

International Women's Rights Project - IWRP

Annotated CEDAW Bibliography

The year 2000 marked twenty years since the *Convention on the Elimination of All Forms of Discrimination Against Women* was opened for ratification by the United Nations. As a means of commemorating this anniversary, and in the hopes of providing a valuable research tool for academics, practitioners, and activists, the *Annotated CEDAW Bibliography* was created.

What follows is a compilation of sources dealing with CEDAW. The sources have been organized into various topics identified within the articles of the *Convention*. Sources pertain specifically to CEDAW as a whole, but also cover issues that relate to specific topics discussed within the *Convention*. For example, Discrimination and Violence Against Women in the Workplace references are located under "Employment." In addition, each corresponding article of the *Convention* has been replicated at the beginning of the respective sections. As well, the preamble to the *Convention* is outlined at the beginning of the bibliography. It is also important to note that three new topics have been added which are not directly represented by the articles of the convention: Violence Against Women, Refugee Women, and Religion and Women. Regional Analysis sources have been organized according to country or region. Many of the sources within each section have been cross-referenced in order to provide a more comprehensive resource for the reader.

Many people contributed to the original construction of this bibliography: Angela Green-Ingham, Kelly Mannix, Valerie Markidis, Ayesha Shamin, This project was made possible by the support of the Charter of Rights Education Fund, in partnership with the Institute for Feminist Legal Studies (at Osgoode Hall Law School), the Native Women's Association of Canada, and the Toronto Branch of the Women's Legal Education and Action Fund. The following individuals contributed to the updated version: Danielle Lauren Kravetsky, Robyn Cooper, Stephanie Hanna, Manpreet Mand, Gaia Willis-Owen, Laurel Sherret, Chloe Raxlen and Rashida Usman.

Note: While no bibliography can be completely comprehensive, this work attempts to cover the major topics relating to CEDAW.

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Violence Against Women

Refugee Women

Religion and Women

Preamble:

The States Parties to the present Convention,

Noting that the Charter of the United Nations reaffirms faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of man and women,

Noting that the Universal Declaration of Human Rights affirms the principle of the inadmissibility of discrimination and proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind, including distinction based on sex,

Noting that the States Parties to the International Covenants on Human Rights have the obligation to ensure the equal right of men and women to enjoy all economic, social, cultural, civil and political rights,

Considering the international conventions concluded under the auspices of the United Nations and the specialized agencies promoting equality of rights of men and women,

Noting also the resolutions, declarations and recommendations adopted by the United Nations and the specialized agencies promoting equality of rights of men and women,

Concerned, however, that despite these various instruments extensive discrimination against women continues to exist,

Recalling that discrimination against women violates the principles of equality of rights and respect for human dignity, is an obstacle to the participation of women, on equal terms with men, in the political, social, economic and cultural life of their countries, hampers the growth of the prosperity of society and the family and makes more difficult the full development of the potentialities of women in the service of their countries and of humanity,

Concerned that in situations of poverty women have the least access to food, health, education, training and opportunities for employment and other needs,

Convinced that the establishment of the new international economic order based on equity and justice will contribute significantly towards the promotion of equality between men and women,

Emphasizing that the eradication of apartheid, of all forms of racism, racial discrimination, colonialism, neo-colonialism, aggression, foreign occupation and domination and interference in the internal affairs of States is essential to the full enjoyment of the rights of men and women,

Affirming that the strengthening of international peace and security, relaxation of international tension, mutual co-operation among all States irrespective of their social and economic systems, general and complete disarmament, and in particular nuclear disarmament under strict and

effective international control, the affirmation of the principles of justice, equality and mutual benefit in relations among countries and the realization of the right of peoples under alien and colonial domination and foreign occupation to self-determination and independence, as well as respect for national sovereignty and territorial integrity, will promote social progress and development and as a consequence will contribute to the attainment of full equality between men and women,

Convinced that the full and complete development of a country, the welfare of the world and the cause of peace require the maximum participation of women on equal terms with men in all fields,

Bearing in mind the great contribution of women to the welfare of the family and to the development of society, so far not fully recognized, the social significance of maternity and the role of both parents in the family and in the upbringing of children, and aware that the role of women in procreation should not be a basis for discrimination but that the upbringing of children requires a sharing of responsibility between men and women and society as a whole,

Aware that a change in the traditional role of men as well as the role of women in society and in the family is needed to achieve full equality between men and women,

Determined to implement the principles set forth in the Declaration on the Elimination of Discrimination against Women and, for that purpose, to adopt the measures required for the elimination of such discrimination in all its forms and manifestations,

Have agreed on the following:

Article 1: General

For the purposes of the present Convention, the term "discrimination against women" shall mean 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.

Andrews, Penelope. "Women's human rights and the conversation across cultures." *Albany Law Review* 67 (Winter 2003), 609-617.

Explores vision of women's rights and equalities outlined in CEDAW. Discusses tensions within universalizing legal norms, legal strategies premised on liberal assumptions, secular focus of CEDAW, and the individual versus communitarian values in CEDAW. Uses South Africa and Afghanistan to highlight themes and tensions around women's rights.

Ashworth, Georgina. Changing the Discourse: A Guide to Women and Human Rights. London: Change (1993)

"This is not a law book. It is a collection of the opinions and strategies of a reflective activist which are meant to be practical and informative. Governments and non-government organizations have based their policies on many of these ideas and proposals and are, it is to be hoped, carrying them out. It is a book to be plundered by its readers for their own actions and reflections; human rights, as a philosophy should transform economic, social and political

relations. It is feminist. But then my [the author's] interpretation of feminism is that it is a human rights movement."

Askin, Kelly D. and Dorean M. Koenig. Women and International Human Rights Law (Volumes I-III). New York: Transnational Publishers Inc. (1999).

"Volume 1 offers an overview of current legal discourse as it confronts domestic violence, violence in the workplace, sexual harassment, trafficking in women, and the other common abuses of women around the world. ... Volume 2 addresses women's human rights in the practical context of international courts, legal instruments, and global and regional organizations. ... Volume 3 emphasizes the personal empowerment of women—including reproductive, sexual, and property rights—in the specific regional and cultural contexts of the Middle East, Palestine, Eastern Europe, the United States, Australia, and Africa."

Bayefsky, Anne. "CEDAW: Threat to, or Enhancement of, Human Rights" *American Society of International Law Proceedings* 94 (2000) 197-199.

Part of a panel discussion on the contribution of CEDAW to international human rights legal system and actual enjoyment of women's human rights. Discusses problems of committee, reporting, and also successes of CEDAW.

Cook Rebecca J. "The Women's Convention: Opportunities for the Commonwealth." *Commonwealth Law Review* 16 (1990) 610 - 619

Engle, Karen. "International Human Rights and Feminism: When Discourses Meet." *Michigan Journal of International Law* 13 (1991) 517

"In this article [the author] brings some of the issues identified and discussed in domestic law into public international law, through an analyses of that area of human rights law pertaining to women. [She] explores the various ways that advocates of international women rights have displayed, and at the same time critiqued, existing frameworks in order to achieve change for women. In doing so, [the author] analyses the multiple roles that rights discourse plays in the advocacy of women's rights internationally."

Knop, Karen. Gender and Human Rights. Oxford: Oxford University Press (2003).

"This collection of essays brings together feminist scholars in a number of areas including international law, rights, citizenship, queer theory, constitutional law and migration studies to reflect on gender and human rights."

Martinez, Aida Gonzalez. "Human Rights of Women." *Washington University Journal of Law and Policy* 5 (2001): 157-188.

Gives a broad overview of human rights of women and their promotion and protection at the international level.

Green, Maria. "What We Talk About When We Talk About Indicators: Current Approaches to Human Rights Measurement" *Human Rights Quarterly* 23 (2001) 1062-1097.

Gives overview of human rights indicators of civil, cultural, economic, political and social rights. Discusses theory and practice of measuring compliance of states with human rights standards.

Hilkka Pietila and Jeanne Vickers. Making Women Matter: The Role of the United Nations U.K: Zed Books (1990)

"This books aims to show what the international community has pledged on women's behalf and how women themselves can support its efforts for greater social and economic good."

Ilic, Zagorka. *The Convention on the Elimination of All Forms of Discrimination Against Women*. UNITED NATIONS MANUAL ON HUMAN RIGHTS REPORTING. U.N. Doc. HR/PUB/91/1. (1991) 153-76

"The Women's Convention is one of six human rights instruments focused on in the Manual on Human Rights Reporting, a guide prepared for government officials responsible for the preparation of reports required under human rights treaties. The first section of this chapter deals with the reporting process. It first outlines the reporting requirements under the Convention and then discusses the guidelines adopted by the Committee. The bulk of the chapter, however, is taken up by a discussion of reporting on the substantive provisions in the Convention. This portion lays out articles one through 16 of the Convention and then provides commentary on what each section requires when reporting. The second section of the article looks at the Committee on the Elimination of Discrimination Against Women and its work. The final section briefly considers key issues in periodic reports."

Kathree, Fayeza. "Convention on the Elimination of All Forms of Discrimination Against Women." *South African Journal of Human Rights*, 11(3) (1995) 421 - 438

The author provides a basic introduction to the 1979 Convention as well as some general background information regarding the Convention for the Elimination of Discrimination Against Women. The final section of the paper discusses the effect of the convention on South African Women.

Kinnear, Karen. "Women in the Third World: a Reference Handbook." Santa Barbara: ABC-CUO (1997)

Landsberg-Lewis, Ilana, ed. Bringing Equality Home: Implementing the Convention on the Elimination of All Forms of Discrimination Against Women. NY: United Nations Development Fund for Women (1998).

Looks at domestic implementation of CEDAW with respect to Constitutions, use by the courts, national law changes, government policy. Also looks at reservations and gives details on the reporting process. Covers countries from Asia, Latin America, Africa, and Southeast Asia.

Malani, Leila Rassekh, Sara C. Albert, and Karina Purushotma (eds). "CEDAW – The Treaty for the Rights of Women." Washington: The Working Group on Ratification of the U.N. Convention on the Elimination of All Forms of Discrimination Against Women, 2004.

This is an extensive resource on CEDAW and the need for US ratification. This book introduces CEDAW, outlines its main provisions, and explores its impact in a variety of areas. It gives information on how to use CEDAW and its influence on court decisions. Furthermore, it has an entire chapter devoted to dispelling the myths advanced by CEDAW's detractors. This resource is available online at: www.womenstreaty.org

Mertus, Julie, Nancy Flowers, and Mallika Dutt. "Local Action, Global Change." UNIFEM and Center for Women's Global Leadership (1999).

This book was designed for a wide audience and gives information on women's human rights. It provides strategies for taking action and gives group exercises for learning about women's rights. Main topics covered: equality, non-discrimination, specific areas of discrimination, use of CEDAW as a learning and advocacy tool, and the Beijing Platform of Action.

Naples, Nancy A. and Manisha Desaijeds, eds. Women's Activism and Globalization: Linking Local Struggles and Transnational Politics. New York: Routledge (2002)

Collection of essays on women's local and international organizations. Includes essays on rural women, country specific programs/organizations, microcredit, and transnational solidarities. Discusses the use of CEDAW by NGOs.

Nash, Kate. "Human rights for women: an argument for 'deconstructive equality'" *Economy and Society* 31 (August 2002) 414-433.

Argues that poststructuralist feminism can be used to provide support for one possible understanding of equality encoded in CEDAW. Addresses feminist concerns over universal rights as androcentric and ethnocentric.

People's Movement for Human Rights Education, "Passport to Dignity." Information available at <http://www.pdhre.org/passport.html>

"The 536 page guide and workbook uses the comprehensive framework of the BPFA to demonstrate the holistic nature of human rights as a powerful tool for action in the achievement of full equality, well being, and participation in the decisions that determine women's lives."

People's Movement for Human Rights Education, "Women Hold Up Half the Sky" Videoseries. Information available at: <http://www.pdhre.org/videoseries.html>

"A dramatic video series: Eight short training videos for learning about CEDAW and its relevance to women's daily lives."

Rehof, Lars Adam. "Guide to the Travaux Preparations of the United Nations Convention on the Elimination of All Forms of Discrimination Against Women." *International Studies in Human Rights* 29 (1993)

"This unique guide is an attempt to create a picture of the legal-political background to the Convention. Its basic layout follows the style of a classical commentary with annotations to the individual provision. These annotations draw on documentary sources from the years of preparatory discussions and negotiations." Includes other documents relative to the interpretations of the Convention.

Roth, Brad R. "The CEDAW as a Collective Approach to Women's Rights" *Michigan Journal of International Law* 24 (2002-2003) 187-226.

Explores the "collective" versus "individual" paradigms. Contrasts the individualist paradigm underlying the International Covenant on Civil and Political Rights with, what the author argues, the "more deeply collectivist" angle of CEDAW.

Schöpp-Schilling, Hanna Beate. "The Convention on the Elimination of All Forms of Discrimination Against Women," in The Monitoring System of Human Rights Treaty Obligations, Eckart Klein (ed.), Berlin, 1998.

Schöpp-Schilling, Hanna Beate. "Das Frauenrechtsübereinkommen - ein wirksames Instrument für die weltweite Gleichberechtigung und Gleichstellung von Frauen?" /CEDAW - An Effective Human Rights Instrument for Women's Equality Worldwide?/, in Menschenrechtsschutz in der Praxis der Vereinten Nationen, G. Baum, E. Riedel, M. Schaefer (eds.), Baden-Baden, 1998. [German]

Schöpp-Schilling, Hanna Beate. "Effektivität von Abkommen zum Schutz der Menschenrechte am Beispiel von CEDAW" /Effectiveness of Human Rights Instruments: The Case of CEDAW/, in *Die Friedenswarte* 74 (1999) 1-2, S. 204-228. [German]

Schöpp-Schilling, Hanna Beate. "Das Übereinkommen zur Beseitigung jeder Form von Diskriminierung der Frau und seine Auswirkungen" /CEDAW and Its Impact/ , in 20 Jahre Übereinkommen zur Beseitigung jeder Form von Diskriminierung der Frau (CEDAW). Studien zu Grund- und Menschenrechten, Heft 5 , Potsdam, 2000. [German].

Schöpp-Schilling, Hanna Beate. "CEDAW: A Key Instrument for Promoting Human Rights of Women," in The Human Rights of Women and Girls – Conference on the 20th Anniversary of CEDAW, ILO Centre, Turino, 2000.

Schöpp-Schilling, Hanna Beate. "Menschenrechte - CEDAW" /Human Rights – CEDAW/, in Lexikon der Menschenrechte, Helmut Volger (ed.), München/Wien, 1999 [German]; also in A Concise Encyclopedia of the United Nations. With A Preface of the Secretary General of the United Nations, Helmut Volger (ed.), The Hague et al., 2002.

Semler Vicki et al. eds. "Rights of Women: A Guide to the Most Important United Nations Treaties on Women's Human Rights." New York: International Women's Tribune Center (1998).

Basic layout for a broad audience. Meant to introduce reader to general UN conventions as they relate to women's h\rights, focuses on specific areas of women's rights, gives strategies for action and availability of resources.

Shin, Heisoo. "CEDAW and Women's Human Rights: Achievements and Obstacles." Presented at The Castan Center for Human Rights Law's Annual Conference, 2004. Available online at: <http://www.law.monash.edu.au/castancentre/events/2004/heisoo-shin-paper.pdf>

This presentation offers a reflection on how CEDAW has contributed to eliminating discrimination against women and presents some of the main challenges both the Committee and the Convention face today.

Stubbs, Julie. "Convention on the Elimination of All Forms of Discrimination Against Women." *Canadian Yearbook of International Law* 20 (1982) 349 - 350

Stumpf, Andrea E. " Re-examining the Un Convention on the Elimination of All Forms of Discrimination Against Women: The UN Decade for Women Conference in Nairobi." *Yale Journal of International Law* 10 (1985) 384 - 405

"This annotated version of the Women's Convention analyzes the link between the Convention and the Nairobi Forward-Looking Strategies for the Advancement of Women During the Period from 1986 to the Year 2000, which were produced by the delegations at the third and final governmental conference of the U.N. Decade for Women convened in Nairobi, Kenya, from July 15- 26, 1985. The Strategies and the Women's Convention have much in common, including similar language and vocabulary. The Convention, being a binding document, is more substantive. However, as a supplement to the Convention, the Strategies is a more detailed document in which states have set out their positions more explicitly. In addition, the Strategies invited greater participation and received wider publicity, creating different kinds of pressures for subscribing states. Finally, where the Convention proscribes, the Strategies tends rather to evaluate and make recommendations."

Trueblood, Leigh A. "Female Genital Mutilation: A Discussion of International Human Rights Instruments, Cultural Sovereignty and Dominance Theory." *Denver Journal of International Law and Policy* 28 (1999-2000): 437-468.

The author explores the "conflict between the recognition of international human rights and the principle of cultural sovereignty through an analysis of the cultural, social, and political implications surrounding FGM."

UNIFEM, South Asia Regional office and Partners for Law and Development. "CEDAW: Restoring Rights To Women" (UNIFEM, 2004). Available online:
<http://www.unifem.org.in/pdf/CEDAW.pdf>

"A resource to enhance and deepen understanding on CEDAW, Its coverage and potential." This guide contains a thorough exploration of women's rights as human rights, the genesis of CEDAW, its foundational framework as well as the Convention's scope and coverage.

Walter, Lynn, ed. Women's Rights: A Global View. Westport: Greenwood Press (2001).

Country-specific essays on the impact of CEDAW (covers Europe, Latin American, Asia, Middle East, North Africa, and Southeast Asia).

Zearfoss, Sarah C. "Note, the Convention on the Elimination of All Forms of Discrimination Against Women: Radical, Reasonable, or Reactionary?" *Michigan Journal of International Law* 12 (1991) 903 – 942

The author examines the ten-year period following the adoption of the CEDAW. She outlines the structure of the convention, offering both praise and critique. Zearfoss goes on to examine the failure of the laws generally, addressing the weakness of enforcement provisions, and speaking to the problem of state reservations. Finally she directs her writing to the U.S. approach to the convention.

Article 2: Discrimination

States Parties condemn discrimination against women in all its forms, agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women and, to this end, undertake:

- (a) To embody the principle of the equality of men and women in their national constitutions or other appropriate legislation if not yet incorporated therein and to ensure, through law and other appropriate means, the practical realization of this principle;
- (b) To adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women;
- (c) To establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination;
- (d) To refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation;
- (e) To take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise;
- (f) To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women;
- (g) To repeal all national penal provisions which constitute discrimination against women.

Bond, Johanna. "International Intersectionality: A Theoretical and Pragmatic Exploration of Women's International Human Rights Violations." *Emory Law Journal* 52 (2003): 71-186.

The author explores the concept of "intersectionality" and how this is or is not reflected in international human rights discourse and institutions. She presents compelling arguments about the difficulties faced by women who are discriminated against on multiple grounds and discusses the potential routes for addressing this discrimination within the UN human rights system.

Coomaraswamy, Radhika. "Identity Within: Cultural Relativism, Minority Rights and the Empowerment of Women" *George Washington International Law Review* 34 (2002-2003) 483-514.

Explores concepts of discrimination within minority groups, issues of cultural relativism and discrimination against women. Discusses articles 9, 13, 15, and 16 specifically as well as cultural practices of FGM, sati, and honor killings.

Forbes Martin, Susan. Refugee Women. London: Zed Books Ltd. (1991)

This text "looks at the harsh conditions of daily life for refugees, and the implications for their host countries. It shares how discrimination and violence from refugee women's own communities in addition to the threat of military attack, abduction and rape, can greatly increase the emotional trauma. It examines the steps needed to protect their rights and promote their empowerment".

Fraser, Arvonne S. "The United Nations Decade for Women: Documents and Dialogue." Boulder, Colorado: Westview Press

Frohnen, Bruce P. "Multicultural Rights? Natural Law and the Reconciliation of Universal Norms with Particular Cultures." *Catholic University Law Review* 52 (2002-2003): 39-80.

The author advocates for the natural law approach of Edmund Burke as a way of promoting greater protection of universal human rights while respecting and protecting indigenous cultures and societies. Discusses some of the difficulties that have been encountered by proponents of CEDAW in the face of certain cultural practices and religions.

Lewis, Nancy and Sophia Huyer, Bonnie Kettel, Lorna Marsden. "Safe Womanhood: A Discussion Paper, GSD Working Paper Series No. 4." International Federation of Institutes of Advanced Study (IFIAS), (April 1994)

Mandhane, Renu. "The Use of Human Rights Discourse to Secure Women's Interests: Critical Analysis of the Implications." *Michigan Journal of Gender & Law* 10 (2003-2004): 275-326.

This article highlights "the significant theoretical constraints of universalism, the tendency for human rights advocates to ignore the underlying cause of rights violations, as well as problems associated with the concept of an informal hierarchy between rights." She suggests that feminist legal theory can be referred to as an advocacy tool where the international human rights framework fails. She uses the recent and successful campaign by Nepali women to have abortion legalized as a reference point.

McCabe, Eve, "The Inadequacy of International Human Rights Law to Protect the Rights of Women as Illustrated by the Crisis in Afghanistan," *5 UCLA J. Intl. & Foreign Aff.* (2000-2001): 419-460

The author examines both international human rights law and asylum law in terms of their ability to address human rights violations against women. McCabe examines the provisions in CEDAW that exist to protect the human rights of women but argues a lack of an effective enforcement mechanism, state default on reporting obligations, and the overall lack of implementing the provisions have meant CEDAW's success in improving women's lives has

been very limited. Through a case study of Afghanistan she highlights the international community's failure to adequately enforce the international human rights obligations on behalf of women. She concludes with suggestions for how to improve compliance with CEDAW as well as potential reforms to asylum laws.

McKay, Leanne. "Women Asylum Seekers in Australia: Discrimination and the Migration Legislation Amendment Act [No. 6] 2001." *Melbourne Journal of International Law* 4 (2003) 439-466.

The *Migration Legislation Amendment Act [No. 6] 2001* (MLAA) was implemented by the Australian Government in an effort to restrict the number of refugees who misuse and abuse the Australian immigration process. Little attention was given to the impact the MLAA would have on the rights and freedoms of those individuals it would affect, most notably women. This article examines the position of women asylum seekers under the MLAA in light of Australia's international non-discrimination obligations, particularly under CEDAW. The author aims to demonstrate that Australian domestic migration law is infused with discriminatory practices that are negatively impacting on the development and implementation of Australia's obligations under international human rights and refugee law.

Nyamu, Celestine I. "How Should Human Rights and Development Respond to Cultural Legitimization of Gender Hierarchy in Developing Countries?" *Harvard International Law Journal* 41 (2000): 381-418.

The author supports a critical pragmatic approach to issues of culture and gender. She suggests that in pluralistic contexts this approach holds the most promise for challenging the cultural legitimization of gender hierarchy.

Paul, Joel Richard. "Cultural Resistance to Global Governance." *Michigan Journal of International Law* 22 (2000-2001): 1-84.

The author argues that "the international community generally regards gender norms as cultural and the international legal norm of gender equality usually defers to national cultural practices." He contrasts states' claims to cultural exceptions in trade and environmental arenas and claims that international practice is inconsistent in its recognition of cultural exceptionalism.

"Response: The Victimization of Women and Children." 12(2), New York: Guilford Press (1989)

Stopler, Gila. "The Free Exercise of Discrimination: Religious Liberty, Civic Community, and Women's Equality." *William & Mary Journal of Women and the Law* 10 (2003-2004): 459-532.

This article explores the relationship between religion, community, and the state and its effects on women's right to equality. The author uses Articles 2 and 5 of CEDAW to examine the steps taken by Israel and the US with respect to religion and women's equality issues.

Twine, France Winddance and Kathleen M. Blee, eds. Feminism and Antiracism – International Struggles for Justice. New York: New York University Press (2001).

Limited direct discussion of CEDAW but the essays in this book explore theoretical concepts of feminism and antiracism. Uses country case studies and covers Asia, Africa, North America, and Europe.

United Nations Centre for Human Rights. Discrimination Against Women: The Convention and the Committee. Fact sheet no. 22. New York (1994)

"This fact sheet is divided into two main parts. Part 1 is set out and explains the substantive provisions of the Convention. Part 11 provides an overview of the structure and functioning of the Committee." Some background information on the Convention is also provided.

World Bank. Advancing Gender Equality : From Concept to Action .

World Bank. Development in Practice: Toward Gender Equality, The Role of Public Policy . (1995)

Article 3: Policy Measures

States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.

