

THE CREATION OF CEDAW

When the fact of women's humanity proved insufficient to guarantee them the enjoyment of their internationally agreed rights laid out in various international human rights treaties from the United Nations (UN), it became clear that a treaty specifically addressing women's right was needed.

Many conventions and commissions were then formed dealing with specific issues of women, but the approach they reflected was fragmentary because they failed to deal with discrimination against women in a comprehensive way. In addition, there was concern that the general human rights regime was not, in fact, working as well as it might to protect and promote the rights of women.

The General Assembly of the UN decided to prepare a single, comprehensive and internationally binding instrument to eliminate discrimination against women. The text of the Convention on the Elimination of All Forms of Discrimination against Women was prepared by working groups within the Commission on the Status of Women during 1976 and extensive deliberations by a working group of the Third Committee of the General Assembly from 1977 to 1979.

The final treaty was presented at the World Conference on the United Nations Decade for Women that took place at the Copenhagen on 17 July 1980. On 3 September 1981, 30 days after the twentieth member State had ratified it, the Convention entered into force - faster than any previous human rights convention had done.

The History of all times, and today especially, teaches that women will be forgotten if they forget to think about themselves.

—Louise Otto

WANT TO HELP CEDAW PASS LOCALLY?

JOIN THE CEDAW TASK FORCE!

The CEDAW Task Force was created by the Board of Supervisors to explore the possibility of passing the ordinance in Santa Clara County.

The mission of the Task Force is to raise awareness regarding the principles and CEDAW and to develop, promote and pass an ordinance embodying those principles in order to achieve a genuine equality for women and girls in Santa Clara County where women feel truly valued and empowered with opportunities to excel.

If you are interested in promoting the rights of women in Santa Clara County by passing CEDAW then contact the Office of Women's Policy and tell them you want to join the CEDAW Task Force!

Never doubt that a small group of thoughtful committed citizens can change the world. Indeed, it is the only thing that ever has.

—Margaret Mead

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C.E.D.A.W.

Convention on the
Elimination of all forms of
Discrimination
Against
Women



Sandra Tompau for International Women's Day

The care of human life and happiness, and not their destruction, is the first and only object of good government.

—Thomas Jefferson

DOES SANTA CLARA COUNTY NEED CEDAW?

- Do women face discrimination or sexual harassment on the job?
- Is violence against women a problem in our community?
- Do negative stereotypes of women exist in our society?
- Do men experience the same issues as women if they choose to have children?
- Do men and women have equal pay for equal work?
- Are women represented proportionately in public office?

WHY HAVE CEDAW LOCALLY?

- The United States is 1 out of only 13 countries that has not signed CEDAW. Some of the other 13 countries include Iran, Somalia, Sudan, Monaco and Brunei. Passing the CEDAW locally would send a message to national leaders that the rights of women are important and must be protected and that U.S. ratification of CEDAW is critical.
- By implementing the principles of CEDAW, we are able to intervene to prevent discrimination rather than react to discrimination that has already affected the lives of women.
- The goal of government is provide the people with equal access to services and opportunities. It is the government's role to protect and preserve this human right of equal access. CEDAW would give local government a human rights framework, which promotes good governance.
- It will serve as a comprehensive tool that would require the county to take all appropriate measures to eliminate discrimination against women in areas of social and economic life.

TREATY SUMMARY

Article 1: Defines discrimination against women as any "distinction, exclusion, or restriction made on the basis of sex, which has the effect or purpose of impairing or nullifying the recognition, enjoyment, or exercise by women, irrespective of marital status, on the basis of equality between men and women, of human rights or fundamental freedoms in the political, economic, social, cultural, civil, or any other field."

Article 2: Mandates countries to condemn discrimination in all its forms and to ensure a legal framework, including all laws, policies, and practices that provide protection against discrimination and embody the principle of equality.

Article 3: Requires that countries take action in all fields—civil, political, economic, social, and cultural—to guarantee women's human rights.

Article 4: Permits countries to take "temporary special measures" to accelerate equality.

Article 5: Declares the need to take appropriate measures to modify cultural patterns of conduct as well as the need for family education to recognize the social function of motherhood and the common responsibility for raising children.

Article 6: Obligates countries to take measures to suppress trafficking in women and the exploitation of prostitution of women.

Article 7: Mandates countries to end discrimination against women in political and public life and to ensure women's equal rights to vote, to be eligible for election, to participate in the formulation of policy, to hold office, and to participate in associations and non-governmental organizations in these arenas.

Article 8: Requires action to allow women to represent their governments internationally on an equal basis with men.

Article 9: Mandates that women will have equal rights with men to acquire, change, or retain their nationality and that of their children.

Article 10: Obligates countries to end discrimination in education, including in professional and vocational training, access to curricula, and other means of receiving an equal education and to eliminate stereotyped concepts of the roles of men and women.

Article 11: Mandates the end of discrimination in the field of employment, including the right to work and to have access to employment opportunities, to equal remuneration, to free choice of profession and employment, to social security, and to protection of health (including maternal health) and also ends discrimination on the grounds of marriage or maternity.

Article 12: Requires steps to eliminate discrimination in health care, including access to services such as family planning.

Article 13: Requires that women be ensured the same rights as men in all areas of social and economic life, such as family benefits, mortgages, bank loans, and participation in recreational activities and sports.

Article 14: Focuses on the particular problems of rural women, including participation in development planning and access to adequate living conditions and health care, credit, and education.

Article 15: Obligates countries to take steps to ensure equality before the law and the same legal capacity to act in such areas as contracts, administration of property, and choice of residence.

Article 16: Requires steps to ensure equality in marriage, including equal rights with men to choose marriage freely; equal rights and responsibilities toward children, including the right to decide freely and responsibly the number and spacing of children and to have the means to do so; and the same rights to property.

Article 17: Calls for establishment of the Committee on the Elimination of Discrimination Against Women (CEDAW) that will evaluate progress made in implementation of the Treaty.

Article 18: Establishes a schedule for ratifying countries to report to the committee on progress.

Article 19: Establishes the ability of CEDAW to adopt rules of procedure and sets a two-year term for its officers.

Article 20: Sets annual CEDAW meetings to review countries' reports.

Article 21: Directs CEDAW to report annually to the General Assembly through the Economic and Social Council of the United Nations and to make suggestions and general recommendations based on the countries' reports.

Article 22: Allows for specialized agencies of the UN to be represented and for CEDAW to invite reports from them.

Articles 23-30: Set forth elements of the operation of the Treaty, including the manner by which the Treaty comes into operation, the limits on the scope of permissible reservations, and the way in which disputes between countries can be settled.