



Research article

United Nations and Women's Rights: A Historical Analysis of CEDAW



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ABSTRACT



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The problem of discrimination against women is pervasive. Peripheralization of women increased with time and was considered as normal in the culture ruled by males. Gender equality and justice based on the individuality of women was not the concern of international human rights legislations in the outset. Establishment of the United Nations as a champion of equality acts as a light to the proponents of equality and gender justice to struggle against the prevailing prejudice against women. With enshrining equality between sexes in its Charter, the United Nations enacted various policies and programmes pertaining to women. Over the years UN made various attempts to minimise the prejudice against women and to give equal opportunity to them. The most major success of the United Nations in this area was the adoption of the "Convention on the Elimination of All forms of Discrimination Against Women" (CEDAW) in 1979. The present paper traces the historical journey of CEDAW with analysing the initiatives taken by United Nations for the promotion and protection of women's rights. The adoption of the CEDAW was most significant success and a key step in the United Nations' mission to end discrimination against women. The Convention addresses the hole caused by the non-recognition of women's individuality. It compensates for the international human rights law's failure to include non-state actors within its reach. CEDAW is an international agreement that defines worldwide norms and the internationally acknowledged ideal of gender equality.

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1. Introduction

The problem of discrimination against women is pervasive. It is impossible for any society to assert the claim of non-existence of inequality and subjugation against women. History is a testament to injustice and exploitation of women in all societies. Peripheralization of women increased with time and was considered as normal in the culture ruled by males. Even international legislation dealing to human rights and equality could not alleviate the problem of marginalisation and subjugation of women. Gender equality and justice based on the individuality of women was not the concern of these legislation in the outset. Since the eighteen-century, the normalisation and legitimization of the inferior position of women created the feeling of unease among individuals who desire equality and preservation of human rights.

1.1 Initiatives for the Promotion and Protection of Rights of women Under the Auspices of United Nations: An Overview

Establishment of the United Nations as a champion of equality acts as a light to the proponents of equality and gender justice to struggle against the prevailing prejudice against women (Chesler E. & Terry M., 2016). The concept of non-

discrimination is the recurring element of all human rights instruments of the United Nations. With enshrining equality between sexes in its Charter, the United Nations enacted various policies and programmes pertaining to women. Besides the protection of international human rights legislation such as "UDHR", "ICCPR" and "ICESCR" etc. women are also protected by the instruments dealing exclusively with them (Baderin, M. A. & Ssenyonjo M., 2010).

Despite the existence of universal protection to women against discrimination and inequality, marginalisation of them was not ready to cease owing to the inadequacy of international human rights legislation to reflect their individuality. The international framework for the protection of human rights of everyone has been demonstrated inadequate to acknowledge that women are differently positioned and need distinct treatment (Edwards A., 2015).

Not only at that time, but data from the present also show the low participation of women in various fields. Women are approximately half the population, but their participation in national legislatures and parliaments is very low. Indeed, women are playing a crucial role in the labour force at the global level, but what about high-ranking posts such as CEOs, managers, or any post holding the power of decision-making? Besides, the

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graph of crimes against women shows the storey of the safety and security of women in most countries. These unsatisfactory conditions are not limited to only one area or field; they can be seen in all walks of life. Another sad condition may be noticed in the areas related to basic necessities. There are a number of women who are unable to get basic medical and health facilities at the time of childbirth and post-delivery. It is shocking to note that there are still women who are not capable enough to have qualified doctors and practitioners at the time of childbirth.

Failure of the international human rights system to achieve gender equality in practise gave rise to the awareness that women being vulnerable need unique measures. It finally led to thinking of a new document that would address the distinctness of women and only deal with human rights of them. This demand was largely satisfied with the passage of the "Declaration on the Elimination of Discrimination against Women" in 1967. The significance of the Declaration as the first international treaty exclusively dealing with women cannot be questioned yet it was not satisfactory owing to its non-binding character. The United Nations provided a platform to execute the new approaches towards women that recognised the distinct needs of women. The realisation through the United Nations that the existing legal and social system needs changes to make women equal participants was commendable.

