

**WOMEN  
AND GIRLS  
OF AFRICAN DESCENT**

Human Rights  
Achievements and Challenges



# INTRODUCTION

When gender, skin color, ethnicity, class, religion and beliefs, migratory status or other factors intersect, they can create complex and often overlapping forms of discrimination and marginalization. This intersectionality is a key concept in understanding human rights challenges, particularly for marginalized groups. The intersection of these factors can lead to unique and compounded forms of discrimination that are not fully captured by looking at each factor in isolation.

market, including at the highest levels. More further-reaching initiatives are needed to

# Executive Summary

The programme of activities for the implementation of the International Decade for People of African Descent gives great importance to the promotion and protection of the rights of women of African descent. In this context, the present publication provides an overview of the enjoyment of human rights by women and girls of African descent, drawing from the work of international human rights mechanisms. The publication is also informed by responses from key stakeholders to a questionnaire circulated by the Office of the United Nations High Commissioner for Human Rights.

Women and girls of African descent face intersecting and multiple forms of discrimination, including based on race/ethnicity, sex, gender, nationality, migration status and/or other social status. The present publication focuses on women who belong to communities descended from victims of the transatlantic slave trade and migrant African women in the diaspora.

The publication contains an analysis of the findings of international human



# Human rights of women of African descent and intersectionality

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In 2000, the Committee on the Elimination of Racial Discrimination adopted its general recommendation No. 25 on gender-related dimensions of racial discrimination, in which it recognized that there were circumstances in which racial discrimination only or primarily affected women, or affected women in a different way, or to a different degree than men and noted that such racial discrimination would often escape detection if there were no explicit recognition or acknowledgement of the different life experiences of women and men, in areas of both public and private life (CERD/C/GC/25, para. 1). In 2011, the Committee adopted its general recommendation No. 34 on racial discrimination against people of African descent, highlighting the gender-related dimensions of racial discrimination and calling for States parties to the Convention on the Elimination of Racial Discrimination to take into account, in all programmes and projects, the situation of women of African descent and for all reports to the Committee to include information on the measures taken to address racial discrimination against women of African descent (CERD/C/GC/34, paras. 23 and 24).

Similarly, the Committee on the Elimination of Discrimination against Women has addressed

intersectional discrimination and its impact on women's enjoyment of their human rights.

In the Durban Declaration and Programme of Action, adopted by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, participants recognized multiple discrimination and requested States to increase public actions and policies in favour of women of African descent, given that racism affected them more deeply, placing them in a more marginalized and disadvantaged situation.<sup>3</sup>

The Working Group of Experts on People of African Descent has often addressed the intersectional discrimination faced by women and girls of African descent in its country visits and has discussed this issue in several public sessions and thematic reports.

At the regional level, the Inter-American Commission of Women in its Declaration of Lima on Equality and Autonomy in the Exercise of Women's Rights recognized the particular inequality that Afro-descendant and indigenous women face in exercising their rights. The Organization of American States Rapporteur on the Rights of Women has paid particular attention to the human rights situations of indigenous women and women of African descent in the Americas through country visits and thematic reports.<sup>6</sup>



A black and white photograph of a woman with dark hair, wearing a striped shirt, sitting at a table. She is looking directly at the camera with a slight smile. In front of her is a large white bowl filled with onions. The background is a plain, light-colored wall. The image is overlaid with a large white circle on the left side, which contains text. There are also several horizontal bars of various colors (purple, pink, red, black, green, yellow) and patterns (checkered, solid) overlaid on the right side of the image.

## A. Poverty

The Beijing Platform for Action highlights the relationship between poverty and gender inequality in all areas of women's lives, noting that: Women's poverty is directly related to the absence of economic opportunities and autonomy,



In the guiding principles on extreme poverty and human rights, the Special Rapporteur on the issue explicitly recognized that discrimination and exclusion were among the major causes and consequences of poverty, including based on race (see [A/HRC/21/39](#), para. 8). She also explained that “women are disproportionately represented among the poor owing to the multifaceted and cumulative forms of discrimination that they endure. States are obliged to eliminate both de jure and de facto discrimination against women and put in place measures to achieve equality between men and women” (ibid., para. 23). The Working Group on the issue of discrimination against women in law and in practice has also highlighted that women live in poverty disproportionately, in particular women from minority communities (see [A/HRC/26/39](#), paras. 24 and 25).

