

What is CEDAW, Convention on Elimination of Discrimination Against Women?

By Linda Lowen,

Question: What is CEDAW, Convention on Elimination of Discrimination Against Women?

Answer: Adopted by the United Nations General Assembly on December 18, 1979, the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) is an international human rights treaty that focuses on women's rights and women's issues worldwide. (It is also referred to as the Treaty for the Rights of Women and the International Bill of Rights for Women.) Developed by the UN Commission on the Status of Women, the Convention addresses the advancement of women, describes the meaning of equality and sets forth guidelines on how to achieve it.

It is not only an international bill of rights for women but also an agenda of action. Countries that ratify CEDAW agree to take concrete steps to improve the status of women and end discrimination and violence against women. By the Convention's 10th anniversary in 1989, nearly 100 nations had ratified it. That number currently stands at 186 as the 20th anniversary draws near.

Interestingly enough, the United States is the only industrialized nation that refuses to ratify CEDAW. Neither will such countries as Sudan, Somalia, and Iran -- three nations known for their human rights violations.

The Convention focuses on three key areas:

- civil rights and the legal status of women
- reproductive rights
- cultural factors influencing gender relations

Within each area, specific provisions are outlined. As envisioned by the UN, the Convention is an action plan that requires ratifying nations to eventually achieve full compliance with the rights and mandates described below:

- **Civil Rights and Legal Status**
Included are the rights to vote, to hold public office and to exercise public functions; rights to non-discrimination in education, employment and economic and social activities; equality of women in civil and business matters; and equal rights with regard to choice of spouse, parenthood, personal rights and command over property.
- **Reproductive Rights**
Included are provisions for fully shared responsibility for child-rearing by both sexes; the rights of maternity protection and child-care including mandated child-care facilities and maternity leave; and the right to reproductive choice and family planning.
- **Cultural Factors Influencing Gender Relations**
To achieve full equality, the traditional roles of women and men in the family and in society must change. Thus the Convention requires ratifying nations to modify social and cultural patterns to eliminate gender prejudices and bias; revise textbooks, school programs and teaching methods to remove gender stereotypes within the educational system; and address modes of behavior and thought which define the public realm as a man's world and the home as a woman's, thereby affirming that both genders have equal responsibilities in family life and equal rights regarding education and employment.

Countries that ratify the Convention are expected to work toward implementing the above named provisions. As evidence of these ongoing efforts, every four years each nation must submit a report to the Committee on the Elimination of Discrimination Against Women. Composed of 23 experts nominated and elected by the ratifying nations, the Committee's members are regarded as individuals of high moral standing and knowledge in the field of women's rights. CEDAW annually reviews these reports and recommends areas requiring further action and ways to further eliminate discrimination against women.

According to the UN Division for the Advancement of Women:

The Convention is the only human rights treaty which affirms the reproductive rights of women and targets culture and tradition as influential forces shaping gender roles and family relations. It affirms women's rights to acquire, change or retain their nationality and the nationality of their children. States parties also agree to take appropriate measures against all forms of traffic in women and exploitation of women.

CEDAW - Why CEDAW is Essential to Women's Rights

Ratification of CEDAW Provides Mechanism to Push for Change for Women and Girls

By Linda Lowen

Sep 23 2010

Why do so few women in the U.S. know about the UN women's rights treaty named CEDAW -- the United Nations Convention to Eliminate All Forms of Discrimination Against Women? It's essentially an international bill of rights for women that nearly every country has ratified -- except for the United States. If we truly believe in equality of the sexes, then what's stopping us from ratification?

This is the first in a five-part series of interviews with international women's rights expert and CEDAW advocate Kavita N. Ramdas, President and CEO of the Global Fund for Women, the largest grantmaking foundation in the world focused exclusively on supporting international women's human rights.

Below, Ramdas provides insight into CEDAW and why linking women's rights to human rights is necessary.

Why is CEDAW needed? Why make women's rights a human rights issue?

