

**Forum:** United Nations Commission on the Status of Women (UNCSW)

**Issue:** Ensuring Legal and Economic Equality for All Women

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## Introduction

According to the World Bank, a total of 104 economies out of 189 surveyed continue to enforce laws that impede upon women's economic opportunities. These laws must be eradicated to ensure economic equality for all women, which will unlock the potential for them to contribute to their family and nation's economy. However, simply removing laws that block women from economic opportunities is not enough; legal equality must also be in place to create a safe working environment. Legal equality means each individual is subjected to the same laws of justice according to article 7 of the Universal Declaration of Human Rights (UDHR). Laws should offer inclusive protection of women against sexual offences, labor disputes and other violations of human rights listed under the UDHR. Under such circumstances, women should also be granted the right to fair trial as listed in article 10, which will further secure the legal rights of women.

Economic equality for women include equal access to economic opportunities and the absence of a pay gap based on gender. By eradicating gender discrimination in employment and workplaces, countries and the global community will benefit from the increase in women's income. While women contribute to the economy by participating in the workforce, their increased income will lead to greater spending and investments in families to boost the economy. This will also lead to an increase in tax collections, resulting in more funds for public welfare program. Most importantly, women around the world continue to take on their role as investors in areas such as education, health, nutrition and other sectors that concerns the success for future generations. These investments may end up as crucial solutions to the issues addressed by the United Nations Sustainable Development Goals (SDGs), such as hunger, poverty, education, and health. Empowering women and striving for gender equality also directly address the goals of promoting gender equality and reducing inequalities. Thus, legal and economic equality for women is essential to shaping a better future.

## Definition of Key Terms

### Equality Before the Law

Article 7 of the UDHR classifies equality before the law as a fundamental human right that should be universally applicable to everyone. The idea of legal equality grants everyone non-discriminatory and equal protection of laws.

## **Discriminatory Laws**

According to the United Nations' Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), discriminatory laws are legislation with "any distinction, exclusion or restriction made on the basis of sex". Any laws that does not comply with the CEDAW, the United Nations (UN) General Assembly's International Bill of Rights for Women, can be considered as discrimination against women.

## **Employment Discrimination**

Employment discrimination by gender refers to bias in hiring, promotion, job assignment, termination and compensation committed by employers based on gender identity. Employment discrimination is not only prevalent in private corporations, but also in governmental organizations.

## **Gender Pay Gap**

Gender pay gap refers to the difference between men and women's income across an entity such as a country, corporation or labor market. This data can serve as indication for the male-dominated nature of highest paying sectors as well as other stereotypes that led to the existence of this gap. Since men's earnings are generally higher, the pay gap is expressed as a percentage of men's earnings.

## **Background Information**

### **Key issues**

Although the 21st century has seen an unprecedented amount of progress in achieving legal and economic equality, there are still several issues that hinder progress.

### ***Discrimination in the Workplace***

Part of the problem is the discriminatory nature of traditional gender roles that still are reflected today. The gender roles allow men to presume leadership positions, which in turn forces women to exercise less agency. This is a significant problem as many employers and legislators take these gender roles into account when making their decisions, which will result in less leadership opportunities for women and promote a patriarchal workplace. In addition to the lack of leadership positions for women, women still face a hostile workplace. Sexual harassment is

prevalent in the workplace, with the majority of cases against women. In the United States of America, the Equal Employment Opportunity Commission (EEOC) conducted a study statistically predicting 1 in 4 Americans are victims of sexual harassment. Sexual harassment occurs more commonly in male-dominated industries, or in customer service jobs. Specifically, in customer service jobs, employees rely on how they portray themselves to earn money, which fosters an environment where women are in danger of sexual harassment. There are also many unreported cases of sexual harassment, so laws that prevent sexual harassment and ensure the reporting of cases must be enacted.

### ***Unequal legislation/Legal Barriers***

A result of gender bias and discrimination is the establishment of discriminatory laws. Currently, only 64 countries guarantee legal protection against discrimination at work. This allows for workplace discrimination to happen, which prevents full economic equality as gender is still being taken into account during work evaluations. Some countries have labor laws in place that restrict the sectors that women can work and the amount of hours worked, which results in men getting hired more often than women. Only 9 countries do not offer paid maternity leave, which still needs to be reduced, but the number of countries that offer paternity leave is significantly lower. By ignoring the significance of paternity leave, countries are perpetuating the gender norm of women being sole domestic caretakers.