Baker, Susan and Anneke van Doerne-Huiskes, eds. Women and Public Policy: The Shifting Boundaries between the Public and Private Spheres. Aldershot: Ashgate Publishing Ltd. (1999)

Covers public/private divide over employment, childcare, reproduction, health and the environment. Discusses government policies in these respects.

Barton, Carol. "Women Debate the MDGs," in *Development* 48(1) (2005): 101-106.

The author explores concerns raised by the women's movement about the millennium development goals (MDGs) and argues the MDGs can be used to advance a global feminist agenda if feminist organizations define the debate. Concerns about the actual impact of gender mainstreaming are also raised and discussed.

Luera, Christina M. "No More Waiting for Revolution: Japan should take positive action to implement the Convention on the Elimination of All Forms of Discrimination Against Women," in *Pacific Rim Law & Policy Journal* 13 (June 2004) 611-643.

Discusses status of women in Japan and how the Japanese government has implemented CEDAW. Luera discusses rule by consensus as a barrier to affirmative action in the substantive realm and its role in the preservation of the status quo. Also discusses slow rate of change in Japanese society with respect to women's equality.

Canadian Research Institute for the Advancement of Women. Canadian Beijing Facilitating Committee. Take Action for Equality, Development and Peace: a Canadian Follow-up Guide to Beijing 95. Ottawa (1996)

Tan, Anamah. "Affirmative Action" Paper available online at:
http://www.anamahtan.com/downloads/papers/affirmative_action.doc

Dr. Tan discusses the under representation of women at all levels of political life as well as in the private sector. She argues that "affirmative action, in the form of positive steps to increase the representation of women in areas from which they have been historically excluded, can be a short-term, equalising tool." Specific examples from various countries are discussed.

UN Department for Policy and Sustainable Development. United Nations Department for Policy Coordination and Sustainable Development. The Convention on the Elimination of All Forms of Discrimination Against Women: Comparative Summary of Existing Communications and Inquiry Procedures and Practices under International

Human Rights Instruments and under the Charter of the United Nations; Report of the Secretary General. (1997)

Waldorf, Lee. Pathway to Gender Equality: CEDAW, Beijing and the MDGs. New York: United Nations Development Fund for Women.

This report "outlines how the wealth of knowledge generated from the processes surrounding the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Beijing Platform for Action can be used as a lens to understand and address the gender equality dimensions of the Millennium Development Goals (MDGs). The publication highlights critical gender equality concerns for each MDG, identifies specific measures governments must take, and provides helpful resources to facilitate this work."

Article 4: Basic Human Rights and Fundamental Freedoms

1. Adoption by States Parties of temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination as defined in the present Convention, but shall in no way entail as a consequence the maintenance of unequal or separate standards; these measures shall be discontinued when the objectives of equality of opportunity and treatment have been achieved.

2. Adoption by States Parties of special measures, including those measures contained in the present Convention, aimed at protecting maternity shall not be considered discriminatory.

Amnesty International. 'Why Are We Still Waiting?' the Struggle for Women's Human Rights. London (1998)

"Atrocities Committed Against Kurdish Women." Women Against Fundamentalism 5(1) (1994) 60

Bunch, Charlotte. "Women's Rights as Human Rights: Towards a Re-vision of Human Rights." *Human Rights Quarterly* 12 (1990) 486

The author begins with a general overview of violence and women around the world. She goes on to examine practical approaches to the issues of women's rights as political and civil rights and women's rights as socioeconomic rights. The latter portion of the article deals with the transformation of human rights as provided by feminist analysis and advocacy.

Center for Reproductive Law and Policy (CRLP). Open Forum on Reproductive Health and Rights. "Women Behind Bars: Chile's Abortion Laws, a Human Rights Analysis." New York: CRLP (1998)

Defeis, Elizabeth F. "Women's Human Rights: The Twenty-first Century." *Fordham International Law Journal* 18 (1995) 1748 - 1755

The author addresses the dilemma of state reservation and how this situation essentially undermines the convention as a whole. Underlying her article is the premise / perspective that women's rights are human rights. She examines the 1993 Vienna Declaration and Programme of Action.

Eisler, Riane. "Human Rights: Toward an Integrated Theory for Action." *Human Rights Quarterly* 9 (1987) 287 - 308

The author provides a solid background into the crossover between human rights and women's rights, establishing that each is entrenched and defined by patriarchy. She outlines the

historical development of the CEDAW and catalogues many of the horrors that women continue to face in spite of its inception.

Human Rights Watch. Women's Rights Project. The Human Rights Watch Global Report on Women's Human Rights. New York: Human Rights Watch (1995)

International Planned Parenthood Federation. Violence against Women and Women's Human Rights, IPPF discussion paper two. London: International Planned Parenthood Federation

Kathree, Fayeeza. "Convention on the Elimination of All Forms of Discrimination Against Women." *South African Journal of Human Rights*, 11:3 (1995) 421 - 438

The author provides a basic introduction to the 1979 Convention as well as some general background information regarding the Convention for the Elimination of Discrimination Against Women. The final section of the paper discusses the effect of the convention on South African Women.

Kerr, Joanna. Ed. Ours by Right: Women's Rights as Human Rights. London: Zed Books (1993)

This publication is an amalgamation of 24 separate articles. The contributions are divided into four primary categories; setting the agenda, women's rights / country experiences (South Africa, Latin America, Pakistan, Africa, Muslim), mechanisms for change and strategies for action.

McElroy, Wendy and Lewis Perry. Freedom, Feminism, and the State: An Overview of Individualist Feminism. New York: Holmes and Meier (1991)

The authors have arranged the 21 articles into eight chapters. There are five articles on women and the government. Two articles on women and sex. Four on women and family. There are three articles on women and birth control, four on women and work, and one on women and the church. There are two articles on women's suffrage and one on women and war.

Ramirez, Judith. Paper presented for International Human Rights Day. "Human Rights: Refugee Rights". Toronto (1994)

Mullally, Siobahn. "Taking Women's Rights Seriously: The Convention on the Elimination of All Forms of Discrimination Against Women." *Irish Law Times and Solicitors Journal* 10 (1992) 6 - 9

The author provides a look into the background of the convention. She examines the substantive provisions of the CEDAW, paying particular attention to the specifications for enforcement of the convention. The article finishes with an analysis of the relevance of the convention for the women of Ireland.

Plata, Maria Isabel and Maria Yanuzova. "Human Rights and the 1979 Convention on the Elimination of All Forms of Discrimination Against Women." Bogotá: Printex Impresores (1998) Spanish

Schöpp-Schilling, Hanna Beate "Reflections on a General Recommendation on Article 4 (1) of the Convention on the Elimination of All Forms of Discrimination," in Temporary Special Measures. Accelerating de facto Equality for Women under Article 4 (1) of CEDAW, I. Bjoerrefin et al. (eds.), Antwerpen, etc., 2003.

United Nations. Women and Violence: United Nations Back Grounder. (1996)

Waring, Marilyn. Three Masquerades: Essays on Equality, Women and Hu(man) Rights. Australia: Allen and Unwin (1996)

The author writes of the pretences that create and sustain inequality. The book is made up of three essays; equality, work and human rights. Waring's premise is that 'truths masquerade as lies'.

Wright, Shelly. "Human Rights and Women's Rights: An Analysis of the United Nations Convention on the Elimination of all Forms of Discrimination Against Women." Human Rights in the Twenty-First Century: A Global challenge . eds. Mahoney and Mahoney. Netherlands: Martinus Nijhoff (1993)

Yangchen, Kikhang. "Women and Human Rights." Women Against Fundamentalism 5(1) (1994) 37 - 39

Zajovic, Stasa. "Women and Ethnic Cleansing." Women Against Fundamentalism 5(1) (1994) 34 - 36

Article 5: Sex Role Stereotyping

States Parties shall take all appropriate measures:

(a) To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women;

(b) To ensure that family education includes a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children, it being understood that the interest of the children is the primordial consideration in all cases.

Donnor, Laura A. "Gender Bias in Drafting International Discrimination Conventions: The 1979 Women's Convention Compared with the 1965 Racial Convention." *Cal. W. International Law Journal* 24 (1994) 241 - 254

Hernandez-Truyol, Berta Esperanza. "Out of the Shadows: Traversing the Imaginary of Sameness, Difference, and Relationalism – A Human Rights Proposal." *Wisconsin Women's Law Journal* 17 (2002): 111-162.

The author proposes to redefine equality from a woman-centred perspective and sets out a methodology for achieving women's full personhood. She uses the concepts in international human rights to support this analysis and rejects the gendered stereotypes that have driven so much of law's creation and application.

Human Rights Watch. Free Expression Project. "A Ruling Inspired by U.S. anti-Pornography Activists in Use to Restrict Lesbian and Gay Publications in Canada." Human Rights Watch 1(1) (1994)

International Planned Parenthood Federation. Gender Awareness for Population Development . London: International Planned Parenthood Federation (1995)

Rosenbloom, Rachel. Ed. Unspoken Rules: Sexual Orientation and Women's Human Rights . London: Cassell (1996)

"Placing lesbian rights within the framework of the broader struggle for women's human rights, this book demonstrates how women's rights and lesbian rights are linked in substantive ways... Homophobia, it is argued, is used as a tool to keep women in line and forces them to accept their society's assigned gender roles and limitations."

Samar, Vincent J. "Autonomy, Gay Rights and Human Self-Fulfillment: An Argument for Modified Liberalism in Public Education." *William and Mary Journal of Women and the Law* 10 (2003-2004): 137-193.

The focus of this paper is on how public education can provide a constructive forum for discussing aspects of lesbian and gay lifestyles in primary and secondary schools. The author uses section 5 of CEDAW as support for the notion that states are required to abolish cultural practices and patterns that are discriminatory, in this case against women.

United Nations. Division for the Advancement of Women. Gender-Based Persecution: Report of the Expert Group Meeting . York University, Centre for Refugee Studies (1997)

Wellerstein, Jaimee K. "In the Name of Tradition: Eradicating the Harmful Practice of Female Genital Mutilation." *Loyola International and Comparative Law Review* 22 (1999-2000): 99-142.

The author argues CEDAW may be most relevant to ending the practice of FGM if states parties were to effectively implement article 5. Additionally the author argues that CEDAW will not be effective on its own in eradicating the practice of FGM and that the UN should draft an international law prohibiting FGM as a fundamental human rights violation.

Wood, Alexi Nicole. "A Cultural Rite of Passage or a Form of Torture: Female Genital Mutilation from an International Law Perspective." *Hastings Women's Law Journal* 12 (2001): 347-386.

This article examines FGM as a violation of international law, especially the United Nations ban on torture. CEDAW is explored and criticized for its protection of women from FGM. Specifically articles 2 and 5 are cited as those being of "great use to women seeking redress from FGM."

Article 6: Prostitution

States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women.

Abramson, Kara, "Beyond Consent, Toward Safeguarding Human Rights: Implementing the United Nations Trafficking Protocol" 44 *Harv. Int'l. L.J.* 473 (2003)

The article examines the United Nations' Trafficking Protocol and the debate over how to define the problem of human trafficking, specifically the debate surrounding the concept of 'consent' as it applies in context. Four major topics are discussed. Part I offers an analysis of the Trafficking Protocol and the efforts to characterize and define 'trafficking'. Part II focuses on the arguments of autonomy advocates who support recognition of the ability of individuals to consent to human trafficking. Part III offers a counterpoint to Part II in which 'protectionist' arguments regarding the meaninglessness of consent in trafficking issues are discussed. Part IV examines alternatives to consent-focused legislation and offers alternative options.

Adelberg, Eden and Claudia Currie, eds. In Conflict with the Law: Women and the Canadian Justice System. Vancouver: Press-Gang Publishers (1993)

"Among the highlighted issues are prostitution, Battered Women's Syndrome as a defence for women who kill abusive partners, Aboriginal Women's significant contributions to prison reform, media stereotypes of women in prison, and a progress report on the implementation of

recommendations from the 1990 Task Force on Federally Sentenced Women." The text is divided into three primary sections; 1. Federally Imprisoned Women, Past Present and Future; 2. Images and Realities, Profiles of Women Offenders; and 3. Theoretical Considerations of Women and the Law.

Adelman, Michelle R., "International Sex Trafficking: Dismantling the Demand" 13 S. Cal. Rev. L. & Women's Stud. 387 (2003-2004).

The article examines the extent to which increasing global concern over the problem of sex trafficking has fostered racist images of 'The Third World', particularly as those images relate to women. Part II presents current U.S. and international legislative responses to sex trafficking. Part III presents a critical analysis of the ways in which the current U.S. legislative response to the issue has created racist images of trafficked women and continues to focus on the vulnerability of women rather than addressing root causes. Part IV contends that the objectification of women in the legal commercial sex industry in the U.S. is the dominant factor in bolstering the demand for illegally trafficked sex workers into the United States.

Aguilar, Delia M. "Women in the Political Economy of the Philippines." *Alternatives* 12 (1987) 511 - 526

Albert, Olawale. Women and Urban Violence in Kano, Nigeria , Ibadan: Spectrum Books Ltd. (1996)

Ali Khan, Mumtaz Dr. Centre for Research and Development of Dalits. Street Girls and Immoral Traffic in India . New Delhi: Uppal Publishing House (1996)

The text is the product of a self-financed study conducted by Dr. Ali Kahn involving 250 girls from the Bangalore Cantt area. The author outlines the results of the personal interviews and case studies, as well as providing insights into the profession.

Balos, Beverly. "The Wrong Way to Equality: Privileging Consent in the Trafficking of Women for Sexual Exploitation." *Harvard Women's Law Journal* 27 (2004): 137-175.

The author contests the language of consent and choice that figures prominently in human rights documents that attempt to deal with trafficking in women. She argues that international instruments "currently fail to confront the systemic inequality that supports trafficking and sexual exploitation and undermines the values of justice and equality." Balos emphasizes Resolution 19, issued by the CEDAW Committee, that recognizes individual, as well as state, responsibility in addressing human rights violations. She concludes with a variety of recommendations for national, regional and international approaches to addressing the trafficking of women.

Boyle, Frances M. et al, eds. The Sex Industry: A Survey of Sex workers in Queensland, Australia . Aldershot: Ashgate Publishing Ltd. (1997)

The book is a collaboration of 6 authors who have undertaken a sociological survey and study of Sex workers in Australia. The data includes information on the socio-demographics of the workers, contact with the police and legal system and sexual and reproductive health.

Boyle, Sharon. Working Girls and their Men: Sexual Desires and Fantasies . Smith Gryphon Ltd. (1994)

Brocato, Vanessa. "Profitable Proposals: Explaining and Addressing the Mail-Order Bride Industry Through International Human Rights Law." *San Diego Int'l L.J.* 5 (2004): 225-265.

The author explores the mail-order bride industry (MOBI) and its exploitation of inequalities, both economic and gender. There is discussion of both CEDAW and the *Convention on the*

Elimination of all forms of Racial Discrimination and how the MOBI relies upon racial and gender discrimination. Education and outreach are cited as necessary underpinnings to support what is already a progressive framework of international and national laws in the US.

Dirasse, Laketch. The Commoditization of Female Sexuality, Prostitution and Socio-Economic Relations in Addis Adaba, Ethiopia . New York: AMS Press (1991)

"This book examines the characteristics of prostitution in Addis Adaba, Ethiopia, and attempts to account for the extremely high incidence of prostitutes in the Ethiopian capital city." Tables, illustrations and a bibliography are also included.

Doezema, Jo. "Now You See Her, Now You Don't: Sex Workers at the UN Trafficking Protocol Negotiations." *Social & Legal Studies*, 14(1) (2005): 61-92.

This article takes the UN Trafficking Protocol negotiations as a background for examining one of the main debates around prostitution, one side representing prostitution as a violation of women's human rights and the other framing prostitution as a legitimate form of labour. This article is an examination of the role played by sex workers in these debates, and of 'sex work' in competing definitions of trafficking in women.

Gold, Fara, "Redefining the Slave Trade: The Current Trends in the International Trafficking of Women" *11 U. Miami Int'l. & Comp. L. Rev.* 99 (2003).

The author distinguishes unwilling victims of international sex trafficking from U.S. domestic prostitutes for the purpose of her analysis. The article gives a brief historical overview of forced prostitution in the international context, and examines the evolving international definition of 'trafficking in women'. It also discusses the process by which many women are trafficked as well as the methods used by traffickers. Greater attention is given to the possible U.S. legal recourses available to survivors, although some international response is also discussed. The article ends with a description of aspirations for curtailment of trafficking, for both U.S. policy makers and non-governmental organizations.

Graybow, Charles. "Sexual Exploitation in Bangladesh." Freedom Review 26 (1995) 24 - 27

Heyzer, Noeleen. Working Women in South East Asia: Development, Subordination and Emancipation . Milton Keynes: Open University Press (1986)

Human Rights Watch / Asia. Rape for Profit: Trafficking of Nepali Girls and Women to India's Brothels. New York: Human Rights Watch (1995)

"Rape for Profit focuses on the trafficking of girls and women from Nepali to brothels in Bombay, where they comprise up to half of the city's estimated 100,000 brothel workers. The report concludes with recommendations to the Indian and Nepali governments and to the international community for protecting trafficking victims and bringing those responsible for the abuse to justice."

Mattar, Mohamed. "Trafficking In Persons, Especially Women and Children, In Countries of The Middle East: The Scope of the Problem and the Appropriate Legislative Responses." *Fordham International Law Journal* 26 (2002-2003) 721-760.

Countries of the Middle East are places of destination, origin and transit for trafficking for the purposes of prostitution and forced labour, especially domestic servitude. This article discusses the forms of trafficking in the countries of the Middle East and explains the current legislative responses to the problem. It also evaluates the adequacy of these responses by comparing them with the minimum standards set forth in the U.S. Trafficking Victims Protection Act of

2000. Lastly, the article suggests necessary legislative changes that must be initiated by these countries to combat trafficking in women and children in the region.

Meliksetian, A.S. "The Social Causes of Deviant Behaviour in Young Women." *Russian Education and Society* 34 (1992) 82 - 95

Meng, Eddy. "Mail-order Brides: Gilded Prostitution and the Legal Response." *University of Michigan Journal of Law Reform* 28 (1994) 197 - 248

The author describes the history of the mail-order bride industry in the United States. He describes the victims of this tragedy as primarily poverty stricken Asian women. Meng examines the mail-order transaction process and the U.S legal response to the situation - deportation of the bride. He sees the mail-order bride business as a form of trafficking in Asian Pacific women. The author juxtaposes the U.S. perception of the situation as a form of immigration fraud to that of his own, which sees the process as a devise of sexual slavery - of international matchmaking to that of international subordination. The article ends with the author's suggestions for reform.

Nelson, Kathryn E. "Sex Trafficking and Forced Prostitution: Comprehensive New Legal Approaches" *24 Hous. J. Int.* 551 (2001-2002).

The article is divided into five parts. Parts I and II introduce and define the problem of international trafficking and forced prostitution particularly as it relates to women. Part III analyses the international response through discussion of trafficking law. Specific attention is given to the Optional Protocol and the Trafficking Protocol. Part IV presents trafficking law in the U.S., both before and after the passing of the Trafficking Act. Part V offers conclusions and recommendations, with a call for international action supported and mirrored in domestic policy and action.

Pilkerton, Christopher M. "Traffic Jam: Recommendations for Civil and Criminal Penalties to Curb the Recent Trafficking of Women from Post-Cold War Russia." *Michigan Journal of Gender & Law* 6 (1999-2000): 221-259.

This article explores the connections between the Russian mafia and trafficking in women. The author offers a number of recommendations for the application of American criminal, civil and immigration law to help curb the problem of trafficking.

Pollock Sturdevant, Sandra and Brenda Stoltzfus. Let the Good Times Roll: Prostitution and the U.S. Military in Asia. New York: The New Press (1992)

The book tells the story of "the women of the bar areas around the U.S. bases in Okinawa, the Philippines, and the southern part of Korea who speak about their lives with remarkable candour. In gripping and poignant narratives they describe their families and childhoods, the poor rural and areas they came from, life and work in the bar areas, and their attitudes towards the bar owners, the American customers, and themselves."

Sinclair, M. Thea. Ed. Gender, Work and Tourism . London: Routledge Ltd. (1997)

The text examines "the central role played by women in tourism. It discusses the nature of their work and the ways in which tourism creates tensions between the attitude and conduct of tourists and the beliefs and behaviours of local women." Countries considered include; UK Northern Cyprus, Mexico, Philippines, and South East Asia.

Schirmes, Daniel B. "Sexual Abuse and the U.S. Military Presence: the Philippines and Japan." *Monthly Review* 48 (1997) 43 - 57

Schwartz, Abigail. "Sex Trafficking in Cambodia." *Columbia Journal of Asian Law* 17 (2003-2004): 371-432.

This paper "seeks to examine Cambodia's trafficking problem both within the context of Southeast Asia's sex trafficking patterns and Cambodia's history, culture, and economic and political environment." The author explores the domestic and international legal framework that exists to prohibit trafficking in Cambodia. There is specific reference to CEDAW and its interaction with Article 31(1) of the Cambodian Constitution, which directly incorporates ratified international human rights treaties into Cambodian law. Citing resource constraints, lack of information, and lack of enforcement of existing laws, the author concludes that without greater international support, Cambodia's trafficking problem will continue to expand.

Skrobanek, Siriporn, Nataya Boonpakdee and Chutima Jantateero. The Traffic in Women : The Human Realities of the International Sex Trade.

"This book explores the nature, extent and reasons for the global traffic in women. Based on research by the Foundation for Women in Thailand, it argues that trafficked women can only be understood via a number of different perspectives; as migrant workers, as prostitutes and as women in a male-dominated society."

Sleightholme, Carolyn and Indrani Sinha. Guilty without Trial : Women in the Sex Trade in Calcutta . New Brunswick: Rutgers University Press (1997)

"Through interviews, surveys and case-studies, [the authors] interrogate the double standards of sexual morality that govern the lucrative sex trade in India, thus making visible the more than twenty thousand mothers, heads of households, and community members, whose activities and voices have been silenced so that others may profit from their activities."

"The Sex Trade in Asia: The Dark Side of Affluence." Far Eastern Economic Review 158 D 14 (1995) 22 - 23

Svanstrom, Yvonne. "Through the Prism of Prostitution: Conceptions of Sexuality in Sweden at Two Fins-de-Siecle," *Nordic Journal of Women's Studies* 13(1) (2005): 48-59.

"Women have gained a number of citizen rights in society, but where *women's rights* to bodily integrity are concerned these have been harder to attain. For more than a hundred years feminists have questioned a constitutive norm which states that men's sexuality is women's responsibility, and demanded changed state laws on prostitution and sexual violence. Sweden has a radical law which criminalizes the purchase of sexual services. Still, however, men's sexuality is by some seen as women's responsibility."

Tiefenbrun, Susan, "The Saga of Susannah – A U.S. Remedy for Sex Trafficking in Women: The Victims of Trafficking and Violence Protection Act of 2000" 2002 Utah L. Rev. 107 (2002)

The article is based on economic theory and is divided into three parts. The first describes the problem of sex trafficking – its nature, history, and multiple underlying causes as well as how these issues fit into the feminist and critical race theoretical legal discourses. The second examines and critiques international legal solutions adopted in the past to address sex trafficking, including international human rights legislation. The third analyses the U.S. legislative response to sex trafficking.

Tiefenbrun, Sarah W. "Sex Sells But Drugs Don't Talk: Trafficking of Women Sex Workers." *Thomas Jefferson Law Review* 23 (2000-2001): 199-226.

The author explores the general problem of trafficking of sex workers, analyzes the efficacy of legal solutions in the past, and then explores the US *Victims of Trafficking and Violence Protection Act* of 2000. Tiefenbrun argues that until the economic aspects of trafficking are addressed, legal solutions will have little effect.

Trapalis, Vicki. "Extraterritorial Jurisdiction: A Step Towards Eradicating the Trafficking of Women into Greece for Forced Prostitution." *Golden Gate University Law Review* 32 (2002): 207-238.

This article surveys the main international instruments designed to address the problem of trafficking in women. The author analyzes the weaknesses of Article 6 of CEDAW, citing primarily a lack of precision in wording and a problematic reporting structure. The remainder of the comment examines the potential of *The Convention Against Transnational Organized Crime* and *The Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children, Supplementing the Convention Against Transnational Organized Crime*. The author concludes with recommendations for enhancing the efficacy of these latter two international instruments.

