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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Albania,* Argentina, Australia, Austria, Belgium,* Bulgaria, Canada,* Croatia, Denmark, Ecuador,* Estonia,* Finland,* France,* Georgia,* Germany,* Greece,* Iceland, Ireland,* Italy, Liechtenstein,* Lithuania,* Mexico, Mongolia,* Montenegro,* New Zealand,* North Macedonia,* Norway,* Panama,* Republic of Moldova,* Romania,* South Africa, Spain, Sweden,* Switzerland,* Turkey,* Ukraine, Uruguay: draft resolution

41/... Equal pay

The Human Rights Council,

Guided by the Charter of the United Nations,

Reaffirming the obligation of all States to promote and protect all human rights and fundamental freedoms, and also that all forms of discrimination, including discrimination against women and girls, are contrary to the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child, the Convention on the Rights of Persons with Disabilities, the International Convention on the Elimination of All Forms of Racial Discrimination and other human rights instruments,

Recognizing the importance of the key gender equality conventions and standards of the International Labour Organization, its decent work agenda and its Declaration on Fundamental Principles and Rights at Work, and welcoming in this regard its Centenary Declaration and its recently concluded Violence and Harassment Convention, 2019 (No. 190),

Reaffirming the commitment made to gender equality and the empowerment of all women and girls contained in the outcome documents of relevant international conferences and summits, in particular the Beijing Declaration and Platform for Action and the Programme of Action of the International Conference on Population and Development, and the outcome documents of their review conferences,

Recalling that the 2030 Agenda for Sustainable Development addresses the need to achieve gender equality and the empowerment of all women and girls, in order to ensure that

* State not a member of the Human Rights Council.



no one is left behind, and that the systematic mainstreaming of a gender perspective in the implementation of the 2030 Agenda is crucial,

Recalling also the commitment to achieve full and productive employment and decent work for all women and men, including for young people and persons with disabilities, and equal pay for work of equal value contained in Sustainable Development Goals 5 and 8, in particular target 8.5,

Recalling further the agreed conclusions adopted by the Commission on the Status of Women at its sixty-first session on women's economic empowerment in the changing world of work and Human Rights Council resolution 34/14 of 24 March 2017 on the right to work, in which they recognized the importance of taking legislative and other measures to realize the equal rights of women and men and equal opportunities for women for full and productive employment and decent work, and equal pay for work of equal value,

Taking note of the work of the Secretary-General's High-level Panel on Women's Economic Empowerment and the Joint Declaration on Trade and Women's Economic Empowerment, and their recommendations to remove barriers to women's economic empowerment and ensure the empowerment of women as free and equal participants in a robust, sustainable and inclusive global economy,

Recalling that the principle of equal pay for work of equal value was first proclaimed in the Constitution of the International Labour Organization and further articulated in its Equal Remuneration Convention, 1951 (No. 100), and in international human rights law through, inter alia, the International Covenant on Economic, Social and Cultural Rights and the Convention on the Elimination of All Forms of Discrimination against Women, as well as regional instruments that underpin the principle of equal pay for work of equal value,

Recognizing that progress on the achievement of gender equality and the empowerment of women and girls has been held back owing to the persistence of historical and structural unequal power relations between women and men, poverty and inequalities and disadvantages in access to resources and opportunities that limit women's and girls' capabilities, and growing gaps in equality of opportunity, discriminatory laws, policies, negative social norms, attitudes, harmful practices and gender stereotypes,

Expressing deep concern that this progress has been particularly slow when it comes to women's economic empowerment, that jobs traditionally held by women have been undervalued, that women and girls undertake a disproportionate share of unpaid care and domestic work, and that tackling pay inequality has proved to be particularly challenging, especially for women and girls experiencing multiple and intersecting forms of discrimination,

Recognizing that unequal pay is one of the contributory factors of the gender pay gap and that action to address unequal pay contributes towards closing the gender pay gap,

Recognizing also the major contributions made by civil society, including women's and community-based organizations and feminist groups, as well as businesses, workers' and employers' organizations, to promoting the economic empowerment of women and girls and the fulfilment of their right to decent work and education, in particular equal pay for work of equal value,

Recognizing further ongoing efforts to promote equal pay for all, and welcoming in particular the work of the Equal Pay International Coalition and the role of the United Nations Entity for Gender Equality and the Empowerment of Women, the International Labour Organization and the Organization for Economic Cooperation and Development in leading and coordinating it, while underlining the importance of further galvanizing efforts by all relevant stakeholders for continued and strengthened implementation of the common commitment to achieve equal pay,

1. *Expresses deep concern* that pay inequality persists around the world despite the principle of equal pay for work of equal value having been established more than 70 years ago and recognizes that pay inequality is an impediment to the achievement of gender equality and the economic empowerment of women and girls, and to the full realization of their human rights;

2. *Urges* States, in cooperation with civil society, the private sector, employers' organizations, trade unions and the United Nations system, as applicable:

(a) To enact or strengthen and enforce laws and regulations or other equivalent measures that uphold the principle of equal pay for work of equal value in the public and private sectors as a critical measure to eliminate the gender pay gap; and provide in this regard effective means of redress and access to justice in cases of non-compliance, including fair and accessible dispute resolution mechanisms;