1.2 "Convention on the Elimination of All Forms of Discrimination Against Women" (CEDAW): An Introduction

Over the years UN made various attempts to minimise the prejudice against women and to give equal opportunity to them. The most major success of the United Nations in this area was the adoption of the "Convention on the Elimination of All forms of Discrimination Against Women" (CEDAW) in 1979. It was definitely a milestone in the path of the United Nations to eradicate discrimination against women (Zwingel, 2016). The Convention fulfils the gap of non-recognition of the distinctness of women and the non-binding status of the "Declaration on the Elimination of Discrimination against Women". It remedies the flaws of international human rights legislation of not bringing non-state actors under its jurisdiction. CEDAW is an international document that sets worldwide norms and defines the widely acknowledged principles of equality between men and women (Campbell M., 2018).

The Convention comprises a Preamble and 30 Articles, separated in six sections. Part 1, Articles 1 to 6, defines discrimination and contains States' duty to denounce discrimination against women, to abolish and reform discriminatory laws and customary practises and to implement necessary and temporary exceptional measures for the enjoyment of the human rights of women (Mullins, 2018). Part 2, Articles 7 to 9, deal with the political rights of women and equality concerning nationality. Articles 10 to 14 that come under Part 3 of the Convention emphasis on education, employment, social and economic rights, health care services and rights of rural women. Articles 15 and 16 compose Part 4 and assure equal status of women before the law and equal rights and obligations in respect to marriage and family. The most essential portion of the Convention is Part 5 that varies from Articles 17 to 22 and deals with the implementation method. It established a committee, the "Committee on the Elimination of Discrimination against Women" (Committee/CEDAW Committee) and specifies its organisation and activities as well as mission to evaluate reports from States Parties. The last portion deals with incidental provisions such as signing, ratification, and admission; reservations and the function of the International Court of Justice

("Convention on the Elimination of All Forms of Discrimination against Women" (CEDAW), 1979).

The Convention is the major and comprehensive international instrument on the human rights of women. It is a unique convention to ensure reproductive rights for women and demands fundamental changes in society through the alteration of culture and customs (Ogorugba, 2021). The global advancement of women's rights has been greatly aided by CEDAW. It has made a difference in laws, regulations, and practises that are derogatory to women and given them a legal foundation to assert their rights.

The adoption of such a broad and powerful document on human rights of women was not an easy feat. It took four decades to come into being from its foundation stone that may be deemed equality between men and women in the Charter of the United Nations. CEDAW is not spontaneous, it is the consequence of a long history of women's rights struggles and the serious efforts of the United Nations.

1.3 Rights of Women Before United Nations

Women's rights advocates started to acknowledge the poor status of women even before the creation of the United Nations and championed their human rights. It began with the League of Nations, in which the "International Council of Women" supported the inclusion of the rights of women in the League Covenant but could not succeed. In 1935, the problem of the condition of women was put forth in the League's agenda and subsequently, in 1937, a Committee of Experts was created to investigate and compile data on the legal status of women internationally (Marsha, A. F. & Christine, C., 2012). It is crucial to emphasise here that in 1919, the "International Labour Organization" had somewhat tried to fill the void of non-existence of protection for rights of women at international level and enacted the "Convention on Maternity Protection" (Convention No. 3), and the "Night Work (Women) Convention" (Convention No. 4). These two agreements were concerned with the employment of women before and after childbirth and the employment of women throughout the night, respectively; however, it has been abrogated by resolution of the ILO Conference in its 106th Session (2017) (Convention on Night Work (Women), 1919). ILO has been shown sole organisation of that time to notice the specific need of women; nonetheless, it chosen the protective approach and prevented women from job during night in the name of their protection instead of giving a safe environment to them. The League of Nations took up the subject of trafficking in women with the "Convention for the Suppression of Traffic in Women and Children" in 1921 and "Convention for the Suppression of the Traffic in Women of Full Age" in 1933. In 1928 at the regional level the "Inter- American Commission of women" was founded by the "International Conference of American States". The Commission acted as the first intergovernmental regional entity to address the issues impacting women and led the adoption of the Montevideo "Convention on the Nationality of Married Women" (Marsha, A. F. & Christine, C., 2012).