Truong, Thanh Dam. *Virtue, Order, Health and Money: Towards a comprehensive perspective on Female Prostitution in Asia.* *Economic Papers* no. 2 (1989) 166 - 218

Truong, Thanh Dam. Sex, Money and Morality : Prostitution and Tourism in South East Asia . U.K.: Zed Books (1990)

"Taking issue with what she sees as a distorted conceptualization in social science writings, the author examines prostitution within the context of sexual labour. She explores the contemporary expression of prostitution through the tourist trade. Dr. Truong looks into conditions that underlie the process of integration of prostitution into tourism as a mega industry."

Wallace, Melanie R., "Voiceless Victims: Sex Slavery and Trafficking of African Women in Western Europe" *30 Ga. J. Int'l & Comp. L.* 569 (2001-2002).

The article offers an in-depth historical analysis of the trafficking of African women in Western Europe. As well, the author gives a lengthy legal analysis of why previous legislative responses to the problem were inadequate. The author also offers possible solutions, suggesting a holistic solution supported by international commitment as key.

Article 7: Political and Public Life

States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right:

(a) To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;

(b) To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;

(c) To participate in non-governmental organizations and associations concerned with the public and political life of the country.

Afshar, Haleh. "Women and the Politics of Fundamentalism in Iran." Women Against Fundamentalism 5(1) (1994) 15 - 20

Afkhami, Mahnaz and Erika Friedl. Muslim Women and the Politics of Participation: Implementing the Buying Platform. Syracuse: Syracuse University Press (1997)

The book is comprised of 16 articles. The compositions have been categorized into three main topics; assessing women's rights / issues in Muslim societies after Beijing, strategies for change and international organizations and the implementation of the platform for action.

Fletcher, Catherine. "‘Il Reste des Basille a Prendre’: Gender and Equal Opportunities in France." *Modern & Contemporary France* 13(1) (2005): 85-99.

"This article argues that legislation has thus far remained linked to the restricted notion of equality espoused by equality theorists rather than the more radical concept of equality espoused by difference theorists. A liberal interpretation of gender mainstreaming under both the Raffarin and Jospin Governments fails to deal with structural inequalities caused by a lack of domestic parity."

Honig-Parnass. "Jewish Fundamentalism and Oppression of Women as Inherent in the Jewish-Zionist State." *Women Against Fundamentalism* 5(1) (1994) 21 - 24

Karl, Marilee. *Women and Empowerment: Participation and Decision Making*. London: Zed Books (1995)

This publication is the tenth and concluding title in the *Women and World Development* series. The series was prepared by the UN NGO Group on Women and Development, a project coordinated since 1989 by UN NGO Liaison Service, Geneva. This edition deals with gender discrimination, the history of women's participation, women in electoral politics and public life, women and development and international mechanisms used to increase women's participation and empowerment.

Lippincott, Amy N. "Is Uganda's "No-Party" System Discriminatory Against Women and a Violation of International Law?" *Brooklyn Journal of International Law* 27 (2001-2002): 1137-1166.

The author examines women's political participation in Uganda under the framework of the International Covenant on Civil and Political Rights (ICCPR). CEDAW is referred to within the overall context of the codification of legal theories of democracy. The author concludes that for women in Uganda to achieve true access to the democratic process, a multi-party system must be permitted.

Sandusky, Stacy R. "Women's Political Participation in Developing and Democratizing Countries: Focus on Zimbabwe." *Buffalo Human Rights Law Review* 5 (1999): 253-281.

This paper focuses on some of the theoretical issues of feminism in developing countries in relation to women's political participation, examines the status of women's rights in international instruments (including CEDAW), gives examples from countries where women have successfully mobilized, and then examines the implications for women in Zimbabwe. The article also discusses obstacles for Zimbabwe's implementation CEDAW.

Schöpp-Schilling, Hanna Beate. "CEDAW, die Weltfrauenkonferenzen und die Nationalen und Internationalen Frauenorganisationen /CEDAW, the UN World Conferences on Women and the National and International Women's Organizations/," in *Die Grossen UN-Konferenzen der 90er Jahre - eine Frauenpolitische Bilanz*, Feministisches Institut der Heinrich-Böll-Stiftung (ed.), Berlin, 2000. [German]

States Parties shall take all appropriate measures to ensure to women, on equal terms with men and without any discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organizations.

Anker, Richard and Catherine Hein. "Why Third World Urban Employers Usually Prefer Men." *International Labour Review* 124 (1985) 73 - 90

"The article takes as its point of departure, the demand side of the labour market and investigates the employers perceptions of men and women in their workforce, including reasons why they often prefer men. It is based on case studies conducted on behalf of the ILO with financial support of the UN fund for Population Activities."

Berg, John C. Unequal Struggle: Class, Gender, Race and Power in the U.S. Congress Boulder, Colorado: Westview Press (1994)

In this book the author argues "that the structure of the capitalist economy constrains progressive congressional action, asserting that neither pluralism nor institutionalism adequately explains congressional outcomes, he offers an alternative Marxist analysis, that recognizes how political struggle exists within limits posed by the need to maintain capitalist prosperity."

Bremer, Kamala and Deborah A. Howe. "Strategies Used to Advance Women's Careers in the Public Service: Examples from Oregon." *Public Administration Review* 48 (1988) 957 - 961

Connelly Alpha, ed. Gender and the Law in Ireland . Dublin: Oak Tree Press (1993)

Darcy, R. et al. "Election Systems and the Representation of Black Women in American State Legislatures." *Women and Politics* 13(2) (1993) 73 - 89

The author posits that in the U.S., at the local and state legislative levels, the under-representation of blacks is almost entirely due to the under-representation of black women, therefore, under-representation of blacks and women are one in the same.

Durville, Leny. "OSCE Takes a Look at Women's Participation in Society." *International Peace Update* Issue 62 vol. 6 (1997) 6 - 11

Fraser, A.S. "CEDAW: Equality for Women in the UN Secretariat" Women, Politics and the UN London: Greenwood Press (1995)

Grapard, Ulla. "Theoretical Issues of Gender in the Transition from Socialist Regimes [Part Two of Two]." *Journal of Economics* 3 (1997) 675 - 687

Gray, Anne-Marie and Deirdre Heenan "The Significance of Public Bodies in Northern Ireland and their Representation of Women." *Administration* 43 (1995) 57 - 75

Howard-Merriam, Kathleen. "Guaranteed Seat for Political Representation of Women: The Egyptian Example." *Women and Politics* 10(1) (1990) 17 - 42

In 1979 Egypt adopted a guaranteed representation formula, reserving 30 seats for women in the Egyptian parliament. In 1986 this program was cancelled. This paper examines the experiment from the perspective of women political activists.

Jenson, Jane and Rianne Mahon. "Representing Solidarity: Class, Gender and the Crisis in Social Democratic Sweden." *New Left Review* S/O (1993) 76 - 100

"This article explores the current crisis of representation in Sweden. This crisis is not simply one of the models of developments economic institutions and political compromises. It is also a

crisis of representation, involving the detachment of the represented from the organizations that have long represented them."

Lawrence, Bonita. The Exclusion of Survivors' Voices in Feminist Discourse on Violence Against Women. Ottawa: CRIAW/ICREF

Studler, Donley T. and Susan Welch. "The Party System and the Representation of Women in English Metropolitan Boroughs." *Electoral Studies* 11(1) (1992) 62 - 69

This brief article outlines the findings of the authors' study of Metropolitan Borough elections in England in 1986.

Article 9: Nationality

1. States Parties shall grant women equal rights with men to acquire, change or retain their nationality. They shall ensure in particular that neither marriage to an alien nor change of nationality by the husband during marriage shall automatically change the nationality of the wife, render her stateless or force upon her the nationality of the husband.

2. States Parties shall grant women equal rights with men with respect to the nationality of their children.

Canadian Ethno Cultural Council. Carleton University, Research Resource Division for Refugees. Response to an Independent Review of Canada's Immigration Act: Submission to the Legislative Review Advisory Group . Ottawa

Ewelukwa, Uche and Jennifer Stanforth. African Watch Committee. "Botswana: Second Class Citizens: Discrimination Against Women under Botswana's Citizenship Act." Human Rights Watch 6(7) (1994)

Knop, Karen and Christine Chinkin. "Remembering Chrystal Macmillan: Women's Equality and Nationality in International Law." *Michigan Journal of International Law* 22 (2000-2001): 523-585.

The authors examine the historical, strategic, and conceptual contexts of nationality and women's claims to equality as well as the various international legal regimes available to address their claims. Within their overall argument, the authors rely substantially upon the provisions of Article 9.

Lalwani, Manisha. "The "Intelligent Wickedness" of U.S. Immigration Law Conferring Citizenship to Children Born Abroad and Out-of-Wedlock: A Feminist Perspective." 47 *Vill. L. Rev.* (2002): 707-746.

This comment examines from a feminist perspective the gendered distinction made in American citizenship law regarding children born out-of-wedlock to one American and one non-American parent. Lalwani traces the history of the current law, which confers automatic citizenship upon children born out of wedlock to American mothers, while holding that children born out of wedlock to American fathers are only granted citizenship after they are legitimated. She examines the equal protection challenges to the law, discusses the implications of the current law, and examines the potential for reform upon the ratification of CEDAW.

Lister, Ruth. Citizenship, Feminist Perspectives, 2nd ed. New York: Palgrave (2003)

The author treats the topics of citizenship, public/private divide, women's political and social citizenship. She offers a feminist theory of citizenship.

Article 10: Education

States Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure, on a basis of equality of men and women:

- (a) The same conditions for career and vocational guidance, for access to studies and for the achievement of diplomas in educational establishments of all categories in rural as well as in urban areas; this equality shall be ensured in pre-school, general, technical, professional and higher technical education, as well as in all types of vocational training;
- (b) Access to the same curricula, the same examinations, teaching staff with qualifications of the same standard and school premises and equipment of the same quality;
- (c) The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging coeducation and other types of education which will help to achieve this aim and, in particular, by the revision of textbooks and school programmes and the adaptation of teaching methods;
- (d) The same opportunities to benefit from scholarships and other study grants;
- (e) The same opportunities for access to programmes of continuing education, including adult and functional literacy programmes, particularly those aimed at reducing, at the earliest possible time, any gap in education existing between men and women;
- (f) The reduction of female student drop-out rates and the organization of programmes for girls and women who have left school prematurely;
- (g) The same Opportunities to participate actively in sports and physical education;
- (h) Access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning.

Butcher, Patricia Smith. *Education for Equality: Women's Rights Periodicals and Women's Higher Education, 1849-1920* . New York: Greenwood Press (1989)

"This analysis studies a representative sample of the many women's rights papers published. This book adds some missing links to histories of women's higher education and the women's rights movement."

Chamblee, L. Elizabeth. "Rhetoric or Rights?: When Culture and Religion Bar Girls' Right to Education." *Virginia Journal of International Law* 44 (2003-2004): 1073-1143.

The author explores education as a human right and the state's obligation to provide it. She focuses on the role of UN organizations in monitoring this right and how gender bias in religion and culture has manifested itself in unequal access to education. She explores Islamic countries in particular because of their extensive reservations to human rights based on interpretations of Shari'a law and Islam.

Cole, Nancy S. *The ETS Gender Study: How Females and Males Perform in Educational Settings*. Princeton, NJ: Educational Testing Service (1997)

Flansburg, Sundra and Katherine Hanson. *Legalisation for Change: A Case Study of Title IX and the Women's Educational Equality Act Program* . Newton, MA: Center for Equality and Cultural Diversity, Education Development Center, Inc. (1993)

Fujimura, Fanselow Kumiko. "Women's Participation in Higher Education in Japan." *Comparative Education Review* 29 (1985) 471 - 489

This book "makes visible for the first time a new view of changing society through the perspective and words of Japanese women, themselves." The author examines education, work, family, religion, politics and culture through 26 different essays.

Hoffman, Geoffrey A. "In Search of an International Right to Receive Information." *Loyola L.A. International and Comparative Law Review* 165 (2002-2003): 165-204.

This article "explores how the fundamental human right to receive information is grounded in international law. This examination occurs within the context of a woman's right to receive reproductive health information and obtain educational, employment and political opportunities." The author also highlights the tension between state sovereignty and national self-determination with individual freedom and international human rights.

Jejeebhoy, Shireen J. Women's Education, Autonomy and Reproductive Behavior: Experience from Developing Countries . Oxford: Clarendon Press (1995)

Kumar, C. Raj. "International Human Rights Perspectives on the Fundamental Right to Education – Integration of Human Rights and Human Development in the Indian Constitution." *Tulane Journal of International and Comparative Law* 12 (2004): 237-285.

This paper "provides for a legal, jurisprudential, and constitutional foundation for developing the right to education in India." The author uses both Indian constitutional principles and the international human rights regime to inform his analysis of the right to education. Specific reference is made to CEDAW in this regard.

Lay, Mary M., Janice Monk, and Deborah S. Rosenfelt, eds. Encompassing Gender – Integrating International Studies and Women's Studies. New York: The Feminist Press (2002).

This book focuses on education and curriculum development in line with a gender-integrated perspective. Offers model programs, best practices, and strategies for development.

Martin, Jane Roland. "Bound for the Promised Land - the Gendered Character of Higher Education [Part 2 of 3]." *Duke Journal of Gender Law and Policy* 4(1) (1997) 11 - 21

Moran, Mary. "Student Financial Aid and Women: Equity Dilemma." Association for the Study of Higher Education ERIC Higher Education Report No. 5 (1986)

Papanek, Hanna. "Class and Gender in Education - Employment Linkages." *Comparative Education Review* 29 (1985) 317 - 346

"Post-Cairo Population Policy: Does Promoting Girls' Schooling Miss the Mark?," *Population and Development Review Abstracts* 22(4) (1995) 683 - 702

"We argue here that while the strong emphasis on eliminating gender inequality in schooling is appropriate educational policy in some regions and countries, it is far less pertinent across a wide swathe of countries where such a gender gap is modest or non-existent."

Razack, Sheren. Canadian Feminism and the Law: The Women's Legal Education and Action Fund and the Pursuit of Equality. Toronto: Second Story Press (1991)

"In a penetrating analysis of women's rights before the law, Sheren Razack considers the history of the Legal Education and Action Fund (LEAF), a feminist advocacy group established to bring forward cases under the Charter of Rights and Freedoms."

Rosen, David and Steve Werner and Barbara Yates. Student Committee, Study Commission on Undergraduate Education and the Education of Teachers. We'll Do It Ourselves: Combating Sexism in Education. Lincoln, Nebraska (1974)

Swartz, Martin D and Walter S. DeKeseredy. Women Abuse on Campus: Results from the Canadian National Survey . Thousand Oaks: Sage Publications (1997)

The authors "expose a hidden campus curriculum' that exists to maintain gender inequality." Additionally, they "examine the incidence and prevalence of woman abuse in courtship, the reaction against women's use of self defence, and the factors that increase the risk of dating abuse. Swartz and DeKeseredy finish with a look into the education and awareness programs that have been established to respond to the problem of dating abuse.

Tomaselli, Sylvana. A Vindication of the Rights of Men with, a Vindication of the Rights of Woman, and Hints / Mary Wollstonecraft . Cambridge: Cambridge University Press (1995)

This edition brings Wollstonecraft "A Vindication of the Rights of Men" (1790) and "A Vindication of the Rights of Women" (1792) together and includes "Hints" , the notes which Wollstonecraft made towards a second, never completed volume of "A vindication of the Rights of Women".

Wojcik, Mark. "AIDS and International Human Rights Law." *J. Marshall Law Review* 382 (2001-2002): 423-432.

The author discusses the international human rights framework, including CEDAW, which provides a way of analyzing HIV/AIDS as a human rights issue. He also discusses how referring to this framework in scholarship and advocacy can support people living with HIV/AIDS or who are at risk of transmission by re-framing the issue as a rights-based one.

Article 11: Employment

1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights, in particular:

(a) The right to work as an inalienable right of all human beings;

(b) The right to the same employment opportunities, including the application of the same criteria for selection in matters of employment;

(c) The right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to receive vocational training and retraining, including apprenticeships, advanced vocational training and recurrent training;

(d) The right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work;

(e) The right to social security, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as the right to paid leave;

(f) The right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction.

2. In order to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work, States Parties shall take appropriate measures:

(a) To prohibit, subject to the imposition of sanctions, dismissal on the grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital status;

(b) To introduce maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances;

(c) To encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child-care facilities;

(d) To provide special protection to women during pregnancy in types of work proved to be harmful to them.

3. Protective legislation relating to matters covered in this article shall be reviewed periodically in the light of scientific and technological knowledge and shall be revised, repealed or extended as necessary.

Anker, Richard and Catherine Hein. "Why Third World Urban Employers Usually Prefer Men." *International Labour Review* 124 (1985) 73 - 90

"The article takes as its point of departure, the demand side of the labour market and investigates the employers perceptions of men and women in their workforce, including reasons why they often prefer men. It is based on case studies conducted on behalf of the ILO with financial support of the UN fund for Population Activities."

Ayoub, Lena. "Nike Just Does It – And Why the United States Shouldn't: The United States' International Obligation to Hold MNCs Accountable for Their Labor Rights Violations Abroad." *DePaul Business Law Journal* 11 (1998-1999): 395-442.

The author explores MNCs' practices of exploiting workers abroad and how international law may be used as a means of combating these violations. CEDAW is discussed within the context of the potential protections against labor rights violations it holds for women.

Bay, Edna G. Ed. Women and Work in Africa Boulder Colorado: Westview Press (1982)

"This book is an outgrowth of the 1979 Annual Spring Symposium of the African Studies Program at the University of Illinois entitled "Women and Work in Africa". The book focuses on the livelihood of women in Africa, tracing the decline in female productivity that occurred in many countries as the colonial system disrupted traditional patterns. It outlines the continuing economic and ideological handicaps women have faced in the years since independence, and suggests alternatives available to women in coping with these handicaps."

Bulger, Christine M. "Fighting Gender Discrimination in the Chinese Workplace." *Boston College Third World Law Journal* 20 (2000) 345-391.

The author examines the current methods of legal recourse that is available for fighting gender discrimination in China. The author also discusses systemic issues such as corruption, ineffective legal enforcement and government policies that have had a negative effect on women's participation in the workforce in China.

Canning, Kathleen. Languages of Labor and Gender : Female Factory Work in Germany, 1850 -1914 Cornell University Press: Ithaca (1996)

"A principle aim of this book is to explore the ideologies and politics of gender as elements of these transformations from the textile mills and towns of the Rhineland and Westphalia to the national arenas of social reform and state policy between 1850 and 1914."

Caragata, Lea. "Neoconservative Realities: The Social and Economic Marginalization of Canadian Women." *International Sociology* 18(3) (2003): 559-580.

This article suggests that globalization is a force "in concert with other phenomena which marginalizes groups of already disadvantaged Canadian women." The author analyzes the impacts of these changes at the level of women and their families and also for their broader sociopolitical effects. She concludes that "high levels of women's unemployment, more restricted job opportunities for young women entering the labour force, home-based work and low rates of pay reinforce women as the non-primary worker."

Casas, Nancy. "Sex Discrimination on the Basis of Pregnancy: Australia's Report on Pregnancy Discrimination Should Make the United States Re-evaluate the Effectiveness of the Pregnancy Discrimination Act in Eliminating Pregnancy Discrimination in the Workplace." *Transnational Law & Contemporary Problems* 11 (2001): 141-174.

The author compares the sex discrimination statutes of Australia and the United States within the context of employment. She concludes that "Australia needs to revise its laws in order to work more effectively against pregnancy discrimination" and that the US needs to re-examine the effectiveness of its own statutes in eliminating pregnancy discrimination in the workplace.

Considine, Mark and Iva Ellen Deutchman. "Narrowing the Gap or Closing the Door: What Kinds of Women Get Jobs as Legislators?" *Southeastern Political Review* 24 (1995) 485 - 504

Cook, Alice H. and Hiroko Hayashi. Working Women in Japan: Discrimination, Resistance and Reform New York: New York State School of Labour and Industrial Relations, Cornell University (1980)

In addition to providing an excellent bibliography, the authors examine and analyse; 1. women in the Japanese employment system; 2. cases on discrimination; and 3. what lies ahead for Japanese women.

Davis, Martha F. and Roslyn Powell. "The International Convention on the Rights of the Child: A Catalyst for Innovative Childcare Policies" *Human Rights Quarterly* 25 (2003) 689-719.

The authors contend that the provision of childcare should be framed as a human rights issue, drawing on the language of the Convention on the Rights of the Child, CEDAW, and International Covenant on Civil and Political Rights.

Dwasi, Jane. "Kenya: A Study in International Labor Standards and their Effect on Working Women in Developing Countries: The Case for Integration of Enforcement Issues in the World Bank's Policies." *Wisconsin International Law Journal* 349 (1999): 347-462.

"This paper reviews and analyzes the international labor rights of women, and the realities that persist in the workplace in developing countries, with particular focus on Kenya ... Specific labor rights addressed ... include the safety of women in the workplace; equal pay for equal work; freedom from discrimination and sexual harassment; the right to work; and the right to organize and bargain collectively." Considerable attention is given to CEDAW and the work that has taken place around it.

European Communities. Memorandum on Equal Pay for Work of Equal Value , Office for the Official Publication of the European Communities (1994)

Fashoyin, Tayo, Felicia Durojaiye Oyekanmi and Eleanor R. Raphohunda. eds. Women in the Modern Sector Labour Force in Nigeria : Issues and Prospects Department of Industrial Relations Personnel Management : University of Lagos (1985)

"The book is a product of a workshop on "Women in the Modern Sector Labour Force" organized by the Department of Industrial Relations and Personnel Management of the University of Lagos in March 1985. The book has tried to identify the social and cultural factors militating against the efficient performance of women workers. Issues addressed include: government, employers, trade unions, the society in general and women in particular."

Feld, Louise. "Along the Spectrum of Women's Rights Advocacy: A Cross-Cultural Comparison of Sexual Harassment Law in the United States and India." *Fordham International Law Journal* 25 (2001-2002): 1205-1281.

This paper compares and contrasts sexual harassment laws in the United States and India, with a specific focus on the workplace. She traces the development of these laws and the courts' treatment of sexual harassment in each country. The author advocates a self-reflective approach to cross-cultural comparisons to explore successful and unsuccessful tactics to problems that face women everywhere.

Fic, Victor. "Sexual Harassment still a Fixture in the Japanese Office." *Tokyo Business Today* 62 (1994) 24 - 26

Grimm, Nicole L. "The North American Agreement on Labor Cooperation and its Effects on Women Working in Mexican Maquiladoras." *American University Law Review* 179 (1998-1999): 179-227.

The focus of this article is the effect of North American Agreement on Labor Cooperation (the labor side agreement in NAFTA) on female maquiladora workers in Mexico. The author argues that women have been excluded since the negotiation stages of the agreements and that there are specific provisions in NAALC and NAFTA that have negatively affected this group of workers.

Goddard, V.A. Gender, Family and Work in Naples. Berg: Oxford (1996)

"The book suggests that gender and sexuality interact with material processes in the construction of personal and social identities. It is an ethnographic account of the labour market in Naples, the author shows how cultural definition of gender can be used to investigate broad social processes."

Hakim, Catherine. Key Issues in Women's Work : Female Heterogeneity and the Polarization of Women's Employment. London: Athlone Press Ltd. (1996)

"Dr. Hakim tests the power of patriarchy theory against economic and psycho physiological theories. Sex, discrimination, part-time work, flexible hours, homemaking, marriage and career patterns, labour mobility, and the impact of the European union are all considered."

Hatt, Sue. Gender, Work and Labour Markets . Houndmills: McMillan Publishers Ltd. (1997)

Hervey, Tramasa K. and David O'Keefe, eds. Sex Equality Law in the European Union . John Wiley and Sons Inc. (1996)

This book "represents a new contribution to scholarship on the subject of the European Union's legal regulation of sex discrimination, and the contributions of the law of the European community and Union to the position of women and men in the Member states." Included in the text are tables, acts, cases, decisions and directives. Issues covered; equal pay, equal treatment, social security, enforcement of sex equality in employment, citizenship and human rights, women and the internal market and proposals for reform.

Horton, Susan. Women and Industrialization in Asia. London: Routledge (1996)

This text is a highly factual, up to date and useful tool containing many illustrations, tables and analysis of women in the labour market in India, Indonesia, Japan, Korea, Malaysia, Philippines and Thailand.

International Labour Office. "Maternity Protection: How Women are Faring Worldwide." *World of Work, the Magazine of the ILO* 24 (1998)

Killion, M. Ulric. "Post-WTO China: Quest for Human Right Safeguards in Sexual Harassment Against Working Women." *Tulane Journal of International and Comparative Law*. 12 (2004): 201-235.

