

THE UNITED NATIONS IMPACT ON GENDER ISSUES

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Summary

The UN Charter and the decisions of the first General Assembly initiated long-term support for gender equality. Administrative units have been established, including the Commission on the Status of Women (CSW), to guide programs and activities, and a number of supportive sections in the Secretariat and eventually almost all UN agencies. Several conventions endorsing gender equality were signed and ratified by a large majority of member states, but their implementation by governments has been inadequate in most countries and negligible in many. From 1975 to 1995 four major world conferences on the status of women provided opportunities for global monitoring of gender discrimination and reaffirmation of gender equality. The development of world action plans for all participating countries recognized the need for a global civil society powered by international nongovernmental organizations (INGOs/NGOs) to urge decision makers in the public and private sector to fulfill equality goals. The new

millennium began with a review of the impact of the most recent action plan from the largest UN-NGO meeting ever held; Beijing 95. At Beijing +5 in New York City in June 2000, 180 representatives of member states and INGO/NGO representatives recognized remaining obstacles to international gender equality and set a blueprint for its achievement in the new millennium.

1. Introduction—from San Francisco to Beijing

1.1 Addressing Inequality

The UN Charter Preamble “reaffirmed faith in...the equal rights of men and women...,” challenging the new organization to protect and advance such rights. The first session of the new General Assembly initiated a serious, intensive, collective endeavor to use the powers invested by the Charter to improve and, if possible, equalize the status of women worldwide. The lack of equality in all aspects of life from the personal to the political prevailed in every country, among the victorious allies, defenders of democracy, and the defeated challengers.

Delegates addressing the issue drew on the significant international legacies of the Pan American Union and the League of Nations. The Union’s Inter-American Commission on Women had introduced the Montevideo Convention early in the century, the first international agreement to provide for the nationality rights of married women. Lobbying by women within the League of Nations persuaded its leaders to recommend the ratification of the Convention by all members. The League also sought to stop the trafficking of women for the purposes of prostitution and in 1937, at the recommendations of women’s organizations, began an extensive study to assess the legal status of women and suggest remedies to redress inequalities. Work on the investigation had hardly begun when it was suspended by the Second World War.

Early drafts of the UN Charter did not include affirmation of equal rights for men and women; women delegates and members of the 42 accredited organizations successfully lobbied for these articles at the 1945 founding Conference in San Francisco. By June 1946, the UN Commission on the Status of Women (CSW) had been established within the Economic and Social Council (ECOSOC). Its purpose was to identify women’s needs as they evolved in multiple issue areas, set goals to improve their status, and help with resources and strategies to achieve these and other goals. Its annual reports on the promotion of women’s political, economic, civil, social, and educational rights provided continuous focus on specific agenda items for the UN system, for each member government, and for NGOs working to advance the rights of women.

Like most administrative agencies in the UN system the Commission lacked the power to enforce its decisions. It could and did serve as a source of information and data on the status of women, distributing multiple reports on the subject to national governments and to international and national non-governmental organizations.

1.2 Four Phases for Equal Rights

International policy on women's issues developed in four more or less distinct phases. During the immediate post-war period, from 1945 to 1962, the CSW and its allies in UN agencies, member governments, and NGOs and INGOs, worked on the development of a legal basis for gender equality, including the extension of universal suffrage to all countries and increased participation by women in government. The second phase, from 1963 to 1975, widened the scope of UN activities to include economic and social factors as they might affect the status of women. The Declaration of Elimination of Discrimination of Women was adopted by the General Assembly in 1974; it also designated 1975 as International Women's Year, a time for reviewing legal achievements and economic, social, and cultural inequities. The third phase coincided with the UN Decade for Women, 1976 to 1985, and with the special need for economic programs for post-colonial and other developing countries to include consideration of all gender issues.

From 1986 to the present, the number of participating governments supporting equality has increased, reflecting to some extent the end of the cold war. An ever-increasing number of NGOs and INGOs were concerned with issues affecting the status of women. This period was marked by preparations for the fourth international meeting on gender issues, Beijing 95, the work of an ever-increasing number of organizations to plan and follow up on its agenda.

At each of the four international meetings, reports on the status of women were followed by reviews of national and international progress and an intensive effort to reach a consensus on the need to re-invigorate and re-style programs and policies. While a substantial majority agreed on international and national political, economic, and social equality for women and how it might be achieved within each country, a conservative, but persistent group of official delegates—for the most part representing Muslim countries and the Vatican—opposed the concept of gender equality, particularly with respect to family planning. The majority endorsement of gender goals did not ensure their adoption particularly in developing countries with historically conservative cultural and religious leadership.

