Key Elements for Programming on the Basis of CEDAW

Presented by the Section for Women and Gender Equality, Bureau of Strategic Planning at the Human Rights Based Approach to UNESCO Programming: Training for Resource Persons 22 - 24 June 2005 Orléans, France

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Overview of CEDAW

- Convention on the Elimination of All Forms of Discrimination against Women
  - Came into force in 1981 / Approved by 180 states
  - Internationally accepted principles and measures to achieve equal rights for women everywhere

- Optional Protocol
  - Came into force in 2000 / Approved by 71 states
  - Third-party complaints of state violations
  - Independent investigations of grave or systematic violations

- Committee on the Elimination of Discrimination against Women
  - 23 experts charged with oversight of compliance by member states
  - Sessions twice annually to consider progress reports by member states
  - States file reports once every 4 years
  - Authority to investigate violations and make recommendations

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Pursuing UNESCO’s Mandate in the Framework of CEDAW

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Scope of CEDAW

◆ **Object:** First international convention to define “discrimination against women” comprehensively in all dimensions (art. 1)

◆ **Domains:** “political, economic, social, cultural, civil or any other field” (art. 1)

◆ **State obligations:**
  
  ◆ **Public sphere:** to embody the principle of equality in “national constitutions or other appropriate legislation”, “competent national tribunals” (art. 2(a)(c))

  ◆ **Private sphere:** to eliminate discrimination against women “by any person, organization or enterprise” (art. 2(e))

  ◆ **Cultural sphere:** to “modify the social and cultural patterns...to achieving the elimination of prejudices and customary and all other practices, which are based on...stereotyped roles for men and women” (art. 5(a))

◆ **Reservations:**
  
  ◆ 60 states continue to have reservations to the Convention
Quiz Time: Testing the political and social climate for CEDAW

The latest country to become party to the Convention is?
- A – The United States of America
- B – Monaco
- C – Afghanistan

The expression "Women's Rights are Human Rights" was first coined in?
- A – 1975: First World Conference on Women (Mexico)
- B – 1993: The World Conference on Human rights (Vienna)
- C – 1995: The Fourth World Conference on Women (Beijing)

There are more states party to the Convention on the Rights to the Child then to CEDAW. True or False?

The article most subject to reservations is:
- A – Article 10 on Education?
- B – Article 16 on women's equal rights in marriage?
- C – Article 7 on the equal rights of women in public and political life?
Answers: Experiencing global warming up to CEDAW

1. ANSWER = B. Monaco accepted the Convention in 2005. Both Afghanistan and the United States signed it in 1980; Afghanistan ratified it in 2003, the U.S. not as yet.


3. ANSWER = As of March 2005, there are 192 states party to the Convention on the Rights of the Child, compared to 180 for CEDAW.

4. ANSWER = B (Art. 16 on marriage). The second most contested articles are Art. 9 (right to nationality) and Art. 2 (legal recognition of equality).
Implementing CEDAW with Other Normative Instruments:
The Beijing Declaration-Platform / Beijing+5 / Beijing+10

**Overview of the Beijing Declaration and Platform for Action**
- Adopted in 1995 by UN Fourth World Conference on Women by 189 states
- Global agenda for mainstreaming of women’s human rights and equality within and among governments, international organizations including the UN, and civil society

**Scope of the Beijing Declaration/Platform**
- 12 areas of critical concern

**Mutual Reinforcement between CEDAW and the Beijing Declaration/Platform**
- “We reaffirm our commitment to...[CEDAW]” (Beijing Declaration ¶ 8)
- “Reaffirm...mainstreaming a gender perspective into all policies and programmes” (Beijing+5 [23rd Special Session of UN General Assembly] Political Declaration ¶ 8)
- “Recognize that the implementation of the Beijing Declaration...and the fulfilment of the obligations under [CEDAW] are mutually reinforcing” (Beijing+10 [49th session of Commission on Women] Declaration ¶ 4)
- Committee on CEDAW now takes into account the 12 critical areas of the Beijing Platform in the progress reports submitted by the states
Utilizing CEDAW, Its Mechanisms, and the Beijing Declaration/Platform as Tools to Pursue UNESCO’s Mandate

**Assessment**
- Internal monitoring and evaluation of UNESCO programming
- External monitoring and assessment of member state progress

**Advancement**
- CEDAW as programming tool
- CEDAW as advancement tool

**Advocacy**
- CEDAW as advocacy tool for UNESCO programmes
- UNESCO programming as vehicle to promote CEDAW

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Using CEDAW and Its Mechanisms to **ASSESS**

- **Internal monitoring and evaluation of UNESCO programming**
  - UNESCO submits reports twice a year on its activities in, and evaluations of, the reporting countries: Make visible UNESCO activities; take stock of progress made and to be made
  - Monitor and measure success of programming against objectives of CEDAW / Beijing Platform

- **External monitoring and assessment of state progress**
  - Liaise with national women’s machinery/Gender Focal Point in country/region
  - Analyse prior and current country/shadow reports for progress made under CEDAW and Beijing Declaration/Platform
  - Use country/shadow reports as base for feasibility studies, data sharing
  - Use country/shadow reports to identify areas where UNESCO can intervene in its programming activities to help progress of states
Using CEDAW and Its Mechanisms to ADVANCE

**CEDAW as programming tool**

- Utilize country/shadow reports as well as CEDAW and Beijing Platform documents as programming tools to set clear objectives, tasks, performance indicators, expected results
- Use UNESCO’s own report to CEDAW Committee as base for improvement
- Anticipate the schedule of reporting countries to focus activities in those geographic areas

**CEDAW as advancement tool**

- Promote legal literacy by disseminating CEDAW (Passport to Equality) and Beijing Declaration/Platform
- Publicize results of activities, national actions, and best practices concerning CEDAW and the Beijing Platform
- Take advantage of country/shadow reporting mechanisms to consult with and to build networks of interested actors
- Promote compliance of CEDAW in national legislation

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Using CEDAW and Its Mechanisms to ADVOCATE

- CEDAW as advocacy tool for UNESCO programmes
  - Promote UNESCO programmes by committing states to what they have agreed to in adopting CEDAW
  - Identify violations of CEDAW and consult with governments, NGOs, civil society to address issues

- UNESCO programming as vehicle to promote CEDAW
  - Through UNESCO programming, implement and advocate the implementation of CEDAW, the Optional Protocol, and the Beijing Declaration and Platform for Action

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For Additional Information

- Gender Mainstreaming Resource Centre at UNESCO / Section for Women and Gender Equality / Gender Focal Points / Passport to Equality
  - [http://www.unesco.org/women](http://www.unesco.org/women)

- CEDAW / Optional Protocol / Committee on the Elimination of Discrimination against Women / Country Reports

- Beijing Declaration-Platform for Action / Beijing+5 / Beijing+10

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