



# ORDO IURIS

INSTITUTE FOR LEGAL CULTURE

## **HUMAN DIMENSION IMPLEMENTATION MEETING 2019 I OSCE** **8th working session**

The Ordo Iuris International Law Centre welcomes OSCE efforts to recognise the problem of tolerance and non-discrimination. We would like to bring to attention relevant issues concerning so called gender-based discrimination, which are often omitted in public discussion.

Though women in most countries have the same rights as men, it is claimed that women still suffer from gender-based discrimination. The thesis is supported by many statistic, especially those regarding work standards. For example, according to Eurostat data, women earned on average 16.2% less than men in EU countries in 2016. In 2018 in the European Union, only 67,4% of women and almost 12% more men were employed.

The causes of the above situation may be more complex than it seems at first glance. Even more researches show that the reason for the lower wages of women may not be strictly worse treatment on the grounds of sex by employers, but the willingness of women to make choices other than men. As the priority for women is to maintain a balance between work and family life, they e.g. often give up better paid working hours (work at night, on days off, overtime work). Moreover, they often prefer education and professions that belong to poorer paid industries.

However, women may be discriminated on the grounds of motherhood. In 2015, the British NGO "Equality over Human Rights Commission" conducted a survey of over 3,000 British employers and over 3,200 British mothers. It turned out, among others, that one in five mothers was victims of harassment or negative comments related to pregnancy or flexible working hours. 11% of British women with children were dismissed or forced to give up because of ill-treatment, while one in ten mothers said that they were treated worse by the employer after returning to work compared to the time before pregnancy. In 2014, the Australian Human Rights Commission announced that every second Australian parent has been the victim of discrimination in the workplace, and 18% of Australian mothers have lost their jobs due to motherhood.

As for other pressing matters regarding discrimination, it is worth noticing that appropriate identification of the causes of domestic violence is crucial to combat this problem successfully. Contrary to most popular claims, violence against women may not be based strictly on the grounds of sex - statistics in some countries (e.g. Poland) show that the main factor related to domestic violence is addiction to alcohol and that both women and men are victims of this violence.

In conclusion, tolerance and non-discrimination are issues of great significance to every democratic community. In recent years, women's rights have received special attention. It is important to notice that, on one hand, the discrimination against women at work may be a matter of choice made by women themselves, and - on the other hand - a matter of discrimination against mothers. As for the reasons for domestic violence, more thorough research is needed as due to some data addictions – not sex - may be the main explanation for it.

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