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Analysis: Women still face obstacles, says UN

By Carolyn Nardiello
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On the 25th anniversary of the UN Committee on the Elimination of Discrimination against Women, UN officials say that significant improvements have been made, but there is still work to be done.

"Much has been achieved under the committee's supervision, but we still have a long way to go in achieving full compliance with all the convention's terms," UN General Assembly President Sheikha Haya Al Khalifa told an audience Monday at UN World Headquarters in New York of mostly women delegates from nongovernmental organizations, diplomats, committee members, and UN officials.

Sheikha Haya, who set a precedent by becoming the first woman from an Arab country and first female Muslim to lead the General Assembly, said, "We remain discouraged by the reservations that member states hold on particular articles on the basis of religious interpretations, national law, tradition, or culture."

The 23-person committee was established in 1982 to monitor compliance with the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). The accord was adopted in 1979 and entered into force in 1981.

The convention, often described as the international bill of rights for women, has 185 member nations legally committed to ending discrimination against women - political, economic, social, cultural, civil, or other types.

The three-week CEDAW session in New York will examine reports from Belize, Brazil, Estonia, Guinea, Honduras, Hungary, Indonesia, Jordan, Kenya, Liechtenstein, New Zealand, Norway, Singapore, and South Korea. Each party to the treaty submits reports at least every four years on their work toward complying with obligations.

Janet Walsh, deputy director of the women's rights division of Human Rights Watch, said that some governments that sign on to the treaty include reservations with their acceptance, making them not bound to certain provisions and cutting down their obligations. "It defeats the purpose of the convention in some ways," she said.

Committee member Ferdous Ara Begum of Bangladesh said that the reasons that governments include reservations is fear or agitation within their countries from extremist groups or religious groups.

"Actually if we restrict countries' ratification due to reservations, women of those countries will be totally deprived of the benefit of the convention," she said on the sidelines of the conference, explaining that according to the treaty, limits to it are not illegal.

Walsh said that one of the challenges that still remain for CEDAW is the continuing pervasive discrimination against women by those who create and enforce laws, but in its 25 years, the committee has made huge strides in substance.

"The process of putting governments in a position of taking humans rights seriously, critiquing themselves, and holding themselves up to scrutiny, is a huge accomplishment," she said.

Louise Arbour, UN high commissioner for human rights, told the opening day's session that the convention's suggestions and general recommendations based on the reports represent a major achievement of the committee in its quarter-century history.

"At the outset, these were narrowly focused and usually procedural," Arbour said. "Now the committee's general recommendations provide its collective view, grounded in its knowledge acquired through the consideration of reports from diverse states parties, of the appropriate measures states should take to fulfill their obligations under the convention, and how these obligations should be applied in varying situations."

Arbour said that the group's general recommendation on female circumcision was the first of a UN body to do so on this practice. It also was the first treaty body to adopt a general recommendation on HIV/Aids. Another on violence against women was a "crucial building block" to recognizing gender-based violence as a violation of human rights, she said, and the impetus to forming and adopting the Declaration on the Elimination of Violence against Women.

"This general recommendation has been profoundly influential in law reform and in the formulation of policies and programs to create protection and remedies for women and girls subject to, or at risk of, violence," Arbour said. "It has also been relied on by advocates and courts around the world."

Rachel Mayanja, assistant UN secretary-general and advisor on gender issues and the advancement of women, also said that positive change resulted.

"The South African and Ugandan constitutions, for instance, contain significant provisions guaranteeing women's equality, which are based on the convention's principles," she said.

In Nepal, the supreme court relied on the convention when introducing a discriminatory bill to parliament, and "another example is Canada," she said, "where the supreme court, in considering a case of alleged sexual assault, drew on the convention and the committee's general recommendation number 19 on violence against women."

But, Arbour said, even though global interest in human rights is at an all-time high, obstacles remain.

"Prime among them is the resurgence of notions that human rights are not necessarily universal, but are to be restricted because of the imperatives of culture, custom, tradition, and religion; ideas often raised in discussions of the rights of women and girls," she said.

CEDAW will continue to scrutinize laws and expose those inconsistent with the convention and international human rights law, she said. "By promoting the committee and women's human rights generally, we push the entire human rights agenda forward."

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