

10 February 2025

Submission to the CEDAW Committee's half-day of general discussion on gender stereotypes

WILPF welcomes the opportunity to contribute to the CEDAW Committee's half-day of general discussion on gender stereotypes¹ and provides some preliminary input for the elaboration of the General Recommendation 41 on gender stereotypes (hereinafter, "GR 41"). At the outset, we would also like to stress that, throughout GR 41, the CEDAW Committee must adopt a more expansive approach to gender, beyond the gender binary of men and women, to expressly include trans, nonbinary, gender non-conforming people and people of other genders.

In this submission, WILPF underscores the need to interpret the obligations under Article 5 through an intersectional and wide approach addressing all forms of sex/gender/gender identity-related discrimination; build on the Committee's work on structural discrimination and conceptualise the phenomenon of gender apartheid under the Convention; address the harmful exploitation of gender stereotypes by the gun industry; challenge how gender stereotypes influence our entire security systems and peace processes rather than focussing on increasing women's participation in jobs involving arms; and address the barriers to participation in international decision-making fora, particularly for women, trans, nonbinary, and gender-nonconforming individuals. Examples

¹ Half-day of general discussion on gender stereotypes (17 February 2025). Information available at <https://www.ohchr.org/en/events/days-general-discussion-dgd/2025/half-day-general-discussion-gender-stereotypes>.

of relevant WILPF documents are provided under each section; we would be happy to provide additional information as required.

Tackling gender stereotypes as root causes of structural discrimination to achieve transformative equality

We welcome that the Committee's Concept Note on GR 41 (hereafter, "the Concept Note") mentions that it will address gender stereotypes with an intersectional approach.² WILPF recommends that the interpretation of obligations under Article 5 be based on an intersectional and wide interpretation prohibiting all forms of sex/gender/gender identity-related discrimination.

"That is because the construction of gender stereotypes and fixed parental gender roles ultimately rests upon the assumption that there are two opposite and mutually exclusive biological sexes who are attracted to each other. (...) The obligation to modify gender stereotypes and fixed parental roles should enable everyone to express their gender identity in the way they choose, without suffering adverse discriminatory consequences."³

Secondly, WILPF encourages the Committee to build on its previous work on structural discrimination and to make use of the transformative potential and cross-cutting application of Article 5 to conceptualise the phenomenon of gender apartheid under the Convention. In its General Recommendation (GR) 40, the Committee has recognised that:

"Patriarchy permeates all societies. In its most severe form, it takes the form of an institutionalized regime of systematic oppression and domination of women, committed with the intention of maintaining a regime that is increasingly referred to as 'gender apartheid'.

² CEDAW Committee, Concept Note for the General Recommendation on Gender Stereotypes, paragraphs 13 and 30.

³ Alexandra Timmer and Rikki Holtmaat, Article 5, in Marsha Freeman, Christine Chinkin and Beate Rudolf (eds), *The UN Convention on the elimination of all forms of discrimination against women, A Commentary*, Second edition, Oxford University Press (2022), page 227.

It is therefore crucial to codify the crime of ‘gender apartheid’ to create full accountability for gender-based crimes.”⁴

In that context, the Committee stated that a transformative approach addressing patriarchy, as presented in GR 40, is in line with Article 5 (a) of the Convention.⁵ This approach would support a progressive interpretation of the Convention recognising how gender stereotypes can result in the oppression, subordination and exclusion of women, girls, trans, nonbinary, gender non-conforming people and people of other genders in virtually all the areas and at all levels (individual, institutional and structural) covered by the articles of the Convention. The recognition of gender apartheid can support accountability efforts related to these violations.⁶

WILPF has highlighted the importance of recognising the phenomenon of gender apartheid specifically regarding the situation in Afghanistan, including in the following documents:

- Joint Submission for the Universal Periodic Review (UPR) of Afghanistan.⁷
- Joint statement during the adoption of the UPR of Afghanistan by the UN Human Rights Council (HRC).⁸
- Statement during the Enhanced interactive dialogue on the OHCHR report on Afghanistan and the oral update by the Special Rapporteur on Afghanistan (HRC, 57th session).⁹

⁴ CEDAW Committee, General Recommendation No. 40 on equal and inclusive representation of women in decision-making systems, paragraph 11.