Claims that "sexual harassment of mainland women workers is one of the most neglected dimensions in the struggle for international human rights." The author looks at international conventions, specifically CEDAW, as well as China's constitutional and legislative provisions for protection of women from sexual harassment. She finds that "aggrieved women do not have meaningful access to domestic and international justice for sexual harassment" largely due to policy failures of the Chinese government.

Knapp, Kiyoko K. "Still Office Flowers: Japanese Women Betrayed by the Equal Employment Opportunities Law." *Harvard Women's Law Journal* 18 (1995) 83 - 137

The author examines gender role stereotyping within the Japanese culture, focusing on the dichotomy between Japanese women as warriors and as flowers. She explores the Equal Employment Opportunity Law (1985), which regulates discriminatory practices specific to; recruitment and hiring, assignment and promotion, training, fringe benefits, mandatory retirement, age, resignation and dismissal practices. The author also analyses the *Child Care Leave Law* (1990) as a response to the decline in the Japanese birth rate.

Koerner, Reka S. "Pregnancy Discrimination in Mexico: Has Mexico Complied With the North American Agreement on Labor Cooperation?" *Texas Forum on Civil Liberties and Civil Rights* 4 (1998-1999): 235-264.

Discusses discriminatory labor practices in Mexico towards women within the overall context of the North American Agreement on Labor Cooperation and NAFTA. Specific attention is paid to the provisions of CEDAW, which Mexico has ratified, and how they provide further support against discriminatory practices.

Martin, Roderick and Judith Wallace. Working Women in Recession, Employment, Redundancy and Unemployment . London : Oxford University Press (1984)

The authors examine five key areas; 1. female employment, redundancy and unemployment; 2. Female employment, experiences and attitudes to work; 3. women and redundancy; 4. women in the labour market; and 5. women and unemployment.

Meulders, Daniele. Position of Women on the Labour Market in the European Community . Aldershot: Ashgate Publishing Company Ltd. (1993)

"The book checks to what extent directives and national legislation are being implemented regarding women's employment and unemployment. It evaluates women's participation in general unemployment policies and the effect of measures taken towards equal opportunities."

Miller, Robbi Louise. "The Quiet Revolution: Japanese Women Working Around the Law." *Harvard Women's Law Journal* 26 (2003): 163-215.

This article "illustrates the interplay between legal developments and women's reactions in the arena of employment discrimination." The author says that the ratification of CEDAW both

spurred positive legislative enactments and "signified a symbolic shift in Japan's ideas and ideals surrounding women's role in the workplace."

Moghadom, Valentine M. Women, Work and Economic Reform in the Middle East and North Africa. Boulder, Colorado: Lynne Rienner Publishers (1998)

The author has divided the book into three primary sections; 1. an introduction and overview of both political economy and globalizing economy; 2. case studies from Morocco, Tunisia, Turkey, Egypt, Jordan, Syria, Iran and Algeria; 3. responses and strategies to structural change and mobilization.

Nakamura, Masanori. Ed. Technology Change and Female Labour in Japan Tokyo: United Nations University Press (1985)

"This book represents part of the results of research carried out by the Institute of Developing Economics at the request of the United Nations University for the Project on Technology Transfer, Transformation and Development : The Japanese Experience. The book examines Japan's experience in undergoing an industrial revolution with the help of technology transferred from the advanced countries. The book covers the subject from the start of industrialization to the present day."

Palmer, Camilla and Kate Poulton. Sex Discrimination in Employment. Legal Action Group (1987)

The authors posit that "British legislation suffers from piecemeal pragmatism and excessive detail. The guarantee of equal pay for work of equal value is drafted so as to make it unfit for normal use." Palmer and Poulton highlight the general failure of these laws to effectively deal with issues affecting women in the workforce.

Parpast, Jane L. Women and International Development Program. Gender, Patriarchy and Development in Africa: The Zimbabwean Case . Michigan State University (1995)

Pyle, Jean L. and Kathryn B. Ward. "Recasting out Understanding of Gender and Work during Global Restructuring" International Sociology 18(3) (September 2003) 461-489.

Argue that gendered global production networks have grown as a result of globalization and that there are systemic linkages between the global expansion of production, trade and finance and the increase of women in these networks. It is necessary to have a broad understanding of these forces that shape women's lives if appropriate strategies to counteract the adverse impacts of globalization are to be developed.

Reddock, Rhoda E. Women, Labour and Politics in Trinidad and Tobago: A History . London: Zed Books 1994

"Against a background of slavery and indentureship, this book provides a social history of women's work and political struggles in twentieth century Trinidad and Tobago. [The author] reveals how gender inequalities have been perpetuated for the benefit of exploitative systems from slavery to the present day."

Ruggie, Mary. The State and Working Women : A Comparative Study of Britain and Sweden . Princeton University Press (1984)

The author argues "that the focus of women-specific factors that affect the status of women compared to men in the work force fails to explain fully the persistence of women's inferior status in the labour market. [Moreover] that the issue of women and work must be placed within the broader context of the configuration of state/society relations." Ruggie compares Britain's liberal welfare approach to social policies to the Swedish societal corporatist model.

Sasaki, Yukie. "Three Steps Behind: Japanese Women have Nothing like the Influence of their Counterparts in other Advanced Industrial Nations." *Look Japan* 41 (1995)

Schippers, Joop J. and Jacques J. Siegers. "Public Day Care Centres, Company Day Care Centres, and Segregation between Men and Women in the Labour Market: The Case of the Netherlands." *Labour* 6 (1992) 151 - 168

Schippers, Joop J. and Jacques J. Siegers. "Labour Market Inequality between Men and Women: Allocation Differences versus Wage Rate Differences." *The Economist* 139 (1991) 401 - 427

Sen, Samita. Women and Labour in Late Colonial India : The Bengal Jute Industry Cambridge: University Press (1999)

In addition to tables, a glossary of terms, maps and a bibliography, the author provides a "history of labouring women in Calcutta in the 19th and early 20th centuries and considers how social constructions of gender shaped their lives. She demonstrates how in contrast to the experiences of their male counterparts, the long term trends in Indian economy devalued women's labour, establishing patterns of urban immigration and changing gender equations within the family.

Shami, Seteny, Lucine Taminan, Soheir A. Morsy, Zeinab B. El Bakri, El-Wathig M. Kameir. eds. Women in Arab Society : Work Patterns and Gender Relations in Egypt, Jordan and Sudan . USA : Berg Publishers Ltd. and the UN Educational, Scientific and Cultural Organization (1990)

The editors have organized the textual material into three primary categories; 1. women's participation in the Jordanian labour force - a comparison of rural and urban patterns; 2. rural women, work and gender ideology - a study in Egyptian political and economic transformation ; and 3. women's participation in economic, social and political life in Sudanese urban and rural communities - the case of Saganna in Khartoum and Wad-al-`Asha village in the Gezira area.

Sinclair, M. Thea. Ed. Gender, Work and Tourism

The author examines "the central role played by women in tourism. It discusses the nature of their work and the ways in which tourism creates tensions between the attitude and conduct of tourists and the beliefs and behaviours of local women." Countries considered include; UK Northern Cyprus, Mexico, Philippines, and South East Asia.

Spencer, Anne and David Podmore. In a Man's World : Essays on Women in Male Dominated Professions. London : Tavistock Publications (1987)

"The importance of socialization into gender roles and the domestic division of labour within the home cannot be overstated as factors outside women's professional lives which also operate to marginalise women in their working lives. The 'cultural mandate', the assumed primacy of the commitment of women to home and family, is highly significant in terms of their marginalization." Each of the chapters in the book discuss these factors as they affect women who are working in male dominated professions.

Vajpeyi, Phirendra K. Ed. "Modernizing China." *Journal of Developing Societies* 10 (1994) 7 - 123

VanDoorne, Huiskes. Ed. Women and the European Labour Markets . Paul Chapman Publishing Ltd. (1995)

Wei, Virginia W. "Asian Women and Employment Discrimination: Using Intersectionality Theory to Address Title VII Claims Based on Combined Factors of Race, Gender and National Origin." *Boston College Review* 37 (1996) 771 - 812

The author contemplates the intersectionality of race and gender with respect to women of colour. She provides a historical background to the American Civil Rights Act of 1964 and Title VII. She examines the judicial interpretation of Title VII claims since that time. Her focus is specific to Black and Asian women. She also delves into an historical discussion of Asian women in the U.S. and the courts overall reluctance to accept intersectionality theory.

Wolf, Diane Lauren. *Factory Daughters: Gender, Household Dynamics and Rural Industrialization in Java*. California: University of California Press (1992)

Beyond the authors review of women, villages, factories, family economy, industrial and agrarian change, the text is richly infused with illustrations, tables, annotations, a bibliography and a glossary of Indonesian and Japanese words.

Article 12: Health

1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health care services, including those related to family planning.

2. Notwithstanding the provisions of paragraph 1 of this article, States Parties shall ensure to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation.

Aguilar, Yvette. "Gagging on a Bad Rule: The Mexico City Policy and its Effect in Developing Countries." *The Scholar* 37 (2002-2003): 37-80.

Explores the Global Gag Rule limiting women's access to reproductive health and family planning services in developing countries. The author reviews recent domestic case law within the United States which has challenged the Global Gag Rule as well as applicable international human rights treaties.

Althaus, Frances. "Female Circumcision: Rite of Passage or Violation of Rights." *International Family Planning Perspectives* 23 (1997) 130 - 133

Aston, Jacquie and John Avery. "The Health of Women in Paid Employment: Effects of Quality of Work Role, Social Support and Cynicism on Psychological and Physical Well-Being." *Women and Health* 20(3) (1993) 1 - 25

Azize-Vargas, Yamila and Luis A. Aviles. "Abortion in Puerto Rico: The Limits of Colonial Legality." *Reproductive Matters* May (1997) 56 - 65

Babatunde, Emmanuel. *Women's Rights versus Women's Rites - A Study of Circumcision Among the Ketu Yoruba of South Western Nigeria* . Africa World Press Inc. (1994)

The author suggests that in order to "end the widespread practice of female circumcision as quickly as possible the present approach of protest and challenge should go beyond arousing indignation." She also provides a notable "critique of Alice Walker's Novel Possessing the Secret of Joy"

Bustelo, Carlota. "Reproductive Health and CEDAW." *American University Law Review* 44 (1995) 1145 – 1153

Says it would be useful to have a General Recommendation, from the CEDAW Committee, on women's right to health, including reproductive rights, in order to clarify the scope of this

provision and to recommend more concrete measures to states. Also discusses some of the challenges faced by the Committee in its operation and procedures.

Casas-Bercerra, Lidia. "Women Persecuted and Imprisoned for Abortion in Chile." *Reproductive Health Matters* May (1997) 29 - 36

Cook, R.J. Women's Health and Human Rights: The Promotion and Protection of Women's Health through International Human Rights Law. Geneva: WHO (1994)

"Professor Cook explains what international human rights treaties say about women, health and equity. She describes in what ways women are more liable to ill-health than are men. And she draws conclusions on how human rights treaties could be used as a lever to improve the health of women in the countries that have signed them."

Cook, R.J. "International Protection of Women's Reproductive Rights" *NYU Journal of International Law and Politics* 24(2) Winter 1992.

Use of international human rights standards in the protection and promotion of women's reproductive rights.

Cook, Rebecca, Bernard Dickens, and Mahmoud Fathalla. *Reproductive Health and Human Rights: Integrating Medicine, Ethics, and Law*. Oxford: Oxford University Press (April 2003).

"The concept of reproductive health promises to play a crucial role in improving health care provision and legal protection for women around the world. This is an authoritative and much-needed introduction to and defence of the concept of reproductive health, which though internationally endorsed, is still contested. ... They integrate their disciplines to provide an accessible but comprehensive picture. They analyse 15 cases from different countries and cultures, and explore options for resolution."

Correa, Sonia and Rebecca Reichmann. Population and Reproductive Rights: Feminist Perspective From the South . London: Zed Books (1994)

Denniston, George C. and Marilyn Fayne Milos. eds. Sexual Mutilations : A Human Tragedy . New York : Plenum Press (1997)

"Each year there are 13.3 million boys and 2 million girls who are sexually mutilated. Physicians and parents alike have been misled into believing that these mutilations are beneficial, necessary and harmless." The contributors to this book include an international panel from a wide variety of disciplines, such as; medicine, law, ethics, sociology, history, and religion. The overall message of the text is that sexual mutilation is an "insidious violation of human rights".

Desjarlais, Robert, et al. World Mental Health: Problems and Priorities in Low Income Countries. Oxford: Oxford University Press (1995)

Dixon-Mueller, Ruth. Population and Reproductive Rights: Transforming Reproductive Choice. Westport: Praeger (1993)

Dixon-Mueller, Ruth and Adrienne Germain. Reproductive Tracts: Issues and Innovations in Reproductive Health: Four Essays on Birth Control Needs and Risks. New York: International Women's Health Coalition (1993)

Dixon-Mueller, Ruth and Judith Wasserheit. The Culture of Silence: Reproductive Tract Infections Among Women in the Third World. New York: International Women's Health Coalition (1991)

Dugassa, Begna Fufa. "Women's Rights and Health: The Case of Oromo Women in Ethiopia." *Health Care for Women International*, 26(2) (2005): 149-170.

This article argues that in order to contain the HIV/AIDS epidemic, the empowerment of women is essential. The author states that "[d]ignity, the right to access basic education and information, as well as the right to life are the major elements of human *rights*. It is for that purpose that health promotion is intended to enable people to increase their control over determinants of health and thereby improve their health."

Ernst, Julia L., Laura Katzive, and Erica Smock. "The Global Pattern of U.S. Initiatives Curtailing Women's Reproductive Rights: A Perspective on the Increasingly Anti-Choice Mosaic." *6 U. Pa. J. Cons. L.* (2003-2004): 752-795.

The author examines American reproductive rights law, placing it in both historical and global context. The article examines the landmark decision of *Roe v. Wade* (410 U.S. 113 (1973)), describing the global state of women's reproductive rights at the time of the decision as well as the impact of the decision both domestically and globally. The author then traces the more recent conservative changes to US law relating to women's reproductive rights, with a view to domestic law, as well as an examination of US foreign policy and its impact on women's reproductive rights internationally. The author advocates a renewed opposition to the increased restrictions being placed on reproductive choice.

Geldstein, Rosa N. and Edith A. Pantelides. "Double Subordination, Double Risk: Class, Gender and Sexuality in Adolescent Women in Argentina." *Reproductive Health Matters* May (1997) 121 - 131

Gibbon, Peter. Structural Adjustment and the Working Poor in Zimbabwe: Studies in Labour, Women, Informal Sector Workers and Health . Almquist and Wiksell International (1995)

Hardon, Anita et al. Monitoring Family Planning and Reproductive Rights: A manual for Empowerment . London: Zed Books (1997)

The author provides a framework for researching family planning provisions in different cultural settings. The book shows NGOs and other health research bodies how to design such projects and provides indicators for quality assessment.

Hartmann, Betsy. Reproductive Rights and Wrongs: The Global Politics of Population Control . Boston: South End Press (1995)

The author posits the belief that population control advocates' have appropriated feminist and environmentalist language. She also scrutinizes the internationalization of the anti-abortion movement, research on AIDS and contraceptives and the impact of post Cold-War population politics on immigration and the environment.

Heise, Lori L., Jacqueline Pitanguy and Adrienne Germain. World Bank Discussion Papers, Violence Against Women: The Hidden Health Burden. Washington D.C.: World Bank (1995)

Hosken, Fran P. The Hosken Report - Genital and Sexual Mutilation of Females 4th Revised Edition. Women's International Network News (1993)

The author's report is divided into three primary sections; health facts and overview, case histories from East and West Africa, Arab Peninsula, Asia and the Western World, and finally the Politics of female genital mutilation.

Hussein, Lula J. Female Genital Mutilation: Report on Consultations Held in Montreal and Ottawa. Ottawa: Department of Justice, Canada (1995)

International Women's Health Coalition, eds. Presentations at the 117th Annual Meeting of the American Public Health Association. Special Challenges in Third World Women's Health . Chicago: International Women's Health Coalition (1989)

International Planned Parenthood Federation. "Women's Health, Women's Rights." *Planned Parenthood Challenges 2* (1995) 199

International Planned Parenthood Federation. "Sexual and Reproductive Health and Rights of Women." IPPF Discussion Paper Issue One. London: International Planned Parenthood Federation

Kitts, Jennifer. Ed. Special Program for Research and Training in Tropical Diseases. Quality Health Care for Women: Report of a Workshop Held in Budapest, Hungary, October 1994 . UNDP / World Bank / WHO (1994)

Martin, Sheilah L. Women's Reproductive Health, The Canadian Charter on Rights and Freedoms and the Canada Health Act. Ottawa: Canadian Advisory Council on The Status of Women (1989)

This text considers a sex equality analysis of the cross-over between the Charter of Rights and Freedoms and the Canada Health Act. Includes an excellent and lengthy bibliography.

McElmurray, Beverly J., Kathleen Norr and Randy Spreen Parker. Women's Health and Development: A Global Challenge. London: Jones and Bartlett Publishers International (1993)

Mullally, Siobhan. "Debating Reproductive Rights in Ireland." *Human Rights Quarterly* 27.1 (2005): 78-104.

"This article examines the struggle for reproductive autonomy within the context of the abortion debate in Ireland, where reproductive rights particularly and women's human rights generally have often been portrayed as hostile to cultural and national sovereignty."

Nath, Madhu Bala. "Gender, HIV and Human Rights: A Training Manual". New York: United Nations Development Fund for Women (2000). Available online at www.unifem.org

"HIV/AIDS requires a gender-specific response. This manual has been prepared in response to this need. It aims to help trainers enhance their understanding about the gender dimensions of HIV/AIDS, so that they can then effectively influence a critical mass of change makers in their "spheres of influence" to undertake appropriate responses to the challenges being posed by the epidemic."

Ojikutu, Bisola O. and Valerie Stone. "Women, Inequality, and the Burden of HIV." *The New England Journal of Medicine* 352 (2005): 649-652.

Explores the socio-political conditions that contribute to the unequal burden of HIV on women.

PAHO. Gender, Women and Health in the Americas, Scientific Publication no. 531. Washington, D.C. (1993)

PAHO. Women and Health in Latin America and the Caribbean: Old Issues and New Approaches. Washington D.C. (1994)

Population Action International. Reproductive Risk: A Worldwide Assessment of Women's Sexual and Maternal Health, 1995 Report on Progress Towards World Population Stabilization . (1995)

Rahman, Anika and Nahid Toubia, eds. Female Genital Mutilation: A guide to laws and policies worldwide. London: Zed Books (2000)

Discusses practice of FGM, CEDAW within the context of overall provision of international human rights law, FGM as act of discrimination under article 1 (and other international human rights documents), as well as violations of other CEDAW articles engaged by FGM. Gives recommendations for governments, legal and political strategies for NGOs, country by country breakdown of FGM law/practices.

The Center for Reproductive Law and Policy. Promoting Reproductive Rights: A Global Mandate. New York: The Center for Reproductive Law and Policy (1997)

Puentes-Markides, Cristina. "Women and Access to Health Care." *Social Science Medicine* 35(4) (1992) 619 - 626

Sapirie, Stephen A. and Stanislaw Orzeszyna. "WHO's Health Futures Consultations." *Futures* 27(9/10) (1995) 1077 - 1085

Schiander Gray, Charlotte. "A case history based assessment of female genital mutilation in Sudan" *Evaluation and Program Planning* 21 (1998) 429-436.

Places issue of FGM within the conceptual framework of the segregation of the sexes and viewed through the ideas of gender-based discrimination as outlined in CEDAW.

Shalev, Carmel. "China to CEDAW: An Update on Population Policy." *Human Rights Quarterly* 23 (2001) 119-147.

The author explores the underlying reproductive health concerns of China's population policy and how the CEDAW Committee has approached it. Gives detailed analysis of China's birth control policy in its legal framework and discusses the discriminatory targeting of women as well as, of ten violent, methods of inducing compliance. The recent comments of the CEDAW Committee with respect to this issue are also examined.

Tomasevski, Katarina. "European Approaches to Enhancing Reproductive Freedom." *The American University Law Review* 44 (1995) 1037 - 1051

Toubia, Nahid. Female Genital Mutilation: A Call for Global Action. New York: Women, Ink (1993)

UNAIDS/UNFPA/UNIFEM. Women and HIV/AIDS: Confronting the Crisis. New York/Geneva: UNAIDS, UNFPA and UNIFEM (2004). Available online at: www.unifem.org

This report "concludes that women are bearing the brunt of the HIV/AIDS epidemic and that strategies to reverse it cannot succeed unless women and girls are empowered to reclaim their rights. Noting that half of all people infected with HIV are women, the report documents the devastating and often invisible impact of AIDS on women and girls and highlights the ways discrimination, poverty and gender-based violence help fuel the epidemic."

UNIFEM. Turning the Tide: CEDAW and the Gender Dimensions of the HIV/AIDS Pandemic. New York: United Nations Development Fund for Women (2001). Available online at www.unifem.org

This publication "contributes to understanding how the world's foremost blueprint for women's human rights can be put to work to address the HIV/AIDS epidemic from a gender perspective. The publication discusses different aspects of the pandemic for which CEDAW has special relevance, such as gender-based violence and sexual exploitation, access to health services, gender inequality and safer sex, and issues of care and care-giving. The book also contains

some of the key government responses that are required under CEDAW, guiding articles of the Convention, and statements of the CEDAW Committee that relate to HIV/AIDS."

Usborne, Cornelia. The Politics of the Body in Weimar Germany: Women's Reproductive Rights and Duties . Ann Arbor: University of Michigan Press (1992)

The text "analyses the tactics which the German state and its agencies used to regulate the size and balance of population to accord with their social, economic and political beliefs, rather than with the view and wishes of individuals. During the Weimar Republic individual women and families were the target of intervention in four different areas of policy; maternity, sexuality, contraception and abortion." Each is examined in turn.

WHO. "Pregnancy is Special - Let's Make it Safe." *World Health* 1 (1998)

WHO. "Active Ageing." *World Health* 4 (1997)

WHO. "Better Health Through Better Use of Resources." *World Health* 5 (1997)

WHO. Paper prepared for the Global Commission on Women's Health. Adolescent Health and Development: The Key to the Future. Geneva: WHO (1995)

WHO. Women's Health and Development: An Annotated Bibliography . Geneva: WHO (1995)

WHO. WHO Position Paper no. 8 . Women's Health .4th World Conference on Women, Beijing China. (1995)

WHO. WHO Position Paper no. 9 . Women's Health .4th World Conference on Women, Beijing China. (1995)

WHO. Report of the Second Meeting of the Global Commission on Women's Health . (1995)

WHO. WHO Position Paper from the International Conference on Population and Development. Health, Population and Development . Cairo (1994)

Yamin, Alicia Ely. "Not Just a Tragedy: Access to Medications as a Right Under International Law." *Boston University International Law Journal* 21 (2003): 325-372.

Argues for non-discriminatory access to medications through the health system. The author argues that intellectual property regimes should be interpreted in light of state obligations under international human rights treaties.

Article 13: Economic and Social Benefits

States Parties shall take all appropriate measures to eliminate discrimination against women in other areas of economic and social life in order to ensure, on a basis of equality of men and women, the same rights, in particular:

(a) The right to family benefits;

(b) The right to bank loans, mortgages and other forms of financial credit;

(c) The right to participate in recreational activities, sports and all aspects of cultural life.

Brodsky, Gwen and Shelagh Day. "Beyond the Social and Economic Rights Debate: Substantive Equality Speaks to Poverty." *Canadian Journal of Women and the Law* 185 (2002): 185-220.

Discusses the use of ICESCR and the Canadian Charter of Rights and Freedoms to address substantive equality issue posed by poverty. Also discusses the role CEDAW can play in the poverty-equality debate.

Dalla Costa, Maria Rosa and Giovanna F. Dalla Costa. eds. Paying the Price: Women and the Politics of International Economic Strategy. London: Zed Books (1993)

The "authors argue that there is a fundamental, possibly premeditated negative connection between structural adjustment and women's social reproductive work in Africa and Latin America."

Forgues, Chantalle. "A Global Hurdle: The Implementation of an International Nondiscrimination Norm Protecting Women from Gender Discrimination in International Sports." *Boston University International Law Journal* 247 (2000): 247-272.

The author focuses on the discrimination against women prevalent in international sports. She uses the Olympics as the focus for the international sports world.

