

**“United Nations efforts in promoting women's human rights”
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**Conference on: “Human Rights, An Endangered Concept:
The United Nations and the Advancement of Human Rights”**

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West Triangle and Wake County Chapters
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Distinguished participants,

I am honoured to be here at North Carolina State University to make this presentation on the United Nations’ efforts to promote and protect women’s human rights. I congratulate the West Triangle and Wake County Chapters of the United Nations Association in North Carolina for the initiative in organizing this conference.

Human rights and fundamental freedoms are inherent in the human person, and women and men are entitled to the protection and enjoyment of these rights and freedoms on a basis of equality and non-discrimination. Despite the global recognition of and support for this principle, women continue to face serious gaps and challenges to the full enjoyment of their human rights. Discrimination against women in law and in practice prevails around the world, as reflected in the persistence of violence against women, women’s under-representation in public life and decision-making, lack of access to education and adequate health services and disadvantages in the labour market, unequal access to land, property and inheritance, and the growing and devastating impact of the HIV/AIDS pandemic on women. Stereotypes and traditional and cultural attitudes and practices which constitute discrimination against women exist in all countries in all parts of the world and perpetuate women’s position of inferiority in the family and in society.

Over the past six decades, the United Nations has played a significant role in the promotion and protection of women’s human rights, including through the progressive elaboration of the substantive content of women’s human rights and of the creation of mechanisms and processes to support implementation and monitoring of the enjoyment by women of their rights. The United Nations has had the lead role in putting in place the global normative standards of equality between women and men and the elimination of discrimination and violence against women and girls. The United Nations provides a forum for debate where critical policy discussions and decision-making take place, and it plays an important role in compiling and disseminating information on the status of women generally, and on women’s enjoyment of their human rights in particular.

Let me highlight some of the key elements in this work of the United Nations for the promotion and protection of the human rights of women.

Since its creation in 1945, equality of women with men has been on the agenda of the United Nations. The Preamble to the Charter of the United Nations sets as a basic goal "to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women". Article 1 of the Charter proclaims as one of the purposes of the United Nations the achievement of international cooperation in promoting and encouraging respect for human rights and fundamental freedoms for all people "without distinction as to race, sex, language or religion".

Building on these initial commitments, specialized norms and standards and policies and mechanisms specifically support the promotion of women's equality and the elimination of discrimination against women. At the same time, bodies and mechanisms across all sectors, including those dealing with human rights, are called upon to contribute actively to the practical realization of the principle of the equality of women and men, through the gender mainstreaming strategy. This strategy is based on the understanding that gender equality must be addressed as a strategic objective by society as a whole, rather than perceived as a "women's concern". It also recognizes that women's unequal status is based on and is perpetuated by structures of systemic inequality and discrimination against women.

Convention on the Elimination of All Forms of Discrimination against Women

The Convention on the Elimination of All Forms of Discrimination against Women constitutes the pinnacle of the United Nations' standard-setting work on gender equality. This landmark treaty moves beyond guarantees of equality in earlier, specialized legal instruments, such as that on the political rights of women of 1952, as well as general human rights treaties. The Convention sets out, in legally binding form, a comprehensive legal framework for women's equality. Prepared by the Commission on the Status of Women, the central inter-governmental body in the United Nations responsible for the promotion of gender equality, and adopted by the General Assembly on 18 December 1979, the Convention now has 185 States parties, which are obligated to translate its provisions into practice. Currently, there are eight Member States of the United Nations, including the United States, which have not yet ratified the Convention.

Adherence to the Convention requires the practical realization of the principle of equality of women and men and fosters a climate – both internationally and nationally - where violations of the rights of women will not be tolerated. The Convention provides for women's equal enjoyment with men of civil, political, economic, social and cultural rights, and requires States parties to eliminate discrimination against women not only in the public sphere, but also in the private sphere including within the family.

The Convention has been used as the legal basis and a powerful instrument for furthering the rights of women nationally. Existing legislation in many countries has been brought into conformity with the principles and obligations set out in the

Convention, and new laws have been adopted as a result of ratification. Women's groups and networks have effectively used the Convention and lobbied Government officials and lawmakers to improve legislative frameworks and public policies and programmes in support of gender equality. Courts in a number of countries, including Canada, India and South Africa, have directly relied on the Convention to eliminate discrimination against women and enhance women's access to justice.

