

CEDAW in the United States

What Is the Status of CEDAW in the U.S.?

Treaties have a lengthy ratification process in the United States. A President must first sign a treaty, before submitting it on for review by the Senate Foreign Relations Committee. Once the Committee considers the treaty, the full Senate can then deliberate and vote on it, where two-thirds (67) of the entire Senate must approve it. Finally, the sitting President must re-sign the treaty.

The U.S. was active in drafting CEDAW. President Jimmy Carter signed the treaty on July 17, 1980, and sent it to the Senate Foreign Relations Committee in November 1980 for a vote on ratification. A decade later, in the summer of 1990, the Committee held hearings on the treaty. In the spring of 1993, 68 senators signed a letter to President William J. Clinton asking him to take the necessary steps to ratify it.

In June 1993, Secretary of State Warren Christopher announced at the World Conference on Human Rights in Vienna that the Clinton Administration would pursue CEDAW and other human rights treaties. During the 103rd Congress the treaty was reported out of the Senate Foreign Relations Committee favorably by a vote of 13 to 5, with one abstention in September 1994. This vote occurred in the last days of the Congressional session. Several senators put a hold on it, thereby blocking the treaty ratification vote on the Senate floor.

When the Senate convened in January 1995, the treaty reverted back to the Senate Foreign Relations Committee, where no further action was taken. Momentum for the treaty grew again in 2002 under the leadership of Senators Joseph R. Biden, Jr. (D-DE) and Barbara Boxer (D-CA). The treaty was voted favorably out of the Senate Foreign Relations Committee for a second time by a bipartisan vote of 12 to 7 on July 30, 2002. However, an overcrowded fall Senate schedule prevented the treaty from being considered by the full Senate.

In early 2002, the State Department notified the Senate Foreign Relations Committee that the Treaty for the Rights of Women was “generally desirable and should be ratified.” Nevertheless, the Bush Administration has not yet taken a formal position on the treaty; it awaits a Justice Department review about what additional reservations, understandings and declarations may be necessary. The new committee chairman, Senator Richard Lugar (R-IN), has indicated he is waiting for the Bush Administration to complete another review of the treaty.

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A coalition of over 190 U.S. religious, civic, and community organizations remain committed to supporting ratification. They include AARP, American Nurses Association, National Education Association, National Coalition of Catholic Nuns, the American Bar Association, the United Methodist Church, YWCA, and Amnesty International.

Why Should the United States Ratify the CEDAW Treaty?

CEDAW provides a universal definition of discrimination against women that establishes a basis for every government's domestic and foreign policy to combat discrimination against women.

Keeping Our Commitment

U.S. ratification would provide a powerful statement of our continuing commitment to ending discrimination against women worldwide. It would not require any changes in current U.S. law. As one of the few nations that have failed to ratify CEDAW, the U.S. compromises its credibility as a world leader for human rights. The U.S. made ratification by 2000 one of its public commitments at the U.N. Conference on Women in Beijing in September 1995. The U.S. must keep that commitment. U.S. failure to ratify the treaty allows other countries to distract attention from their neglect of women and undermines the powerful principle that human rights for women are universal across all cultures and religions. Until the United States ratifies, our country cannot credibly demand that others live up to their obligations under this treaty. Our failure to ratify puts us in the company of Sudan, Iran and Somalia; the very industrialized country has ratified the treaty.

Keeping Our Tradition

The U.S. has a bipartisan tradition of supporting international standards through human rights treaties. Presidents Reagan, Bush and Clinton ratified similar treaties on genocide, torture, race, and civil and political rights. This treaty, like other human rights treaties, outlines the most fundamental human rights. The U.S. already has laws consistent with CEDAW. Under the terms of the treaty, the U.S. would submit reports to an advisory committee, which would provide an important opportunity to spotlight our best practices and assess where we can do better.