Moser, Caroline O. Environmentally Sustainable Development Studies Monograph Series no. 7. Confronting Crisis: A Summary of Household Responses to Poverty and Vulnerability in Four Poor Urban Communities . Washington D.C.: World Bank (1996)

NGO Committee on UNICEF. Women and Children in Urban Poverty: What Way Out? (1997)

Rana, Shruti. "Restricting the Rights of Poor Mothers: An International Human Rights Critique of "Workfare"" *Columbia Journal of Law and Social Problems*. 33 (1999-2000): 393-438.

Explores the US policy of Workfare through the lens of international human rights treaties, including CEDAW.

Scott, Craig. *The Interdependence and Permeability of Human Rights Norms: Towards a Partial Fusion of the International Covenants on Human Rights*. 27 OSGOODE HALL L.J. (1989) 770-859

United Nations. Division for the Advancement of Women. "Women and the Information Revolution." Women 2000 1 (1996)

University of South Africa. Health Psychology Unit. Proposal for a Global Research and Development Initiative Against Violence, 6th Draft. Johannesburg (1996)

The author "draws together examples of current research from Europe which attempts to develop the analysis of farm women by theorizing the nature and significance of gender division of labour more critically within the context of different policy and disciplinary discourses."

Xiao-Zhou, Kate. "Women divided: The Blessing and the Curse of China's Changing Economy." Harvard International Review 20 (1997/1998) 24 - 28

Article 14: Rural Women

1. States Parties shall take into account the particular problems faced by rural women and the significant roles which rural women play in the economic survival of their families, including

their work in the non-monetized sectors of the economy, and shall take all appropriate measures to ensure the application of the provisions of the present Convention to women in rural areas.

2. States Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development and, in particular, shall ensure to such women the right:

(a) To participate in the elaboration and implementation of development planning at all levels;

(b) To have access to adequate health care facilities, including information, counselling and services in family planning;

(c) To benefit directly from social security programmes;

(d) To obtain all types of training and education, formal and non-formal, including that relating to functional literacy, as well as, inter alia, the benefit of all community and extension services, in order to increase their technical proficiency;

(e) To organize self-help groups and co-operatives in order to obtain equal access to economic opportunities through employment or self employment;

(f) To participate in all community activities;

(g) To have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes;

(h) To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.

Ahmed, M. Kapil et al. "Violent deaths among women of reproductive age in rural Bangladesh" *Social Science & Medicine* 59 (2004) 311-319.

The authors explore the social and demographic factors associated with mortality due to violence of women living in rural Bangladesh. They claim the "disadvantaged position of women in Bangladesh society is the key underlying social cause of the violence that occurred". No explicit references are made to CEDAW.

Agarwal. Bina. "Gender, Environment and Poverty Interlink: Regional Variations and Temporal Shifts in Rural India." *World Development* 25 (1997) 23 - 52

The "paper analyses the interrelationships between gender, poverty and the environment in India, focussing especially on regional variations and temporal shifts over 1971 - 1991. Briefly identifying the major factors underlying environmental degradation it traces why and how this degradation and appropriation tend to have particularly adverse implications for female members of poor rural households."

Agarwal. Bina. "Gender, Resistance and Land: Interlinking Struggles over Resources and Meaning in South Asia." *Journal of Peasant Studies* 22 (1994) 81 - 125

The article "examines the nature of women's resistance to gender inequities in resource distribution and ideological representation. It argues that to understand how women perceive these inequities we need to take into account not only their overt protests but also the many covert forms their resistance might take."

Carlton-La Ney, Iris. "Elderly Black Farm Women: A Population at Risk." *Social Work* 37 (1992) 517 -513

Chikwendu, D.O. and J.O. Arokoyo. "Landownership and Access to Farm Inputs by Rural Women in Nigeria." Land Reform, Land Settlement and Cooperation (1995) 52 - 61

Deere, Carmen Diana and Magdalena Leon. Empowering Women: Land and Property Rights in Latin America. Pittsburg: University of Pittsburgh Press (2001).

Discusses issues of gender and property in the Latin American context, with a particular focus on challenges facing rural women. Discussion of property and land rights in the international arena, post-CEDAW reforms to Constitutions and national legislation in Latin American countries.

Duncan, Beatrice-Akua. Women in Agriculture in Ghana . Gold Type Ltd. (1996)

Evans, Alison. "Contracted-out": Some Reflection on Gender, Power and Agrarian Institutions." *IDS Bulletin* 24 (1993) 21 - 30

Ireson, Carol J. Field, Forest and Family: Women's Work and Power in Rural Laos. Boulder: Westview Press (1996)

Jacobson, Jodi L. "Women's Work: Why 'Development' isn't Always Good News for the Second Sex." *Foreign Service Journal* 70 (1993) 26 -29

Jacobson. Heather. "The Marriage Dower: Essential Guarantor of Women's Rights in the West Bank and Gaza Strip." *Michigan Journal of Gender and Law* 10 (2003) 143-168.

Heather Jacobson argues that eliminating or reducing the marriage dower would "materially harm the majority of [poor and rural Muslim] women" in the West Bank and Gaza Strip. Women's groups argue the only way to improve a women's status is to eliminate the marriage dower. However, Jacobson disagrees and feels that the elimination would have many negative effects: benefit only the upper class, "produce financial insecurity and impoverishment of the poor and rural women," "deprive poor and rural women of their only means to financial security," reduce the autonomy of women's their dependence would increase on husbands, advance a nationalist agenda and "reduce her bargaining power within marriage and her financial security outside of marriage [mahr and marriage/divorce]." She suggests a possible reform solution should be for the benefit of the poor and rural women.

Khandker, Sahidur R., Khalily Baqui and the International Bank for Reconstruction and Development. The Bangladesh Rural Advancement Committee's Credit Programs: Performance and Sustainability. Washington: World Bank (1996)

Rao, Nitya. "Questioning Women's Solidarity: The Case of Land Rights, Santal Parganas, Jharkhand, India." *Journal of Development Studies* 41(3) (2005): 353 – 375.

This paper explores, within the context of Santal Parganas, India, why women have not mobilized around claiming rights to land and what limits to collective action by women exist around land rights. Despite women's land rights being on the policy agenda for at least the last 20 years, the author describes impediments to their achievement.

Rao, Vijayendra. "Wife-beating in Rural South India: A Qualitative and Econometric Analysis." *Social Science and Medicine* 44(8) (1997) 1169 - 1180

Rights and Democracy (International Centre for Human Rights and Democratic Development). Securing Women's Rights to Land, Property and Housing: Country Strategies. Montreal: ICHRDD (2000)

This book is mostly in English although it does contain some Spanish submissions. Limited discussion of CEDAW but does give brief reviews of different country policies of land reform and rural land issues affecting women.

Schenk Sanbergen, Loes. Ed. Women and Seasonal Labour Migration. Sage Publications Inc. (1995)

Sloss, Laura J. and Ahmed Meunier. "Women's Health and Education in Rural Bangladesh." *Social Science and Medicine* 32 (1991) 959 - 961

Thorniley, Daniel. Ed. The Economics and Sociology of Rural Communities: East-West Perspectives. Aldershot: Ashgate Publishing Ltd. (1987)

Turner, Terisa E., et al. "Social Reconstruction in Rural Africa: A Gendered Class of Analysis of Women's Resistance to Export Crop Production in Kenya." *Canadian Journal of Development Studies* 18(2) (1997) 213 - 238

This study traces the struggles in Kenya of two groups of landless women to assert control over their own labour in agricultural production in the decade 1986 - 1997".

UNIFEM. Women's Land and Property Rights in Situations of Conflict and Reconstruction. New York: United Nations Development Fund for Women (1998). Available online at: www.unifem.org

This publication brings together case studies, testimonies and analytical studies drawn from countries in situations of conflict and reconstruction from across Africa, South and Central America, the Balkans, the Middle East and the Asia-Pacific Region.

Viswanath, Vanita. NGO's and Women's Development in Rural South India: A Comparative Analysis. Boulder: Westview Press (1991)

"The present study, by using specific criteria to compare the effectiveness of 2 NGOs in a state in South India, attempts to provide a new approach to analysing NGOs and rural women."

Websdale, Neil. Rural Women, Battering and the Justice System : An Ethnography Sage Publications: Thousand Oaks (1998)

The author details the "experiences of battered women in rural communities. How rural patriarchy and law enforcement and local politics sustains and continues to reproduce the subordinate, vulnerable isolated position of many rural women."

Whatmore, Sarah. Ed. "From Women's Roles to Gender Relations Developing Perspectives in the Analysis of Farm Women." *Sociologia Ruralis* 28(4) (1988) 239 - 305

The author "draws together examples of current research from Europe which attempts to develop the analysis of farm women by theorizing the nature and significance of gender division of labour more critically within the context of different policy and disciplinary discourses."

Xiao-Zhou, Kate. "Women divided: The Blessing and the Curse of China's Changing Economy." *Harvard International Review* 20 (1997/1998) 24 - 28

1. States Parties shall accord to women equality with men before the law.
2. States Parties shall accord to women, in civil matters, a legal capacity identical to that of men and the same opportunities to exercise that capacity. In particular, they shall give women equal rights to conclude contracts and to administer property and shall treat them equally in all stages of procedure in courts and tribunals.
3. States Parties agree that all contracts and all other private instruments of any kind with a legal effect which is directed at restricting the legal capacity of women shall be deemed null and void.
4. States Parties shall accord to men and women the same rights with regard to the law relating to the movement of persons and the freedom to choose their residence and domicile.

Adelberg, Eden and Claudia Currie, eds. In Conflict with the Law: Women and the Canadian Justice System . Vancouver: Press-Gang Publishers (1993)

"Among the highlighted issues are prostitution, Battered Women's Syndrome as a defence for women who kill abusive partners, Aboriginal Women's significant contributions to prison reform, media stereotypes of women in prison, and a progress report on the implementation of recommendations from the 1990 Task Force on Federally Sentenced Women." The text is divided into three primary sections; 1. Federally Imprisoned Women, Past Present and Future; 2. Images and Realities, Profiles of Women Offenders; and 3. Theoretical Considerations of Women and the Law.

An-Na'im, Abdullahi A. *State Responsibility Under International Human Rights Law to Change Religious and Customary Laws*. HUMAN RIGHTS OF WOMEN: NATIONAL AND INTERNATIONAL PERSPECTIVES (Cook ed.) Philadelphia: University of Pennsylvania Press (1994): 167-88.

At A Time Of Perplexity. (Dinstein ed.) Dordrecht: Martinus Nijhoff (1989) 941-52

"Effective prosecution (in the international tribunal to punish war crimes in the former Yugoslavia) has met with many obstacles, especially because the violations involve human rights abuses against women. One of the more accessible routes to prosecution of the perpetrators of these crimes is use of the Alien Tort Claims Act (ATCA) as evidenced in the cases of *Jane Doe v. Radovan Karadzic* and *S. Kadic v. Radovan Karadzic*. This case comment examines the newly-articulated scope of the ATCA through an in-depth analysis of the Karadzic opinions and evaluates the implications these cases may have on using American courts to prosecute international human rights abuses against women. Part II introduces the Bosnian conflict and the origins of the Karadzic cases. Part IV evaluates the ATCA in the context of two landmark cases: *Filartiga* and *Tel-Oren*. Part V examines the Torture Victim Protection Act and its potential use in interpreting the ATCA. Part VI analyzes the Karadzic decisions in depth...to illustrate the ways in which ATCA and TVPA were used. Part VII concludes by supporting the Second Circuit's decision as the correct interpretation of ATCA and TVPA, and supporting the Supreme Court's rejection of certiorari."

Arnold, Kathryn Christine. "Are the Perpetrators of Honor Killings Getting Away with Murder? Article 340 of the Jordanian Penal Code Analyzed Under the Convention on the Elimination of All Forms of Discrimination Against Women." *American University International Law Review*. 16 (2000-2001): 1343-4110.

Discusses the current situation in Jordan for those accused of honour crimes, including homicides. Specific attention is paid to Article 340 which exonerates or reduces prison sentences for perpetrators of honor crimes and argues that the prevalence of honor crimes violates Jordan's obligations under CEDAW.

Behrouz, Andra Nahal. "Transforming Islamic Family Law: State Responsibility and the Role of Internal Strife." *Columbia Law Review* 103 (2003) 1136-1162.

The author advocates a mediating approach to CEDAW – one that acknowledges unity while respecting diversity. She uses the inheritance practices of the Muslim community in Northern Nigeria as a case study. She argues that reforms are best carried out by Muslims themselves so they can bring their laws and practices into conformity with international standards.

Chen, Mai. "Protective Laws and the Convention on the Elimination of all Forms of Discrimination Against Women." *Women's Rights Law Reporter* 15(1) (1993) 1 - 37

The article is divided into five main sections; resolving the equal treatment / different treatment debate; a limiting principle for protective laws; protective laws authorized by the convention; the women's committee and the practices of states and international organizations; and finally, case studies.

Conclusions and Recommendations: Pan American Consultation of Legal and Health Experts . Washington College of Law, American University (April 1996)

Connors, Jane and Mai Yamani. eds. "The Women's Convention in the Muslim World." *Feminism and Islam, Legal and Literary Perspectives* (1996) 351 - 373

Corbera, Michael J. "The Women's Convention and the Equal Protection Clause." *St. Mary's Law Journal* (1995) 755 - 790

The author begins with an introduction into CEDAW. He examines the gender jurisprudence in the U.S. and provides a case review for *Bradwell v. Illinois* and for *Goesaertt v. Cleary* . Finally, after outlining the ratification process of CEDAW in the U.S , the author concludes by stating that CEDAW violates the Equal Protection Clause of the 14th Amendment of the U.S. Constitution and is in fact counterproductive to the advancement of women's human rights.

Galey, Margaret. "International Enforcement of Women's Rights." *Human Rights Quarterly* 6 (1984) 463 - 490

The author theorizes that the lack of enforcement of international human rights standards has been a major obstacle to the wider enjoyment of human rights. She also posits that the primary enforcement mechanisms of the national governments lack both the political will and resources to affect any true enforcement of the conventions articles.

Hernandez-Truyol, Berta Esperanza. "Glocalizing Law and Culture: towards a cross-constitutive paradigm" *Albany Law Review* 67 (Winter 2003) 617-628.

Looks at the factors that determine whether a law will effect a cultural change. Discusses law and culture theories generally and then examines successes and failures of CEDAW in its ability to effect cultural change. Uses Cuba as a case study.

Jain, Pratibha. "Balancing Minority Rights and Gender Justice: The Impact of Protecting Multiculturalism on Women's Rights in India." *Berkeley Journal of International Law* 23 (2005): 201-222.

"This paper studies the impacts of granting group rights to religious and cultural minorities within a nation-state, recognizing that such an entity can be comprised of multiple nations, and examines the methods legislators and judges in India have used to navigate this balancing act as an example."

Kapar, Ratna and Brenda Cossman. "Women and Hindutva." *Women Against Fundamentalism* 5(1) (1994) 42 - 43

Kurshan, Leslie. "Rethinking Property Rights as Human Rights: Acquiring Equal Property Rights for Women Using International Human Rights Treaties." *Journal of Gender, Social Policy & the Law* 8 (2000) 353-386.

Discusses "opportunities for women to acquire equal property rights by using mechanisms available under human rights treaties." The author uses the provisions of the Inter-American Human Rights regime as well as the UN regime to argue for increased use of human rights to remedy the position of women in North, Central and South America.

Landsberg-Lewis, Ilana, ed. Bringing Equality Home: Implementing the Convention on the Elimination of All Forms of Discrimination Against Women. NY: United Nations Development Fund for Women (1998).

Looks at domestic implementation of CEDAW with respect to Constitutions, use by the courts, national law changes, government policy. Also looks at reservations and gives details on the reporting process. Covers countries from Asia, Latin America, Africa, and Southeast Asia.

Malla, Sapana Pradhan. "Using CEDAW to Fight for Women's Inheritance Rights" in Cynthia Meillon (ed.) Holding On To The Promise: Women's Human Rights and the Beijing +5 Review, New Jersey: Center for Women's Global Leadership (2001).

Discusses inheritance laws in Nepal. Points out how CEDAW may be used as part of the strategy to highlight the discriminatory nature of the socio-legal structure in Nepal. Also discusses recent court cases that have attempted to deal with the laws themselves.

Nussbaum, Martha C. "India: Implementing Sex Equality Through Law." *Chicago Journal of International Law* 2 (2001): 35-58.

This article considers "the ways in which domestic political processes have implemented, or failed to implement, rights that are important to the international human rights debate". Her focus is on sex equality and internal reform through law. The author concludes that "best role for international treaties, in general, is as pieces of public persuasion that may help activists and politicians eager to promote a process of domestic reform."

Nyamu, Celestine Itumbi. "Achieving Gender Equality in a Plural Legal Context: Custom and Women's Access to and Control of Land in Kenya." *Third World Legal Studies* 21 (1998-1999): 21-64.

Explores different approaches to gender equality with respect to property relations in a plural legal context. Explores conceptions of African Customary Law and International human rights treaties, including CEDAW.

Robinson, Natasha C. "The World Summit on Sustainable Development and Women's Access to land: Why Nigeria Should Adopt the Eritrean Land Proclamation." *William & Mary Journal of Women and the Law* 10 (2003-2004): 591-611.

This paper focuses on the World Summit on Sustainable Development (WSSD) and the resulting Johannesburg Plan of Implementation. The author argues that Nigeria should adopt a legal framework similar to Eritrea's to allow for the restructuring of the land tenure system, ensuring women's rights to access and control land.

Sheriff, Nora E. "Holding up Half the Sky But Not Allowed to Hold the Ground: Women's Rights to Inherit and Own Land in Hong Kong and the People's Republic of China." *Hastings International and Comparative Law Review*. 23 (1999-2000): 279-302.

Discusses discriminatory land laws in Hong Kong and China under a comparative framework.

Smith, Perry S. "Silent Witness: Discrimination Against Women in the Pakistani Law of Evidence." *Tulane Journal of International and Comparative Law* 11 (2003) 21-58.

Smith argues that Pakistan should abandon all evidence laws discriminating against women. In putting forth this thesis, the author argues 1) Shari'ah law does not require these discriminatory laws of evidence and 2) these laws are contrary to women's rights in the Pakistani Constitution and international treaties (i.e. Article 15 of CEDAW). Through an in-depth analysis of Pakistani evidence law and sources of law (Quran, Habiths, UDHR, CEDAW) Smith attempts to provide an ideology and methodology to abandon discriminatory provisions. Smith encourages Pakistan to reform, as he feels it is in the best position among Islamic countries to eliminate all discriminatory laws, like the Indian Subcontinent. In concluding, he applauds the continuance of the first steps that were taken in *Patel v. Pakistan* by the Federal Sharia Court.

Southard, Jo Lynne. "Protection of Women's Human Rights Under the Convention on the Elimination of all Forms of Discrimination Against Women." *Pace Law Review* 8(1) (1996) 1 - 90

Stubbs, Julie. Women, Male Violence and the Law . Sydney: Institute of Criminology, Sydney University Law School (1994)

This book focuses on reform of the law and asks the questions, 'is it currently an effective state response to domestic violence?', 'can it be?'. These are the issues of the text, examined at both a practical and theoretical level and in the context of current debates and controversies.

Thagirisa, Pavani. "A Historical Perspective of the Shari'a Project and A Cross-Cultural and Self-Determination Approach to Resolving the Shari'a Project in Nigeria." *Brooklyn Journal of International Law* 29 (2003-2004): 459-510.

This article covers general historical and political information on Nigeria, outlines the origins and sources of Nigerian law, and discusses the case of Amina Lawal. It then proposes potential arguments within the international treaties, the Nigerian Constitution, Islamic legal approaches, cross-cultural and self-determination approaches to resolving the Shari'a project. The author concludes that a cross-cultural approach combined with notions of internal self-determination may advance the Shari'a project toward a peaceful resolution.

United Nations. Bringing International Human Rights Law Home: Judicial Colloquium on the Domestic Application of CEDAW and CRC. NY: UN Division for the Advancement of Women (2000).

Keynote and working group presentations on family relations, sexual violence, domestic legislation (case law) and judicial training in international human rights law.

Websdale, Neil. Rural Women, Battering and the Justice System : An Ethnography Sage Publications: Thousand Oaks (1998)

The author details the "experiences of battered women in rural communities. How rural patriarchy and law enforcement and local politics sustains and continues to reproduce the subordinate, vulnerable isolated position of many rural women"

Weiss, Anita M. "Interpreting Islam and Women's Rights: Implementing CEDAW in Pakistan." *International Sociology* 18 (September 2003): 581-601.

This article focuses on the debate about what constitutes discrimination against women, how the state might act to eliminate discrimination in both the legal and social senses, as well as explores the roles being played by various groups within the women's movement to facilitate the Pakistani government's adherence to CEDAW. Attention is paid to how these factors play out in Muslim society and the type of changes required to see their fulfillment.

Article 16: Marriage and Family

1. States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women:

(a) The same right to enter into marriage;

(b) The same right freely to choose a spouse and to enter into marriage only with their free and full consent;

(c) The same rights and responsibilities during marriage and at its dissolution;

(d) The same rights and responsibilities as parents, irrespective of their marital status, in matters relating to their children; in all cases the interests of the children shall be paramount;

(e) The same rights to decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable them to exercise these rights;

(f) The same rights and responsibilities with regard to guardianship, wardship, trusteeship and adoption of children, or similar institutions where these concepts exist in national legislation; in all cases the interests of the children shall be paramount;

(g) The same personal rights as husband and wife, including the right to choose a family name, a profession and an occupation;

(h) The same rights for both spouses in respect of the ownership, acquisition, management, administration, enjoyment and disposition of property, whether free of charge or for a valuable consideration.

2. The betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory.

Anker, Deborah. "Refugee Law, Gender, and the Human Rights Paradigm." *Harvard Human Rights Journal* 15 (2002) 133-154.

The international community created two regimes to deal with human rights abuses: one, the human rights regime, to monitor and deter abuse, and the other, the refugee regime, to provide surrogate state protection to some of those who are able to cross borders. Increasingly, refugee law is confronting issues on the forefront of the human rights agenda, especially questions of gender and women's rights. This paper discusses some of the human rights issues that refugee law addresses, focusing on three examples: rape and sexual violence, female genital surgery and family violence.

Bunting, Annie. "Stages of Development: Marriage of Girls and Teens as an International Human Rights Issue." *Social and Legal Studies* 14(1) (2005): 17-38.

The author maintains that "the socio-economic conditions in which girls, adolescents and young women live and marry need to be examined and addressed in order to develop relevant and culturally appropriate international strategies."

Estin, Ann Laquer. "Families and Children in International Law: An Introduction." *Transnational Law and Contemporary Problems*. 12 (2002): 271-306.

The author gives a review of some of the major transformations that have taken place in the past century with respect to the treatment of the family by international law. Claims the shift of family law from the private to the public realm of discourse has depended in large part on CEDAW and the Convention on the Rights of the Child.

Gellman, Tara A. "The Blurred Line Between Aiding Progress and Sanctioning Abuse: United States Appropriations, the UNFPA and Family Planning in the P.R.C." *N.Y.L. Sch. J. Hum. Rts.* 17 (2000-2001): 1063-1103.

"This note discusses the trend in P.R.C. programs, international standards of human rights, legislative trends and the United States Budget" as it applies to family planning programs. Part II of the paper reviews international standards as they relate to reproduction and population control, including CEDAW.

Goldfarb, Alan. "A Kenyan Wife's Right to Bury her Husband: Applying the contention on the Elimination of All Forms of Discrimination Against Women." *ILSA Journal of International Law* (1990) 1 - 21

The author examines the facts of a case wherein the brother and clan members of a prominent Nairobi lawyer (Mr. Otieno) were granted the right to bury him over the rights of the widow. Goldfarb asks the question whether in the absence of a constitutional provision rejecting laws that discriminate on the basis of sex, other legal provisions can be invoked to prevent the application of a discriminatory customary law. Kenya ratified the convention in 1984 without reservation and as such, the Otieno decision violated the convention.

International Planned Parenthood Federation. IPPF Discussion Paper Issue Three. The Girl Child and Adolescent Women . London: International Planned Parenthood Federation

Lewington, Frances Ryder and Deborah Jayne Rogers. " Forensic Services for Victims of Sexual Abuse and Assault." *Sexual and Marital Therapy* 10(2) (1995)

Mama, Amina. The Hidden Struggle: Statutory and Voluntary Sector Responses to Violence Against Black Women in the Home. London: Whiting and Birch; Concord : Paul and Co. Publishers' Consortium (1996)

Manchandia, Purna. "Practical Steps Towards Eliminating Dowry and Bride-Burning in India." *Tul. J. Int'l & Comp. L.* 13 (2005) 305.