2. Rights of Women Under United Nations

The adoption of CEDAW in 1979 by the UN General Assembly is regarded a milestone in the path of the acknowledgment of the rights of women. However, this milestone was not attained without hardship. It is the consequence of the tireless commitment and honest efforts of activists, intellectuals and leaders who have been developing movements for the acknowledgment of the legitimate demands of women.

2.1 United Nations Charter: A Beacon of Equality of Men and Women

The Charter of the United Nations is regarded the first international accord of the contemporary world to establish equality between men and women. The aims of the Charter include the avoidance of discrimination on the basis of sex and measures for equality between men and women (Ünal, 2022). Besides the Preamble, Article 8 of the UN Charter also deals about women and says that the United Nations shall put no limits on the eligibility of men and women to participate in any capacity and under conditions of equality in its major and subsidiary institutions (Hevener, 2019). It also acknowledged women's equality in respect to employment. Article 55, directly and indirectly, helps to increasing the status of women and enhances their well-being. Under the idea of well-being, it provides the essential rights to women without discrimination and promotes greater conditions of life, social and economic advancement, health and educational status. United Nations Charter's Preamble and Articles plainly assert that we the people of the United Nations, reaffirm trust not only in fundamental human rights and the dignity of the human person but also in equal rights of men and women. The provisions of the Charter on women's equality provide compelling and sufficient ground for the commitment of international law to advance the political and legal status of women (Nussbaum, 2016).

United Nations' Charter could not describe human rights in full and left it for subsequent discussion. This inadequacy of the Charter was modified with the adoption of the "Universal Declaration of Human Rights" (UN Charter | United Nations, 1945).

2.2 Journey of Women's Rights and "UN Commission on the Status of Women"

In 1946 under the "Commission on Human Rights", a "Sub-Commission on the Status of Women" was formed to enhance, examine, and monitor the equality of women entrenched in the UN Charter (Eleanor Roosevelt and Social Council, 1946). Besides the advocacy to elevate the status of women in the political, civil, education, social, and economic field with the cooperation of United Nations organisations, the Chairperson of the Sub-Commission Bodil Begtrup from Denmark recommended to the Council that Sub-Commission should be an independent commission ("The United Nations and the Advancement of Women, 1945-1996. - United Nations Digital Library System," 1996). In adopting the advice of the Chairperson of the Sub-Commission, Council agreed to elevate Sub-Commission into an independent Commission. Finally, the full-fledged "Commission on the Status of Women" came into being on 21 June 1946 and started its work to promote the rights of women. Since 1987 with the expansion of mandates from preparing reports and recommending to ECOSOC on promoting rights of women in all fields, to activities such as promotion of equality, development and peace; monitoring and reviewing the implementation of the measures adopted for the development of women and reviewing and appraising progress at the national level, the commission has been playing a crucial role in the advancement of human rights of women (Eleanor Roosevelt and Social Council, 1946).

Since its inaugural session, which was held from 10 to 24 February 1947 in Lake Success, New York, one of the commitments of the Commission was, helping to maintaining "International Bill of Human Rights" gender sensitive. In keeping its pledge, Commission's members contested the inclusion of gender-insensitive terminology in the UDHR like "men" synonym for mankind and a phrase like "all men are brothers". Finally, after a protracted discussion, more inclusive wording was

added in the cornerstone of the "International Bill of Human Rights" i.e. UDHR. The Commission itself embraced the principles of UDHR as the basis for its agenda.

