CEDAW: A Treaty for the Rights of Women

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AAA Committee for Human Rights

In July, through the efforts of Sheila Dauer, a member of the Committee for Human Rights’ (CFHR) Task Force on Women, the AAA joined a coalition of more than 100 organizations calling for US ratification of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). The AAA Executive Board approved AAA endorsement of US ratification of CEDAW in expectation that it will strengthen the impact of the ratification coalition.

A treaty that provides international standards for protecting and promoting women’s rights, CEDAW was adopted by the UN in 1979 and subsequently ratified by 170 countries. The US, however, remains among a small minority of countries, including Afghanistan, Iran and Sudan, that have not signed the treaty. The US is the only industrialized democracy that has not ratified CEDAW.

On July 25, 2002, the US Senate Foreign Relations Committee voted to bring the UN Women’s Convention out of committee and onto the Senate floor for a vote. With US ratification, CEDAW will become a stronger instrument in support of women’s struggles to achieve full protection and realization of their rights. Through ratification, the US can work toward strengthening international mechanisms for promoting and protecting women’s human rights and make clear its commitment to achieve the goals of the treaty to eliminate discrimination against women.

According to the UNIFEM (the UN Development Programme’s Fund for Women) report “Bringing Equality Home,” CEDAW has been successful in improving women’s rights and combating discrimination in nations that have ratified the treaty. CEDAW has contributed to the development of citizenship rights in Botswana and Japan, inheritance rights in the United Republic of Tanzania, and property rights and political participation in Costa Rica. It has fostered development of policies and laws against domestic violence in Turkey, Nepal, South Africa and the Republic of Korea. In addition, CEDAW is said to have had a positive impact on legal development in countries as diverse as Uganda, Colombia, Brazil, Ukraine and South Africa.

The CFHR and Amnesty International recognize CEDAW as an international tool, comprehensive in its approach, to address violations women and girls face. CEDAW is grounded in the realization that violence against women is rooted in discrimination and reinforces discrimination. Through its articles, it acknowledges that social, cultural and economic norms that deny women equal rights with men also render women more vulnerable to physical, sexual and mental abuse. Thus, Article 3 of the Convention calls on governments to ensure that women may exercise and enjoy human rights and fundamental freedoms on a basis of equality with men. Article 7 requires governments to assure women’s participation in all forms of public life, including participation in NGOs concerned with the public and political life of the country. Article 12 calls on governments to insure appropriate medical services in connection with pregnancy, confinement and the postnatal period.

Endorsing US ratification of CEDAW is consistent with the AAA’s record on human rights. In 1999, the AAA membership voted to adopt the AAA Declaration on Anthropology and Human Rights, which states, “As a professional organization of anthropologists, the AAA has long been, and should continue to be, concerned whenever human difference is made the basis for a denial of basic human rights, where ‘human’ is understood in its full range of cultural, social, linguistic, psychological and biological senses.”
This builds, however, on the “Universal Declaration of Human Rights (UDHR), the International Covenants on Civil and Political Rights, and on Social, Economic, and Cultural Rights, the Conventions on Torture, Genocide, and Elimination of All Forms of Discrimination Against Women, and other treaties that bring basic human rights within the parameters of international written and customary law and practice. The AAA definition thus reflects a commitment to human rights consistent with international principles but not limited by them.”

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