### ***Traditional Gender Norms and Roles***

Traditional gender roles restrain nations from achieving full economic and legal equality. These expectations stress that a man should be the sole worker, which reflects onto modern-day society through the imbalanced power dynamics in workplace. As mentioned above, this has caused men to hold most of the leadership positions in various companies. Not only are traditional gender roles seen in the workplace, they are seen in the level of education that women are afforded. In countries such as Pakistan, many women work in informal sectors, which are the untaxed and unmonitored part of the economy that is also not included when calculating a country's gross domestic product (GDP). Due to the unmonitored nature of informal sectors, education is not stressed, which discourages women from entering the job market for more specialized jobs with higher positions. This causes a significant imbalance in gender representation, which makes education a salient aspect of addressing these traditional gender roles.

## **Gender Pay Gap**

According to the World Economic Forum (WEF), women are globally paid 63% of what men earn on average, with the biggest pay disparities concentrated in the Middle East. This can be attributed to current legal barriers and the undervalue of women's work. The gender pay gap also vary within industries and sectors. In the European Union (EU), the gender pay gap is much more significant in the private sector than the public sector because of the lack of governmental regulations. Even in female-dominated sectors such as education, men are still occupying the higher-level positions, which contributes to the issue and stem from traditional gender norms.

## **Major Countries and Organizations Involved**

### **Middle East and North Africa (MENA)**

Although gender inequality is seen throughout the world, Middle Eastern and North African countries have the largest legal and economic disparity. According to the Global Gender Gap Index 2018 report by the World Economic Forum (WEF), the four worst nations for gender equality are Egypt, Saudi Arabia, Yemen, and Pakistan. In Saudi Arabia specifically, there are still numerous laws that block women from achieving full economic and legal equality. For example, it is illegal for women to be unaccompanied by a male in public settings. In Pakistan, the lowest ranked South Asian country in the Global Gender Gap Index 2018 report by the WEF, the women who are part of the labor force predominantly work in informal sectors, where they do not receive many legal protections, which open opportunities for children to be exploited and prevented from receiving an education. In Lebanon, women still are unable to pass down citizenship to their children. Thus, the Middle East and North Africa have gender discriminatory legislations in place, which results in unequal economic opportunities.

### **Organization for Economic Cooperation and Development (OECD)**

The Organization for Economic Cooperation and Development (OECD) is an Intergovernmental Organization (IGO) with the purpose of "stimulat[ing] economic progress and world trade". Thus, it plays a crucial role in ensuring that equal economic opportunities are given to women. The OECD pushes for gender equality in the economic realm through their Gender Initiative, which was designed to analyze the barriers that prevents economic gender equality from being attained. For example, the 2018 Education Focus report shows the relationship between education and participation in the job market. The OECD is significant as it lays out the areas in which countries need to improve their initiatives regarding gender equality.

### **UN Women**

One of the United Nations' sustainable development goals is gender equality, so it is imperative for all nations to achieve progress in attaining gender equality. To ensure that women have legal equality, the laws must adhere to the Universal Declaration of Human Rights (UDHR) and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). To address the gender pay gap by reaching out to decision and policy makers, the UN launched the Platform of Champions, which is part of the International Labour Organization (ILO) and the UN Women Global Equal Pay Coalition.

## Timeline of Events

Date	Description of event
June 26th, 1945	Charter of the United Nations signed. The Charter's preamble reaffirms the equal rights of men and women.
June 21st, 1946	Creation of the Commission on the Status of Women, a global intergovernmental body created to promote gender equality and help empower women.
December 10th, 1948	The landmark Declaration adopted. Declaration reaffirms equality among both races.
1975	International Women's Year
June 19th, 1975 - July 2nd, 1975	First World Conference on women held in Mexico City.
September 3rd, 1981	The Convention on the Elimination of all Forms of Discrimination Against Women instituted
July 14th, 1980 - July 30, 1980	World Conference of the United Nations Decade for Women held in Copenhagen
July 15,1985 - July 26, 1985	World Conference to Review and Appraise the Achievements of the United Nations Decade of Women: Equality, Development and Peace held in Nairobi while is described to be the "Birth of Global

Feminism” (Third World Conference)

June 21st, 1946	United Nations Commission on the Status of Women (CSW) founded.
July 2nd, 2010	UN Women was created to more quickly achieve gender equality and promote women empowerment. Done by merging 4 world bodies agencies and offices.
January 1st, 2016	Sustainable Developments Goals (SDGs) created. Many goals help recognize gender equality and empowerments such as Goal 5.