At the first time of its existence, Commission focused to promoting equality of women via setting standards and framing international accords aiming at changing discriminatory legislation. It placed importance to the political rights of women throughout its early phase of activity and supported equal political rights to them. The Commission developed the "Convention on the Political Rights of Women" that was accepted by the General Assembly on 20 December 1952. It has been regarded the first international legal instrument to acknowledge and safeguard the political rights of women (Eleanor Roosevelt and Social Council, 1946).

During its first decade, Commission concentrated on the discrimination against women in the realm of marriage. The adoption of the series of conventions connected to marriage commenced with the endorsement of the "Convention on the Nationality of Married Women 1957" ("Convention on the Nationality of the Married Women, 1957"), and the "Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriage 1962" ("The Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriage, 1962"). Besides the Convention, the "Recommendation on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages" was also accepted on 1 November 1965. These provisions reflect the first international agreement on women's rights in respect to marriage that was endorsed by the UN.

The Commission's work was not limited to the field of marriage and political rights. It collaborated with UNESCO to develop the programme and advocates equal access of education to women. Another research was propounded by the Commission in cooperation with the "International Labour Organization" to address the economic rights of women. It was the effort of the Commission and collaborative research of it and ILO that led to the passage of the "Convention on Equal Remuneration for Men and Women Workers for Work of Equal Value in 1951", which reinforced and improved the status of women workers through the idea of equal pay for equal work. After acknowledging the women's rights, Commission proceeded to identify traditional and cultural practices, detrimental to women and girls. In response to the Commission advocacy, the ECOSOC in 1952 and General Assembly in 1954 approved a resolution asking Member States to prohibit practises damaging to women's bodily integrity.

In 1972 Commission advocated for the establishment of 1975 as the "International Women's Year" to remind the international community that discrimination against women still prevails across the World. The General Assembly accepted the Commission's suggestion and chose 1975 as the "International Women's Year" to redouble its efforts for promoting and defending women's rights. In the same year, an International Conference on Women in Mexico City was organised on the proposal of the Commission. The Conference established the "World Plan of Action" to meet the objectives of the women's year, which served as the blue print for the progress of women till 1985. The first "International Decade for Women" was designated from 1976 to 1985 by the United Nations. The major aim of the Commission over the decade was to develop a treaty on the eradication of all forms of discrimination against women which was suggested by the 'World Plan of Action' in 1975. The text of the convention was written by the "Working Group of the Commission" during 1976. And eventually, following the long debate with the "Working Group of the Third Committee of the General Assembly", the Convention was approved in 1979 and entered into force in 1981.

Since its inception, the Commission has been working for the advancement of women. The Commission played a crucial role in all four World Conferences (1975, 1980, 1985 and 1995).

In early 1990s, the Commission took the task of drafting the “Declaration on the Elimination of Violence Against Women”, which was adopted by the UN General Assembly on 20 Dec 1993 (“[Declaration on the Elimination of Violence Against Women, 1993](#)”). In 2000 on the advice of the Commission, the General Assembly conducted the twenty-third special session for the review and evaluation of the implementation of the “Beijing Platform for Action” and discussing future actions and initiatives. It was the result of the Commission’s efforts that Political Declaration and further actions and initiatives to implement the Beijing Declaration and Platform for Action (i.e. the “Outcome Document”) was adopted by the Member States of the “Women 2000: Gender Equality, Development, and Peace for the Twenty-first Century”. The Commission at its 49th session approved a declaration to reaffirm the earlier texts such as the “Beijing Declaration” and “Platform for Action” and the conclusion of the twenty-third special session of the General Assembly. The Declaration stressed that globally acknowledged development objective cannot be attained without the full execution of the “Beijing Declaration” and “Platform for Action”. The milestone of the Commission was the Optional Protocol to CEDAW, which was approved in 1999. It implemented the individual petition system in regard to the infringement of the rights of women outlined in the Convention. It was adopted in 1999 although from 1996 Commission started to work through its open-ended working group on the optional protocol. Commission did not only evaluate women’s concerns during the period of peace but also during the armed conflict (“[Declaration on the Elimination of Violence Against Women, 1993](#)”). It contributed to the process which led to the approval of “Security Council Resolution 1325 on women, peace, and security” ([Resolution on Women and Peace and Security, 2000](#)).