In the case of Latin America, the observations and findings of human rights mechanisms confirm that the rate of poverty is disproportionately high for women,

but that, for women of African descent, it is even higher.<sup>8</sup> In its report on its mission to the United States of America, the Working Group of Experts on People of African Descent pointed out that, in the United States, 37 per cent of households headed by African-American women live below the poverty line (see [A/HRC/33/61/Add.2](#), para. 56). In her report on her mission to the United Kingdom of Great Britain and Northern Ireland, the Special Rapporteur on viol14.7 (e)-14in an33/99ted Kisteicoup

## **ECUADOR: NATIONAL PLAN FOR GOOD LIVING, 2013-2017**

**In Ecuador, the Government adopted a national plan for good living, 2013-2017. Objective 2 of the plan establishes the need to encourage equality, cohesion, inclusion and social and territorial equity in diversity. To that end, the Government has committed to developing and implementing an intersectoral strategy for the eradication of poverty and the closing of inequality gaps, with emphasis on guaranteeing rights, gender, intergenerational and intercultural equity, access to assets and means of production, and generation of capabilities.**



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## B. Education

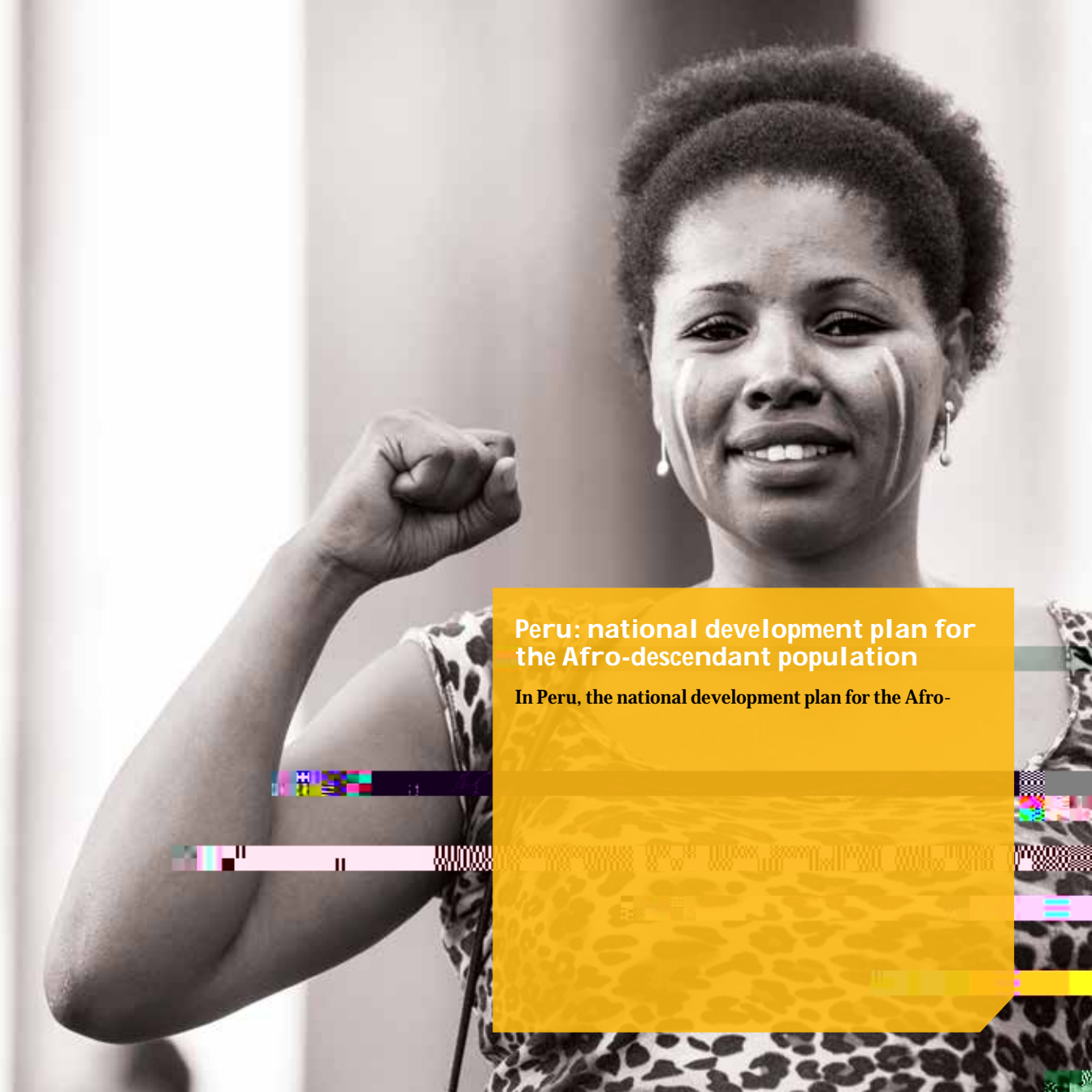
The right to education, including its equal enjoyment by every girl, is universally recognized and guaranteed in many international and regional legal instruments.<sup>9</sup> It consists of four essential and interrelated principles — availability, accessibility, acceptability and adaptability — which duty-bearers have the obligation to respect, protect and fulfil (see [A/HRC/35/11](#), para. 5).