CEDAW is essentially a bill of rights, similar to the Seneca Falls Declaration of Sentiments drafted over 150 years ago that became the foundational document in the women's suffrage movement.

CEDAW outlined the rights of women according to the Universal Declaration of Human Rights. The authors of CEDAW picked apart the human rights charter with a gender lens to look specifically at the gender specific forms of discrimination, whether it's economic, political, and social. What makes CEDAW critical to women's lives is that it's the only document we have that has a globally shared understanding of what a gender lens on human rights looks like.

If the U.S. ratified CEDAW, what benefits/guarantees would women enjoy that are denied to us now?

If CEDAW were ratified, women would not necessarily enjoy new guaranteed benefits immediately. Rather, women would be able to hold their government accountable for the fulfillment of aspirations that are laid out in CEDAW.

When we look at countries that have ratified CEDAW, it's not necessarily that the women and girls of those countries enjoy a privileged position or that their experience of their human rights is better or worse than the United States. It's simply that they are able to use CEDAW as a mechanism to hold their government's feet to the fire and continue to push them to make incremental and sometimes radical changes in terms of what they're doing to insure women's equality and gender justice inside their own society.

What Would Happen if the U.S. Ratified CEDAW?

Increase Women's Participation in Politics, Ensure Equal Pay for Equal Work

By Linda Lowen, About.com Guide

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Though little-known in the U.S., CEDAW -- the United Nations Convention to Eliminate All Forms of Discrimination Against Women is a treaty that serves as an international bill of rights for women. Nearly every country has ratified it except for the United States. So why doesn't the U.S. support international women's rights?

This is the second in a five-part series of interviews with international women's rights expert and CEDAW advocate Kavita N. Ramdas, President and CEO of the Global Fund for Women, the largest grantmaking foundation in the world focused exclusively on supporting international women's human rights.

Below, Ramdas examines CEDAW and the reasons why the U.S. has refused to ratify the treaty.

Why has the U.S. neglected to ratify CEDAW? What portions of the provision are sticking points for some, and does partisanship play a role?

There are a few reasons why the U.S. has not ratified CEDAW.

If they did so, the U.S. government would essentially not be in compliance with some of the expectations of CEDAW and would have to change certain aspects of existing U.S. laws. These might include the potential use of quotas, such as in the political process to help equalize women's participation.

If the U.S. implemented CEDAW, it would mean that equal pay for equal work would be law. In the U.S., an individual's pay is based on what his/her output is worth, which is theoretically determined by the market. This pay/output formula is applied on an entirely individual basis, so if the U.S. ratified CEDAW, unequal pay for equal work would not be in compliance with the law.

In actuality, many countries have ratified CEDAW as a gesture of intent, not necessarily because all their laws are by any means in compliance. Many countries have ratified it with caveats on specific sections, so there would be ways to get around that.

The very clear articulation of women's reproductive and sexual rights in CEDAW is a sticking point for certain groups in the U.S. Certainly in the context of U.S. politics, the split over CEDAW would potentially have a partisan flavor because for the most part conservative Republicans (and a handful of conservative Democrats) do not agree with the articulation of reproductive rights and freedoms particularly as they pertain to the question of sex education and abortion.

Where Does the U.S. Stand on CEDAW and Women's Rights

In the Global Gender Gap, U.S. Ranks 31st and Compares Poorly to Other Nations

By Linda Lowen, About.com Guide

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The UN women's rights treaty known as CEDAW -- the Convention to Eliminate All Forms of Discrimination Against Women -- has never been ratified by the United States. Despite our belief that the U.S. supports equality between the sexes, we don't compare favorably with other nations regarding gender equity and ensuring women's rights. Why is this so, and what nations do significantly better?

This is the third in a five-part series of interviews with international women's rights expert and CEDAW advocate Kavita N. Ramdas, President and CEO of the Global Fund for Women, the largest grantmaking foundation in the world focused exclusively on supporting international women's human rights.

Below, Ramdas discusses CEDAW and where the U.S. ranks in gender equity as compared to other nations.