## Relevant UN Resolutions and Treaties

- Convention on the Elimination of All Forms of Discrimination Against Women, 18 December 1979 (**A/RES/34/180**)
- Beijing Declaration and Platform for Action, 15 September 1995 (**A/RES/50/42**)
- Declaration on the Elimination of Discrimination against Women, 7 November 1967 (**A/RES/22/2263**)
- Convention on the Elimination of All Forms of Discrimination Against Women, 23 January 2003 (**A/RES/57/178**)
- Fourth World Conference, 17 January 1996, (**A/RES/50/42**)
- Follow-up to the Fourth World Conference on Women and full implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly, 4 February 2009, (**A/RES/63/159**)
- In-depth study on all forms of violence against women, 18 March 2004 (**A/RES/58/185**)
- Intensification of efforts to eliminate all forms of violence against women, 30 January 2009, (**A/RES/63/155**)

## Possible Solutions

**Governments must be pressured and motivated for greater legitimacy** in order to address both legal and economic equality for women. Solutions to change the current situation can do so by targeting governmental systems, legislation, trial processes, workplace dynamics, employment processes and education systems. Social movements such as #MeToo and HeForShe demonstrates public demand for gender equality, which allows the creation of immense pressure for democratic governments to respond appropriately. However, the solution may only be effective in democracies or nations where gender equality had already been widely accepted. In non-democracies, activism may be easily put down with inhumane punishments for perpetrators. Despite such obstacles, numerous movements from the past demonstrated a certain degree of effectiveness by pressuring and forcing a government into making changes in favor of gender equality.

**Education on gender equality's benefits may gradually overturn stigma of patriarchy in the long term** is important for nations where traditional gender roles are still deeply rooted in their society, Since many of such nations facing inequality and poverty are developing nations that prioritize economic growth, legal and economic equality's ability to stimulate positive economic effects makes the solution effective in improving economic and social development. However, changing traditional gender roles rooted in societies for generations is extremely difficult and time consuming. Ideas such as gender equality must be incorporated into aspects of daily life sensitively, such as localized movies, TV shows and books along with education curriculums. The bottom line is to respect traditionalists' views, that instead of forcing them to accept these ideas suddenly, they should be able to gradually notice the benefits of gender equality and later on accept such ideas. If they refuse to accept the idea of gender equality, it is within their rights to do so as long as they do not commit violence and impede on the human rights of others.

**Equality in access to quality education** is also an essential solution to equality in economic opportunities for women. This is because economic opportunities and employment often depend on the education candidates received, especially regarding jobs involving highly professional and specialized skills. The percentage of women receiving STEM (Science, Technology, Engineering, Mathematics) education while involved in related industries are much lower than men partly due to traditional gender perceptions. Traditional gender roles such as women being households and thus do not need higher level education is a crucial obstacle to overcome when pursuing this solution.

**Corporations and employers, just like governments, must have incentives to carry out changes to positively influence workplace dynamic, employment processes as well as their corporate image.** The most straightforward incentive is corporations' need to comply with laws, such as salary transparency. However, governments need to first impose these regulations on corporations, with adequate measures to enforce such legislation. Another incentive for corporations to support the legal and economic equality of women is the result of a positive corporate image that can help boost

marketing and establish impressions. This can be done by advocating their actions to promote gender equality, such as sponsorships in gender equality movements and conventions while incorporating nondiscrimination as a core value. However, such solution may only be effective if a large portion of customers purchase with consideration of a corporation's efforts on gender equality and social issues.

**Transparency in criminal justice systems** is also an integral solution when addressing the legal equality of women. Just like how transparency in employment and salary data are important when addressing economic equality, transparency in the criminal justice system is advantageous. This solution can be done with UN's OHCHR (Office of the United Nations High Commissioner for Human Rights) implementing a Criminal Justice Data Transparency Model for countries to implement while reforming their criminal justice systems. A possible way to implement this model is by collaborating with local NGOs in different countries, such as Fair Trial in the United Kingdom, to launch campaigns that pressure their local government to make necessary changes. The model should also specifically address corruption and injustices due to gender discrimination and other forms of interference preventing justice in court. For this solution to work, governments must be pressured and committed to make changes in current criminal justice systems to comply with the proposed model.

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