⁵ *Ibid*, paragraph 12.

⁶ CO Guatemala, A/49/38, 13th Session (1994) para 78. From Holtmaat, H. M. T. (2012). Article 5 CEDAW. In M. A. Freeman, C. Chinkin, & B. Rudolf (Eds.), *The UN Convention on the Elimination of All Forms of Discrimination against Women; a Commentary* (pp. 141-167). Oxford: Oxford University Press. Retrieved from <<https://hdl.handle.net/1887/35840>> , <<https://scholarlypublications.universiteitleiden.nl/handle/1887/35840>>.

⁷ Submission by WILPF and the International Service for Human Rights (ISHR) for the Universal Periodic Review of Afghanistan 46th session of the UPR Working Group (29 April 2024 –10 May 2024. Available at: <https://www.wilpf.org/advocacy_documents/joint-submission-for-the-upr-of-afghanistan/>.

⁸ Joint statement by WILPF, the International Service for Human Rights (ISHR), and the Asian Forum for Human Rights and Development (FORUM-ASIA) to the UN Human Rights Council’s 57th session (9 September — 11 October 2024), during the adoption of the outcome of the Universal Periodic Review (UPR) of Afghanistan (fourth cycle). Statement available at: <https://www.wilpf.org/advocacy_documents/hrc57-joint-statement-on-the-upr-of-afghanistan/>.

⁹ Statement to the 57th session of the United Nations (UN) Human Rights Council (9 September — 11 October 2024), during the “Enhanced interactive dialogue on the OHCHR report on the situation of human rights in Afghanistan and the oral update by the Special Rapporteur on the situation of human rights in Afghanistan.” Available at: <https://www.wilpf.org/advocacy_documents/hrc57-statement-on-afghanistan/>.

Gender-based violence against women and girls

Harmful gender stereotyping by the gun industry

WILPF welcomes that the Concept Note recognises recalls the role of both State and non-State actors, such as the media, enterprises and emerging forms of technologies in perpetuating gender stereotypes.¹⁰ In this regard, WILPF draws the Committee's attention to the harmful exploitation of gender stereotypes in marketing strategies by the gun industry.

Firearms are used as a tool of intimidation and violence against women, girls, and LGBTQ+ people, especially trans women of colour, to reaffirm patriarchal domination and authority.

The proliferation and possession of weapons directly contribute to human rights violations and abuses, including gender-based violence.¹¹ The CEDAW Committee has acknowledged the negative impacts of firearms on women and girls, direct or indirect effects on women as victims of conflict-related gender-based violence, as victims of domestic violence and also as protesters or actors in resistance movements.¹² The CEDAW Committee has also stated that the accessibility and availability of firearms heighten women's risk of exposure to serious forms of gender-based violence.¹³

In many countries, firearms are specifically marketed to men and boys through the use of militarised masculinities. Firearms manufacturers and military agencies use gendered and racialised tropes to promote firearms sales along with a wider culture of militarism, war, and armed violence. WILPF has highlighted how the gun industry, followed by the video games industry and

¹⁰ CEDAW Committee, General Recommendation on Gender Stereotypes Concept Note, paragraph 2.

¹¹ Submission to the UN Office of the High Commissioner for Human Rights (February 2019) for the report requested by UN Human Rights Council on civilian acquisition, possession and use of firearms on civil, political, economic, social and cultural rights. Available at: <https://www.wilpf.org/advocacy_documents/submission-to-a-report-on-the-impact-of-firearms-on-human-rights/>.

¹² Committee on the Elimination of Discriminations against Women "General recommendation No.30 on women in conflict prevention, conflict and post-conflict situations" UN Doc CEDAW/C/GC/30 (18 October 2013) paragraph 32.