2.3 Promotion and Protection of Rights of Women and “Universal Declaration of Human Rights”: A Universal Standard Setter

The Declaration is regarded the foundation stone of the “International Bill of Human Rights” and provides the widely acknowledged standard of human rights. It enshrines the idea of equality and supports the notion of non-discrimination. It is regarded a charter of human rights for all; but, in several articles, it notably relates to women and sex-based discrimination. For example, Article 2 outlaws’ discrimination on the basis of inter-alia sex. No women must be prejudiced and disadvantaged by virtue of being women. The concept of non-discrimination stated in Article 2 has been the cornerstone of all instruments aiming at promoting equality. Article 16 of the UDHR is a predecessor of the article of CEDAW that grants equal rights to women in respect to marriage and its dissolution and empowers women with the right to consent to be married. Article 25 deals with the specific need of women and offers special care for childbirth and kids. Besides this, it gives right to a decent standard of living and for the health and well-being of himself and his family that protects women being a family member.

2.4 United Nations and Political Rights of Women

The “Convention on the Political Rights of Women” was approved by the General Assembly on 20 Dec 1952 and came into force on 7 July 1954. It was the first international treaty with provisions of recognising and preserving the political rights of women. The Preamble of the treaty echoes the principle of equality established in the UN Charter and the rights of taking part in the government given in the UDHR. First three articles together deal with the political rights of women. Article 1 bans

discrimination and grants women the right to vote in all elections on the equal basis as males. According to Article 2, no woman shall be disqualified on the grounds of her sex for any publicly elected bodies formed under the legislation of the Nation. Article 3 guarantees equality and prohibits women from prejudice from holding any public office (“[Convention on the Political Rights of Women, 1953](#)”).

The “Commission on Status Women” went beyond political rights to economic rights and in the end of the 1940s, commenced its first combined research with the “International Labour Organization” on women’s economic rights. In the conclusion of CSW’s combined research with ILO on women’s economic rights, the Economic and Social Council publicly endorsed the idea of “equal remuneration for labour of equal value” on 10 March 1948. In response to proposals of CSW on the idea of “equal remuneration for labour of equal value,” ILO enacted the “Equal Remuneration Convention in 1951” (“[The United Nations and the Advancement of Women, 1945-1996. - United Nations Digital Library System,](#)” 1996).

2.5 Economic Rights of Women and “Convention on Equal Remuneration”

The “Convention on Equal Remuneration” also called Convention No. 100 of ILO. It was formally adopted on 29 June 1951 and came into force on 23 May 1953. It comprises a Preamble and 14 Articles; however, only four articles of beginning deal with the rights of equal remuneration remainder of them deal with the ratification method of the Convention. Article 1 defines pay and what does it imply by equitable remuneration. In the definition of equal remuneration, Article 1 says equal remuneration implies rates of remuneration determined without discrimination on the basis of sex. The Convention codifies Article 23 of the UDHR, which provides that everyone has the right to equal remuneration without distinction (“[Convention on the Equal Remuneration,](#)” 1951). In honouring the International Women’s Year, ILO adopted the “Declaration on Equality of Opportunity and Treatment for Women Workers”. It provides equal opportunity to women and urges for equal treatment of them in employment. Besides this, it asks the World to remove prejudice against women in employment (“[Declaration on Equality of Opportunity and Treatment for Women Workers, 1975](#)”). ILO another convention that gives an opportunity for women to undertake job outside the house is the “Convention on Workers with Family Responsibilities”, 1981 (No. 156). It gives a platform for both men and women with family duties to engage in job without conflicting their family responsibilities with employment (“[Convention on Workers with Family Responsibilities, 1956](#)”). It is gender-neutral and applies to both men and women but it is more significant to women owing to their commitment in family obligations. It obliges the States Parties to establish such rules that men or women cannot be discriminated and barred from engaging in work.

