

About CEDAW: The Treaty for the Rights of Women

The Treaty for the Rights of Women is the world's most complete international agreement on basic human rights for women.

Officially known as the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), it outlines standards for ratifying countries to meet in the treatment and rights of women.

The treaty was adopted by the United Nations General Assembly in 1979. As of March 1, 2009, 185 countries have ratified the Treaty for the Rights of Women. Ratification is expected in at least two more countries during 2009.

Among the six other countries that have not yet ratified it are Sudan, Somalia, Iran and the United States.

How does the Treaty work?

Nations that ratify the Treaty commit themselves to take concrete action to improve the status of women and end discrimination against them. The ratifying nations commit themselves to:

- Take measures to ensure that women can enjoy the same basic human rights and fundamental freedoms as men.
- Have in place legal and judicial procedures to protect the rights of women.
- Take measures to eliminate discrimination against women by individuals, organizations or enterprises.
- Submit national reports every four years to a United Nations advisory group of international experts, the CEDAW Committee, to ensure transparency on what measures the country has taken to implement the provisions of the treaty.

The Unfortunate Facts of Life for too Many Women and Girls Around the World

Because millions of women and girls worldwide suffer daily violations of their human rights:

- Violence against women is pervasive: one in three women worldwide will experience assault, rape or other abuse during her lifetime.
- Two-thirds of the world's 771 million illiterate adults are women.
- Of the world's 1.3 billion poorest people, 70 percent are female.
- Millions of girls and women are denied equal access to property, legal action, civic life and public participation.
- Lack of adequate health care means more than 530,000 women die each year from pregnancy-related complications—one every minute.
- An estimated 80 percent of the 600,000 to 800,000 victims of human trafficking across international borders are girls under 18.

Invest in Women: It Pays.

Investment in rights for girls and women is hugely cost-effective.

- Worldwide, women operate most of the small businesses, but they are often denied the health care, education, training, credit, and legal and property rights they need to make their businesses grow.
- Girls with options for their lives beyond early marriage and childbearing can stay in school, creating economic benefits for their families, communities and nations.
- One year of secondary schooling can translate into an increase of 10 to 20 percent in future wages, according to World Bank research.
- Access to healthcare, including voluntary family planning services allows couples to determine the timing and spacing of their children to be sure their resources are adequate to provide each one with food, housing and education. Family well-being increases and the community and national economy benefits.

CEDAW: Successes around the World

Ratifying countries are at different places in the advancement of women. However, this Treaty has been a powerful tool for women's advocates in those countries to press their governments to live up to the Treaty's terms and standards, using CEDAW Committee records and findings to document the effects of changes:

- Measures have been taken in dozens of countries against sex slavery, domestic violence and trafficking of women: Ukraine, Nepal, Thailand and the Philippines all passed laws to curb sexual trafficking.
- Millions of girls are now receiving primary education who were previously denied access.
- Millions of women have secured essential loans and the basic right to own or inherit property
- Uganda, South Africa, Brazil, Australia and others have incorporated Treaty provisions into their constitutions and domestic legal codes.
- India developed national guidelines on workplace sexual assault after the Supreme Court, in ruling on a major rape case, found that CEDAW required such protections.
- Nicaragua, Jordan, Egypt and Guinea all saw significant increases in literacy rates after improving access to education for girls and women.
- Australia and Luxembourg created health campaigns promoting awareness and prevention of breast and cervical cancers.
- Colombia made domestic violence a crime and required legal protection for its victims.

The U.S. Situation: Should the United States ratify CEDAW?

A. U.S. ratification would give the United States far more leverage and credibility in the international community regarding women's rights issues than it has now, helping women and girls around the world. International cooperation is needed to achieve women's equality, and ratification would return the United States to its proper role as a world leader on behalf of women.

As a non-ratifying country, the United States currently has no official standing to speak out on violations of women's human rights. At the moment, abusers of women's rights in other countries

can reject U.S. criticism or calls for action on women's behalf on grounds that the United States wants to dictate to other nations what it has not applied at home. U.S. opponents use this to claim that United States does not really care what happens to women around the world.

Treaty ratification would lend the weight of America's global power and influence to furthering women's human rights worldwide. It would make real the U.S. promise of change for women's benefit around the world, and it would further the U.S. and international goal of reducing global poverty, supporting economic growth and increasing democratic rule.

Ratification would allow U.S. membership on the CEDAW Committee that reviews the regular reports from ratifying countries. The Committee spotlights abuses or progress made and bring global attention to women's situation.

The United States has a bipartisan tradition of support for international standards through human rights treaties: Presidents Reagan, Bush and Clinton ratified similar treaties on genocide, torture, race, and civil and political rights. The Treaty for the Rights of Women would continue that proud tradition.

The status of American women could stand improvement in many ways. The United States ranks low among industrialized countries on many comparative measures of women's well-being, such as maternal and infant mortality, health care, and women's political participation, among others. Women who work full time still earn only 87 cents to every dollar men earn, for example. The 2008 World Economic Forum Gender Gap Report places the United States 31st in overall gender equity, and 69th in the proportion of women representatives in Congress.

What is the process for ratification?

Senate consent will require a two-thirds majority – that is, 67 “yes” votes by the full United States Senate. (The House of Representatives has no role in the ratification process.) The Treaty will first be considered by the Senate Foreign Relations Committee. Chairman John Kerry (D-MA) is a longtime CEDAW champion, and the committee is likely to refer the treaty to the full Senate for a vote. Then the president signs the treaty, and ratification is complete.

How would CEDAW affect U.S. laws?

The Treaty is “non-self-executing,” which means legislation related to it would come before Congress in the same way any other bill does. It would not authorize any action not already allowed under U.S. law.

Countries can also express Reservations, Understandings or Declarations to clarify where domestic laws diverge from the Treaty. U.S. laws are generally in compliance already with the Treaty, which is also compatible with the U.S. Constitution, except where noted in the Reservations, Declarations and Understandings section.

Despite language in the Treaty “mandating” various conditions, the Treaty grants no enforcement authority to the United Nations or any other body. It requires only that a ratifying country report periodically to the UN CEDAW Committee on recent actions taken, and sets up a process for reviewing those reports. (See “How Does the Treaty Work?” above.)

CEDAW supporters

President Barack Obama has expressed firm support for Treaty ratification. Vice President Joseph Biden was a leader in the drive for ratification when he was chairman of the Senate Foreign Relations Committee, where the Treaty has twice won bipartisan approval. Secretary of State Hillary Rodham Clinton has also urged ratification, as has United Nations Ambassador Susan Rice.

Millions of women, men, girls and boys support the Treaty through the more than 200 U.S. religious, civic, and community organizations that make up a Working Group seeking ratification.

The supporters of US ratification of CEDAW include:

- American Bar Association,
- American Nurses Association,
- Amnesty International, National Education Association,
- National Coalition of Catholic Nuns,
- United Methodist Church, and
- YWCA.

In addition, a bipartisan consensus of U.S. voters has consistently supported human rights for women, showing overwhelming support for efforts to secure the rights of women and girls.

Note: This information was excerpted from the web site of the Working Group on Ratification of the UN Convention on the Elimination of All Forms of Discrimination against Women – www.womenstreaty.org – which has extensive resources on CEDAW.

Presented at
Zonta District 2 Conference
October 16 – 18, 2009