Education is an enabling right, which fosters the realization of all other human rights, and one of the key tools through which communities facing marginalization, such as people of African descent, are able to overcome poverty and access other fundamental human rights (see [E/C.12/1999/10](#), para. 1). Education is also central to the elimination of discrimination against women (see [A/HRC/26/39](#), para. 33).

Human rights mechanisms have expressed concerns about the high numbers of women and girls facing marginalization who have been prevented from accessing education. For example, the Committee on the Elimination of Discrimination against Women, in its concluding observations on the combined eighth and ninth periodic reports of Canada, considered in 2016, expressed concern that indigenous and Afro-Canadian women and girls had lower educational and academic achievements and were more likely to drop out. With respect to Honduras, the Committee highlighted the fact that illiteracy rates and secondary school drop-out rates for girls of African descent in rural contexts were disproportionately high, often due to poverty, early pregnancy, early marriage and child labour (see [CEDAW/C/HND/CO/7-8](#), para. 32). In its concluding observations on Ecuador, the Committee noted the limited access to education and the poor quality of education in rural contexts, which limited the number of women of African descent who would go on to access higher education (see [CEDAW/C/ECU/CO/8-9](#), para. (a)).

The Working Group on the issue of discrimination against women in law and in practice drew attention to the fact that in many countries, women and girls of African descent are disproportionately affected by discrimination in the areas of employment, education, housing, health care, and access to justice. This is particularly true in rural areas and in countries with high levels of poverty and inequality. The Working Group also noted that women and girls of African descent are often the most vulnerable to human rights violations, including violence against women and girls, and are disproportionately affected by the impacts of climate change and natural disasters. The Working Group urged States to take urgent and effective measures to address these issues and to ensure that women and girls of African descent are fully and equally included in all areas of society.





## Peru: national development plan for the Afro-descendant population

In Peru, the national development plan for the Afro-



The exclusion of women of African descent and migrant African women in the

Recognizing that the vast majority of maternal deaths were preventable in Brazil, the Working Group





## D. Employment

The right to work without discrimination is enshrined in articles 6 and 7 of the International Covenant on Economic, Social and Cultural Rights. Further explanation of the content of this right is offered in general comment No. 23 of the Committee on Economic, Social and Cultural Rights, in which it is emphasized that the right to work belongs to all workers in all settings, regardless of gender, including workers from ethnic and other minorities (see [E/C.12/GC/23](#), para. 5). International labour standards also protect particular aspects of the right to work as it relates to gender equality, including the Equal Remuneration Convention, 1951; the Discrimination (Employment and Occupation) Convention, 1958; the Workers with Family Responsibilities Convention, 1981; and the Maternity Protection Convention, 1952.





white women (see [A/HRC/33/61/Add.2](#), para. 29). The Working Group found that not only were women of African descent more likely to be imprisoned, but that there was an increasing number of homicides of African-American women by the police (see [A/HRC/32/44/Add.2](#), para. 78).

In Panama, the Working Group of Experts on People (e)-11.4 ((eo-0.043 Tw -39.5D-3.6 (71.1 (t(p)-1.8 3 d)-6.1 (e)-13.9



## **Spain: Movement for Peace**


The Spanish civil society organization Movement for Peace reported that it provides free legal aid to women of African descent who are in need. The organization believes that information about legal services and legal centres should be easily available

## F. Stereotyping

One of the most commonly reported violations of the rights of women of African descent concerns

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A black and white photograph of a woman with a joyful expression, smiling broadly. She is wearing a white sleeveless top and a patterned skirt. Her right hand is resting on a vertical wooden post or door frame. The background is dark and indistinct. There are some colorful artifacts (small squares) on the image, likely from a scanning or editing process.

## **United Nations: education and awareness-raising**

OHCHR, the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women) and the non-governmental organization Black Women's Blueprint organized a panel discussion on women of African descent in April 2016, during which the right to education for women of African descent was discussed. The meeting was co-sponsored by the Department of Public Information.