This comment discusses the historical foundations of dowry, the dowry system in modern India, and current Indian laws against it and challenges in their enforcement. She argues that "in order to effectively eradicate the modern practice of dowry, education, legislative reform, and international pressure will be insufficient. As will be shown, a simultaneous social movement aimed at changing the attitudes of Indian society will also be necessary."

Mantilla, Karla. "Russian and American Women Battle Domestic Violence." Off Our Backs 27(10) (1997)

Porter, Amber Ann. "The Role of Domestic Violence in the Consideration of Gender-Based Asylum Claims: *In Re R-A-*, an Antiquated Approach." *University of Cincinnati Law Review* 70 (2001-2002) 315-342.

This Casenote focuses on the case *In Re R-A-*, which sought to determine whether repeated spousal abuse makes a woman eligible for asylum as an alien who has been persecuted on account of either her membership in a particular social group or her political opinion. The Board of Immigration Appeals decided to deny the applicant asylum. This Note illuminates the inadequacies of the Board's reasoning and illustrates the devastating impact this case could have on future asylum claims by females.

Ramirez, Judith. Workshop Materials, Toronto Working Group on Refugee Claimants. Domestic Violence as a Form of Gender-Related Persecution .

Stark, Barbara. "Baby Girls from China in New York: A Thrice-Told Tale." *Utah Law Review* (2003): 1231-1301.

Examines the forces that drive adoptions of Chinese baby girls by US residents. It analyzes "the Chinese, United States and the international laws – and the violation of these laws – that make this migration possible." Specific reference is made to the provisions of CEDAW, although CEDAW is not part of Chinese domestic law and has not been ratified by the US.

Article 17: Committee on the Elimination of Discrimination Against Women

1. For the purpose of considering the progress made in the implementation of the present Convention, there shall be established a Committee on the Elimination of Discrimination against Women (hereinafter referred to as the Committee) consisting, at the time of entry into force of the Convention, of eighteen and, after ratification of or accession to the Convention by the thirty-fifth State Party, of twenty-three experts of high moral standing and competence in the field covered by the Convention. The experts shall be elected by States Parties from among their nationals and shall serve in their personal capacity, consideration being given to equitable geographical distribution and to the representation of the different forms of civilization as well as the principal legal systems.

2. The members of the Committee shall be elected by secret ballot from a list of persons nominated by States Parties. Each State Party may nominate one person from among its own nationals.

3. The initial election shall be held six months after the date of the entry into force of the present Convention. At least three months before the date of each election the Secretary-General of the United Nations shall address a letter to the States Parties inviting them to submit their nominations within two months. The Secretary-General shall prepare a list in alphabetical order of all persons thus nominated, indicating the States Parties which have nominated them, and shall submit it to the States Parties.

4. Elections of the members of the Committee shall be held at a meeting of States Parties convened by the Secretary-General at United Nations Headquarters. At that meeting, for which two thirds of the States Parties shall constitute a quorum, the persons elected to the Committee shall be those nominees who obtain the largest number of votes and an absolute majority of the votes of the representatives of States Parties present and voting.

5. The members of the Committee shall be elected for a term of four years. However, the terms of nine of the members elected at the first election shall expire at the end of two years; immediately after the first election the names of these nine members shall be chosen by lot by the Chairman of the Committee.

6. The election of the five additional members of the Committee shall be held in accordance with the provisions of paragraphs 2, 3 and 4 of this article, following the thirty-fifth ratification or accession. The terms of two of the additional members elected on this occasion shall expire at the end of two years, the names of these two members having been chosen by lot by the Chairman of the Committee.

7. For the filling of casual vacancies, the State Party whose expert has ceased to function as a member of the Committee shall appoint another expert from among its nationals, subject to the approval of the Committee.

8. The members of the Committee shall, with the approval of the General Assembly, receive emoluments from United Nations resources on such terms and conditions as the Assembly may decide, having regard to the importance of the Committee's responsibilities.

9. The Secretary-General of the United Nations shall provide the necessary staff and facilities for the effective performance of the functions of the Committee under the present Convention.

Byrnes, Andrew. "The 'other' Human Rights Treaty Body: The Work Committee on the Elimination of Discrimination Against Women." *Yale Journal of International Law* 12 (1989) 1 - 67

Committee on the Elimination of Discrimination Against Women. 19th Session, Jun 22-Jul 10 1998, item #7 on the Provisional Agenda. Ways and Means of Expediting the Work of the Committee, Report of the Secretariat . (1998)

Evatt, Elizabeth. "Finding a Voice for Women's Rights: The Early Days of CEDAW" *George Washington International Law Review* 34 (2002-2003) 515-554.

Discusses the early years of CEDAW and some of the difficulties it faced. Part of a study which aims to show something of the internal dynamics of the Committee monitoring CEDAW and how that affected its work.

Jacobson, Roberta. The Committee of the Elimination of all Forms of Discrimination Against Women. The United Nations and Human Rights: A Critical Appraisal . Oxford: Claredon Press (1992) 444 – 472

Schöpp-Schilling, Hanna Beate. Ansatzpunkte und Empfehlungen für einen Menschenrechtsansatz in der Entwicklungszusammenarbeit aus der Sicht eines Treaty Body CEDAW, Deutsches Institut für Entwicklungspolitik, 2003. [German]

Schöpp-Schilling, Hanna Beate. "Reform der Vertragsorgane des Menschenrechtsschutzes. Der Vertragsausschuss für CEDAW und seine Arbeitsmethoden: Probleme, Herausforderungen und mögliche Lösungen/The CEDAW Committee and Its Working Methods: Problems, Challenges and Possible Solutions/," 1 VN (2004), 11-17.

Schöpp-Schilling, Hanna Beate. "Aufgaben und Arbeitsmethoden der UN-Menschenrechtsausschüsse am Beispiel des CEDAW-Ausschusses: Relevanz für CEDAW-Vertragsstaaten und Zivilgesellschaft in Europa/ Tasks and Methods of Work of the UN Treaty Bodies: The Example of the CEDAW Committee: Relevance for State parties and Civil Society" in Gleiches Recht – gleiche Realität? Welche Instrumente bieten Völkerrecht, Europarecht und nationales Recht für die Gleichstellung von Frauen?/ Equal Rights – Equal Realities? What Instruments Do International Law, European Law and National Law Offer for the Substantive Equality of Women? /, Doris König, Joachim Lange, Hanna Beate Schöpp-Schilling, Ursula Rust (eds.), Rehburg-Loccum: Loccumer Protokolle 03/ 71, 2004; auch in ZESAR 5-6 (2004), 234-244. [German]

Schöpp-Schilling, Hanna Beate. "Reform der Vertragsorgane des Menschenrechtsschutzes: Neuere Entwicklungen am Beispiel des CEDAW/Reform of UN Treaty Bodies: New Developments in CEDAW," 5 VN (2004) 183-187. [German]

We! "Latest CEDAW anti-discrimination committee session ends" *We!* 4 February 2004 (Isis International).

Summarizes work of the Committee meeting in January 2004. Gives specific attention to issues of culture and tradition as impeding the full realization of women's rights.

Article 18: National Reports

1. States Parties undertake to submit to the Secretary-General of the United Nations, for consideration by the Committee, a report on the legislative, judicial, administrative or other measures which they have adopted to give effect to the provisions of the present Convention and on the progress made in this respect:

(a) Within one year after the entry into force for the State concerned;

(b) Thereafter at least every four years and further whenever the Committee so requests.

2. Reports may indicate factors and difficulties affecting the degree of fulfillment of obligations under the present Convention.

Recent States Parties reports can be found online at:

<http://www.un.org/womenwatch/daw/cedaw/reports.htm>

Recent Shadow Reports can be found online at:

http://www.iwraw-ap.org/resources/shadow_reports.htm

Cortes, Irene R. "Monitoring Progress in the Implementation of the Convention of the Elimination of all forms of Discrimination Against Women: The CEDAW." *Asian Newsletter Human Rights Documents* 8 (1984) 1 - 11

IWRAW, "Producing NGO shadow reports to CEDAW: A procedural guide" Available online: http://www.hku.hk/ccpl/research_projects_issues/cedaw/shadowreports.html

"These procedural and format guidelines are designed to assist NGOs in producing shadow reports for the CEDAW Committee to use in evaluating government efforts to meet the obligations of the CEDAW Convention."

Latin American and Caribbean Committee for the Defence of Women's Rights (CLADEM), The Center for Reproductive Law and Policy (CRLP) and DEMUS, Estudio para las Defensa de los Derechos de la Mujer. Compiled for the Nineteenth Session of the Committee of the Elimination of all Forms of Discrimination Against Women. Women's Sexual and Reproductive Rights in Peru: A Shadow Report. (June 1998)

Lesquillier, Peggy and Flora Van Houweligen. Eds. Equal Rights and Opportunities Policy in the Netherlands: Showpiece or Slowcoach? First Dutch NGO Shadow Report to the United Nations Committee on the Elimination of all forms of Discrimination Against Women. Rotterdam: WEP International, Centre for International Women's Activities (1993)

The Center for Reproductive Law and Policy (CRLP) and The Women's Centre for Peace and Development (WOPED). Prepared for the Nineteenth Session of the Committee on the Elimination of all forms of Discrimination Against Women. Women's Reproductive Rights in Nigeria: A Shadow Report (June 1998)

The Center for Reproductive Law and Policy (CRLP) and the Women's Health Project, South Africa. Prepared for the Nineteenth Session of the Committee on the Elimination of all forms of Discrimination Against Women. Women's Reproductive Rights in South Africa: A Shadow Report (June 1998)

The Center for Reproductive Law and Policy (CRLP) and Women in Law and Development Africa (WILDAF). Prepared for the Nineteenth Session of the Committee

on the Elimination of all forms of Discrimination Against Women. Women's Reproductive Rights in Zimbabwe: A Shadow Report (December 1997)

The Center for Reproductive Law and Policy (CRLP) and the Women's Legal Aid Center, Tanzania. Prepared for the Sixty-Third Session of the Human Rights Committee. Women's Reproductive Rights in Zimbabwe: A Shadow Report (July 1998)

UN. Report on the 4th World Conference on Women, October 17 (1995)

Status of Women in Seven Countries Reviewed." UN Chronicle 20 (November 1983) 65 Use in Court

Currie, Janet. Ethnocultural Minority Women, Spousal Assault and Barriers to Accessing Problems in Using the Justice System: A Review of the Literature. Ottawa: Department of Justice (1995)

Canada, Department of Justice. Responding to the Needs of Ethnocultural Minority Women in Situations of Spousal Assault . Ottawa: DJC (1995)

Evatt, Elizabeth. "Eliminating Discrimination Against Women: The Impact of the UN Convention." *The Melbourne University Law Review* 18 (1991) 435 - 449

The author provides a brief background to the establishment of the convention. She addresses the issue of violence against women and how the CEDAW articles relate to this phenomenon. The article brings to the forefront the belief that women's rights need to be on the human rights agenda, and seeks options for instruments (other than CEDAW) to deal with violence against women around the world. In her conclusion, the author questions CEDAW's ability to influence change in the area of violence against women, positing that its effect is quite limited.

Ferris, Lorraine E., Margot McMain-Klein and Laura Silver. Dealing with the Medical-Legal Issues Concerning Documenting Suspected and Alleged Cases of Wife Abuse. Toronto: University of Toronto, Faculty of Medicine (1996)

Hackett, Honourable Judge Donna. "Finding and Following the Road Less Travelled: Judicial Neutrality and the Protection and Enforcement of Equality Rights." To be published in *Journal of Canadian Women and the Law* Queen's University (1998)

Khaliq, Urfan. "Beyond the Veil?: An Analysis of the Provision of the Women's Convention in the Law as Stipulated in Shari'ah." *Buffalo Journal of International Law* 2 (1995) 1 - 47

The author's analysis is founded in the fact that of those states that have ratified the convention, a small number are Islamic states, and within that small number there are many reservations. She posits that this is due to the Islamic states economic independence and subsequent lack of Western influence. She examines both the Shari'ah and the convention to determine if the alleged incompatibility between them truly exists or if the alleged conflict is a fallacy advocated for political reasons.

Loli, Silva and Gladys Acosta. "Women's Legal Program: The Convention of the Elimination of all Forms of Discrimination Against Women and the Peruvian Justice System." El Otro Derecho (Spanish) (1991) 51 - 88

McCauley, Kathleen M. "Women on the European Commission and Court of Human Rights: Would Equal Representation Provide More Effective Remedies?." *Dickson Journal of International Law* 13 (1994) 151 - 176

Venatraman, Bharathi Anandhi. "Islamic states and the United Nations Convention of the Elimination of all forms of Discrimination Against Women: Are the Shari'ah and the Convention Compatible?." *American University Law Review* 44 (1995) 1949 - 2001

Media

Meyers, Marian. News Coverage of Violence Against Women: Engendering Blame . Thousand Oaks: Sage Publications (1997)

Article 19: Rules of Procedure

1. The Committee shall adopt its own rules of procedure.
2. The Committee shall elect its officers for a term of two years.

Illic, Zagorka. "The Convention on the Elimination of all Forms of Discrimination Against Women." United Nations Manual on Human Rights Reporting (1991) 153 - 176

Article 20: Committee Meetings

1. The Committee shall normally meet for a period of not more than two weeks annually in order to consider the reports submitted in accordance with article 18 of the present Convention.
2. The meetings of the Committee shall normally be held at United Nations Headquarters or at any other convenient place as determined by the Committee.

Article 21: Committee Reports

1. The Committee shall, through the Economic and Social Council, report annually to the General Assembly of the United Nations on its activities and may make suggestions and general recommendations based on the examination of reports and information received from the States Parties. Such suggestions and general recommendations shall be included in the report of the Committee together with comments, if any, from States Parties.
2. The Secretary-General of the United Nations shall transmit the reports of the Committee to the Commission on the Status of Women for its information.

Schöpp-Schilling, Hanna Beate "Die Allgemeinen Empfehlungen des Ausschusses für die Beseitigung der Diskriminierung der Frau: Einführung/Introduction to the the General Recommendations of CEDAW", in Die „General Comments“ zu den VN-Menschenrechtsverträgen: Deutsche Übersetzung und Kurzeinführungen/„General Comments“ of the Human Rights Treaty Bodies Translated into German with Short Introductions, Nomos Verlag, Baden Baden 2005, S. 413-425.

Article 22: Role of Specialized Agencies

The specialized agencies shall be entitled to be represented at the consideration of the implementation of such provisions of the present Convention as fall within the scope of their activities. The Committee may invite the specialized agencies to submit reports on the implementation of the Convention in areas falling within the scope of their activities.

Centre for Refugee studies. "Refugee and Immigrant Women: An International Perspective." *Refuge* 16(4) (1997)

Centre for Refugee Studies. "Special Issue on Women Refugees - part 1: Issues." *Refuge* 14(7) (1994)

Centre for Refugee Studies. "Special Issue on Women Refugees - part 2: Case Studies." *Refuge* 14(8) (1995)

Riddell-Dixon, Elizabeth. "Mainstreaming Women's Rights: Problems and Prospects Within the Centre for Human Rights." *Global Governance* 5 (1999): 149-171.

The author examines and assesses the extent to which gender mainstreaming has occurred in the UN High Commissioner for Human Rights/Centre for Human Rights. She argues that little has been done to mainstream women's rights and there has been a failure to affect any structural or macro-level change.

Schöpp-Schilling, Hanna Beate. "Frauenpolitik in den Vereinten Nationen: Neue Herausforderungen/Policies for Women in the United Nations: New Challenges/," in Praxis-Handbuch UNO. Die Vereinten Nationen im Lichte globaler Herausforderungen. S. von Schorlemer (ed.), Berlin, etc., 2002. [German]

United Nations Development Fund for Women. Commitment to Rights: A Cross Reference Guide to the human Rights of Women and Girls in the Beijing Platform for Action, related to the UN Conference and Conventions . New York: UNIFEM and UNICEF (1998)

United Nations Division for the Advancement of Women. Department of Economic and Social Affairs. "Sexual Violence and Armed Conflict: United Nations Response." Women 2000 (April 1998)

United Nations. Economic and Social Council. Freedom of Movement: Human Rights and Population Transfer: Final Report of the Special Rapporteur, Mr. Alkhasawneh . New York: UN (1997)

United Nations High Commissioner for Refugees. Refugees and Other of Concern to UNHCR: 1996 Statistical Overview. Geneva: UNHCR (1997) United Nations High Commissioner for Refugees. The State of the World's Refugees - In Search of Solutions Oxford Press (1995)

The publication highlights the perils of the refugees of Bosnia, Iraq, Rwanda, Tajikistan and Somalia. As well, it examines the "origins of crisis and provides a comprehensive account of the way in which approaches to the problem of human displacement have changed since the end of the Cold War".

Article 23: Effect on other Treaties

Nothing in the present Convention shall affect any provisions that are more conducive to the achievement of equality between men and women which may be contained:

(a) In the legislation of a State Party; or

(b) In any other international convention, treaty or agreement in force for that State.

Barnard, Desiree. "The Synergy of "Rights" Conventions: The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the Convention on the Rights of the Child (CRC), the Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women (The Convention of Belem do Para)." Presented at: Caribbean Conference on the Rights of the Child: Meeting the Post Ratification Challenge. October 1996.

"This report examines and compares some of the issues affecting the well-being and development of women and children addressed under specific articles" of various international and regional human rights treaties. It seeks to explore how the three treaties complement each other and to illuminate their respective strengths and weaknesses.

Bogecho, Dina. "Putting it to Good Use: The International Covenant on Civil and Political Rights and Women's Right to Reproductive Health." *Southern California Review of Law and Women's Studies* 13 (2003-2004): 229-272.

The author argues that the ICCPR should be used to promote women's reproductive health, in particular under "right to life". This paper explores how the Human Rights Committee has interpreted "right to life" and how that may be used in fighting for women's reproductive rights.

Clark, Belinda. "The Vienna Convention Reservations Regime and the Convention on the Discrimination Against Women." *The American Journal of International Law* 85 (1991) 281 - 321

The author begins with an introduction to the Vienna convention. Other topics covered include a debate on CEDAW reservations and the application of the Vienna convention and CEDAW reservations. The author concludes by suggesting that the CEDAW reservations illustrate some of the problems inherent in the regime of the Vienna convention, especially the difficulty of assessing the compatibility of non-specific reservations.

Helfer, Laurence R. "Forum Shopping for Human Rights." *University of Pennsylvania Law Review* 148 (December 1999): 285-400.

Discusses increasing individualization of human rights regimes and the ability of individuals to "forum shop" between and among regional and UN human rights fora.

Malone, Linda A. and Scott Pasternak. "Exercising Environmental Human Rights and Remedies in the United Nations System." *William and Mary Environmental Law and Policy Review*. 27 (2002-2003): 365-440.

Discusses the possibility of using CEDAW and its Optional Protocol for addressing environmental issues.

Otto, Dianne. "Gender Comment: Why Does the UN Committee on Economic, Social and Cultural Rights Need a General Comment on Women?" *Canadian Journal of Women and the Law* 14 (2002): 1-52.

Argues that much of the work of the Committee on the Elimination of Discrimination against Women can be used to import substantive change into other UN human rights bodies, specifically the Committee on Economic, Social and Cultural Rights. Claims much of the work of the Committee on CEDAW has been marginalized within the UN human rights treaty system.

Schöpp-Schilling, Hanna Beate. "Some Reflections on the Women's Human Rights Dimension of the International Covenant on Economic, Social and Cultural Rights (ICESCR) as Compared to the Convention on the Elimination of All Forms of

Discrimination Against Women (CEDAW)," in EU-China Dialogue: Perspectives on Human Rights – With Special Reference to Women, Merja Pentikäinen (ed.), Publication of the Northern Institute for Environmental and Minority Law, University of Lapland, Rovaniemi, 2000.

Schöpp-Schilling, Hanna Beate. "Im Schatten der Aktionsplattform oder ein Bollwerk gegen Diskriminierung? Die CEDAW und ihre Möglichkeiten für die Frauenbewegung" /In the shadow of the Beijing Platform for Action or a Mechanism against Discrimination? CEDAW and its Potential for the Women's Movement/," in Zukunftswerkstatt: Internationale Frauenpolitik: Lokale Erfahrungen, globale Strategien, neue Perspektiven, Henrich-Böll-Stiftung (ed.), Berlin, 2000. [German]

Todres, Jonathan. "Women's Rights and Children's Rights: A Partnership with Benefits for Both. *Cardozo Women's Law Journal* 10 (2003-2004): 603-624.

Explores the fields of women's rights and children's rights to find the ways in which they can complement each other, thereby furthering the rights of both groups. Uses the child prostitution in Thailand as a case study. Discusses interrelationships between the Convention on the Rights of the Child and CEDAW.

UN Non-Governmental Liaison Service. Implementing Agenda 21: NGO Experiences from Around the World . Geneva: NGLS (1997)

Article 24: Administration of the Convention

States Parties undertake to adopt all necessary measures at the national level aimed at achieving the full realization of the rights recognized in the present Convention.

Cook, Rebecca J. Ed. Human Rights of Women: National and International Perspectives. Philadelphia: University of Pennsylvania Press (1994)

"Cook and the contributors to this volume seek to analyse how international human rights law applies specifically to women in various cultures worldwide, and to develop strategies to promote equitable application of human rights law at the international , regional and domestic levels."

Ernst, Julia. "U.S. Ratification of the Convention on the Elimination of all Forms of Discrimination Against Women." *Michigan Journal of International Law* 3 (1995) 299 - 367

Jacobs, Myriam. "A Conditional Promise." *NQHR* 3 (1994) 271 - 285

The author addresses the problems of the CEDAW and the issue of substantial reservations through which states parties can exclude themselves from the treaty obligations. She analyses the reasoning behind the reservations in order to initiate the discussion of the universality of human rights of women.

Jenefsky, Anna. "Permissibility of Egypt's Reservations to the Convention on the Elimination of all Forms of Discrimination Against Women." *Maryland Journal of International Law and Trade* 15 (1991) 199 - 233

The author begins with an introduction into Egypt and the CEDAW and Egypt's accession to CEDAW. Specifically she examines; Egypt's reservations in the framework of international law; Egypt's reservations of Article # 16 in the context of Islamic and Egyptian law; the social and political context of Egypt's reservation to Article #16; and the compatibility of Egypt's reservation to Article #16 with the object and purpose of the convention.

Mathangani, Mumbi. "Women's Rights in Kenya: A Review of Government Policy." *Harvard Human Rights Journal* 8 (1995) 179 - 199

The author theorizes that the women in Kenya continue to be marginalized and disadvantaged. She reviews Kenyan women's human rights, particularly political, legal, social and economic rights. She also addresses the Kenyan government's obligations under international law and sees women's human rights in Kenya as a failure of governmental policy. The author concludes that the Kenyan government has made a mockery of its commitments under international law and its duties to its citizens.

PAHO / WHO. Technical Discussion Paper. Strengthening the Process of NGO-Government Collaboration for Health and Human Development 1996 - 2000 . (September 1996)

Schöpp-Schilling, Hanna Beate. "Reservations to CEDAW: An Unresolved Issue. Or, (No) New Developments," in Reservations to Human Rights Treaties, I. Ziemele (ed.), Leiden (Martinus Nijhoff Publishers), 2004.

Article 25: Administration of the Convention

1. The present Convention shall be open for signature by all States.
2. The Secretary-General of the United Nations is designated as the depositary of the present Convention.
3. The present Convention is subject to ratification. Instruments of ratification shall be deposited with the Secretary-General of the United Nations.
4. The present Convention shall be open to accession by all States. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

Heyns, Christof and Frans Viljoen. "The Impact of the United Nations Human Rights Treaties on the Domestic Level" *Human Rights Quarterly* 23 (2001) 483-535.

Examines the impact of six UN human rights treaties, including CEDAW, on four countries in each of the five UN regions. The successes and failures of the treaty regime and offers recommendations for improving compliance and reception of the norms embodied in the treaties.

Meron, Theodor. "Enhancing effectiveness of the Prohibition of Discrimination against Women." *The American Journal of International Law* 84 (1990) 213 - 217

The author considers ways of enhancing the effectiveness of the norm prohibiting discrimination against women. He suggests four kinds of improvements. The first two deal with UN resolution of Article 20 involving the marginalization and invisibility of the committee. The third and fourth improvements consider the absence of optional procedures allowing the committee to consider complaints against states parties that have agreed to the convention.

