



INTER PRESS SERVICE
NEWS AGENCY

THE STORY UNDERNEATH



RIGHTS: U.N. Body Relentlessly Pursues Women's Equality
By Thalif Deen

UNITED NATIONS, Jul 31 (IPS) - The U.N. Committee on the Elimination of Discrimination Against Women (CEDAW) is known to publicly castigate countries accused of gender discrimination or violating international conventions governing women's rights.

So, when it met in January 2001, the 23 experts in the Committee came down heavily on the Maldives, whose constitution barred a woman from becoming either the president or vice president of that Indian Ocean island nation.

But, as befits tradition, CEDAW provided a political platform to Aneesa Ahmed, deputy minister of the ministry of women's affairs and social security, to give her side of the story.

In her country's defence, she pointed out that removing the two articles in the country's constitution was widely debated upon, but a two-thirds majority in the Special Majlis, or the Constitutional Council, voted in favour of retaining the clauses.

"In a democracy," she told CEDAW, "the majority view had to be respected. However, this did not rule out the possibility of the people considering the matter in the next round of constitutional review."

And seven years later, the Maldives, described as one of the few countries in the world where a woman could not run for high political office, changed its constitution.

Speaking from the Maldivian capital of Male, Ahmed Saleem, president of the country's Human Rights Commission, told IPS that the changes took place as a culmination of the move towards greater democracy which began by the end of 2003.

He said Article 109 of the 2008 constitution, ratified that August, gives the right for women to run for the highest political office in the country.

Saleem said that "much of the institutional and legal barriers that hindered the development of women and their active participation in public life have now been overcome".

However, he added, considerable work needs to be done to ensure that the rights available on paper are realized fully, in a tangible manner.

Saleem also argued that women in the Maldives, compared to other Muslim countries, have had more rights, including voting, high-paying jobs and equal pay.

"As a matter of fact, more women work in the government as well as in the public sector in the Maldives," he added.

The U.N. Committee is currently holding a three week session, to be concluded Aug 7, to review the status of women in 11 countries: Azerbaijan, Bhutan, Denmark, Guinea-Bissau, Laos, Japan, Liberia, Spain, Switzerland, Timor-Leste and Tuvalu.

The topics listed on CEDAW's current agenda include domestic violence, political participation, discriminatory family law, human trafficking, rights of older women and the economic consequences of divorce.

The Committee meets regularly to review women's rights in 186 countries that are parties to the 30-article Convention on the Elimination of All Forms of Discrimination Against Women, which was adopted 30 years ago.

While reviewing a report submitted by Switzerland last week, one of the experts on the Committee, Silvia Pimentel, expressed concern over the fear of some migrant women to return to their home countries after their violence-plagued marriages failed.

She asked what was being done by the Swiss government to assure such women of continued residence in Switzerland.

A Swiss delegate told the Committee that the government had decided in 2008 to ratify the Council of Europe Convention and to create a law for victim protection, which is expected to be adopted in 2010.

Asked about the significance of CEDAW calling into account the track record on women's rights, Colette Tamko of the Women's Environment and Development Organisation (WEDO) told IPS that CEDAW is an important mechanism for advancing women's rights globally.

Through its tracking of countries' harmful practices, it plays a critical role in sharing and disseminating information.

She said the Committee's work aims to promote member states' accountability to women's rights and equality, but CEDAW often times makes recommendations that governments don't feel like they have to follow.

"This is an issue that pertains to international law in general and, as for other treaty bodies, the challenges remain in the implementation".

However, unlike the 1995 Beijing Platform of Action and its outcome document that are non-binding, the Convention once ratified by a country and domesticated, becomes legally binding. And a country could be held accountable on the basis of that treaty, she added.

Taina Bien-Aime, executive director of Equality Now, told IPS that the CEDAW Committee is a critical body within the UN system.

"It provides the rare opportunity and a forum to directly question governments' accountability to international law and the pledges they have made in protecting and promoting the rights of women".

She pointed out that the majority of the presenting governments appear to take the reporting seriously and the Committee does make efforts to highlight progress made as well as identify shortcomings.

Governments should regard the CEDAW Committee as a helpful tool to improve their record on upholding women's rights.

The Committee is also an essential tool to review regularly governments' record on discrimination against women in all of its forms.

"Exposure of human rights violations against women is the first critical step toward eradication of such abuses," Bien-Aime added.

Tamko of WEDO said finger-pointing has definitely produced some positive changes in a number of countries.

The Committee always takes shadow reports from non-governmental organisations (NGOs) "and I do think that CEDAW is basically as effective as are women's organizations in a designated country."

Over the past 15 years, women have learned how to use CEDAW to denounce harmful practices and advance their rights.

The effectiveness of the Committee depends on how well the national women's machineries are able to produce good shadow reports, follow-up on the Committee's recommendations and hold their governments accountable on that basis, said Tamko, who is Coordinator of WEDO's Gender and Governance Programme.

"In my view, its effectiveness as a pressure group is context-specific and depends on the level of sophistication of the women's movement in the country and the political will for a change in that country (ratification and implementation into national laws)."

"What effectively worked in the Maldives perhaps could not have worked in Burma (governed by a military junta)," she added.

She said the Maldives outcome was a positive advance and it is one of the reasons why CEDAW should continue.

"But let's be clear, the very fact that subsequent recommendations by the Committee can result in changes that eliminate discrimination and benefit women by protecting their rights makes CEDAW an effective process", Tamko said.

Bien-Aime of Equality Now said the CEDAW Committee sessions also provide a unique opportunity within the United Nations for civil society to challenge their governments on specific issues relating to women and girls' rights and to hold them publicly accountable to their promises.

The Committee's "Concluding Comments" can become critical tools for sustained advocacy on behalf of women and girls and another venue through which to put pressure on governments to implement CEDAW.

"Great value to the Committee would be added, however, if it had a stronger mechanism to follow-through its recommendations above and beyond the periodic review of a particular government."

The pressure on governments to live up to their obligations would continue and much-needed change would accelerate, she declared.

(END/2009)