

Topic Area – Violence Against Women

## **Convention on the Elimination of Discrimination Against Women (CEDAW)**

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### What is CEDAW?

The Convention on the Elimination of Discrimination Against Women is an international human rights treaty that seeks respect for human dignity and equality between women and men in economic, political, social and cultural spheres. This convention was written with the realization that the notable contributions of women to the welfare of the family and the development of society have not been fully recognized. This convention is a call to action for all nations to take all appropriate measures for the elimination of discrimination against women.

As of 5 May 2009, 186 countries are State Parties to the CEDAW; meaning that they agree to be bound by its terms. The United States is one of eight nations that is not a party in the convention (others include Iran, Somalia, and Sudan). Although favorably voted out of the Senate Foreign Relations Committee twice with bipartisan support, CEDAW has never been brought to the Senate floor for a vote.

### How CEDAW impacts women, governments, and the law:

#### **CEDAW defines Violence Against Women as an International and National Concern**

CEDAW, as an international treaty equal in authority to federal law, would provide a basic legal framework from which the North Carolina General Assembly and the criminal justice system could create, define, and enforce laws for the protection of women and promotion of equal rights with regard to the realities of female roles as mothers, employees, and citizens. CEDAW also has provisions to suppress the trafficking and exploitation of women.

In North Carolina, domestic violence is one of the two leading causes of homelessness. In 2001, 56% of all families with a female led household were living in poverty.<sup>1</sup> In 2010, 45.4 % of households with children headed by a female with no spouse present lived in poverty.<sup>2</sup> When work was defined as full-time work, 11.8% of working-poor families with children were headed by a female with no spouse present.<sup>3</sup> When the definition of work was expanded to include part-time work or part of the year work, 50.2% of working-poor families with children were headed by a female with no spouse present. From 1998-1999, there were almost 39,500 victims of domestic violence. Of the 89 women murdered in NC in 1998, 64% were wives, ex-wives, or girlfriends of the murderer. Nationally, North Carolina ranked 4<sup>th</sup> in the nation for rate of women killed by a lone man in 1998.<sup>4</sup> From these facts, the reality of violence against women as a North Carolina issue becomes apparent.

How does CEDAW combat violence against women? One tool combating violence against women is through economic equality and empowerment. In 1998, the ratio of women's earnings

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<sup>1</sup> North Carolina Statewide Legal Needs Assessment - 2003. North Carolina Legal Services Planning Council. 9-10. Available at [http://www.legalaidnc.org/public/Participate/Legal\\_Services\\_Community/EqualJusticeAlliance/NC%20Statewide%20Needs%20Assessment%2003%2024%2003.pdf](http://www.legalaidnc.org/public/Participate/Legal_Services_Community/EqualJusticeAlliance/NC%20Statewide%20Needs%20Assessment%2003%2024%2003.pdf).

<sup>2</sup> 2010 American Community Survey [North Carolina]. Prepared by the U.S. Census Bureau, 2011.

<sup>3</sup> Refer to footnote 2.

<sup>4</sup> Refer to footnote 1.

to men's earnings in North Carolina for full-time, year-round employment was .75 to 1.<sup>5</sup> CEDAW would provide a stepping stone from which North Carolina could promote equality in pay to promote reduction of poverty among families with female householders. Also, the greater economic power could lead to lowered female dependence on male incomes; one key reason why women tend to stay with domestic violence abusers.

### **Creates a Dialogue and Systematic Inquiry About Women's Issues**

Creates a local, national, and international dialogue between the public, governments (local, state, and national), and the international human rights framework. The Convention specifically provides for two means of enforcement: (1) State Parties are required to submit to the United Nations a report on the legislative, judicial, administrative, or other measures adopted to give effect to the treaty's provisions (report submitted every four years); and (2) create a procedure for Inter-State complaints (where one nation can report convention violations by another nation directly to the United Nations). This enforcement procedure is similar to the one for the International Convention on Civil and Political Rights, an international human rights treaty to which the United States is a State Party and bound to the treaty's terms. From these reports, the general public and public interest organizations are given the opportunity to respond to both the United States reports and then the United Nations recommendations issued in response. This creates a local, national, and international dialogue to bring awareness to the many facets and problems associated with discrimination against women.

### Recommendations for Action

#### **Support Senate Vote and Presidential Ratification of CEDAW**

In the United States, a treaty can be ratified by the President once the Senate approves by a two-thirds vote. Through the approval process, the Senate is able to make sure the treaty does not go against any laws or principles within the U.S. Constitution. If the Senate is unsure or unwilling to make a treaty provision legally binding, the Senate may attach RUD's (Reservations, Understandings, and Declarations) to the approval so long as the RUD's do not violate the overall purpose of the treaty.

The flexibility of approval and ratification combined with the ever-increasing need to address discrimination and violence against women necessitates community support and activism for the Senate to approve CEDAW. In particular, WomenNC advocates for North Carolina General Assembly as well as NC legislators to support the approval of CEDAW. The North Carolina government would then be empowered with the tools of this international treaty to promote legal change and create more effective tools to tackle violence against women issues.

### **WomenNC and CEDAW**

WomenNC has been actively educating the community members of North Carolina on CEDAW since 2009 by sending public speakers to the local forums and by presenting a petition in support of CEDAW in the NC state fare, local events, and on the WomenNC website. As a result, WomenNC has been able to collect more than 2500 signatures in support of CEDAW in NC. In 2010, WomenNC's representative presented these signatures to the offices of Senators Richard Burr and Kay Hagan in Washington DC. This effort is still in progress. NC General Assembly's

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<sup>5</sup> Refer to footnote 1.

endorsement would be very effective in encouraging the NC Senators and Representatives to support the ratification of CEDAW in the US Senate.

**Promote Student Engagement in the Social Justice and Human Rights Movement**

WomenNC has awarded 13 CSW Fellowships since 2010 to NC university applicants demonstrating high motivation for involvement in regional and international women's human rights issues and solutions. These women conduct research on specific women's issues in North Carolina, investigate supportive programs and suggest improvements. The WomenNC Student Fellows present their research findings at the annual UN Commission on the Status of Women in New York City. In 2012, the program was promoted to 16 NC universities & colleges. In coming years, we hope to expand the outreach. For more information, visit [www.womennc.org](http://www.womennc.org).