At the same time, another issue was associated with the economic rights of women was the exploitation of them in the name of work. The disproportionate effect of human trafficking on women was one of the concerns of CSW and it contributed to the ratification of the convention on the abolition of slavery.

2.6 “Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery”: A Protection from Forceful Marriage

In response to the CSW’s finding of prevalence of child marriages of girls, in 1956, the General Assembly approved an international treaty to prevent such practices: “The Supplementary Convention on the Abolition of Slavery, the Slave

Trade, and Institutions and Practices Similar to Slavery” (“[Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, 1956](#)”).

It was adopted at a Conference of Plenipotentiary called by the “Economic and Social Council” on 7 Sep 1956 and came into force on 30 April 1957. The title of the Convention itself indicates that it deals with slavery in general but it is crucial in sense that it views women’s refusal to live with someone in the consequence of coercive marriage as slavery and protects women from the same (“[Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, 1956](#)”).

2.7 Right to Marry and “Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages”

In 1959, CSW recommended to the “Economic and Social Council” to develop an international system to tackle the concerns of minimum age for marriage, free consent, and registration of marriages. The Convention dealing with same issues was approved by the General Assembly on 7 Nov 1962 and went into force on 9 Dec 1964. It forbids marriage without the complete permission of both parties and also sets a framework under which the consent to be provided. The recommendation on the same was passed by the General Assembly as a formal resolution on 1 Nov 1965 which repeats the statement of the Convention and laid forth 15 years as the minimum age to marriage that was not established in the Convention. The Convention is founded on the idea of equality, embodied in the UN Charter and is the obligatory restatement of Article 16 of the UDHR which reads that “Men and women of full age, without any limitation owing to race, ethnicity or religion, have freedom to marry and to start a family” (“[The Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriage, 1962](#)”). They are entitled to equal rights in entering into marriage, during the marriage and after its dissolution. It makes the free and complete consent of the intended spouse necessary to marriage (“[Recommendation on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages, 1955](#)”).

In spite, both Convention and Recommendation give equality to women in respect to marriage but could not achieve owing to absence of implementation apparatus. Indeed, women have the rights and safeguards under international human rights legislation, but the severity of women’s difficulties necessitates a new document that should deal only with women and consolidate all the dispersed protections offered by the UN since its creation. It started with the adoption of the “Declaration on the Elimination of Discrimination Against Women”.

2.8 “Declaration on the Elimination of Discrimination Against Women”: A Recognition to Distinctiveness of Women

Members of the Third Committee of the General Assembly contended that a proclamation that combines all the ideas about women’s rights that have been developed since 1945 will strengthen the basis of equality between men and women. In response to this request, the General Assembly asked CSW to produce “Declaration on the Elimination of Discrimination Against Women”, passed on 7 November 1967. The Declaration was a significant step in establishing the legal basis for women’s equality even if it was not a legally binding document. It declared that discrimination against women is a crime against human dignity and is fundamentally irrational. It offered an impetus to the movement of women’s rights but realistically, its impacts

were restricted due to the non-binding status of the instrument, while there was a voluntary reporting system for implementation (“[Declaration on the Elimination of Discrimination against Women, 1967](#)”).

The Preamble to the Declaration declared that despite advancements towards gender equality, discrimination against women continued. It asserts that equitable involvement of women in the growth of a country and the wellbeing of the family and society is vital. There are 11 Articles, dealing with issues like sex-based discrimination, mechanism to eradicate discriminatory laws, custom and practices, protection of equality between men and women enshrined in national laws and international instruments. The declaration is not restricted to the de-jure approach but also requires the de-facto approach to eradicate prejudices and practises that advocate the inferiority of women by educating the people. Besides, the declaration covers areas from all walks of life such as political, nationality, civil law and legal capacity, marriage, biased criminal laws, trafficking and abuse of prostitution, education and maternity benefits etc. (“[Declaration on the Elimination of Discrimination against Women, 1967](#)”).