Minor, Julie A. "An analysis of the Structural Weakness in the Convention on the Elimination of all Forms of Discrimination Against Women." *Georgia Journal of International and Comparative Law* 24 (1994) 137 - 153

The author launches the article with both a factual background and a legal outline of CEDAW. Her analysis delves into; reservations by Islamic parties and the U.S.; the committee; and

societal issues. She concludes by suggesting that the U.S. should see the CEDAW failures as a challenge for the future.

Kim, Sun-uk. "UN Convention on the Elimination of all Forms of Discrimination Against Women and Positive Actions for Its Implementation." *Women's Studies* 9 (1993) 5 - 40

Loncar, Kathleen. LAWASIA Human Rights Conference Proceedings. The United Nations Convention on the Elimination of all Forms of Discrimination Against Women: Reasons for and Against Ratification (1985) 316 - 338

Morgan, Robin. Dispatch from Beijing . *MS Magazine* (January / February 1996) 12 - 21

The magazine article provides a broad background to the Beijing conference. It offers a surface report of the UN's 4th world conference on women and narrows in on the U.S. commitment to the convention.

PAHO. "Evaluation of Country Programs." Women and Development (1995)

Wadstein, Margareta. "Implementation of the U.N. Convention on the Elimination of all Forms of Discrimination Against Women." Newsletter: Netherlands Human Rights Quarterly 6 (1988) 5 - 21

Article 26: Administration of the Convention

1. A request for the revision of the present Convention may be made at any time by any State Party by means of a notification in writing addressed to the Secretary-General of the United Nations.
2. The General Assembly of the United Nations shall decide upon the steps, if any, to be taken in respect of such a request.

Article 27: Administration of the Convention

1. The present Convention shall enter into force on the thirtieth day after the date of deposit with the Secretary-General of the United Nations of the twentieth instrument of ratification or accession.
2. For each State ratifying the present Convention or acceding to it after the deposit of the twentieth instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after the date of the deposit of its own instrument of ratification or accession.

Article 28: Administration of the Convention

1. The Secretary-General of the United Nations shall receive and circulate to all States the text of reservations made by States at the time of ratification or accession.
2. A reservation incompatible with the object and purpose of the present Convention shall not be permitted.
3. Reservations may be withdrawn at any time by notification to this effect addressed to the Secretary-General of the United Nations, who shall then inform all States thereof. Such

notification shall take effect on the date on which it is received.

Cook, Rebecca J. "Reservations to the Convention on the Elimination of All Forms of Discrimination Against Women." *Journal of International Law* 86 (1991) 281 – 321.

Riddle, Jennifer. "Making CEDAW Universal: A Critique of CEDAW's Reservation Regime Under Article 28 and the Effectiveness of the Reporting Process" *The George Washington International Law Review* 34 (2002-2003) 605-638.

Explores the reservation regime of CEDAW, noting its widespread use and abuse. Highlights the discussions around traditional reservation regimes and explores possibility that newer developments in treaty law may provide effective alternatives to CEDAW's current system of dealing with debilitating reservations.

Article 29: Administration of the Convention

1. Any dispute between two or more States Parties concerning the interpretation or application of the present Convention which is not settled by negotiation shall, at the request of one of them, be submitted to arbitration. If within six months from the date of the request for arbitration the parties are unable to agree on the organization of the arbitration, any one of those parties may refer the dispute to the International Court of Justice by request in conformity with the Statute of the Court.

2. Each State Party may at the time of signature or ratification of the present Convention or accession thereto declare that it does not consider itself bound by paragraph 1 of this article. The other States Parties shall not be bound by that paragraph with respect to any State Party which has made such a reservation.

3. Any State Party which has made a reservation in accordance with paragraph 2 of this article may at any time withdraw that reservation by notification to the Secretary-General of the United Nations.

Article 30: Administration of the Convention

The present Convention, the Arabic, Chinese, English, French, Russian and Spanish texts of which are equally authentic, shall be deposited with the Secretary-General of the United Nations.

OPTIONAL PROTOCOL

Amnesty International. [The Optional Protocol to the Women's Convention: Enabling Women to Claim their Rights at the International Level.](#) December 1997.

Byrnes, Andrew. "Slow and steady wins the race? The development of an optional protocol to the Women's Convention." In *Proceedings of the 91st Annual Meeting of the Society of International Law.* (1997), 383

"This note briefly reviews the background to the development of the [Optional Protocol to the Women's Convention], recent progress in the drafting of the instrument, and some of the major issues that have engaged the attention of states and nongovernmental organizations during that process."

Byrnes, Andrew and Jane Connors. "Enforcing the Human Rights of Women. A Complaints Process for the Women's Convention?" 21(3) *Brooklyn Journal of International Law*. (1996) 682-797

Cartwright, Silvia. "Rights and remedies: the drafting of an optional protocol to the Convention on the Elimination of All Forms of Discrimination Against Women". *Otago Law Review* v. 9 no. 2 1998 p. 239-54

Embajada Real, De Los Paises Bajos. Protocolo Facultativo - Documento de Trabajo Instituto Interamericano De Derechos Humanos.

Evatt, Elizabeth. "The Right to Individual Petition: Assessing its Operation before the Human Rights Committee and Its Future Application to the Women's Convention on Discrimination." In *Proceedings of the 89th Annual Meeting of the American Society of International Law*. (1995) 227

Gilchrist, Heidi. "The Optional Protocol to the Women's Convention: An Argument for Ratification." *Columbia Journal of Transnational Law* (Spring 2001) v39 i3 p763-783.

"This note examines the significance of the Optional Protocol in securing the human rights of women. It will start by looking at the Women's Convention and the rights secured by it. Then the articles of the Optional Protocol will be examined and compared with existing individual complaints procedures used by the other major treaty bodies. The final sections will detail existing for monitoring compliance with the Women's Convention and discuss why the Optional Protocol is so essential."

Isa, Felipe Gomez. "The Optional Protocol for the Convention on the Elimination of all Forms of Discrimination Against Women: Strengthening the Protection Mechanisms of Women's Human Rights." 20 *Ariz. J. Int'l & Comp. L.* 291 (2003)

"This article presents a very brief historical overview of the different stages through which women's right have crossed at the international level." Although the author's "main focus is the elaboration of an Optional Protocol," the article also includes a discussion of how "women's rights have been excluded from the traditional discourse on human rights" and an analysis of the United Nation's efforts since 1945 "towards the recognition of the principle of non-discrimination based on gender" with special attention to CEDAW.

MacKinnon, Catherine. "CEDAW's Optional Protocol Procedures." *Interrights Bulletin* (2004) v.14 no.4: 173-174.

MacKinnon explains the procedural aspects of CEDAW's Optional Protocol and highlights areas of potential concern. These include the requirement of exhausting domestic remedies, the lack of enforcement power of the Committee, and general accessibility concerns for women seeking legal redress. A unique aspect of the Optional Protocol is the requirement for state response within 6 months of the Committee's receipt of a complaint.

O'Hare, Ursula. "Ending the Ghettoisation': the Right of Individual Petition to the Women's Convention." 5 *Web Journal of Current Legal Issues*. (1997)

Ritz, Kerri. "Soft Enforcement: Inadequacies of Optional Protocol as a remedy for the Convention on the Elimination of All Forms of Discrimination Against Women." *Suffolk Transnational Law Review* 25 (Winter 2001) 191-216.

Claims the terms of the Optional Protocol encompass the same provisions as CEDAW and because CEDAW has been ratified by so many countries that continue to explicitly discriminate against women, the Optional Protocol's success will be limited. Explores lack of sanctions and limited powers of the Committee and the problems with reservations to CEDAW, including the "Opt Out Clause" in the Optional Protocol.

Roche, M. "The Proposed Optional Protocol to the Convention on the Elimination of all forms of Discrimination against Women." 3 *Human Rights Law and Practice*. (March 1993) 268

Wörgetter Aloisia. "The draft optional protocol to the Law on the Elimination of all forms of Discrimination against Women." 2 *Australia Review of International and European Law*. 261

Regional Analysis

Africa

Bay, Edna G. Ed. Women and Work in Africa .Boulder, Colorado: Westview Press (1982)

"This book is an outgrowth of the 1979 Annual Spring Symposium of the African Studies Program at the University of Illinois entitled "Women and Work in Africa". The book focuses on the livelihood of women in Africa, tracing the decline in female productivity that occurred in many countries as the colonial system disrupted traditional patterns. It outlines the continuing economic and ideological handicaps women have faced in the years since independence, and suggests alternatives available to women in coping with these handicaps."

Canadian Woman Studies, v 21, no2

Entire issue is devoted to HIV/AIDS in Africa.

Center for Reproductive Law and Policy & The International Federation of Women Lawyers (Kenya Chapter) F.I.D.A. -K. Women of the World: Laws and Policies Affecting their Reproductive Lives, Anglophone Africa. New York: The Center for Reproductive Law and Policy (1997)

Dalla Costa, Maria Rosa and Giovanna F. Dalla Costa. eds. Paying the Price: Women and the Politics of International Economic Strategy . London: Zed Books (1993)

Human Rights Watch. African Watch Committee. "Seeking Refuge, finding Terror: The Widespread Rape of Somali Women Refugees in North Eastern Kenya." *Human Rights Watch* 5(13) (1993)

James, Valentine Udoh and James S. Efim. (eds.) The Feminization of Development Processes in Africa : Current and Future Perspectives . Westport: Praeger (1999)

The editors of the text have brought together a fine collection of materials which they have divided into two main categories; 1. socio-political development processes; 2. educational, economic and institutional development. Figures and tables are also included in the book.

Olowu, Dejo. "Human Development Challenges in Africa: A Rights-Based Approach." *San Diego International Law Journal* 5 (2004): 179-2223.

This paper "assesses the concept of human development within the broader discourse on the role of human rights in global development, highlighting the overall African context of the subject." The author "evaluates the capacity of existing and emerging human rights frameworks relevant to Africa, and identifies viable trajectories for result-oriented human development actions."

Torpey, Elizabeth. "'Allez Les Francophones" or, The Campaign to End Sexism in Human Rights Language among French Speaking Countries." *University of Detroit Mercy Law Review* 78 (2000-2001): 171-177.

The author argues for the need to adopt gender-neutral language for human rights in French-speaking countries.

Wallace, Melanie R., "Voiceless Victims: Sex Slavery and Trafficking of African Women in Western Europe" 30 Ga. J. Int'l & Comp. L. 569 (2001-2002).

The article offers an in-depth historical analysis of the trafficking of African women in Western Europe. As well, the author gives a lengthy legal analysis of why previous legislative responses to the problem were inadequate. The author also offers possible solutions, suggesting a holistic solution supported by international commitment as key.

Wing, Adrienne Katherine and Tyler Murray Smith. "The New African Union and Women's Rights." *Transnational Law and Contemporary Problems* 13 (2003): 33-81.

Provides a broad overview of the status of women's rights in Africa and the future of those rights under the African Union.

Botswana:

Ewelukwa, Uche and Jennifer Stanforth. African Watch Committee. "Botswana: Second Class Citizens: Discrimination Against Women under Botswana's Citizenship Act." *Human Rights Watch* 6(7) (1994)

Ethiopia:

Dirasse, Laketch. The Commoditization of Female Sexuality, Prostitution and Socio-Economic Relations in Addis Adaba, Ethiopia . New York: AMS Press (1991)

"This book examines the characteristics of prostitution in Addis Adaba, Ethiopia, and attempts to account for the extremely high incidence of prostitutes in the Ethiopian capital city." Tables, illustrations and a bibliography are also included.

Kenya:

Asiema, Joy K. "Gender Equity, Gender Equality, and the Legal process: The Kenyan Experience." *Transnational Law and Contemporary Problems* 10 (2000): 561-581.

This paper gives an overview of steps taken by the Kenyan government on gender equity.

Dwasi, Jane. "Kenya: A Study in International Labor Standards and their Effect on Working Women in Developing Countries: The Case for Integration of Enforcement Issues in the World Bank's Policies." *Wisconsin International Law Journal* 349 (1999): 347-462.

"This paper reviews and analyzes the international labor rights of women, and the realities that persist in the workplace in developing countries, with particular focus on Kenya ... Specific labor rights addressed ... include the safety of women in the workplace; equal pay for equal work; freedom from discrimination and sexual harassment; the right to work; and the right to organize and bargain collectively." Considerable attention is paid to CEDAW and the work that has gone on around it.

Mathangani, Mumbi. "Women's Rights in Kenya: A Review of Government Policy." *Harvard Human Rights Journal* 8 (1995) 179 - 199

The author theorizes that the women in Kenya continue to be marginalized and disadvantaged. She reviews Kenyan women's human rights, particularly political, legal, social and economic rights. She also addresses the Kenyan government's obligations under international law and sees the lack of women's human rights in Kenya as a failure of governmental policy. The author

concludes that the Kenyan government has made a mockery of its commitments under international law and its duties to its citizens.

Mathangani, Mumbi. *Women's Rights in Kenya: A Review of Government Policy*. 8 HARV. HUM. RTS. J. (1995) 179-99

Nyamu, Celestine Itumbi. "Achieving Gender Equality in a Plural Legal Context: Custom and Women's Access to and Control of Land in Kenya." *Third World Legal Studies* 21 (1998-1999): 21-64.

Explores different approaches to gender equality with respect to property relations in a plural legal context. Explores conceptions of African Customary Law and International human rights treaties, including CEDAW.

Nigeria:

Aka, Philip C. "Nigeria Since May 1999: Understanding the Paradox of Civil Rule and Human Rights Violations Under President Olusegun Obasanjo." *San Diego International Law Journal* 4 (2003): 209-276.

The author explores human rights generally in the Nigerian context and then looks at four specific examples of crises which have occurred under Obasanjo's reign. He concludes that despite the human rights abuses, the current government is preferable to authoritarian rule.

Behrouz, Andra Nahal. "Transforming Islamic Family Law: State Responsibility and the Role of Internal Strife." *Columbia Law Review* 103 (2003) 1136-1162.

The author advocates a mediating approach to CEDAW – one that acknowledges unity while respecting diversity. She uses the inheritance practices of the Muslim community in Northern Nigeria as a case study. She argues that reforms are best carried out by Muslims themselves so they can bring their laws and practices into conformity with international standards.

The Center for Reproductive Law and Policy (CRLP) and The Women's Centre for Peace and Development (WOPED). Prepared for the Nineteenth Session of the Committee on the Elimination of all forms of Discrimination Against Women. Women's Reproductive Rights in Nigeria: A Shadow Report (June 1998)

Crutcher, Sarah. "Stoning Single Nigerian Mothers for Adultery: Applying Feminist Theory to an Analysis of Gender Discrimination in International Law." *Hastings Women's Law Journal* 15 (2004): 239-262.

The author proposes that the sentence of stoning a woman for adultery in Nigeria is both discrimination on the grounds of gender and an impermissible use of the death penalty. She submits the application of Feminist Theory is an appropriate method of interpreting the international law related to this area as opposed to Cultural Relativism or Universalism. Her specific focus is the application of Shari'a law in northern Nigeria.

Fashoyin, Tayo, Felicia Durojaiye Oyekanmi and Eleanor R. Raphohunda. eds. Women in the Modern Sector Labour Force in Nigeria : Issues and Prospects Department of Industrial Relations Personnel Management : University of Lagos (1985)

"The book is a product of a workshop on 'Women in the Modern Sector Labour Force' organized by the Department of Industrial Relations and Personnel Management of the University of Lagos in March 1985. The book has tried to identify the social and cultural factors militating against the efficient performance of women workers. Issues addressed include: government, employers, trade unions, the society in general and women in particular."

Robinson, Natasha C. "The World Summit on Sustainable Development and Women's Access to land: Why Nigeria Should Adopt the Eritrean Land Proclamation." *William & Mary Journal of Women and the Law* 10 (2003-2004): 591-611.

This paper focuses on the World Summit on Sustainable Development (WSSD) and the resulting Johannesburg Plan of Implementation. The author argues that Nigeria should adopt a legal framework similar to Eritrea's to allow for the restructuring of the land tenure system, ensuring women's rights to access and control land.

Thagirisa, Pavani. "A Historical Perspective of the Sharia Project and A Cross-Cultural and Self-Determination Approach to Resolving the Sharia Project in Nigeria." *Brooklyn Journal of International Law* 29 (2003-2004): 459-510.

This article covers general historical and political information on Nigeria, outlines the origins and sources of Nigerian law, and discusses the case of Amina Lawal. It then proposes potential arguments within the international treaties, the Nigerian Constitution, Islamic legal approaches, cross-cultural and self-determination approaches to resolving the Sharia project. The author concludes that a cross-cultural approach combined with notions of internal self-determination may advance the Sharia project toward a peaceful resolution.

Sierra Leone:

Wood, Alexi Nicole. "A Cultural Rite of Passage or a Form of Torture: Female Genital Mutilation from an International Law Perspective." *Hastings Women's Law Journal* 12 (2001): 347-386.

This article examines FGM as a violation of international law, especially the United Nations ban on torture. CEDAW is explored and criticized for its protection of women from FGM. Specifically articles 2 and 5 are cited as those being of "great use to women seeking redress from FGM."

South Africa:

Andrews, Penelope. "Women's human rights and the conversation across cultures." *Albany Law Review* 67 (Winter 2003), 609-617.

Explores vision of women's rights and equalities outlined in CEDAW. Discusses tensions within universalizing legal norms, legal strategies premised on liberal assumptions, secular focus of CEDAW, and the individual versus communitarian values in CEDAW. Uses South Africa and Afghanistan to highlight themes and tensions around women's rights.

The Center for Reproductive Law and Policy (CRLP) and the Women's Health Project, South Africa. Prepared for the Nineteenth Session of the Committee on the Elimination of all forms of Discrimination Against Women. Women's Reproductive Rights in South Africa: A Shadow Report (June 1998)

Committee on the Elimination of all Forms of Discrimination Against Women. 19th Session June 22 - July 10, 1998. Republic of South Africa: Summary of Presentation of Initial Country Report (July 1998)

Foster, Lesley Ann. "South Africa" in McPhedran et al, eds., *The First CEDAW Impact Study - Final Report* (2000): 155. Available online at www.iwrrp.org under CEDAW.

This "country report" – one of ten in the international CEDAW impact pilot study, conducted in 1998 and 1999, examines the effect of CEDAW within South Africa. The author notes one of the primary barriers to effective rights discourse is the private/public dichotomy reflected in international human rights documents and the South African Constitution. This note highlights the lack of knowledge of CEDAW within South Africa and the need for more understanding of its provisions in legislative and development programs.

Getecha, Ciru and Jesiman Chipka. Zimbabwe Women's Voices . Zimbabwe Women's Resource Centre and Network (1995)

Zimmerman, Jill "The Reconstitution of Customary Law in South African Method and Discourse." *Harvard Blackletter Law Journal* 17 (2001): 197-228.

Discusses the tension between the South African Constitution's recognition of both a right to culture and a right to substantive equality. Specifically the author explores African customary law as interpreted by the South African courts and the work of the South African Law Commission, concluding that the discourse adopted "effectively excludes rural African women from participating in the reconstruction of customary law during this critical transition period."

Sudan

Schiander Gray, Charlotte. "A case history based assessment of female genital mutilation in Sudan" *Evaluation and Program Planning* 21 (1998) 429-436.

Places issue of FGM within the conceptual framework of the segregation of the sexes and viewed through the ideas of gender-based discrimination as outlined in CEDAW.

Tanzania:

Rakstad, Jennifer L., Charlotte E. Kaiser, and Kris T. Pribadi. "The Progress of Tanzanian Women in the Law: Women in Legal Education, Legal Employment and Legal Reform." *Southern California Review of Law and Women's Studies* 35 (2000-2001): 35-113.

This article "examines the Tanzanian legal community and how it addresses gender disparity in legal education, legal employment and the legal system." Through an exploration of women's experiences in legal employment, with a focus on laws in this area, the author concludes that gender equity in the Tanzanian law is an attainable goal.

Uganda:

Lippincott, Amy N. "Is Uganda's "No-Party" System Discriminatory Against Women and a Violation of International Law?" *Brooklyn Journal of International Law* 27 (2001-2002): 1137-1166.

The author examines women's political participation in Uganda under the framework of the International Covenant on Civil and Political Rights (ICCPR). CEDAW is referred to within the overall context of the codification of legal theories of democracy. The author concludes that for women in Uganda to achieve true access to the democratic process, a multi-party system must be permitted.

Zambia:

Rude, Darlene. "Reasonable Men and Provocative Women: an Analysis of Gendered Domestic Homicide in Zambia." *Journal of Southern African Studies* 25 (1999) 7-27.

Examines recent jurisprudence around the defence of provocation as it has been used in Zambian cases of domestic homicide.

Zimbabwe:

Bigge, David M. "Conflict in the Zimbabwean Courts: Women's Rights and Indigenous Self-Determination in *Magaya v. Magaya*" *Harvard Human Rights Journal* 13 (2000): 289-313.

The authors argue the Supreme Court of Zimbabwe's decision in *Magaya v. Magaya* (ruling on customary laws and women's rights and inheritance) is evidence of both the "unfettered discretion" the Court uses and the tension between women's rights and indigenous self-determination. The author suggests that the system of customary law must either be codified or taken out of the jurisdiction of the courts to ensure the protection of modern human rights norms.

The Center for Reproductive Law and Policy (CRLP) and Women in Law and Development Africa (WiLDAF). Prepared for the Nineteenth Session of the Committee on the Elimination of all forms of Discrimination Against Women. Women's Reproductive Rights in Zimbabwe: A Shadow Report (December 1997)

The Center for Reproductive Law and Policy (CRLP) and the Women's Legal Aid Center, Tanzania. Prepared for the Sixty-Third Session of the Human Rights Committee. Women's Reproductive Rights in Zimbabwe: A Shadow Report (July 1998)

Government of Zimbabwe. Ministry of Health and Child Welfare. Women's Health in Zimbabwe, a Path to Development (October 1994)

Parpast, Jane L. Women and International Development Program. Gender, Patriarchy and Development in Africa: The Zimbabwean Case . Michigan State University (1995)

The Lagos Plan of Action is a development plan drawn up and signed by the leaders of the Organization on African Unity (O.A.U.). Responding to the current economic crisis in Africa, the Plan calls for urgent action to achieve the goals of self-reliance, self-sustaining development, and economic growth. It includes strong support for the full utilization of human resources, both male and female. Unlike most development plans, the Plan devotes an entire chapter to the needs, rights, and concerns of women. It advocates the full integration of women into development planning, recognizing that development that ignores women will fail. This paper examines the Plan's treatment of women, especially the rights and aspirations awarded to them, and compares these rights and aspirations with the reality facing women in Africa today.

Sandusky, Stacy R. "Women's Political Participation in Developing and Democratizing Countries: Focus on Zimbabwe." *Buffalo Human Rights Law Review* 5 (1999): 253-281.

This paper focuses on some of the theoretical issues of feminism in developing countries in relation to women's political participation, examines the status of women's rights in international instruments (including CEDAW), gives examples from countries where women have successfully mobilized, and then examines the implications for women in Zimbabwe. The article also discusses obstacles for Zimbabwe's implementation CEDAW.

Tsanga, Amy S. "A Critical Analysis of Women's Constitutional and Legal Rights in Zimbabwe in Relation to the Convention on the Elimination of All Forms of Discrimination Against Women." *Maine Law Review* 54 (2002): 217-250.

Using the provisions of CEDAW, the author gives a thorough analysis of the constitutional and legal measures in Zimbabwe affecting women. She highlights the progress as well as the gaps in the advancement of women in Zimbabwe from a legislative perspective.

Asia-Pacific

Amirthalingam, Kumaralingam. "Women's Rights, International Norms and Domestic Violence: Asian Perspectives," *Human Rights Quarterly* 27.2 (2005): 683-708.

"This article examines domestic violence laws in two Asian jurisdictions and highlights the importance of using a gender analysis to create an alternative narrative of, and different

solutions to, the problem. ... The tension between cultural norms and international norms is considered and it is suggested that certain universal norms need to be championed—in this case the right of women to be free from domestic violence."

Byrnes, Andrew, Jane Connors, and Lam Bik, eds. Advancing the Human Rights of Women: Using International Human Rights Standards in Domestic Litigation. Commonwealth Secretariat: October 1997.

Proceedings from an Asia Pacific Regional Judicial Colloquium in Hong Kong.

