

Transformative approaches towards substantive gender equality
Special Meeting of the Permanent Council to commemorate International Women's Day

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*Remarks by IACHR President and Rapporteur on the Rights of Women,
Commissioner **Roberta Clarke***

International Women's Day provides us an opportunity to celebrate our achievements in ending discrimination and advancing gender equality. It is a day also when we reaffirm our commitments to accelerate this work from the spaces where we live and have influence, in the home, community, private sectors businesses, at state and multilateral levels.

In our region, the Inter-American system has contributed to the global normative framework on women's rights through conventions as well as jurisprudence from the Commission's merit reports and the Court's judgments. Across our region, law and policy progress is evident and we celebrate that progress because it has come through the insistence of women for equal voice, choice and safety.

However, public policy gaps or policies inconsistent with the Inter-American standards are evident for example, in access to sexual and reproductive rights. The Commission continues to receive reports of gynecological and obstetric violence, lack of access to healthcare for voluntary termination of pregnancy, criminalization of obstetric emergencies and limited access to comprehensive sex education.

Still progress has been made in the development of standards on reproductive rights. Judgments such as *Albarracín v. Ecuador*, on the right of girls and adolescents to comprehensive sex education; *Manuela v. El Salvador*, on the right to receive medical care without discrimination in cases of obstetric emergencies; *Britez v. Argentina*, on the prohibition of obstetric violence in healthcare services; and the case of *Beatriz v. El Salvador* (pending judgment), on women's right to reproductive autonomy, are some examples of lines of jurisprudence that must be consolidated.

Everywhere in our region, the lives of women and girls is constrained by the threat of violence. Much of that violence is characterized by impunity. The Commission and the Court have articulated standards on women's access to justice and in the paradigmatic case of Maria de Penha, in particular, defined due diligence in the prevention, investigation, prosecution, and punishment of violence against women.

The Commission also highlights in its standards the duty of States to take special account of the inextricable link between the factors that expose women to discrimination along with their sex, such as their age, race, ethnicity, and economic position, among others.

Both the Commission and the Court have reflected on how gender stereotypes shape public policies and their implementation and undermine women's rights to equality, development and security. Gender stereotyping is a form of discrimination that can lead to impunity as it did in the failure of state actors to investigate the disappearance of women in the Cotton Fields case. Similarly in the Vicky Hernandez case, the criminal investigation into the murder of Vicky Hernandez was marred by prejudices against transwomen.

It is for this reason that the Commission promotes positive action to eliminate explicit and implicit gender bias in the administration of justice and has called for the implementation of a gender perspective, which is a precondition to guarantee the administration of justice without discrimination, as mandated by the Convention of Belem do Pará.

Five minutes are not enough to elaborate all that has been accomplished and all that remains to be addressed. But let us recall that on this day, we must honour the work of women human rights defenders, who continue to be amongst the most stigmatized, criminalized and targeted for violence. They often work intersectionality, defending land rights, the right to a healthy environment, the rights of historically marginalized populations to lives of dignity and equality. They confront and speak truth to power.

We honour them by recognizing their work and by redoubling our efforts, as states, to comply with Inter-American obligations and standards on women 's rights. This is no time to back down.