2.9 Women’s Rights, Standard Setting and Mexico City Conference

The Mexico City Conference is regarded “First World Conference on Women” and was held in 1975 in Mexico City, Mexico. It was the first worldwide conference conducted by the United Nations with a concentration primarily on women’s rights. The Conference altered the mindset from treating women as the beneficiary of aid to seeing them as part of policy formulation and development.

In approving the request of the CSW to coincide a World Conference on Women with “International Women’s Year”, General Assembly authorised the Conference. The Conference was considered the first important move at the worldwide level to establish men and women’s equal status and to eradicate sex-based discrimination in areas of education, opportunity, and economic priorities. The conference was multi-dimensional and consisted of delegates from 133 states and all strata, such as UN bodies, national liberation movements, and intergovernmental organizations, as well as select non-governmental organisations.

“At the end of the Conference, delegates had adopted a World Plan of Action; Declaration of Mexico on the Equality of Women and their Contribution to Development and Peace; a set of regional follow-up plans for Africa, and Asia and the Pacific-35 separate resolutions and decisions on a wide-ranging set of issues relevant to women” (“[The United Nations and the Advancement of Women, 1945-1996. - United Nations Digital Library System,](#)” 1996).

The governments, pledged to uphold thirty principles in the Declaration of Mexico, one of which being the removal of any obstacles preventing women from fully participating in the development and peace of their country. It acknowledged and considered the role of women in the accomplishment and preservation of peace in all domains. The Declaration called women to take part equally in the decision-making process of peace and development by engagement in the organisation working on the same.

The “Plan of Action” had turned out to be the most lasting legacy of the Conference. The document is also known as the “World Plan of Action for the realisation of the objectives of the International Women’s Year”. It contains detailed instructions for the growth of women up to 1985. In accordance with General Assembly’s resolution building up International Women’s Year, its overall objective was threefold: “to promote equality between men and women; to ensure the integration of women in the total development effort; and to increase the contribution of women

for strengthening of world peace.” The Plan established basic targets to be completed by 1980 and to assure removal of sex-based discrimination with women and equality to women in every area of life. The Conference proposed UN to create a treaty with an implementation method that might make the principles of the Declaration on the Elimination of Discrimination Against Women enforceable (“[The United Nations and the Advancement of Women, 1945-1996. - United Nations Digital Library System,](#)” 1996).

Mexico City Conference addressed the requirement of improvement in research and training connected to women’s concerns and urged the construction of a research and training centre for the same. In response to the Conference, the General Assembly in 1975 urges Secretary-General for the formation of United Nations-affiliated organisation, “the International Research and Training Institute for the Advancement of Women” (INSTRAW). The Institute’s aims were to direct its efforts with specific attention to the need of women in developing States. The “United Nations Decade for Women” from 1976 to 1985 is the consequence of the recommendation presented by the Conference to assure national and worldwide action to promote the status of women (“[The United Nations and the Advancement of Women, 1945-1996. - United Nations Digital Library System,](#)” 1996).

2.10 “United Nations Decade for Women” and Adoption of CEDAW: A Paradigm Shift

After five months after the “First International Conference on Women”, the General Assembly adopted 1976 to 1985 as “United Nations Decade for Women: Equality, Development and Peace”. The decade is recognised for its historic achievements such as Copenhagen and Nairobi Conferences and its legal triumphs like CEDAW. The belief that development aids in the advancement of women was corrected to the new understanding that development was impossible without the equal participation of women, which was the most significant change that occurred throughout the decade. During the decade, NGOs started to participate in producing policy and conveyed the perspectives of women suffering from discrimination, poverty, and oppression, before the UN (“[The United Nations and the Advancement of Women, 1945-1996. - United Nations Digital Library System,](#)” 1996).