The new millennium began with Beijing +5, a meeting held in New York under UN auspices. Although a consensus on goals and strategies for achieving gender equality was again achieved, it was clear that resistance to equality for women in all countries, developed and developing, continued. It was also clear that women's organizations would have to work harder at the international, and more especially, at the national level to achieve short- and long-term goals.

2. The Political Rights Agenda

2.1 The Commission on the Status of Women: Goal Setter and Catalyst

The Commission on the Status of Women (CSW) coordinates the complex issues of gender equality for UN members, and helps them and other UN agencies set equality goals and develop strategies to achieve them. It makes periodic reports and recommendations to ECOSOC on ways to promote women's rights in political,

economic, civil, social and educational policies. The CSW helped to formulate the Declaration on Human Rights and the global “bill of rights”—the International Covenants on Civil and Political Rights and Economic, Social and Cultural Rights, that came into force in 1976 (see *The UN and Human Rights on The Eve of the Twenty-first Century*). The CSW sets standards for gender equality, provides extensive public information about it, and encourages governments to bring their laws into conformity with the international conventions on women’s rights which most of them have ratified. The CSW has worked with numerous other units within the UN to achieve gender goals. An office within the UN Secretariat which focuses on the status of women has helped to provide support from the Secretary General.

CSW membership has been expanded from 15 to 45 members, elected by ECOSOC: 13 from African states; 11 from Asian states; four from Eastern European states; nine from Latin American and Caribbean states; and eight from Western European and other states. It meets annually and on other occasions, as needed.

2.2 UN Issues, 1947–1962

The CSW concluded its first annual survey of the legal status of women in member countries in 1947. Among the 74 states responding, 25 had not granted political rights to female citizens. The findings of this report were used to support the adoption of the Convention on the Political Rights of Women by the General Assembly in 1952. Parties to the convention agreed to grant women the right to vote in any election, and run for and hold public office on an equal basis with men. It came into force in July 1954 with an unusually large number (40) of state members reserving the right not to abide by some of its provisions. Member governments may reflect their opposition to certain articles of any convention through reservations, based on the UN Charter’s article, which forbids interference in domestic affairs of member states.

CSW has worked with several relevant UN units. It helped the International Labour Organization (ILO), for example, to implement the equal pay for equal work article (23) of the Human Rights Declaration. During its early years the CSW responded to reports of the unfavorable impact of laws on questions of nationality, domicile, marriage, and divorce on women. The Convention on the Nationality of Married Women, designed to give a woman the right to retain her nationality even if it differed from her husband’s, was adopted after extensive debate by the General Assembly in January 1957, with 47 voting in favor, 2 against and 24 abstaining. It came into force in August 1958.

Legal and cultural marriage practices in many parts of the world deprive women of the right to the free choice of marriage partners provided in the Declaration on Human Rights (Declaration). The latter specifies that men and women should have equal rights in marriage, during marriage, and at its dissolution (Article 16). The Convention and Recommendation on Consent to Marriage, Minimum Age for Marriage, and Registration of Marriages was adopted by the Assembly in November 1962 and entered into force 2 years later.

During this period, there was considerable discussion of the impact of the Declaration’s provision that “all customs which violate the physical integrity of women” should be

outlawed. The General Assembly voted in December 1954 that members should take all appropriate measures to abolish such practices. It supported free choice of spouse, the elimination of child marriages and pre-puberty betrothals, and bridal price or dowries. It also guaranteed widows custody of children and the right to remarry.

The genital mutilation of women, the excision of the clitoris to deprive women of sexual pleasure, has proven more difficult an issue for UN member consensus. At a UN seminar in 1961 African women representatives urged abolition of the custom. The 1975 World Health Assembly proposal to end the practice did not receive significant support. In the mid-1980s, a WHO sub-commission made a strong case against genital mutilation and said that so-called female circumcision could not be justified on the grounds of cultural tradition or social conformity. While, eventually, individual African governments discouraged or forbade the practice, it has continued to affect millions of girls.

It became obvious over time that the UN system itself practiced discrimination in promotion and recruiting and other employment practices. The CSW helped UN women employees organize for equal employment opportunities in the late 1960s and has widened opportunities for women within the organization.

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Biographical Sketch

Dr. Irene Lyons Murphy is an author and policy analyst who specializes in national and international issues. She has most recently been a faculty affiliate at Colorado State University and previously was an adjunct professor at the George Washington University's Graduate Women's Studies Program. She has written extensively in the field of national and international policies related to the environment and human rights. She is the author of *Public Policy on the Status of Women*, Lexington Books, 1974, and over 30 published and unpublished papers on the role of women in the US public and private sector. She was actively involved in the national and international women's movement, serving as the executive director of a federation of women's professional organizations. There is a collection of her papers at the Schlesinger Library, Harvard University. She has a masters and Ph.D. degree in Political Science from Columbia University and is a graduate of Barnard College. She presently works as an independent consultant in Washington, DC.