Implementation of the Convention is monitored by a Committee of 23 experts, the Committee on the Elimination of Discrimination against Women, which reviews reports that all States parties are obliged to present on a regular basis. The Committee provides country-specific guidance on further steps required to accelerate compliance with the Convention's provisions.

In addition to this general monitoring mechanism, the Optional Protocol to the Convention, adopted by the General Assembly in 1999, now provides an opportunity for individual women, or groups of women, to seek redress for alleged violations of their rights under the Convention, once certain admissibility criteria are fulfilled, including the exhaustion of all domestic remedies. The Optional Protocol also gives the Committee authority to initiate inquiries into grave or systematic violations of the rights enshrined in the Convention. These procedures offer an international recourse for women who have been denied justice at the national level. Most importantly, it provides an additional impetus for States to ensure that adequate and accessible domestic remedies for violations of the rights of women are in place.

Although the Protocol only came into force in 2000, the Committee already has highlighted through the use of the Protocol the need for more effective national remedies for women or to repeal discriminatory laws, policies and practices. The Committee has found violations of women's rights under the Convention in complaints involving domestic violence and forced sterilization. It carried out its first inquiry into the abduction, rape and murder of women in and around Ciudad Juárez in Mexico, which included a visit to the State party in the autumn of 2003, and gave detailed recommendations to the State party for eliminating discrimination and bringing to an end the violations of the rights of women.

Human rights instruments and treaty bodies, and other mechanisms for the protection and promotion of human rights

Complementing the standards and obligations under the Convention and the work of the Committee on the Elimination of Discrimination against women, other human rights instruments and mechanisms also support the elimination of discrimination and the realization of the principle of equality of women and men. For example, the Covenants on Economic, Social and Cultural Rights and on Civil and Political Rights obligate States parties to ensure the equal right of men and women to the enjoyment of the rights enshrined in the respective instrument, and the International Covenant on Civil and Political Rights provides for the equality before the law and equal protection of the law without discrimination, including on grounds of sex. The Convention on the Rights of

the Child is particularly pertinent to the situation of girls. The monitoring bodies under those treaties regularly address the rights of women within the mandates provided by those treaties, including discrimination against women in the areas of employment, education, health, housing, trafficking, or political life. They have also examined gender-related forms of racial discrimination.

Human rights violations suffered by women have also been the subject of cases considered by some of these bodies under their complaints procedures. In a recent case, for example, the Committee against Torture found that rape constituted torture and that by deporting the complainants back to their country of origin where they had been raped by State agents, the State party would be in violation of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. In another case, the Human Rights Committee found that the denial of a therapeutic abortion caused pain, distress and mental suffering amounting to a violation of the International Covenant on Civil and Political Rights.

In addition, a series of mechanisms set up by the former Commission on Human Rights, and now supervised by the Human Rights Council, address specific country situations or thematic issues in all parts of the world. Currently, there are 28 thematic mandates and 13 country mandates in place. Many of these mechanisms regularly and systematically take a gender perspective into account in the implementation of their mandates and include in their reports information on and analysis of the human rights of women and girls. In particular, the work of the Special Rapporteur on Violence against Women, Its Causes and Consequences has been instrumental in calling for State accountability for violence against women.

Global conferences and summits in the 1990s

Several of the world conferences held by the United Nations in the 1990s were instrumental in enhancing visibility and prominence for women's human rights on the international agenda. These conferences added important political commitments and policy recommendations for action that complement the international legal framework on the rights of women. In particular, the 1993 World Conference on Human Rights in Vienna highlighted the promotion of all human rights instruments relating to women, and the 1995 Fourth World Conference on Women in Beijing called for action to address the systematic and systemic nature of discrimination against women in order to achieve the full realization of human rights for all. The Beijing Platform for Action identified human rights as one of the 12 critical areas of concern, and set strategic objectives and detailed action for achieving them. Both conferences confirmed that the human rights of women and the girl-child are an inalienable, integral and indivisible part of universal human rights and emphasized that the full and equal enjoyment of all human rights by women and girls is a priority for Governments and the United Nations.

