

OSCE Commitments Relating to Gender Equality and Non-Discrimination

A Reference Guide Prepared for the OSCE Human Dimension Seminar on
“Participation of Women in Public and Economic Life”

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Equal Rights of Women and Men

- **Madrid, 1983 (“Questions relating to Security in Europe”, par.16)**

[The participating States] stress the importance of ensuring equal rights of men and women; accordingly, they agree to take all actions necessary to promote equally effective participation of men and women in political, economic, social and cultural life.

- **Vienna, 1989 (“Questions relating to Security in Europe”, par.15)**

(15) The participating States confirm their determination to ensure equal rights of and women. Accordingly, they will take all measures necessary, including legislative measures, to promote equally effective participation of men and women in political, economic, social and cultural life. They will consider the possibility of acceding to the Convention on the Elimination of All Forms of Discrimination against Women, if they have not yet done to.

- **Moscow, 1991 (Par. 40 to 40.13)**

(40) The participating States recognize that full and true equality between men and women is a fundamental aspect of a just and democratic society based on the rule of law. They recognize that the full development of society and the welfare of all its members require equal opportunity for full and equal participation of men and women. In this context they will

(40.1) – ensure that all CSCE commitments relating to the protection and promotion of human rights and fundamental freedoms are applied fully and without discrimination with regard to sex;

(40.2) – comply with the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), if they are parties, and, if they have not already done so, consider ratifying or acceding to this Convention; States that have ratified or acceded to this Convention with reservations will consider withdrawing them;

(40.3) – effectively implement the obligations in international instruments to which they are parties and take appropriate measures to implement the United Nations Nairobi Forward-looking Strategies for the advancement of Women (FLS);

(40.4) – affirm that it is their goal to achieve not only de jure but de facto equality of opportunity between men and women and to promote effective measures to that end;

(40.5) – establish or strengthen national machinery, as appropriate, for the advancement of women in order to ensure that programmes and policies are assessed for their impact on women;

(40.6) – encourage measures effectively to ensure full economic opportunity for women, including non-discriminatory employment policies and practices, equal access to education and training, and measures to facilitate combining employment with family responsibilities for female and male workers; and will seek to ensure that any structural adjustment policies or programmes do not have an adversely discriminatory effect on women;

(40.7) – seek to eliminate all forms of violence against women, and all forms of traffic in women and exploitation of prostitution of women including by ensuring adequate legal prohibitions against such acts and other appropriate measures;

(40.8) – encourage and promote equal opportunity for full participation by women in all aspects of political and public life, in decision-making process and in international co-operation in general;

(40.9) – recognize the vital role women and women’s organizations play in national and international efforts to promote and enhance women’s rights by providing, inter alia, direct services and support to women and encouraging a meaningful partnership between governments and these organizations for the purpose of advancing equality for women;

(40.10) – recognize the rich contribution of women to all aspects of political, cultural, social and economic life and promote a broad understanding of these contributions, including those made in the informal and unpaid sectors;

(40.11) – take measures to encourage that information regarding women and women’s rights under international and domestic law is easily accessible;

(40.12) develop educational policies, consistent with their constitutional systems, to support the participation of women in all areas of study and work, including non-traditional areas, and encourage and promote a greater understanding of issues relating to equality between men and women;

(40.13) – ensure the collection and analysis of data to access adequately, monitor and improve the situation of women; these data should not contain any personal information.

- **Istanbul, 1999 (Charter for European Security, par. 23 and 24)**

23. The full and equal exercise by women of their human rights is essential to achieve a more peaceful, prosperous and democratic OSCE area. We are committed to making equality between men and women an integral part of our policies, both at the level of our States and within the Organization.

24. We will undertake measures to eliminate all forms of discrimination against women, and to end violence against women..as well as sexual exploitation and all forms of trafficking in human beings. In order to prevent such crimes we will, among other means, promote the adoption or strengthening of legislation to hold accountable persons responsible for these acts and strengthen the protection of victims (...)

Equality and Non-discrimination Clauses

- **Helsinki, 1975 (“Declaration on Principle Guiding Relations between participating States”, principle VII, par. 1)**

The participating States will respect human rights and fundamental freedoms, including the freedom thought, conscience, religion or belief, for all without distinction as to race, sex, language or religion.

- **Vienna, 1989 (“Questions relating to Security in Europe”, par. 13.7 and 13.8)**

[The participating States will]

(13.7) – ensure human rights and fundamental freedoms to everyone within their territory and subject their jurisdiction, without distinction of any kind such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status;

(13.8) – ensure that no individual exercising, expressing the intention to exercise or seeking to exercise these rights and freedoms or any member of his family, will as a consequence be discriminated against in any manner (...)

- **Copenhagen, 1990 (Par. 5 and 5.9)**

(5) [The participating States] solemnly declare that among those elements of justice which are essential to the full expression of the inherent dignity and of the equal and inalienable rights of all human beings are the following:

(...)

(5.9) – all persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law will prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground (...)

- **Paris, 1990 (“Human Rights, Democracy and Rule of Law”, par. 3 and 5)**

Democracy is the best safeguard of (...) tolerance of all groups of society, and equality of opportunity for each person.

(...)

We affirm that, without discrimination,

every individual has the right to freedom of thought, conscience and religion or belief, freedom of expression, freedom of association and peaceful assembly, freedom of movement;

no one will be:

subject to arbitrary arrest or detention,

subject to torture or other cruel, inhuman or degrading treatment or punishment;

everyone also has the right:

to know and act upon his rights,

to participate in free and fair elections,

to fair and public trial if charged with an offence

to own property alone or in association and to exercise individual enterprise,

to enjoy his economic, social and cultural rights.

- **Budapest, 1994 (Summit Declaration, par. 7)**

7. (...) The CSCE’s democratic values are fundamental to our goal of a community of nations with no divisions, old or new, in which the sovereign equality and the independence of all

States are fully respected, there are no spheres of influence and the human rights and fundamental freedoms of all individuals, regardless of race, colour, sex, language, religion, social origin or of belonging to a minority, are vigorously protected.

- **Istanbul, 1999 (Summit Declaration, par. 2)**

2. [The participating States] reiterate unreservedly [their] commitment to respect human rights and fundamental freedoms and to abstain from any form of discrimination.