Here in the U.S., we perceive our nation as very forward-thinking in terms of women's rights. As CEDAW shows us, the reality may not be so rosy. What nations have policies in place that guarantee women equal rights, and where does the greatest gender parity exist across government, industry, and society? What countries 'get' women's issues and address them most effectively?

You're absolutely right about the U.S. not being the forward thinking nation that we think it is in terms of women's rights and gender parity.

In fact, the World Economic Forum recently released a report on the Global Gender Gap for 2009 measuring gender parity on health, economic, politics and education. The United States didn't even make the top 10—out of 134 countries, the U.S. ranked number 31.

As expected, the top four countries were the Scandinavian countries (Iceland, Finland, Norway and Sweden respectively), followed by New Zealand, South Africa, Denmark, Ireland, Philippines and Lesotho.

Of course none of those countries achieved complete parity, but many of these countries—like Lesotho and South Africa—made significant jumps from the previous year. Many of the women's groups in Lesotho attribute the improved gender parity to the commitments the government has made to advancing women's rights, including signing onto CEDAW and the rights of the child, as well as domestic legislation, such as compulsory education for all boys and girls and legal rights for women to own land.

Overall, the report found that 67% of the countries are improving their gender equality, while 33% are getting worse. One area that has really minimized the gap has been in education, but where major gaps still remain is in political empowerment.

In the United States, we have only 17 percent of women in Congress and 83 percent men, which puts the U.S. at number 70 in terms of women's political representation. Many African countries and India fare higher because they have policies on women's political participation, such as quotas.

Furthermore, I think we need to rethink not just gender equality, but the game in general. We may strive for equal rights but oftentimes in a very masculinized society. In the U.S. women's individual rights are guaranteed, but this is a hyper masculine country where the notion of women's equality is basically that women get to be just like men, like we get to join the military.

We have to ask ourselves: are we willing to play on the same playing field or are do we need to re-imagine the game entirely?

What is President Obama's Position on CEDAW?

Bipartisanship Influences Obama Administration's Reluctance to Ratify CEDAW

By Linda Lowen, About.com Guide

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Every U.S. citizen needs to know about the UN women's rights treaty named CEDAW -- the United Nations Convention to Eliminate All Forms of Discrimination Against Women. Nearly every country has ratified it except for the United States. Where does the Obama administration stand on women's rights and ratification of CEDAW?

This is the fourth in a five-part series of interviews with international women's rights expert and CEDAW advocate Kavita N. Ramdas, President and CEO of the Global Fund for Women, the largest grantmaking foundation in the world focused exclusively on supporting international women's human rights.

Below, Ramdas explains why the Obama administration is hesitant in pushing for ratification, despite appearing supportive of the idea.

Is the Obama administration friendly to CEDAW? Who have been and/or will be the key players in pushing ratification forward? What are the current prospects for ratification?

In theory the Obama administration is very friendly to CEDAW and Secretary of State Clinton has clearly said that CEDAW should be something that we ratify. They've stated clearly that they believe in women's equality so in theory they should be in complete agreement on CEDAW.

In reality we're seeing that they're reluctant to push it forward because it's seen as something they will receive a lot of push back on by Republicans. And at the moment, they don't appear to have the stomach right now to do that.

The key players in pushing ratification forward will be a good number of senior senators, preferably a bipartisan leadership. The administration does need to take a much bolder stance and say that it's a priority for the administration in this first term to get CEDAW ratified and these are the reasons why.

The current prospects are bleak unless the administration is much more assertive about its ratification. That's the reality.

How to Push for Ratification of CEDAW

How Can We Push to Ratify CEDAW? Through Knowledge, Advocacy, and Activism

By Linda Lowen, About.com Guide

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Women in the U.S. need to know that there's an international women's rights treaty that has yet to be ratified by this country. CEDAW -- the United Nations Convention to Eliminate All Forms of Discrimination Against Women is a treaty that nearly every country has ratified -- except for the United States. Ratification would lead to equal pay for equal work and ways to increase women's participation in the political arena, among other benefits.