Together, these legal and policy instruments constitute a comprehensive agenda for action for the promotion and protection of the rights of women. They have also given the impetus for a continuous deepening of our understanding of the substantive content of

the rights of women. Let me give you some examples of concerns that are now squarely addressed as human rights concerns, including violence against women and trafficking in women, and human rights abuses in armed conflicts and refugee situations.

Violence against women

Violence against women is now recognized as a pervasive violation of women's human rights and a major impediment to achieving gender equality. While the 1979 Convention does not mention violence against women, addressing this scourge has become a central focus of attention in the work of the Committee and in many of the intergovernmental bodies and entities of the United Nations system, working both at the global policy level and at national level.

Violence against women cuts across socio-economic, religious, and ethnic groups, and across geographic areas. Worldwide, it is estimated that violence against women is as serious a cause of death and incapacity among reproductive-age women as is cancer. It is a more common cause of ill-health among women than traffic accidents and malaria combined. Although global statistics are inadequate, a recent in-depth study by the United Nations indicates that, on average, at least one in three women is subject to some form of violence at some time in her life. Violence against women and girls undercuts the potential for achieving equality, development, and peace and security - the critical goals established over the past 60 years by the international community, and reaffirmed by world leaders in 2000 and 2005.

The 2006 in-depth study by the Secretary-General of the United Nations on all forms of violence against women presents a comprehensive examination of the pervasiveness and scope of different forms of violence against women, in all parts of the world, and of the gaps and challenges in providing an effective public response and in preventing such violence.

Among its contributions, the study establishes irrevocably that male violence against women and girls is a violation of their human rights. The study also clearly points to the obligations of States under the international legal framework to protect women and girls from violence, to hold perpetrators accountable, and to provide justice and remedies to victims. The failure to meet these obligations, especially the failure to hold perpetrators of violence accountable, creates a culture of impunity which, not only encourages further abuses, but also gives the message that male violence against women is acceptable and normal. The result is the denial of justice to the individual victims/survivors, as well as the reinforcement of the prevailing gender inequality.

The study seeks to strengthen political will to move forward and to increase the accountability of those responsible for action – particularly States, but also the United Nations. The study gives examples of a range of promising practices in addressing such violence through legislation, service provision for victims, and prevention efforts.

Drawing on the recommendations of this study, the General Assembly, in December 2006, adopted a comprehensive resolution to intensify efforts to eliminate all

forms of violence against women. This resolution now forms the basis for follow-up action by Member States at many levels. Similarly, entities of the United Nations system now have a strengthened mandate to coordinate their work and in particular to support the efforts of Member States at the national level to combat such violence, for example through the development and implementation of national action plans.

Trafficking in women and girls

One of the most corrosive forms of violence against women and violation of women's rights is trafficking in women and girls. It results in the gradual and total destruction of a woman's personal identity and her right to live as a free human being. Victims of trafficking are subjected to violence, humiliation and violation of personal dignity, which in many cases leaves them with the lifelong effects of mental and physical trauma. The trafficking of people for the exploitation of prostitution and forced labour is one of the fastest growing areas of international criminal activity. Evidence suggests that hundreds of thousands of women and girls are trafficked within and between countries every year.

The United Nations has elaborated treaties on trafficking, beginning in 1949. The most recent international instrument adopted by the General Assembly is the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, which entered into force in 2003, and has been ratified by 111 States. The Protocol, which for the first time provides an internationally agreed definition of trafficking, aims to promote international cooperation in order to combat transnational organized crime more effectively, as well as to prevent and combat trafficking in persons, paying particular attention to the protection of women and children, with full respect of their human rights.

The problem of trafficking is regularly addressed by a number of inter-governmental bodies, by human rights treaty bodies, and through a range of other activities, including technical assistance projects. There is increasing collaboration among United Nations entities in anti-trafficking activities, which is a recognition that a comprehensive multidisciplinary approach in combating trafficking is needed so as to ensure that trafficking is addressed from a gender equality, human rights, and criminal justice perspective. International cooperation remains vital to the solution of a problem which transcends national borders.