¹³ CEDAW Committee, "General recommendation No. 35 on gender-based violence against women, updating general recommendation No. 19" UN Doc CEDAW/C/GC/35 (14 July 2017) paragraph 42.

medias, manipulates gender stereotypes about manhood to sell their weapons and normalise violence; some examples of this advocacy are available below. The OHCHR report on the ‘Impact of the civilian acquisition, possession and use of firearms’ (A/HRC/53/49)¹⁴ usefully examines the integral importance of business sectors, such as social media, and the gaming and entertainment industries, for the marketing of firearms. It highlights examples of marketing strategies that encourage demand for firearms including by exploiting gender norms and sometimes appealing to racist ideologies; these strategies are also aimed to reach new demographics.

For this reason, WILPF recommends that the gun industry’s harmful exploitation of gender stereotypes, militarised and violent notions of manhood in marketing strategies and its impacts on gender-based violence and on the enjoyment of all the rights under the Convention be recognised in GR41.

Examples of relevant WILPF publications:

- Submission to OHCHR (January 2025) for the report on impact of firearms and the underlying root causes and risk factors driving firearms-related violence on the right to participate in cultural life and the right to take part in the conduct of public affairs.¹⁵
- Written statement to the HRC54: “Disarm the Enablers: End the impunity of the Firearms Industry and its Helpers”¹⁶.

¹⁴ UN Human Rights Council ‘Impact of the civilian acquisition, possession and use of firearms, Report of the United Nations High Commissioner for Human Rights’ (5 May 2023) UN Doc A/HRC/53/49. Available at: <<https://digitallibrary.un.org/record/4012464?ln=en>>.

¹⁵ Submission to the UN Office for the High Commission on Human Rights (January 2025) for the report requested by UN Human Rights Council resolution 56/9 on “the impact of the civilian acquisition, possession and use of firearms and the underlying root causes and risk factors driving firearms-related violence on the right to participate in cultural life and the right to take part in the conduct of public affairs”. Available at: <https://www.wilpf.org/advocacy_documents/submission-to-ohchr-on-the-impacts-of-firearms-on-the-right-to-participate-in-cultural-life-and-public-affairs/>.

¹⁶ WILPF, ‘Disarm the Enablers: End the impunity of the Firearms Industry and its Helpers’, Written Statement to the UN Human Rights Council, 54th regular session, 23 August 2023, <https://www.wilpf.org/wp-content/uploads/2023/08/HRC54_WILPF-written-statement-on-OHCHR-firearms-report.pdf>.

Political and public life and Employment; Harmful gender stereotyping and participation

WILPF welcomes that the Concept Note makes a reference to gender stereotypes being an obstacle to women participation in peace making and post-conflict reconstruction and socioeconomic development.¹⁷ It is essential that GR 41 highlight how gender stereotypes in conflict and post-conflict situations privileges and entrenches those gender stereotypes, negatively impacting on all those excluded, and how they impact the participation of women, trans, nonbinary and gender non-conforming people in peace and security.

We reiterate our recommendation to the Committee's half day of discussion on GR 40 (2023) to address the barriers to participation in international decision-making fora such as discriminatory visa policies that impede activists' advocacy, language barriers and the prioritisation of activists who speak English, and security issues and the risk of reprisals, among others.¹⁸

Some of these barriers including in relation to access to visas or invitation to participate to multilateral forums are due to gendered stereotypes about women, trans, nonbinary and gender non-confirming people activists, particularly from the Global South. The Committee should recommend that States Parties, —and particularly those with Feminist Foreign Policies—, act to

¹⁷ "CEDAW's GR No. 30 on women in conflict prevention, conflict, and post-conflict situations has referred to the role of gender stereotypes in the political participation of women. For instance, it mentioned that "even when women and girls are included in disarmament, demobilization and reintegration processes, the support is inadequate, gender stereotyped and limits their economic empowerment by providing skills development only in traditionally female fields." It also stated that "the full participation and involvement of women in formal peacemaking and post-conflict reconstruction and socioeconomic development are often not realized on account of deeply entrenched stereotypes, reflected in the traditionally male leadership of State and non-State groups, which exclude women from all aspects of decision-making [...]." CEDAW Committee, General Recommendation on Gender Stereotypes: Concept Note, paragraph 68.

