FROM COMMITMENT TO ACTION:
THE IMPLEMENTATION OF THE CONVENTION ON
THE ELIMINATION OF ALL FORMS OF
DISCRIMINATION AGAINST WOMEN (CEDAW)
IN CENTRAL AND EASTERN EUROPE

National Mechanisms and Planned Actions for CEDAW Implementation
by the Governments of Croatia, Czech Republic, Hungary, Poland,
Romania and Slovenia

Elimination of Discrimination against Women in Political and Public Life
Addressing Domestic Violence against Women

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Keynote address
by
Ms. Angela E.V. King
Special Adviser to the Secretary-General
on Gender Issues and Advancement of Women
Honourable Deputy Prime Minister,
Distinguished participants,
Esteemed members of the
Committee on the Elimination of Discrimination against Women,
Colleagues and friends,

It is a very great honour for me to present a keynote address to this illustrious gathering aimed at strengthening the implementation of the Convention on the Elimination of All Forms of Discrimination against Women in six countries of Central and Eastern Europe. I regret very much that exigencies of work prevent me from joining you in the lovely and ancient city of Dubrovnik. I would like to express my deepest appreciation to Ms. Dubravka Šimonović for all the efforts and personal commitment she has invested in preparing not only this two-day consultation you are about to start, but into designing this entire project of enhancing the implementation of the CEDAW Convention in the region. I would like to congratulate her for this initiative, and express my appreciation also to UNIFEM for financially supporting this effort.

Much has been said and written about the challenges and constraints women in so-called transition countries continue to face in their efforts at achieving equality under the law and especially in practice. A recent study by the World Bank (Eastern Europe and Central Asia Region, May 2002), for example, showed a mixed picture of the impact of the transition process on women in key areas such as labour markets, poverty, education, life expectancy and health. The study highlighted gender-specific as well as regional and country-specific differences. Significantly, the report suggests, among other findings, that women are not taking full advantage of the process of privatization and economic liberalization in the region, which is of particular concern in an increasingly private and informal labour market. The reduction in availability of childcare and other family support services, in the context of continuing high labour force participation, has increased women’s responsibility for both work and family responsibility, and raises concerns about women’s ‘time poverty’ and their health status.

The United Nations Statistical Division, using data of the Inter-Parliamentary Union, calculated that women’s share of seats in parliaments in transition countries averaged 24.8 % in 1990. It now stands at 12.5% for this group of countries, after reaching a low point of 9.4% in 1997.

There is significant concern about the extent and level of violence against women in the region, and in regard to trafficking in women and girls in particular. The severe violence perpetrated against women during armed conflict, especially in the wars in the former Yugoslavia, galvanized Governments, with significant pressure from NGOs, to codify such sexual and gender-based violence against women in armed conflict in the statutes of the international tribunal for the Former Yugoslavia and Rwanda, and later in the Rome Statute of the International Criminal Court (ICC).

These few examples drawn from the region may serve to emphasize that today, more than ever, gender equality must be pursued not only as an essential end in itself, but as a critical means for achieving the goals of sustainable development and peace in
general. The global conferences and summits convened by the United Nations over the last decade have clearly stressed the commitment to combat discrimination against women, and promote the human rights of women. They have at the same time recognized that gender equality is a core concern for development in any area, whether economic growth, peace-building and conflict resolution, poverty eradication or the fight against HIV/AIDS. Failure to address the gender dimensions not only exacerbates inequalities between women and men but also compromises the achievement of all other development goals. This insight may have been the foundation of Heads of State and Government’s resolve, in the Millennium Declaration, to promote gender equality and the empowerment of women as effective ways to combat poverty, hunger and disease and to stimulate development that is truly sustainable.

Distinguished participants,

The commitment to gender equality must therefore be a guiding principle of all governmental and societal action. For the 174 States that are party to the Convention on the Elimination of All Forms of Discrimination against Women, this commitment to gender equality takes on the form of a concrete legal obligation to eliminate discrimination, and to adopt legislative and other measures to achieve de facto equality between women and men.

Implementation of the Convention on the Elimination of All Forms of Discrimination against Women has, in my view, benefited significantly from the complementarity of purpose of the Convention and the Platform for Action, adopted at the Fourth World Conference on Women. The Convention creates legal obligations for States parties. The Platform and the outcome document of the twenty-third special session of the General Assembly held in June 2000 are couched in terms of human rights instruments, and especially the Convention. The detailed actions proposed in these two policy instruments are further illustrations of the rights contained in the Convention, and provide States parties with a comprehensive road map for elimination of discrimination against women and achievement of equality between women and men.

Important links have been created between the Committee on the Elimination of Discrimination against Women and the intergovernmental policy-making bodies, in particular the Commission on the Status of Women and the General Assembly. The Committee regularly invites reporting States to discuss the measures and steps taken to implement the Platform for Action so as to facilitate the Committee’s task in monitoring effectively women’s enjoyment of the rights guaranteed by the Convention.