On the occasion of Human Rights Day in December 2016, the Department of Public Information organized a film night, co-sponsored by the Permanent Mission of Jamaica, the United Nations Educational, Scientific and Cultural Organization and the African Diaspora International Film Festival, featuring short films by young



## G. Political participation

Women's right to participate in political life is guaranteed under article 7 of the Convention on the Elimination of All Forms of Discrimination Against Women. In the Durban Declaration and Programme of Action the importance and necessity of facilitating the full participation of people of African descent at all levels in the decision-making process was affirmed.<sup>17</sup> Further, States were urged to facilitate the participation of people of African descent in all political, economic, social and cultural aspects of society and in the advancement and economic development of their countries.<sup>18</sup>

The Committee on the Elimination of Racial Discrimination, in its general recommendation No. 34, urges States to take steps to ensure that authorities at all levels in the State respect the right of members of communities of people of African descent to participate in decisions that affect them. States should take special and concrete measures to guarantee people of African descent the right to participate in elections, to vote and stand for election on the basis of equal and universal suffrage and to have due representation in all branches of government; facilitate greater representation in governance; and take all necessary steps, including special measures, to secure equal opportunities for the participation of people of African descent in all central and local government bodies. The right to participate in decision-making on national action plans to eliminate discrimination and to ensure development should also be emphasized. To this end, the Committee on the Elimination of Racial Discrimination recommends that States formulate and put in place comprehensive national strategies with the participation of people of African descent (see CERD/C/GC/34, paras. 19, 42, 43 and 45).

People of African descent, particularly women, have historically experienced low levels of political participation and representation. The barriers to political participation are multiple and interrelated and include direct and indirect discrimination that has led to lower levels of education and social capital, poverty, language barriers, geographical marginalization and lack of access to public information.

In its seventh periodic report to the Committee on the Elimination of Discrimination Against Women, the Government of the United Kingdom noted that black and ethnic minority women represented 5.8 per cent of the population, yet made up less than 1 per cent of councillors at the local government level (see [CEDAW/C/GBR/7](#), para. 93). In its concluding observations on the report, the Committee stated that,

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## Mexico: Fifth Forum of Indigenous, Afro-Mexican, Mestizo and Rural Leadership Women of the State of Oaxaca

In March 2017, in the context of the International Decade for People of African Descent, Mexico organized the Fifth Forum of Indigenous, Afro-Mexican, Mestizo and Rural Leadership Women of the State of Oaxaca. The objectives of the Forum were to discuss the political participation and representation

## H. Violence against women

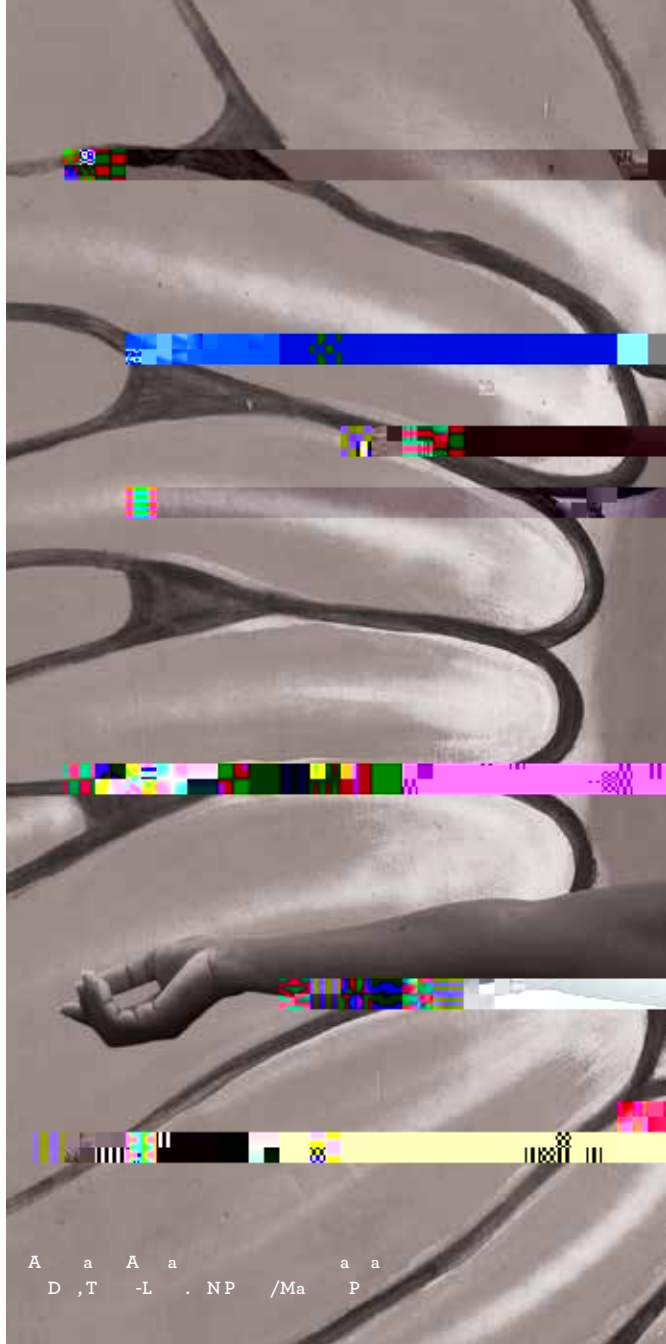
Gender-based violence against women is well recognized as a form of discrimination against women, which States are obliged under international law to eliminate. The Committee on the Elimination of Discrimination Against Women has also recognized that violence and discrimination are inextricably linked to other factors that affect women's lives, including race or ethnicity. Thus, the Committee recommends that capacity-building, education and training for the judiciary, lawyers and law enforcement officers, including forensic medical personnel, legislators and health-care professionals, include the understanding of trauma and its effects, the power dynamics that characterize intimate partner violence and the varying situations of women experiencing diverse forms of gender-based violence. This should include the intersectional discrimination affecting specific groups of women, as well as adequate ways to address women and eliminate factors that revictimise them and weaken their confidence in State institutions and agents (see [CEDAW/C/GC/35](#), paras. 12 and 38 (b)).