Violations of women's human rights in armed conflict

The devastating effects of armed conflict and its aftermath on women, especially sexual violence, is another area which has received increasing attention, particularly in fora that traditionally paid little attention to gender equality and women's concerns, such as the Security Council.

Over the past 15 years, women and girls have become prime targets in armed conflict and suffered its impact disproportionately, particularly as gender-based and sexual violence have become weapons of warfare and defining characteristics of contemporary armed conflict. In post-conflict contexts, women continue to be vulnerable to gender-specific harm and violations of their human rights, including in refugee camps. In reconstruction phases, opportunities to promote and protect women's human rights – through structural and legislative reforms - may be missed.

The Security Council's path breaking resolution 1325, adopted in 2000, stresses the importance of women's equal participation and full involvement in all efforts to maintain and promote peace and security. The resolution underscores the responsibility to protect women and girls from human rights abuses, including gender-based violence; and emphasizes the need to consider gender perspectives in all aspects of conflict prevention, resolution, and reconstruction. This resolution has galvanized the United Nations system, Member States and civil society organizations and has become one of the best known resolutions of the Security Council, including through its translation into 70 different languages and its use even at grassroots level.

This greater awareness about and visibility of atrocities committed against women in conflict has also resulted in important normative developments. The ad hoc tribunals created to address crimes committed in the former Yugoslavia, Rwanda and Sierra Leone have recognized sexual violence, including rape, as acts of torture, as crimes against humanity, and an element of genocide in some circumstances, and have enhanced the role of the international criminal justice system in providing accountability for violence against women in armed conflict. A landmark case was the September 1998 conviction by the Rwanda tribunal of the Mayor of Taba, Jean-Paul Akayesu, of crimes against humanity and genocide, including sexual violence. Another milestone case was the conviction by the tribunal for the former Yugoslavia of Radomar Kovac of crimes against humanity including of rape, outrages on personal dignity and enslavement.

The Rome Statute of the International Criminal Court, which entered into force in July 2002, is significant in a number of ways. It establishes jurisdiction for the Court to try crimes of sexual violence, such as rape, sexual slavery, enforced prostitution and forced pregnancy, enforced sterilization and other sexual violence as crimes against humanity when committed as part of a widespread or systematic attack directed at a civilian population. The Statute calls for a fair representation of female and male judges and the inclusion of judges with legal expertise on specific issues, including violence against women and children. It also makes provision for the application of gender-sensitive justice, including victim and witness protection measures.

Violation of the human rights of women refugees, asylum seekers and IDPs

The situation of women refugees, asylum seekers and internally displaced also deserves special mention. Refugee and displaced women and women asylum seekers are often denied basic human rights, such as the right to shelter, food, water, health and education. Refugees and IDPs may remain in camps for years, unable to return to home

communities owing to, inter alia, conflict and instability, without opportunities to work or access training or income-generating activities. Economic dependency, isolation and lack of integration support may put women refugees, asylum seekers and internally displaced at further risk of sexual and gender-based violence.

Many factors contribute to the vulnerability of refugee and displaced women and girls to sexual violence and exploitation. For instance, traditional mechanisms for protection may be lost when refugees live in camps or reception centres, and security in the camps is generally inadequate to provide protection. Women refugees may also be particularly vulnerable to trafficking due to their relative poverty and separation from their homes, families and communities.

The rights of refugees and asylum seekers are protected under the 1951 Convention relating to the Status of Refugees and its 1967 Protocol. The 1951 Convention provides a definition of ‘refugees’ and embodies the principle of *non-refoulement*, i.e. States parties must refrain from *refoulement* of refugees to countries in which they would face prosecution. Other United Nations human rights instruments, including the Convention on the Elimination of All Forms of Discrimination against Women, can be invoked to protect the rights of refugee and displaced women and women asylum seekers. The treaty body in charge of monitoring implementation of the Convention – the Committee on the Elimination of Discrimination against Women – regularly addresses the situation of these groups of women in its consideration of States parties’ reports and in its concluding comments.

