



CEDAW Seeks to End Violence Against Women and Trafficking

- *CEDAW seeks an end to violence against women.*

CEDAW's focus on ending discrimination against women includes a focus on ending gender-based violence such as family violence and abuse, forced marriage, dowry deaths, acid attacks, female genital mutilation, and compulsory abortion and sterilization.¹ The CEDAW Committee has observed, "Family violence is one of the most insidious forms of violence against women" and "put[s] women's health at risk and impair[s] their ability to participate in family life and public life on a basis of equality."²

The CEDAW Committee has accordingly encouraged countries to take action to end violence against women through civil and criminal penalties for perpetrators, and assistance to victims such as shelters and counseling.³ It has recommended that countries take a broad approach to ending gender-based violence that includes educating public officials, law enforcement, the judiciary, health-care providers, and social workers to recognize violence against women and its seriousness.⁴

CEDAW's commitment to addressing violence against women reflects American values. For example, in the United States, the federal Violence Against Women Act ("VAWA"), originally passed in 1994, has enhanced the investigation and prosecution of perpetrators of violence against women, and provided multi-faceted services for victims of family violence and sexual assaults.⁵ In addition, all of the fifty states and the District of Columbia have their own laws outlawing violence against women, including domestic abuse, and provide a range of protections and services to battered women.

- *CEDAW condemns the trafficking of women.*

Worldwide, approximately 12.3 million adults and children are suffering in forced labor, bonded labor, and forced prostitution.⁶ One important goal of CEDAW is to "suppress all forms of traffic in women and exploitation of prostitution of women."⁷

Like the U.S. State Department's Office to Monitor and Combat Trafficking in Persons, the CEDAW Committee has identified states that serve as countries of origin, transit, and destination for trafficked women and girls, and encouraged the strengthening of efforts to combat and prevent trafficking.⁸ The CEDAW Committee has called for such countries to introduce measures for the rehabilitation and social integration of victims of trafficking, and has further recommended the enhancement of economic opportunities for women in order to reduce their vulnerability to traffickers.⁹ For example, the Committee has called upon Suriname to develop a

comprehensive anti-trafficking strategy to include educational and vocational opportunities for women and girls aimed at making them less vulnerable to trafficking.¹⁰ Similarly, the Committee has encouraged Colombia to enhance awareness-raising efforts and specifically target at-risk women and girls, especially in rural areas.¹¹

CEDAW's strong stance against trafficking is fully in line with American values. The U.S. has taken the same stand against trafficking by adopting the Trafficking Victims Protection Act in 2000 ("TVPA").¹² The TVPA provides stiff penalties for traffickers, assists and protects victims, and commits funding to anti-trafficking efforts in the U.S. and abroad.¹³ By ratifying CEDAW, the U.S. would reaffirm its ongoing commitment to preventing the trafficking of women and children, and providing services and access to justice to trafficking victims attempting to rebuild their lives.

CEDAW ratification would advance efforts to promote women's safety from violence and trafficking.

¹ General Recommendation 19, ¶ 7 ("Gender-based violence, which impairs or nullifies the enjoyment by women of human rights and fundamental freedoms under general international law or under human rights conventions, is discrimination within the meaning of article 1 of the Convention."). *See also id.* ¶¶ 7(b) 11, 20, 22.

² General Recommendation 19, ¶ 23.

³ General Recommendation 19, ¶¶ 9, 24; Jan Arno Hessbruegge, *Human Rights Violations Arising From Conduct of Non-State Actors*, 11 BUFF. HUM. RTS. L. REV. 21, 81 (2005).

⁴ General Recommendation 19, ¶ 24; Azerbaijan, ¶ 18, U.N. Doc. CEDAW/C/AZE/CO/3 (2007); Hungary, ¶ 19, U.N. Doc. CEDAW/C/HUN/CO/6 (2007); India, ¶ 21, U.N. Doc. CEDAW/C/IND/CO/3 (2007); Kazakhstan, ¶ 16, U.N. Doc. CEDAW/C/KAZ/CO/2 (2007); Kenya, ¶ 24, U.N. Doc. CEDAW/C/KEN/CO/6 (2007); Maldives, ¶ 20, U.N. Doc. CEDAW/C/MDV/CO/3 (2007); Mauritania, ¶ 30, U.N. Doc. CEDAW/C/MRT/CO/1 (CEDAW, 2007); New Zealand, ¶ 25, U.N. Doc. CEDAW/C/NZL/CO/6 (CEDAW, 2007); Republic of Korea, ¶ 28, U.N. Doc. CEDAW/C/KOR/CO/6 (CEDAW); Tajikistan, ¶ 22, U.N. Doc. CEDAW/C/TJK/CO/3 (2007); Vietnam, ¶ 27, U.N. Doc. CEDAW/C/VNM/CO/6 (2007).

⁵ Public Law 103-322. VAWA was reauthorized by Congress in 2000, and again in December 2005. The reauthorization was signed into law by President George W. Bush on January 5, 2006. Domestic violence remains a serious problem in the U.S., with an average of four women per day murdered and 5.5 million women per year physically assaulted or raped by intimate partners. Shannan Catalano et al., *Female Victims of Violence* (Bureau of Justice Statistics 2009) *available at* <http://bjs.ojp.usdoj.gov/content/pub/pdf/fvv.pdf>.

⁶ Trafficking in Persons Report 2010, *available at* <http://www.state.gov/g/tip/rls/tiprpt/2010>.

⁷ CEDAW, Art. 6.

⁸ Burundi, ¶¶ 27-28, U.N. Doc. CEDAW/C/BDI/CO/4 (2008); Finland, ¶¶ 17-18, U.N. Doc. CEDAW/C/FIN/CO/6 (2008); Luxembourg, ¶¶ 31-32, U.N. Doc. CEDAW/C/LUX/CO/5 (2008); Nigeria, ¶¶ 35-36, U.N. Doc. CEDAW/C/NGA/CO/6 (2008); Saudi Arabia, ¶¶ 23-24, U.N. Doc. CEDAW/C/SAU/CO/2 (2008).

⁹ Azerbaijan, ¶ 20, U.N. Doc. CEDAW/C/AZE/CO/3 (2007); Belize, ¶ 22, U.N. Doc. CEDAW/C/BLZ/CO/4 (2007); Colombia, ¶ 21, U.N. Doc. CEDAW/C/COL/CO/6 (2007); Estonia, ¶ 19, U.N. Doc. CEDAW/C/EST/CO/4 (2007); Indonesia, ¶ 25, U.N. Doc. CEDAW/C/IDN/CO/5 (2007); Kazakhstan, ¶ 18, U.N. Doc. CEDAW/C/KAZ/CO/2 (2007); Netherlands, ¶ 24, U.N. Doc. CEDAW/C/NLD/CO/4 (2007).

¹⁰ Suriname, ¶ 21, U.N. Doc. CEDAW/C/SUR/CO/3 (2007).

¹¹ Colombia, ¶ 21, U.N. Doc. CEDAW/C/COL/CO/6 (2007).

¹² 22 U.S.C. § 7101 et seq. (2000).

¹³ *Id.*