

**the human rights
of women**
international instruments
and african experiences

edited by wolfgang benedek, esther m. kisaakye & gerd oberleitner

HUMAN RIGHTS over the past generation has been perhaps the most exhaustively developed body of international law, and in no other area has the impact of the women's movement worldwide resulted in a more profound transformation. Today, the primary issue is no longer the better elaboration of human rights law, but its enforcement. In such a context, this reader has grown out of a series of post-graduate training courses for participants from the South.

The book aims to better equip human rights workers, teachers, lawyers, civil servants, community leaders, students and academics — preparing them to address specific cases of gender inequality in their own countries, promote respect for the human rights of women locally, and contribute to women's empowerment by making more effective use of existing international standards.

This reader introduces and examines the international instruments that deal with the human rights of women and, in Part II, the specifically African experience in trying to implement them. Beginning with an explanation of the place of gender in modern international human rights law, successive chapters examine each of the international human rights covenants and conventions, the UN context, as well as humanitarian law. The European human rights system is explained as one among several regional systems. In the following Part, the book focuses on the African system for the protection of human rights, as it now stands, and certain specific topics, including Muslim women's rights, polygamy, female genital mutilation, women prisoners, and the roles that NGOs and women's movements are playing today in the promotion of human rights in Africa.

Z ZED BOOKS

WOLFGANG BENEDEK
ESTHER M. KISAAKYE
GERD OBERLEITNER

HUMAN RIGHTS / GENDER STUDIES
1 84277 044 6 HB / 1 84277 045 4 PB

ISBN: 1-84277-045-4



edited by wolfgang benedek, esther m. kisaakye & gerd oberleitner

the human rights of women international instruments and african experiences

human

rights

of women

**international instruments
and african experiences**

edited by

wolfgang

benedek

esther

m. kisaakye

gerd

oberleitner

Contents

Note by the editors / ix
Foreword / xiii
About the authors / xv

Part I International Instruments

1

1 International Human Rights Law: The Relevance of Gender

3

Christine Ainetter Brautigam

Development of a women-specific regime in the United Nations / 3
From women to gender: a shift in conceptual approach / 21
Recent developments in international human rights activities
to mainstream a gender perspective / 24 Conclusion / 26

2 Human Rights of Women at the Fiftieth Anniversary of the United Nations

30

Dorota Gierycz

International standards of equality and protection of human rights
of women / 31 Convention on the Elimination of All Forms of
Discrimination against Women / 34 Declaration on the Elimination
of Violence against Women / 44 Human rights of women at the
Vienna Conference and beyond / 45

3 Charter-based Activities Regarding Women's Rights in the United Nations and Specialized Agencies

50

Dorothea Gaudart

The United Nations Commission on the Status of Women / 54
Relationships with other organizations / 57 International
cooperation in fact-finding and standard-setting / 61
Communication procedures / 64 Evolution of long-term
programmes for the advancement of women / 67 The
International Labour Organization / 70 The United Nations
Educational, Scientific and Cultural Organization (UNESCO) / 83

4 The Prohibition of Gender-specific Discrimination under the International Covenant on Civil and Political Rights

105

Manfred Nowak

*The Human Rights of Women: International Instruments and
African Experiences* was first published by Zed Books Ltd,
7 Cynthia Street, London N1 9JF, UK and Room 400,
175 Fifth Avenue, New York, NY 10010, USA, in association
with World University Service Austria, Maifriedygasse 11,
A-8010 Graz, Austria, in 2002.

Distributed in the USA exclusively by Palgrave, a division
of St Martin's Press, LLC, 175 Fifth Avenue, New York,
NY 10010, USA

Editorial copyright © World University Service Austria, 2002
Individual chapters copyright © individual authors, 2002

Publication of this book had been made possible through funding
by the Austrian Federal Ministry for Foreign Affairs, Department
for Development Cooperation.

Cover designed by Andrew Corbett

Set in Monotype Ehrhardt and Franklin Gothic by Ewan Smith
Printed and bound in the United Kingdom by Biddles Ltd,
www.biddles.co.uk

The rights of the contributors to be identified as the authors
of this work have been asserted by them in accordance with the
Copyright, Designs and Patents Act, 1988.

A catalogue record for this book is available from the British
Library

Library of Congress Cataloging-in-Publication Data: available

ISBN 1 84277 044 6 cased

ISBN 1 84277 045 4 limp