

Beijing+30

SIDE EVENT ON THE MARGINS OF CSW69

Women & International Protection

Systemic Sex Discrimination as a Form of Persecution

REGISTER



Thursday, 13 March, 09:30 - 12:30 EST
(with a coffee break & refreshments)

Swedish Church, 5 E 48th St,
New York, NY 10017

*This event, contextualised in the 2024 EU Court ruling recognising systemic sex-discrimination as a ground for international protection in the EU, as well as the ongoing discussions around “gender based persecution” in the Statutes of Rome, will address **persecution of women because they are women**, international responses to such persecution, and arising from them forms of international protection.*

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In 2024, the European Union's Court of Justice was asked to determine if the Taliban's restrictions on Afghan women qualify as "acts of persecution" severe enough for automatic refugee status, without individual assessments. On 04/10/2024, in a landmark decision, the EU Court ruled that cumulative discriminatory measures against Afghan women, such as restrictions on education, employment, healthcare, and freedom of movement, and depriving women of legal protections, qualify as acts of persecution under EU Directive 2011/95/EU that sets parameters for granting international protection in the EU. The decision underscores that Afghan women, as a group, face inherent risks, making them eligible for refugee status without needing an individual assessment based on personal circumstances.

This decision has wider implications for women and girls who face grave and systemic discrimination as women. In the words of the EU court, in order to determine whether discriminatory measures amounts to persecution, a relevant authority does not need to take into consideration any aspects other than the applicant's sex and nationality. As such, it is relevant for many women around the world who live in states/under regimes where systemic and gross sex discrimination exists either because it is entrenched in law, or because the law is not implemented.

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