The intergovernmental processes promoting women’s human rights

Policy discussions and decisions pertaining to women’s human rights take place on a regular basis in many of the inter-governmental bodies of the United Nations. The General Assembly, in its Third Committee, has considered issues such as violence against women, trafficking in women and girls, harmful traditional practices, honour crimes, and domestic violence. These issues, many of them once thought of as private, domestic matters, are now openly debated in global fora and condemned as violations of women’s human rights. The Commission on the Status of Women also plays a pivotal role in promoting and expanding the agenda for gender equality and the human rights of women. It reviews and appraises the implementation of commitments made at the Fourth World Conference on Women in 1995, and carries out in-depth consideration of priority themes. It reviews progress at national level and fosters greater sharing of ideas, experience, lessons learned and good practices. The last session of the Commission, from 26 February to 9 March, considered “The elimination of all forms of discrimination and violence against the girl child” as its priority theme and also discussed follow up to the Secretary-General’s in-depth study on violence against women.

The Human Rights Council, established in 2006, also has a vital role in the effective promotion and protection of the human rights of women. It was encouraging that, in his statement to the Commission on the Status of Women a few weeks ago, the President of the Council emphasized the importance of women’s human rights and their

cross cutting nature. Women's human rights must be fully integrated into the work of the Council.

Millennium Declaration, the World Summit 2005 and the challenge of implementation

I have drawn attention to the role of the global conferences of the 1990s and the on-going work of intergovernmental processes in strengthening our attention to women's human rights. The momentum generated over the last decade clearly carried over into the Millennium Summit of the United Nations in 2000 where global leaders at the highest level committed to promote gender equality and the empowerment of women, combat all forms of violence against women, and implement the Convention on the Elimination of All Forms of Discrimination against Women. Similarly, at the World Summit of 2005, global leaders acknowledged that "progress for women is progress for all" and recognized the need to pay special attention to the human rights of women and to bring gender perspectives into the human rights agenda.

The work of the Division for the Advancement of Women

Let me also briefly mention the work of the Division for the Advancement of Women on women's human rights. The Division supports global policy-making on women's human rights and gender equality, through servicing the Commission on the Status of Women, and by covering the agenda items on advancement of women in the General Assembly and in the Economic and Social Council. This involves drafting the reports of the Secretary-General which provide the background for the discussion in these inter-governmental bodies, servicing the meetings themselves, and supporting the development of resolutions and other outcomes on different topics, through which global policy decisions are made. The Division prepared the Secretary-General's in-depth study on violence against women and is actively involved in follow-up activities.

The Division supports the implementation of the Convention on the Elimination of All Forms of Discrimination against Women, including through servicing the Committee on the Elimination of Discrimination against Women, advocating for universal ratification of the Convention and its Optional Protocol, and providing support to States parties to ensure implementation at national level. The Division undertakes technical assistance activities at regional, sub-regional and national level, largely focused on developing the capacity of Member States to implement their obligations under the Convention. This part of the work of the Division aims to link the normative work of the United Nations with implementation on the ground. The Division has carried out considerable capacity-building activities in support of reporting on the Convention, as well as judicial colloquia which support use of the Convention at national level by judges and lawyers. It has also provided support to post-conflict countries in implementing the Convention, including a series of high-level consultations and training workshops in Sierra Leone, Liberia, Afghanistan and Haiti.

Conclusion

We can look back at more than sixty years of standard setting and global policy development, and three decades of research, activism and innovation – since the first United Nations World Conference on women in 1975. Close collaboration among Governments, women’s organizations, academia and other actors has enabled the United Nations to set a strong agenda for gender equality. Much has been achieved in these sixty years and the gains made clearly show that the goals of equality between women and men and women’s empowerment are achievable. However, further progress requires explicit commitment, concerted action, adequate resources and clear accountability for results. Concerted efforts are needed to close the gap between the international standards, norms and policies and their implementation at the national level, for the benefit of all women and girls.

The United Nations Association can play an important role in raising awareness in North Carolina, and in the United States as a whole, to ensure full commitment and all required resources to achieve the full enjoyment by women of their human rights. I commend the United Nations Association West Triangle and Wake County Chapters for your efforts in this regard.

Thank you.