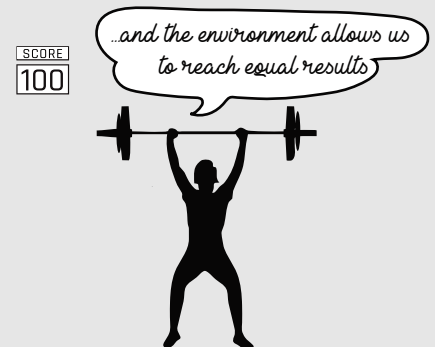
4

- Stereotypes and harmful practices for women and certain groups of women
- Sexism and acts of violence of men towards women

5

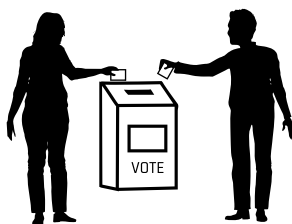
### It Offers

- **Equal opportunities, access to opportunities, results and benefits for women**
- Improvement of de facto situation of women with policies and concrete and efficient programs
- Protection, sanction and remedies for women
- The enjoyment of their rights and full development of their potential

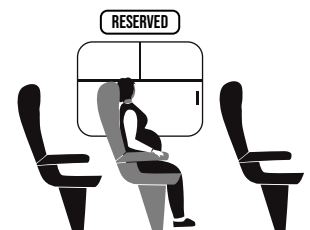


## WOMEN REQUIRE :

Identical treatment



Different treatment



To reach Substantive Equality, we must

✓ Create temporary special measures (see section C)

✓ Strengthen general measures to improve the situation of women and girls (ie. education, health, employment)

✓ Create permanent measures that consider biological differences (ie. protecting maternity, pregnancy, menstruation and menopause is not discriminatory)

# C TEMPORARY SPECIAL MEASURES\*

\* CEDAW General Recommendation No. 25 (2004)

They correct past and/or present consequences of discrimination

They respond to a concrete problem

They carry out follow up and evaluation

They are discontinued once desired results have been achieved and sustained for a period of time

possible measures

- Outreach or support programs
- Allocation of resources
- Preferential treatment
- Targeted recruitment, hiring and promotion
- Numerical goals connected with time frames
- Quota systems
- Opportunities for credits and loans
- Support in sports, culture and others

For example

On political participation



The objective is **EQUALITY** in the adoption of decisions and political influence

Factors other than qualification and merit, including principles of democratic fairness and electoral choice, are key

On early jubilation for women



It is a measure to compensate or subsidize us for domestic work and childrearing

These two concepts are not enough to solve inequality :

## FORMAL EQUALITY

Equal measures for all



Women and men must have the same treatment always

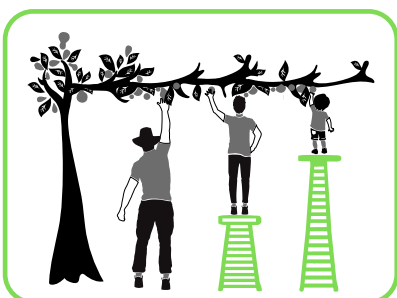
Men are the model or standard of behavior

Division in equal parts or quantities is the maximum women can aspire to

It does not consider if a norm that appears neutral results in disadvantage to women or is caused by a preexisting inequality

## EQUITY

Differential measures for each



Impartial treatment towards women and men, according to their needs

It considers the circumstances of each person, giving them what they need to achieve a result or benefit

It depends on what each one considers as fair

It does not consider lost possibilities and does not eliminate the causes of discrimination

Society and State Parties must advance towards:

## SUBSTANTIVE EQUALITY



Differentiated and structural measures for women

**DISCRIMINATION AGAINST WOMEN** is a **HUMAN RIGHTS VIOLATION**  
**STATES** must **ELIMINATE IT AND** achieve **(SUBSTANTIVE) EQUALITY** for women