The Special Rapporteur on violence against women, its causes and consequences found that many women in the United Kingdom belonging to minority groups faced marginalization, and that black, ethnic minority and refugee communities were the victims of harmful practices. She also reported that narratives in the United Kingdom surrounding violence against black and minority ethnic women and girls could be problematic, as they were framed only within notions of culture, community or religion, rather than within the larger context of a general patriarchal and discriminatory societal approach to women and girls. The effect of this was that the legal and policy responses to violence against women in ethnic minority groups were then limited to some harmful practices, such as

## I. Data collection

Disaggregated data and statistics on the human situation of any group facing marginalization are required in order to design suitable legal and policy responses. While most countries now have extensive data on women and gender inequality, many do not yet collect racially disaggregated data highlighting the situations of people of African descent. Thus, the experiences of women of African descent often get subsumed under data on women in general, which hides the patterns of inequality among women and risks indicating that the situation of all women has improved, when often this is not the case.

In paragraphs 13 and 14 of the Programme of Activities for the International Decade (General Assembly resolution [69/16](#), annex) States are called upon to collect, compile, analyse, disseminate and publish reliable statistical data at the national and local levels, and take all other related measures necessary to assess regularly the situation of people of African descent. Such statistical data should be disaggregated in accordance with national legislation, upholding the right to privacy and the principle of self-identification. The information should be collected to monitor the situation of people of African descent, assess the progress made, identify social gaps and guide the formulation of policies to prevent, combat and eradicate racism, racial discrimination xenophobia and related intolerance.







## Meeting on the issue of the collection and disaggregation of statistical data in the Latin American and Caribbean region

In May 2017, the Office of the United Nations High Commissioner for Human Rights and the Secretariat for Access to Rights and Equality of the Organization of American States organized a meeting

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**W**hile many States have implemented gender-based approaches or gender mainstreaming in poverty reduction programmes, women and girls of African descent are often not reached or included in such programmes owing to barriers caused by intersecting forms of discrimination. In line with the Programme of Activities for the International Decade, States should establish a legislative and policy framework to mainstream an intersectional gender perspective when designing, implementing and monitoring public policies for poverty reduction and the realization of basic human rights, taking into account the specific needs and realities of women and girls of African descent.

Intersectional discrimination is an obstacle to the realization of the basic rights of women and girls of African descent in all areas of their lives. This is



Women of African descent face particularly severe discrimination in employment, with high rates of unemployment, low wages and often precarious working conditions. States should ensure that all women of African descent are free from discrimination in employment, including by addressing the particularly high rates of unemployment and disproportionately low wages. Recognizing the particular vulnerability of women of African descent who work in domestic services, States should ratify the ILO Convention concerning decent work for domestic workers, 2011, and adopt necessary measures for its effective implementation. States should also invest funds in education and professional training for women of African descent through scholarships and training programmes, to improve employment opportunities and provide livelihood support and training.

Throughout the world, women and girls of African descent are subject to patterns of negative stereotyping, which are the underlying causes of exclusion, marginalization, violence and violations of their human rights. States should take measures to combat negative

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and discriminatory gendered and racist stereotypes of women of African descent, in particular by taking concrete steps to remove all such stereotypes from educational materials and popular media.

Violence against women is both a cause and







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