During the UN Decade for Women, Regional Commissions started establishing their own women-specific initiatives. UNDP started to incorporate women more and more in its initiatives. The “Voluntary Fund for the United Nations Decade for Women” was established in 1971 as a result of the “Economic and Social Council’s” suggestion that individuals, NGOs, foundations, and industrialists and businesspeople be asked to make contributions. It gave aid to women in starting their own company and to minimise their work strain by supplying water near to the family. The General Assembly changed the name of fund from “Voluntary Fund for the United Nations Decade for Women” to the “United Nations Development Fund for Women” (UNIFEM) and made it a permanent and independent organisation. “By the conclusion of the Decade, UNIFEM had supported over 400 projects worth more than US\$24 million” (“[The United Nations and the Advancement of Women, 1945-1996. - United Nations Digital Library System,](#)” 1996).

And finally, at the middle of the decade a historic document was adopted under the name of CEDAW. That has been considered as historic success in the journey of recognition of women’s distinct needs. The convention analyses the international human rights law through gender perspective and suggest changes accordingly. The convention strives to fulfil the gap of existing human rights law of not recognizing that women

are differently situated. CEDAW sets a universal standard for the equality of men and women.

After the adoption of CEDAW, United Nations has been continuously striving to realize the equality of sexes. The United Nations also held various conferences on women and made gender equality as major component of “Millenium Development Goals and Sustainable Development Goals”.

3. Conclusion

The adoption of the “Convention on the Elimination of All Forms of Discrimination Against Women” was most significant success and a key step in the United Nations’ mission to end discrimination against women. The Convention addresses the hole caused by the non-recognition of women’s individuality and the non-binding nature of the “Declaration on the Elimination of Discrimination Against Women”. It compensates for the international human rights law’s failure to include non-state actors within its reach. CEDAW is an international agreement that defines worldwide norms and the internationally acknowledged ideal of gender equality. It cannot be denied that the Convention has had a substantial influence on the evolution of women’s rights debate. It has made politicians aware that the simple adoption of the principle of non-discrimination into domestic legislation would not abolish discrimination against women. It is pleasant to notice that State Parties to the Convention have made required reforms to their various laws and practises affecting women. However, it is also true that the Convention has had limited success in fulfilling its original purposes and objectives.

Women are struggling to access and enjoy basic human rights in multi-dimensional ways. This condition becomes more painful in developing countries. After all efforts and struggle, women are not in a condition to hold a fifty percent share in concerned political institutions and parliaments. The latest example of India is worth mentioning here: after many decades and even being the largest democracy, it could succeed in ensuring enough participation of women in its national legislature. Consequently, India recently passed a law for locking thirty-three percent of seats for women in its lower house. India is just a recent example; the data of most of the countries, based on gender, show the same scenario of political participation in national legislatures. Another insufficiency in tackling the lower status of women is due to a low understanding of indirect discrimination. CEDAW is considered unique, particularly because of its approach, which requires a restructuring of society and the recognition of indirect discrimination and cross-discrimination. Even after four decades of this recognition, it is very common to notice that most of the approaches of countries and their organizations based on the negative role of the state and direct discrimination only. For example, most countries are ensuring that when loans or financial assistance are provided to individuals to start their businesses, there must not be any hindrances for women. But they are far behind in considering the past exploitation, present status, and structure of society, in which there are various things that are common for men but not women, such as having immovable property, which is the main eligibility criteria to enjoy this assistance. That is why the world somehow achieved success in diminishing direct discrimination and achieving equality in opportunity. However, on the basis of unsatisfactory results, it will be an injustice to deny the contribution of the United Nations to enhancing the condition of women.

Commendably, the contribution of the United Nations in the field of women’s rights is not restricted to just enlisting rights. The achievement of the United Nations is to change in its approach with time and recognition to the distinct need of women and their protection. The journey started from

the approach of formal equality and with commendable changes reached to approach of substantive equality. Initially, it has been considered that women will automatically be beneficiaries of general development; however, later women have been considered as major assets for shaping the developed world.

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