

Treaty for the Rights of Women Deserves Full U.S. Support

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America will always stand firm for the non-negotiable demands of human dignity: the rule of law; limits on the power of the state; and respect for women; private property; free speech; equal justice; and religious tolerance," stated President Bush in his 2002 State of the Union address.

A year later, the United States remains disturbingly absent from the list of 170 countries that support international standards for basic human rights for women. In an embarrassing irony, the United States stands alone as the only industrialized nation that has not ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). Other countries in our rank include Iran, Sudan, Somalia, and Afghanistan.

Background on CEDAW: Procedural Aspects and the Effect of Ratification

CEDAW affirms basic human rights for women and girls and is a tool to end abuses against them — physical, sexual, and legal. It creates international standards for women's human rights and provides a blueprint for nations to improve women's lives by protecting them from violence and trafficking; increasing access to education and economic opportunity; and securing legal rights.

Ratifying nations are required to file reports on how they are complying with their treaty obligations, outlining both challenges they face as well as progress they make. The reports are reviewed by a committee of 23 experts nominated and elected by states party to the treaty. The Committee on the Elimination of All Forms of Discrimination against Women (CEDAW Committee) provides recommendations to countries based on their specific situations. The enforcement mechanisms for this treaty are the same as for many others that the U.S. has ratified: political will and international pressure.

The treaty commits ratifying nations to overcoming barriers to discrimination against women in the areas of legal rights, education, employment,

In 1979, the United Nations adopted the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) at the UN Decade for Women Mid-Decade Conference in Copenhagen, Denmark. According to this treaty, countries that ratify or accede to it must take all appropriate measures to ensure the full development and advancement of women in all aspects of life, including the political, educational, employment, health care, economic, social, legal, and marriage and family relations spheres. CEDAW was passed by the UN General Assembly in 1981, and as of June 18, 2002, has been signed by 97 countries, with 170 ratifications, accessions, or successions. The United States became a signatory on July 17, 1980. This past year marked the closest the United States Senate has ever come to ratifying CEDAW, when the treaty was voted favorably out of the Senate Foreign Relations Committee by a bipartisan vote of 12 to 7 on July 30, 2002. However, the full Senate was unable to consider the Treaty before the end of the 107th Congress, so the treaty will revert back to the committee for further action in the current Congress.

health care, politics, and finance. Like all human rights treaties, CEDAW sets benchmarks within traditional enforcement mechanisms that respect sovereignty and democracy. In many of the 170 countries that have ratified the treaty, it has guided the passage and enforcement of national law.

Advocates have used the treaty to urge their governments to take actions such as investing in education for girls or passing laws to curb trafficking of women. Further, some countries have incorporated provisions of the treaty directly into their national law, and courts have cited CEDAW in decisions ranging from requiring protection from domestic violence to enabling women to inherit property.

The Current Impact of CEDAW

CEDAW has made a tangible impact on women's lives in countries where it has been ratified. In Turkey, CEDAW was used to rescind a government policy that forced female students to undergo virginity exams. In Tanzania, the High Court cited CEDAW in striking down a law that prevented women from inheriting clan land from their fathers. In their decision the Court stated, "The principles enunciated in the above named documents [including CEDAW] are a standard below

which any civilized nation will be ashamed to fall." In Colombia, courts have cited CEDAW in their rulings to provide legal recourse to female victims of domestic violence. The state now ensures protection for all such women. India's ratification of CEDAW was followed by an increase in girls' education.

Yet, much remains to be done. A strong U.S. voice and influence are essential to help halt sexual trafficking of women, to bring women into the economic mainstream, and to ensure that all girls and women have access to education and health care. The United States has much to offer as new democracies look for guidance on how to bring women's rights into the 21st century. The United States can work with other countries through the CEDAW Committee to make women full economic and political contributors — if it is at the table.

Ratification of CEDAW in the United States

Last July, for the first time in eight years, the U.S. Senate took action on the treaty. The Senate Foreign Relations Committee voted the treaty favorably out of committee with bipartisan

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