

# HOUSE BILL REPORT

## SJM 8012

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### As Passed House:

April 9, 2009

**Brief Description:** Urging adoption of a treaty fighting discrimination against women.

**Sponsors:** Senators Fraser, Kohl-Welles, Prentice, Fairley, Berkey, Franklin, Regala, Marr, Shin, Eide, Kastama, Murray, Haugen, Oemig, McDermott and Kline.

### Brief History:

#### Committee Activity:

Judiciary: 3/23/09, 3/26/09 [DP].

#### Floor Activity

Passed House: 4/9/09, 74-24.

### Brief Summary of Bill

- Urges the U.S. Senate to ratify the United Nations Convention on the Elimination of All Forms of Discrimination Against Women.

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## HOUSE COMMITTEE ON JUDICIARY

**Majority Report:** Do pass. Signed by 7 members: Representatives Pedersen, Chair; Goodman, Vice Chair; Flannigan, Kelley, Kirby, Ormsby and Roberts.

**Minority Report:** Do not pass. Signed by 4 members: Representatives Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Ross and Warnick.

**Staff:** Kate Moeur White (786-5793) and Edie Adams (786-7180)

### Background:

The United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) is an international convention that addresses women's access to, and equal opportunities in, political and public life, education, health, and employment. The CEDAW was adopted by the United Nations General Assembly in 1979. Since that time it has been ratified by 185 nations.

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Member nations to the CEDAW commit to eliminating all forms of discrimination against women by taking measures to incorporate the principle of equality of men and women in a nation's legal system, abolishing discriminatory laws, adopting laws prohibiting the discrimination of women, and establishing tribunals and other public institutions to ensure effective protection of women against discrimination.

The CEDAW defines "discrimination against women" as "any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field."

The Committee on the Elimination of Discrimination Against Women (committee) has been mandated by the CEDAW to review progress reports submitted by member nations and make general recommendations. The committee also considers individual complaints from nations that have opted to participate in the Optional Protocol, a separate treaty that authorizes the committee to review individual complaints alleging violations of the commitments of the CEDAW. The committee is currently comprised of 22 experts on women's issues from 22 countries.

**Summary of Bill:**

The Legislature urges President Barack Obama, the Congress, Secretary of State Hillary Clinton, and Secretary of Labor Hilda Solis to place the CEDAW in the highest category of priority in order to accelerate the treaty's passage by the U.S. Senate and ratification by the United States.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Staff Summary of Public Testimony:**

(In support) This bill is an opportunity for the United States to show moral leadership. Women in many countries are subject to violence without recourse, denied equal access to education or adequate healthcare, and denied inheritance rights. This bill requests that the President and the Congress begin the process of ratification of this United Nations Convention to Eliminate All Forms of Discrimination Against Women. It is important for the United States to join the majority of other countries in expressing the value that women and girls are important.

The treaty grants no enforcement authority to the United Nations or any other body. It requires only a periodic report and review process. The United States would be allowed to sit on a review board if it were to ratify this treaty. The treaty is not self-executing and would not authorize any lawsuit not already authorized under U.S. law. Countries can ratify this treaty with reservations, declarations, or understandings. The treaty does not seek to regulate family life, but rather urges the government to adopt educational programs to eliminate discrimination against women and promote social equality of women. This treaty

intentionally does not address the issue of abortion. Countries in which abortion is illegal have adopted this treaty. The U.S. Senate Committee on Foreign Relations has added an understanding to this treaty stating that it does not include the right to abortion. This treaty would not compel or require the United States to change any laws or pass same-sex marriage laws. This treaty has been used to fight against sex slavery, domestic violence, and trafficking in women and girls. The only developed nations that have not ratified this treaty, other than the United States, are Iran, Qatar, Nauru, Palau, Tonga, Somalia, and Sudan.

(Opposed) None.

**Persons Testifying:** Senator Fraser, prime sponsor; Deborah Nedelman, Zonta International; Linda Malanchuk-Finnan, Thurston County Chapter of the National Organization for Women; and Leanne Smith, Amnesty International.

**Persons Signed In To Testify But Not Testifying:** None.