

Statement of  
**The Honorable Richard J. Durbin**

United States Senator  
Illinois  
November 18, 2010

Statement of Senator Dick Durbin

"Women's Rights Are Human Rights: U.S. Ratification of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)"  
Hearing of the Human Rights and the Law Subcommittee  
November 18, 2010

Last December, this Subcommittee held the first-ever Congressional hearing on U.S. compliance with our human rights treaty obligations. Today, we focus on a treaty that the United States has not yet ratified: the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).

This is the first Senate hearing on CEDAW since 2002. And this is the first time the Judiciary Committee has ever held a hearing on whether to ratify a human rights treaty. CEDAW is the only treaty to focus on the human rights of women. It addresses issues like violence against women, sex trafficking, the right to vote, and access to education.

Why is CEDAW needed? Because the human rights of women and girls are violated at an alarming rate all over the world. To take just one example, violence against women is at epidemic levels. In South Asia, countless women and girls have been burned with acid, including Afghan girls attacked by the Taliban for the simple act of attending elementary school. And literally hundreds of thousands of women have been raped in the Democratic Republic of Congo and other conflict situations. This Subcommittee explored this horrible phenomenon in a 2008 hearing on rape as a weapon of war.

CEDAW is not a cure-all for these atrocities, but it has had a real impact in improving the lives of women and girls around the world. For example:

- ? CEDAW has led to the passage of laws prohibiting violence against women in countries like Afghanistan, Ghana, Mexico, and Sierra Leone.
- ? It led to women being granted the right to vote in Kuwait.
- ? It helped give women the right to inherit property in Kenya, Kyrgyzstan, and Tajikistan.

CEDAW has been ratified by 186 of 193 countries. Sadly, the United States is one of only seven countries in the world that has failed to ratify CEDAW, along with Iran, Somalia, and Sudan. CEDAW was transmitted to the Senate 30 years ago. Twice, in 1994 and 2002, a bipartisan majority in the Senate Foreign Relations Committee reported the treaty to the Senate floor, but the Senate has never voted on CEDAW.

Under Presidents Reagan, George H.W. Bush, and Clinton, the United States ratified similar agreements on genocide, torture, and race. It is time to renew this proud bipartisan tradition and join the rest of the world in demonstrating our commitment to women's rights.

Let's be clear. The United States does not need to ratify CEDAW to protect the rights of American women and girls. Women have fought a long and difficult struggle for equal rights in the United States, with many victories along the way. To name just a few:

- ? The 19th Amendment, giving women the right to vote, in 1920.
- ? Title IX, prohibiting discrimination in education, in 1972.
- ? The Pregnancy Discrimination Act, in 1978.
- ? The Violence Against Women Act, in 1994.
- ? The election of the first woman Speaker of the U.S. House of Representatives in 2007.
- ? Passage of the Lilly Ledbetter Fair Pay Act just last year.

Of course, the struggle for women's rights continues. Every year, millions of American women and girls are subjected to domestic violence, rape, and human trafficking. And women who work full-time still earn only 77 cents for every dollar that a man makes. That is why it is so unfortunate that the Paycheck Fairness Act failed to pass yesterday.

However, the robust women's rights protections in U.S. law in many ways exceed the requirements of CEDAW. Even opponents of CEDAW acknowledge that ratifying CEDAW wouldn't change U.S. law in any way.

So why should the United States ratify CEDAW? Because CEDAW will enhance our ability to advocate for women and girls around the world. Throughout our history, the United States has done more to advance human rights than any other country in the world. But now some are questioning our commitment to women's rights because we have failed to ratify CEDAW.

Yesterday I received a letter from retired Justice Sandra Day O'Connor, the first woman ever to serve on the Supreme Court. Justice O'Connor supports ratifying CEDAW and here is what she says:

"The Senate's failure to ratify CEDAW gives other countries a retort when U.S. officials raise issues about the treatment of women, and thus our non-ratification may hamper the effectiveness of the United States in achieving increased protection for women worldwide."

Justice O'Connor is right. We need to ratify CEDAW so that we can more effectively lead the fight for women's rights in corners of the globe where women and girls are subjected to the most extreme forms of violence and degradation simply for exercising their fundamental human rights.

CEDAW is about giving women all over the world the chance to enjoy the same freedoms and opportunities that American women have struggled long and hard to achieve. Women have been waiting for 30 years. The United States Senate should ratify this treaty without further delay.