This is the fifth and last in a series of interviews with international women's rights expert and CEDAW advocate Kavita N. Ramdas, President and CEO of the Global Fund for Women, the largest grantmaking foundation in the world focused exclusively on supporting international women's human rights.

Ramdas provides specific steps for women to take to encourage the U.S. to ratify CEDAW.

What can the average woman do to push for ratification of CEDAW? What are resources she can draw upon, and what are the action steps she can take?

The 'average' woman can do quite a lot. She can start by educating herself about CEDAW.

One of the comments we heard back from the administration is that CEDAW is such a bad name. Why isn't it called the UN women's rights treaty?

In fact, it's often referred to as the UN women's rights treaty; but for most people in the United States, there's no education in general about the United Nations. So you can imagine how little understanding there is of CEDAW.

Most Americans don't know about the convention on the rights of the child or in general about human rights. So the average woman can educate herself about all those human rights documents and materials, and CEDAW in particular.

It's important to note that sixteen states and Guam have all passed some legislation on CEDAW, including the city of San Francisco.

Once educated about CEDAW, women can and must talk to her Congressperson and senator about ratification. They should ask why the United States is in the company of Sudan, Somalia and Iran by not ratifying CEDAW.

Women can draw on resources such as UNIFEM, WILD in San Francisco (the Women's Institute for Leadership Development for Human Rights), and other women's organizations in other parts of the world. Certainly we have many resources at the Global Fund for Women.

And if she wants to take it to the next level, she can certainly join many campaigns to pass CEDAW and also improve the rights of women, such as the GEAR campaign to form a stronger women's body at the United Nations.

What is a 'Clean' CEDAW and What are RUDs?

U.S. Proposed Restrictions Would Limit This International Women's Bill of Rights

By Linda Lowen, About.com Guide

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The U.S. is one of just eight countries (and the only democracy) that has not ratified CEDAW, the United Nations Convention on the Elimination of All Forms of Discrimination Against Women. In an attempt to ratify CEDAW during the administration of President George W. Bush, in 2002 the Senate Foreign Relations Committee attached conditions called RUDs -- Reservations, Understandings, and Declarations -- to limit the impact of CEDAW.

Led by Senator Jesse Helms (R-North Carolina), a vocal opponent of abortion, the committee imposed 11 restrictions which run counter to CEDAW's intent as an international bill of rights for women. Included among the RUDs were limitations that negated CEDAW's mandated paid maternity leave and access to family planning and reproductive health care (including abortion.)

In essence, according to international human rights lawyer Janet Benshoof, founder and president of the Global Justice Center, the RUDs created a version of the women's treaty that is a "gutted CEDAW." And by ratifying this version, the U.S. would set a dangerous legal precedent:

Although the RUDs seemingly apply solely to American women, they eviscerate the core of CEDAW, the definition of equality and provide legal authority to those who want to undermine women's rights....[T]his gutted CEDAW poses even more danger than continued U.S. isolation. The Senate should advise and consent to the ratification of a clean CEDAW unencumbered by reservations. They should not ratify a CEDAW that limits the full scope of women's equality rights.

In an analysis of these RUDs commissioned by the National Organization for Women (NOW) Foundation, attorney and human rights law expert Martha Davis found that nearly all were "undesirable, objectionable or constitutionally unnecessary." In its position paper "Don't Be Deceived: Only a 'Clean' CEDAW' Should be Ratified," The NOW Foundation argued that the RUDs:

...convey a clear lack of commitment to ending discrimination against women and specifically claim no responsibility for the U.S. to undertake efforts to expand maternity leave, improve access to health care services for women, or take more effective efforts to address sex-based pay discrimination, among other objectives that would promote women's equality.