This mutual reinforcement between the two instruments can usefully be illustrated in reference to all three aspects this consultation will be considering. First, the Platform devotes significant attention to the role, mandate, location and institutional set-up of national machineries for the advancement of women to ensure that such mechanisms can indeed play a catalytic role within Government for the achievement of gender equality. Some 165 countries now have such mechanisms, and the Committee pays significant attention to their role in the promotion of gender equality and the implementation of the Convention. This also encompasses the Committee’s interest in the manner in which initial or periodic reports are prepared, including inter-action with civil society.
While significant attention has been devoted to the elimination of violence against women since the 1990s – the second issue of attention at your meeting –, women continue to face varying degrees of violence in all its forms. According to the World Health Organization’s recent World report on violence and health, 10 to 69 per cent of women around the world reported being subjected to some form of violence in their lifetime. Trafficking in women and girls is a particularly heinous form of violence against women. The International Organization for Migration, in its report World Migration 2003: Managing Migration, Challenges and Responses for People on the Move, estimates that some 700,000 persons are trafficked each year across international borders. The majority are women and girls, usually in their teens or early twenties.

The twenty-third special session of the General Assembly in 2000 identified a series of factors that continue to hinder efforts to eliminate violence against women, including women’s vulnerability to many forms of violence because of their subordinate place in society, lack of coordinated multi-disciplinary approaches to responding to violence, and persistence of trends to treat domestic violence as a private matter. Likewise, legal frameworks and legislative measures, especially in the criminal justice area, remain weak in many countries, and prevention strategies also remain fragmented.

The general recommendation no. 19 of the Committee on the Elimination against Discrimination against Women has played a critical role not only in clarifying the close connection between discrimination against women, gender-based violence and violations of human rights and fundamental freedoms, but especially in emphasizing that the full implementation of the Convention requires States to take positive measures to eliminate all forms of violence against women. This general recommendation, together with the action proposals of the Platform for Action and the outcome document of 2000, and article 6 of the Convention on the suppression of all forms of traffic in women and the exploitation of prostitution of women, as well as other norms and standards, States parties to the Convention have at their disposal detailed guidance on how to respond in an effective and holistic manner to their legal obligations under the Convention. Efforts are also under way during this fifty-eighth session of the General Assembly to negotiate a comprehensive resolution on violence against women.

Turning to the third area for consideration by this consultation, women remain severely under-represented at all levels of decision-making, and especially at higher levels of public life and politics. There are only ten women heads of State and Government, five women vice-presidents, and four women leaders of main opposition parties in their countries. According to data of the Inter-Parliamentary Union, as of August 2003, globally the percentage of women in both houses of Parliament combined stood at 15.3. Of 191 Member States of the United Nations, only eight have women heading their missions in New York as Permanent Representatives.

Concern about de jure and de facto obstacles to women’s participation in public life, including their right to vote and to stand for election, is concisely, while by no means for the first time, enunciated in articles 7 and 8 of the Convention. These rights received considerable attention in the Platform for Action, which made the important statement that women’s equal participation in decision-making is not only a demand for simple justice or democracy, but can also be a necessary condition for women’s interests to be taken into account. The Platform concluded that “without the active participation of
women and the incorporation of women’s perspectives at all levels of decision-making, the goals of equality, development and peace cannot be achieved”.

This assessment was underscored by the Committee on the Elimination of Discrimination against Women in its 1997 general recommendation no. 23 regarding the participation of women in political and public life. It emphasized not only States parties’ obligation to ensure that their constitutions and legislation complied with the principles of the Convention, but also that States are under an obligation to take all appropriate measures, including temporary special measures in accordance with article 4.1 of the Convention, to achieve such equal representation.

Women’s participation in decision-making and in public life has recently taken on added urgency through the focus placed by the Security Council and others on women’s role in peace processes. Security Council resolution 1325 (2000) gave great impetus to incorporating gender perspectives in all aspects of conflict resolution and peace building, and to increase women’s participation as actors in the peace process. The Secretary-General’s study on Women Peace and Security which I spearheaded, builds on the broader efforts reflected in the CEDAW Convention and the Platform for Action to ensure that women fully participate in all aspects and at all levels of such peace processes. In order to maintain the momentum and to mark the third anniversary of this historic resolution, my Office is implementing a series of activities that will culminate with a panel discussion on 31 October. The Commission on the Status of Women will carry these efforts further when it considers the topic of women’s participation in relation to conflict resolution and peace processes in March of 2004. The Division for the Advancement of Women is convening an expert group meeting on gender equality and peace agreements, which will take place in November 2003, and which is expected to elaborate recommendations to inform the work of the Commission.

Distinguished participants,

All six States participating in this consultation have ratified the Convention without reservations, or have withdrawn such reservations. All but one are also party to the Optional Protocol. As States parties progress in the cycle of reporting – the Convention calls for a report every four years, and a significant number of States parties will soon enter the sixth reporting cycle - the Committee’s approach to the constructive dialogue with the State party concerned is expected to become more specific, and probe into greater depth with regard to particular rights, or issues covered under the Convention. Regular constructive dialogues should also lead to more careful examination of the follow-up given to the Committee’s concluding comments, as well as to the impact of the measures taken by States parties in response to the Committee’s recommendations.

The entry into force of the Optional Protocol, which now has 57 States parties, will also provide opportunity to examine the specifics of a particular situation, as well as capture any underlying structural concerns that States parties may have to address to prevent similar occurrences.

You will focus especially on two substantive issues – domestic violence and women’s participation in political and public life – and on the institutional framework
that should not only facilitate and accelerate implementation of the Convention, but hopefully also create a sustainable framework for systematic reporting to the Committee. I trust that in both regards, your efforts will also be of benefit for the implementation of the outcomes of the global conferences, especially the Beijing Platform for Action. A review of the latter’s implementation will be undertaken by the Commission on the Status of Women in 2005, and I look forward to your contributions to this review.

I wish you success in your deliberations.