(b) To promote the implementation of equal pay policies through, for example, social dialogue, collective bargaining, objective appraisals and gender-neutral job evaluations, awareness-raising campaigns, pay analysis and transparency, and gender pay audits, as well as certification and review of pay practices and working conditions, and increased availability of data disaggregated by sex and analysis on the gender pay gap;

(c) To recognize and adopt measures to reduce and redistribute women's and girls' disproportionate share of unpaid care and domestic work by promoting and developing or strengthening laws, regulatory frameworks, policies or other equivalent measures that promote the reconciliation and sharing of work and private and family responsibilities for women and men;

(d) To design, implement and promote family-responsive legislation, policies and services, such as shared parental and other leave schemes, increased flexibility in healthy and safe working arrangements for women and men, without reductions in labour and social protection, support for breastfeeding mothers, development of infrastructure and technology, and the provision of services, including universal affordable, accessible and quality care facilities for children and other dependants, which create an enabling environment for women's labour market participation and their economic independence;

(e) To work towards establishing or strengthening inclusive and gender-responsive social protection systems, including floors, to ensure full access to social protection for all without discrimination of any kind, and take measures to progressively achieve higher levels of protection, including by facilitating the transition from informal to formal work;

(f) To take all appropriate measures to address the wage disparity and reduction experienced by many women when they have children, including by promoting parental and paternity leave and men's use of such leave through, inter alia, dedicated, non-transferable paid leave for fathers, as well as by ensuring that such leave is connected to the availability of affordable, accessible, inclusive and quality childcare services and facilities, including early childhood services and after-school services for children and adolescents, and to ensure a seamless transition of parents back into the labour market;

(g) To eliminate occupational segregation based on structural barriers, gender stereotypes and negative social norms, by promoting women's equal access to and participation in labour markets and in education and training, supporting women and girls so as to diversify their educational and occupational choices in emerging fields and growing economic sectors, such as science, technology, engineering and mathematics and information and communications technology, and recognizing the value of sectors that have large numbers of women workers;

(h) To eliminate gender disparities in the realization of the right to education at all levels and ensure full and equal participation in and completion of inclusive quality education for all without discrimination, including vocational and technical education free of gender stereotypes;

(i) To promote lifelong learning opportunities for all women and girls and the elimination of female illiteracy and the digital gender gap, including through quality teacher training, recruitment and retention of teachers in rural areas, and building gender-responsive education facilities that provide a safe, non-violent, inclusive and effective learning environment for all, and facilitate an effective transition from education or unemployment to decent work;

(j) To fully engage men and boys as stakeholders and strategic partners in achieving gender equality and the empowerment of all women and girls by designing and implementing national policies and programmes that address the roles and responsibilities of men and boys, including the equal sharing of responsibilities in caregiving and domestic work, and encourage men and boys to engage fully, as agents and beneficiaries of change, by understanding and addressing the root causes of gender inequality, such as unequal power relations, gender stereotypes and negative social norms that view women and girls as subordinate to men and boys, as a contribution to women's economic empowerment and the achievement of equal pay for work of equal value;

(k) To encourage the private sector to examine its workplace culture and environment, as well as its recruitment, promotion, retention and termination practices, as a means to overcome gender stereotypes and negative social norms in all spheres of life and address inequalities, and take the measures necessary to ensure that employers in all sectors are held accountable when they fail to abide by laws and regulations regarding equal pay;

(l) To remove barriers, including political, legal, social, economic, institutional or those based on cultural and religious interpretations, preventing women's full, equal and effective participation and leadership in political, economic and other decision-making positions, and ensure that women and girls have equal access with men and boys to career development, training, scholarships and fellowships, and adopt positive action to build women's and girls' leadership skills and influence, taking into account that promoting women to leadership positions contributes to achieving the goal of equal pay for work of equal value;

(m) To take measures to ensure that all workplaces are free from discrimination and exploitation, violence, and sexual harassment and bullying, and that they address all forms of discrimination and violence against women and girls through such measures as regulatory and oversight frameworks and reforms, codes of conduct, including appropriate disciplinary measures, protocols and procedures, and referral of cases of violence to health-care services for treatment and effective accountability mechanisms, and access to justice and remedies, as well as through awareness-raising and capacity-building, in collaboration with employers, unions and workers, including through workplace services and flexibility for victims and survivors;

(n) To promote innovative measures for reaching equal pay for work of equal value, on the basis of the work performed, that engage employers and unions such as equal pay certification programmes, job classifications and evaluations, pay standards, public procurement policies, programmes to ensure wage transparency, training and gender-neutral job evaluation methods, with avenues for recourse, campaigns for career opportunities and other such measures;

3. *Recommends* that the General Assembly declare an international equal pay day to celebrate the efforts of all stakeholders to achieve equal pay for work of equal value and urge further action for the goal of equal pay for work of equal value for all;

4. *Reaffirms* the importance of the continued support of the United Nations system and other relevant stakeholders for national action to achieve equal pay by Governments, businesses, workers' and employers' organizations and social dialogue institutions, as well as other strategic partners;

5. *Encourages* all actors, including States, the United Nations system, other international organizations and civil society, to continue to support the goal of equal pay for work of equal value and the work of the Equal Pay International Coalition, and welcomes in this regard the Coalition's continued sharing of experiences, lessons learned and good practices in overcoming challenges to the full implementation at the national and international levels of equal pay and the evaluation of progress in achieving it.