¹⁸ Submission the CEDAW Committee's Half-day general discussion on the equal and inclusive representation of women in decision-making systems (14 February 2023). Available at: <https://www.wilpf.org/advocacy_documents/submission-to-the-cedaw-committees-half-day-general-discussion-on-representation-of-women-in-decision-making/>.

addresses these issues within their foreign service and visa-granting services to support these activists.

With regard to employment, the Concept Note for GR 41 states, among other things, that: “women are excluded from certain forms of work based on stereotypical assumptions about the characteristics and roles of women, deeming them unsuitable for jobs requiring physical strength *or involving arms* [emphasis added]”.¹⁹ In this regard, WILPF recalls our analysis of the implementation of the WPS Agenda showing that many states are disproportionately focusing on increasing the number of women in the military or peace-keeping operations instead of on a holistic implementation of the agenda grounded on the realisation of all human rights. As noted in the WILPF’s report “UNSCR 1325 at 20 years”: “A simple focus on increasing the number of women in militaries alone eschews the more complex question of harmful gender norms produced by militarism, militarisation, and patriarchal culture, which glorify violent masculinities as well as perpetuating stereotypes about men as protectors and women as those in need of protection.”²⁰

Thus, WILPF recommends that rather than underlining that gender stereotypes exclude women from jobs requiring them to carry weapons, GR41 must analyse and challenge how these gender stereotypes influence our entire security systems and peace processes. Participation of women in militarised systems does not bring about structural change. Furthermore, the Committee should address gender stereotypes that exclude women and people of other genders from disarmament efforts.

The disarmament field is male-dominated due to the perceived militarised and technical nature of arms control.²¹ This has often reinforced militarised and violent approach to security. In this regard, WILPF recommends that GR 41 highlight how gender stereotypes around peace, security and

¹⁹ CEDAW Committee, “General Recommendation on Gender Stereotypes: Concept Note” paragraph 77.

²⁰ WILPF “UNSCR 1325 at 20 years: Perspectives from feminist activists and civil society” (October 2020) page 18, available at: <https://www.wilpf.org/wp-content/uploads/2020/11/WILPF_UNSCR-1325-at-20-Years_Web.pdf>.

²¹ See Hana Salama and Emma Bjertén-Günther, “Women Managing Weapons: Perspectives for Increasing Women’s Meaningful Participation in Weapons and Ammunition Management” (UNIDIR, 27 July 2021) page 25-26. Available at <<https://unidir.org/publication/women-managing-weapons/>>.

disarmament discourses have prevented the meaningful participation of women and people of other genders in fora addressing these issues and therefore, have contributed to the absence of gender and diverse perspectives in peace, security and disarmament processes.

Examples of WILPF publications highlighting this issue are available in the following reports:

- Submission to OHCHR (January 2025) for the report on impact of firearms and the underlying root causes and risk factors driving firearms-related violence on the right to participate in cultural life and the right to take part in the conduct of public affairs.²²
- Submission to the CEDAW Committee on General Recommendation No. 40 (April 2024)²³
- “UN UNSCR 1325 at 20 years: Perspective from feminist activists and civil society” (October 2020).²⁴

²² Submission to the UN Office for the High Commission on Human Rights (January 2025) for the report requested by UN Human Rights Council resolution 56/9 on “the impact of the civilian acquisition, possession and use of firearms and the underlying root causes and risk factors driving firearms-related violence on the right to participate in cultural life and the right to take part in the conduct of public affairs”. Available at: <https://www.wilpf.org/advocacy_documents/submission-to-ohchr-on-the-impacts-of-firearms-on-the-right-to-participate-in-cultural-life-and-public-affairs/>.

²³ Submission to the CEDAW Committee on General Recommendation No.40. Available at: <https://www.wilpf.org/advocacy_documents/submission-to-the-cedaw-committee-on-general-recommendation/>.

²⁴ WILPF “UNSCR 1325 at 20 years: Perspectives from feminist activists and civil society” (October 2020) available at: <https://www.wilpf.org/wp-content/uploads/2020/11/WILPF_UNSCR-1325-at-20-Years_Web.pdf >.