Another key issue that the NOW Foundation highlights is the Reservation that opposes the "doctrine of comparable worth." By refusing to comply with this critical aspect of CEDAW, this action by the U.S. would have a "chilling effect on efforts to advance legislation that would strengthen current laws prohibiting sex-based pay discrimination." As the NOW Foundation noted:

Davis points out in her memo to NOW: "Instead of taking a blanket reservation to enacting comparable worth legislation, the U.S. should commit to bringing U.S. law into conformity with the international standards of wage equity." Already, 12 states have comparable worth legislation and three other states use a different term to describe this standard.

It is widely anticipated that Sen. Barbara Boxer (D-Calif.), chair of the new Senate Foreign Relations Subcommittee on International Operations and Organizations, Human Rights, Democracy and Global Women's Issues, will begin CEDAW hearings once again. As she told the Associated Press in March 2009, the subcommittee's hearings will focus on a "clean" CEDAW free of the RUDs that were previously attached.

Sources: Benshoof, Janet. "Twisted Treaty Shafts U.S. Women." On the Issues, Winter 2009.

"Discord Expected Over Women's Rights Pact." Associated Press at MSNBC.com. 7 March 2009.

"Don't Be Fooled: Only a 'Clean' CEDAW Should be Ratified." NOWFoundation.org. 31 August 2009.

CEDAW Resolution for District 11

Sponsored by Jean Bryant, District 11 Legislative Advocacy Chair, 2009

Whereas; Zonta International has supported the UN since 1946 and, as an international non-governmental organization (NGO), has brought women's concerns to the UN; and

Whereas; Zonta and other women's organizations worked for decades to get the UN to adopt a comprehensive Convention (Treaty) to eliminate discrimination against women that would codify rights delineated in a series of individual treaties or subsumed in generic human rights documents; and

Whereas; the Convention to Eliminate All Forms of Discrimination Against Women (CEDAW) was adopted by the General Assembly of the United Nations in 1979 by votes of 130 to none with 10 abstentions, to guarantee women's rights that were not previously subject to international standards, including rights in the political, social, economic and cultural realms and family life; and

Whereas; on 17 July 1980 at the Copenhagen World Conference on the United Nations Decade for Women, "Equality, Development and Peace", 64 States signed the Convention, and on 3 September 1981, 30 days after the twentieth member State had ratified it, the Convention went into effect; and

Whereas; the United States was active in drafting the Treaty for the Rights of Women and President Carter was among the leaders who signed the Convention on 17 July 1980; and

Whereas; in September 1994, the Senate Foreign Relations Committee voted 13 to 5 with one abstention for ratification of the Treaty, and again on 30 July 2002, the Senate Foreign Relations Committee supported ratification by a bipartisan vote of 12 to 7, but each time opponents blocked action by the full Senate; and

Whereas; the 55th International Convention of Zonta International in 2002 passed a resolution promoting CEDAW and the Optional Protocol adopted in October 1999 by the UN General Assembly, and urged clubs to take action in support of the treaty; and

Whereas; as of 15 February 2008, a total of 185 countries (over 90% of the members of the UN) have ratified the Convention, but the United States is the only industrialized nation that has not ratified the Treaty; and

Whereas; the Zonta International United Nations and Legislative Awareness and Advocacy Committees have made active support and implementation of the terms of CEDAW by Zonta Clubs one of its priorities this biennium (2008-2010), and have urged Zonta clubs in the United States, the only Zonta country that has NOT ratified CEDAW, to work for the ratification of this convention by December 2009, the 30th Anniversary of CEDAW;

BE IT RESOLVED, therefore, that:

1. District 11 urges members to educate themselves about the importance of ratification of CEDAW by the United States.
2. District 11 urges Zonta clubs to make ratification of CEDAW by the United States one of their main legislative advocacy projects this biennium.
3. District 11 encourages members to draw upon their diverse expertise and resources to educate the public about the need for the United States to become a party to CEDAW.
4. District 11 encourages members to work with other community organizations in their respective states to urge their United States Senators, the members of the Senate Foreign Relations Committee, the U.S. Secretary of State, and the President of the United States to ratify CEDAW, thereby strengthening America's position among nations as an advocate for women's equality and human rights.