Dairiam, Shanthi. "Impact of the Convention at the Domestic Level." Presented at: CEDAW AT 25: ARE WE MOVING FORWARD, 13 October 2004, UN Headquarters. Available online at: <http://www.un.org/womenwatch/daw/cedaw/cedaw25anniversary/cedaw25-SD.pdf>

Horton, Susan. Women and Industrialization in Asia London: Routledge (1996)

This text is a highly factual, up to date and useful tool containing many illustrations, tables and analysis of women in the labour market in India, Indonesia, Japan, Korea, Malaysia, Philippines and Thailand.

Lele, Jayant and Wisdom Tetley. Asia-Who Pays for Growth? Women, Environment and Popular Movements England: Dartmouth - Aldershot (1996)

Pollock Sturdevant, Sandra and Brenda Stoltzfus. Let the Good Times Roll: Prostitution and the U.S. Military in Asia. New York: The New Press (1992)

The book tells the story of "the women of the bar areas around the U.S. bases in Okinawa, the Philippines, and the southern part of Korea who speak about their lives with remarkable candour. In gripping and poignant narratives they describe their families and childhoods, the poor rural and areas they came from, life and work in the bar areas, and their attitudes towards the bar owners, the American customers, and themselves."

Sinclair, M. Thea. Ed. Gender, Work and Tourism

The text examines "the central role played by women in tourism. It discusses the nature of their work and the ways in which tourism creates tensions between the attitude and conduct of tourists and the beliefs and behaviours of local women." Countries considered include; UK Northern Cyprus, Mexico, Philippines, and South East Asia.

Wei, Virginia W. "Asian Women and Employment Discrimination: Using Intersectionality Theory to Address Title VII Claims Based on Combined Factors of Race, Gender and National Origin." *Boston College Review* 37 (1996) 771 - 812

The author contemplates the intersectionality of race and gender with respect to women of colour. She provides a historical background to the American Civil Rights Act of 1964 and Title VII. She examines the judicial interpretation of Title VII claims since that time. Her focus is specific to Black and Asian women. She also delves into an historical discussion of Asian women in the U.S. and the courts overall reluctance to accept intersectionality theory.

Wolf, Diane Lauren. Factory Daughters : Gender, Household Dynamics and Rural Industrialization in Java. California: University of California Press (1992)

Beyond the author's review of women, villages, factories, family economy, industrial and agrarian change, the text is richly infused with illustrations, tables, annotations, a bibliography and a glossary of Indonesian and Javanese words.

Yangchen, Kikhang. "Women and Human Rights." *Women Against Fundamentalism* 5(1) (1994) 37 - 39

Australia:

Bassinnet, Judith and Sandy Cook. Women's Encounters with Violence: Australian Experiences Sage Publications: California (1997)

Byrnes, Andrew. "Australia and the Convention on the Discrimination Against Women." *Australian Law Journal* 62 (1988) 478 - 479

Casas, Nancy. "Sex Discrimination on the Basis of Pregnancy: Australia's Report on Pregnancy Discrimination Should Make the United States Re-evaluate the Effectiveness of the Pregnancy Discrimination Act in Eliminating Pregnancy Discrimination in the Workplace." *Transnational Law & Contemporary Problems* 11 (2001): 141-174.

The author compares the sex discrimination statutes of Australia and the United States within the context of employment. She concludes that "Australia needs to revise its laws in order to work more effectively against pregnancy discrimination" and that the US needs to re-examine the effectiveness of its own statutes in eliminating pregnancy discrimination in the workplace.

McKay, Leanne. "Women Asylum Seekers in Australia: Discrimination and the Migration Legislation Amendment Act [No. 6] 2001." *Melbourne Journal of International Law* 4 (2003) 439-466.

The *Migration Legislation Amendment Act [No. 6] 2001* (MLAA) was implemented by the Australian Government in an effort to restrict the number of refugees who misuse and abuse the Australian immigration process. Little attention was given to the impact the MLAA would have on the rights and freedoms of those individuals it would affect, most notably women. This article examines the position of women asylum seekers under the MLAA in light of Australia's international non-discrimination obligations, particularly under CEDAW. The author aims to demonstrate that Australian domestic migration law is infused with discriminatory practices that are negatively impacting on the development and implementation of Australia's obligations under international human rights and refugee law.

Roberts, Althea. "Gender and Refugee Law." *Australian Yearbook of International Law* 22 (2002): 159-199.

The author examines the issue of gender and refugee law through an exploration of the Australian case of *Minister for Immigration and Multicultural Affairs v Khawar*, where the High Court held that "failure by a state to provide effective protection to women from domestic violence could amount to persecution for a Convention reason." There is discussion of the role of CEDAW and the committee in advancing the recognition of gender as an issue transcending the public/private distinctions drawn in refugee law.

China:

Bulger, Christine M. "Fighting Gender Discrimination in the Chinese Workplace." *Boston College Third World Law Journal* 20 (2000) 345-391.

The author examines the current methods of legal recourse available for fighting gender discrimination in China. The author also discusses systemic issues such as corruption, ineffective legal enforcement and government policies that have had a negative effect on women's participation in the workforce in China.

Gellman, Tara A. "The Blurred Line Between Aiding Progress and Sanctioning Abuse: United States Appropriations, the UNFPA and Family Planning in the P.R.C." *N.Y.L. Sch. J. Hum. Rts.* 17 (2000-2001): 1063-1103.

"This note discusses the trend in P.R.C. programs, international standards of human rights, legislative trends and the United States Budget" as it applies to family planning programs. Part II of the paper review international standards as they relate to reproduction and population control, including CEDAW.

Killion, M. Ulric. "Post-WTO China: Quest for Human Right Safeguards in Sexual Harassment Against Working Women." *Tulane Journal of International and Comparative Law*. 12 (2004): 201-235.

Claims that "sexual harassment of mainland women workers is one of the most neglected dimensions in the struggle for international human rights." The author looks at international conventions, specifically CEDAW, as well as China's constitutional and legislative provisions for protection of women from sexual harassment. She finds that "aggrieved women do not have meaningful access to domestic and international justice for sexual harassment" largely due to policy failures of the Chinese government.

Shalev, Carmel. "China to CEDAW: An Update on Population Policy." *Human Rights Quarterly* 23 (2001) 119-147.

The author explores the underlying reproductive health concerns of China's population policy and how the CEDAW Committee has approached it. Gives detailed analysis of China's birth control policy in its legal framework and discusses the discriminatory targeting of women as well as, of ten violent, methods of inducing compliance. The recent comments of the CEDAW Committee with respect to this issue are also examined.

Stark, Barbara. "Baby Girls from China in New York: A Thrice-Told Tale." *Utah Law Review* (2003): 1231-1301.

Examines the forces that drive adoptions of Chinese baby girls by US residents. It analyzes "the Chinese, United States and the international laws – and the violation of these laws – that make this migration possible." Specific reference is made to the provisions of CEDAW, although CEDAW is not part of Chinese domestic law and has not been ratified by the US.

Hong Kong:

Petersen, Carole J. and Harriet Samuels. "The International Convention on the Elimination of All Forms of Discrimination Against Women: A Comparison of its Implementation and the Role of Non-Governmental Organisations in the United Kingdom and Hong Kong" *Hastings International & Comparative Law Review* 26 (2002-2003) 1-50.

The authors offer a comparative study of the implementation of CEDAW in Hong Kong and the United Kingdom. Looks at the role CEDAW has played in public policy making, the judiciary, and the participation of non-governmental organizations. Offers an analysis of similarities and differences and opportunities for better implementation.

Sheriff, Nora E. "Holding up Half the Sky But Not Allowed to Hold the Ground: Women's Rights to Inherit and Own Land in Hong Kong and the People's Republic of China." *Hastings International and Comparative Law Review*. 23 (1999-2000): 279-302.

Discusses discriminatory land laws in Hong Kong and China under a comparative framework.

Indonesia:

Human Rights Watch / Asia. Indonesia / East Timor: Deteriorating Human Rights in East Timor New York: Human Rights Watch (1997)

Japan:

Schöpp-Schilling, Hanna Beate. Dai 4 sho "CEDAW to NGO no kankei: Nihon no baai" / Some Observations on the Relationship Between CEDAW and Non-governmental Organizations: The Case of Japan/, in Danjyo chingin sabetu saiban [Koujo Ryojoku] ni makenakatta onnatachi: Sumitomo Denko Sumitomo Kagaku no sei sabetsu sosho /Wage Discrimination Cases. Women Undeclared by the Public Order and Good Morals': Legal Action on Sex Discrimination against Sumitomo Electric Industries and Sumitomo Chemicals/, supervised by Miyachi Mitsuko, Working Women's Network (ed.), Akashi Shoten Tokyo, 2005. [Original: Japanese]

Cook, Alice H. and Hiroko Hayashi. Working Women in Japan: Discrimination, Resistance and Reform New York : New York State School of Labour and Industrial Relations, Cornell University (1980)

In addition to providing an excellent bibliography, the authors examine and analyse; 1. women in the Japanese employment system; 2. cases on discrimination; and 3. what lies ahead for Japanese women.

Fujimura, Fanselow Kumiko. "Women's Participation in Higher Education in Japan." *Comparative Education Review* 29 (1985) 471 - 489

This book "makes visible for the first time a new view of changing society through the perspective and words of Japanese women, themselves." The author examines education, work, family, religion, politics and culture through 26 different essays.

Fujimura, Fanselow Kumiko and Atsuko Kameda. Japanese Women: New Feminist Perspectives on the Past, Present and Future New York: Feminist Press at the City University of New York (1995)

Japanese International Women's Rights Action Watch. Commentary on the convention on the Elimination of all forms of Discrimination Against Women Japan: JAIWAR (1995)

Kwon, Jennifer. "The Comfort Women Litigation and the San Francisco Treaty: Adopting a Different Principle of Treaty Interpretation." *Geo. Wash. L. Rev.* 73 (2005) 649-667.

The author proposes that the use of international treaties to which the US is either a signatory or party provide the basis for a new interpretation of the terms of the San Francisco Peace Treaty between Japan and the US that would allow "comfort women" to obtain legal redress in American courts.

Luera, Christina M. "No More Waiting for Revolution: Japan should take positive action to implement the Convention on the Elimination of All Forms of Discrimination Against Women," in *Pacific Rim Law & Policy Journal* 13 (June 2004): 611-643.

Discussed status of women in Japan and how CEDAW has been implemented by the Japanese government. Luera discussed rule by consensus as a barrier to affirmative action in the substantive realm and its role in the preservation of the status quo. Also discusses slow rate of change in Japanese society with respect to women's equality.

McVeigh, Brian J. Life in a Japanese Women's College: Learning to be Ladylike Routledge Ltd. (1997)

Miller, Robbi Louise. "The Quiet Revolution: Japanese Women Working Around the Law." *Harvard Women's Law Journal* 26 (2003): 163-215.

This article "illustrates the interplay between legal developments and women's reactions in the arena of employment discrimination." The author says that the ratification of CEDAW both spurred positive legislative enactments and "signified a symbolic shift in Japan's ideas and ideals surrounding women's role in the workplace."

Nakamura, Masanori. Ed. Technology Change and Female Labour in Japan Tokyo : United Nations University Press (1985)

"This book represents part of the results of research carried out by the Institute of Developing Economics at the request of the United Nations University for the Project on Technology Transfer, Transformation and Development: The Japanese Experience. The book examines Japan's experience in undergoing an industrial revolution with the help of technology transferred from the advanced countries. The book covers the subject from the start of industrialization to the present day."

Thorsten, Marie. "A Few Bad Women: Manufacturing 'Education Mamas' in Postwar Japan." *Japan Journal of Politics, Culture and Society* 10(1) (1996) 5 1 -71

"This essay examines the emergence of the mother role in postwar Japan and explores some of its implications for women. In particular it suggests, first, that the good school / good job connection puts women in a self perpetuating cycle of discrimination; second, that the vulnerability of women in this situation resulted largely from the "public" realm of politics shaping to its advantage the otherwise 'private' realm of women; and third, that images of education mamas in areas such as scholarship, medicine and popular culture created and reinforced the conditions of blame that accrue to mothers."

Tree, Timothy. "International Law: A Solution of a Hindrance Towards Resolving the Asian Comfort Women Controversy?" *UCLA Journal of International Law & Foreign Affairs* 5 (2000-2001): 461-498.

The author explores the obstacles in using international law to pursue accountability of the Japanese government for the Asian Comfort Women.

Yoneda, Masumi. "Japan" in McPhedran et al, eds., *The First CEDAW Impact Study - Final Report* (2000): 63. Available online at www.iwrrp.org under CEDAW.

This "country report" – one of ten in the international CEDAW impact pilot study, conducted in 1998 and 1999 –explores some of the issues faced by equality-seekers in Japan. The author pays particular attention to the situation of NGOs in Japan and women's participation in the labor market. CEDAW has had an impact in Japan, but the author notes that "Japanese leaders of the women's movement need to develop strategies to use CEDAW more effectively".

Malaysia:

Whiting, Amanda. "Situating Suhakam: Human Rights Debates and Malaysia's National Human Rights Commission." *Stanford Journal of International Law* 39 (2003): 59-98.

This article explores Malaysian propositions on human rights, the establishment of the national human rights commission (Suhakam), the institutionalization of rights within Malaysian law, and how Suhakam has interpreted its mandate.

Mongolia:

UNIFEM. Women in Mongolia – Mapping Progress under Transition. New York: United Nations Development Fund for Women, 2001. Available online at : www.unifem.org

This "is a report on the experiences of the women of Mongolia in the context of the political and economic transformation of their country. It identifies critical issues affecting women from the perspective of their overall empowerment and prospects for achieving gender equality in the context of the changes taking place in Mongolian society. It looks at impacts of the transformation over the last decade on women's economic, social and political status, highlights the commensurate changes in gender relations and women's participation and influence in these transition processes, and provides recommendations towards advancing gender equality."

Singapore:

Li-Ann, Thio. "Recent Constitutional Developments: Of Shadows and Whips, Race, Rifts and Rights, Terror and *Tudungs*, Women and Wrongs." *Singapore Journal of Legal Studies* (2002): 328-373.

The author discusses constitutional developments in Singapore generally and also women's rights specifically. The author also examines Singapore's reports to the Committee on the Elimination of Discrimination Against Women.

Tan, Anamah. "Stop Violence against Women" Paper available online at: http://www.anamah.tan.com/downloads/papers/violence_against_women.doc

Ms. Tan discusses the various approaches, especially legal, to combatting violence against women. Singapore's legislative and social initiatives are explored.

South Korea:

Cho, Youngsook. "South Korea" in McPhedran et al, eds., *The First CEDAW Impact Study - Final Report* (2000): 187. Available online at www.iwrrp.org under CEDAW.

This "country report" – one of ten in the international CEDAW impact pilot study, conducted in 1998 and 1999, examines the impact of CEDAW within South Korea following its ratification in 1984. The author notes that CEDAW was a vehicle used by the women's movement towards women's liberation. The government's reservations to CEDAW are discussed at length, along with the financial and institutional measures that are both hindering and helping achievement of gender equality in South Korea.

Thailand:

Skrobanek, Siriporn, Nataya Boonpakdee and Chutima Jantateero. The Traffic in Women : The Human Realities of the International Sex Trade.

"This book explores the nature, extent and reasons for the global traffic in women. Based on research by the Foundation for Women in Thailand, it argues that trafficked women can only be understood via a number of different perspectives; as migrant workers, as prostitutes and as women in a male-dominated society."

Todres, Jonathan. "Women's Rights and Children's Rights: A Partnership with Benefits for Both. *Cardozo Women's Law Journal* 10 (2003-2004): 603-624.

Explores the fields of women's rights and children's rights to find the ways in which they can complement each other, thereby furthering the rights of both groups. Uses child prostitution in Thailand as a case study. Discusses interrelationships between the Convention on the Rights of the Child and CEDAW.

South Asia

Centre for Women's Research (CENWOR). "CEDAW Indicators for South Asia: An Initiative." (CENWOR, 2004). Available online at: http://www.unifem.org.in/pdf/CEDAW_Indicators.pdf

This resource explores the following topics: implementation of CEDAW, law, education, employment, health and women in the rural sector, all within the South Asian context.

Norsworthy, Kathryn L. *Feminist Interventions for Southeast Asian Women Trauma Survivors: Deconstructing gender-based violence and developing structures of peace.* Report presented at the Annual Meeting of the American Psychological Association, 2001.

Offers an analysis of structural and institutional violence in Thailand, Cambodia, and refugees from Burma. Contains suggestions from members of the focus groups for strategies for social change.

Truong, Thanh Dam. Sex, Money and Morality : Prostitution and Tourism in South East Asia . U.K.: Zed Books (1990)

"Taking issue with what she sees as a distorted conceptualization in social science writings, the author examines prostitution within the context of sexual labour. She explores the contemporary expression of prostitution through the tourist trade. Dr. Truong looks into conditions that underlie the process of integration of prostitution into tourism as a mega industry."

UNIFEM, South Asia oung, Thanh

Afghanistan:

Andrews, Penelope. "Women's human rights and the conversation across cultures." *Albany Law Review* 67 (Winter 2003), 609-617.

Explores the vision of women's rights and equalities outlined in CEDAW. Discusses tensions within universalizing legal norms, legal strategies premised on liberal assumptions, the secular focus of CEDAW, and the individual versus communitarian values in CEDAW. Uses South Africa and Afghanistan to highlight themes and tensions around women's rights.

Brown, A. Widney and Laura Grenfell. "The International Crime of Gender-Based Persecution and the Taliban" *Melbourne Journal of International Law* 4(2003): 347-375.

This Note argues "that the prohibition of gender-based persecution is already part of customary international law." In order to prove this point the authors begin with a historical overview of gender-based persecution under the Taliban and more generally of crime against humanity. Through this historical overview, they argue that the concept of gender-based persecution is not original but has been a part of customary law historically as is the case with the Taliban. In support of this argument, they define persecution and see if the Taliban's actions meet the six elements of persecution, which are severe deprivation of fundamental rights, targeting by reason of group identity, targeting on political, racial, national, ethnic, cultural, religious or gender grounds, connection with a crime within the jurisdiction of the court, widespread or systematic attack and knowledge or intention of widespread or systemic attack. They conclude by saying the Taliban committed gender-based persecution.

Desai, Shefali. "Hearing Afghan Women's Voices: Feminist Theory's Re-conceptualization of Women's Human Rights." *Arizona Journal of International and Comparative Law* 16:3 (1999) 805-844.

In this Note, Shefali Deasi discusses the either/or discourse of the Taliban (relativism, which is human rights relative to one's particular culture) and the West (universalism, which is universal human rights and in particular, universal women's rights as espoused by CEDAW). After explaining the fate of women before and after the Taliban, Desai rejects universalism and relativism. Instead, she creates an alternative based in feminist theory and practice, which suggests, "Focus should be on the individual woman's voice that is presented by the asylum claim." In conclusion, she applies this new in-between discourse to a hypothetical Afghan woman's claim.

Mahalingam, Ravi. "Women's Rights and the "War on Terror": Why the United States should view the ratification of CEDAW as an important step in the conflict with militant Islamic fundamentalism." *California Western International Law Journal* 34 (Spring 2004) 171-209.

Explores link between women's rights and terror. Advocates that US ratification would allow US to make an authoritative statement on women's rights and to direct such efforts towards the Arab and Muslim World. Examines internal debate within Islamic societies between fundamentalists and modernizers. Uses case examples of Iran and Afghanistan. Also explores impact, content and criticisms of CEDAW.

McCabe, Eve, "The Inadequacy of International Human Rights Law to Protect the Rights of Women as Illustrated by the Crisis in Afghanistan," *5 UCLA J. Intl. & Foreign Aff.* (2000-2001): 419-460

The author examines both international human rights law and asylum law in terms of their ability to address human rights violations against women. McCabe examines the provisions in CEDAW that exist to protect the human rights of women but argues a lack of an effective enforcement mechanism, state default on reporting obligations, and the overall lack of implementing the provisions have meant CEDAW's success in improving women's lives has been very limited. Through a case study of Afghanistan she highlights the international community's failure to adequately enforce the international human rights obligations on behalf of women. She concludes with suggestions for how to improve compliance with CEDAW as well as potential reforms to asylum laws.

Bangladesh:

Afsharipour, Afra. "Empowering Ourselves: The Role of Women's NGOs in the Enforcement of the Women's Convention." *Columbia Law Review* 99 (1999): 129-172.

Argues that commitments of Bangladeshi and international women's NGOs have dramatically improved Bangladesh's government's attitude towards CEDAW. She further contends that these methods could and should be employed by other women's NGOs to increase compliance with the treaty.

Ahmed, M. Kapil et al. "Violent deaths among women of reproductive age in rural Bangladesh" *Social Science & Medicine* 59 (2004) 311-319.

The authors explore the social and demographic factors associated with mortality due to violence of women living in rural Bangladesh. They claim the "disadvantaged position of women in Bangladesh society is the key underlying social cause of the violence that occurred". No explicit references are made to CEDAW.

Zaman, Habiba. "Violence Against Women in Bangladesh: Issues and Responses." *Women's Studies International Forum* 22 (1999) 37-48.

Highlights the "complexity of violence and presents cases of resistance against violence." Also addresses the "significant role of women's groups and other non-government organizations in bringing about ... qualitative change necessary."

India:

Ali Khan, Mumtaz Dr. Centre for Research and Development of Dalits. Street Girls and Immoral Traffic in India . New Delhi : Uppal Publishing House (1996)

The text is the product of a self-financed study conducted by Dr. Ali Kahn involving 250 girls from the Bangalore Cantt area. The author outlines the results of the personal interviews and case studies, as well as providing insights into the profession.

Feld, Louise. "Along the Spectrum of Women's Rights Advocacy: A Cross-Cultural Comparison of Sexual Harassment Law in the United States and India." *Fordham International Law Journal* 25 (2001-2002): 1205-1281.

This paper compares and contrasts sexual harassment laws in the United States and India, with a specific focus on the workplace. She traces the development of these laws and the courts' treatment of sexual harassment in each country. The author advocates a self-reflective approaches to cross-cultural comparisons to explore successful and unsuccessful tactics to problems that face women everywhere.

Human Rights Watch. Asia Watch Committee. "Rape in Kashmir: A Crime of War." Human Rights Watch 5(9) (1993)

Human Rights Watch / Asia. Rape for Profit: Trafficking of Nepali Girls and Women to India's Brothels . New York: Human Rights Watch (1995)

Kapar, Ratna and Brenda Cossman. "Women and Hindutva." *Women Against Fundamentalism* 5(1) (1994) 42 - 43

Kumar, C. Raj. "International Human Rights Perspectives on the Fundamental Right to Education – Integration of Human Rights and Human Development in the Indian Constitution." *Tulane Journal of International and Comparative Law* 12 (2004): 237-285.

This paper "provides for a legal, jurisprudential, and constitutional foundation for developing the right to education in India." The author uses both Indian constitutional principles and the international human rights regime to inform his analysis of the right to education. Specific reference is made to CEDAW in this regard.

Jain, Pratibha. "Balancing Minority Rights and Gender Justice: The Impact of Protecting Multiculturalism on Women's Rights in India." *Berkeley Journal of International Law* 23 (2005): 201-222.

"This paper studies the impacts of granting group rights to religious and cultural minorities within a nation-state, recognizing that such an entity can be comprised of multiple nations, and examines the methods legislators and judges in India have used to navigate this balancing act as an example."

Manchandia, Purna. "Practical Steps Towards Eliminating Dowry and Bride-Burning in India." *Tul. J. Int'l & Comp. L.* 13 (2005) 305.

This comment discusses the historical foundations of dowry, the dowry system in modern India, and current Indian laws against it and challenges in their enforcement. She argues that "in order to effectively eradicate the modern practice of dowry, education, legislative reform, and international pressure will be insufficient. As will be shown, a simultaneous social movement aimed at changing the attitudes of Indian society will also be necessary."

Nussbaum, Martha C. "India: Implementing Sex Equality Through Law." *Chicago Journal of International Law* 2 (2001): 35-58.

This article considers "the ways in which domestic political processes have implemented, or failed to implement, rights that are important to the international human rights debate". Her focus is on sex equality and internal reform through law. The author concludes the "best role for international treaties, in general, is as pieces of public persuasion that may help activists and politicians eager to promote a process of domestic reform."

Rao, Nitya. "Questioning Women's Solidarity: The Case of Land Rights, Santal Parganas, Jharkhand, India." *Journal of Development Studies* 41(3) (2005): 353 – 375.

This paper explores, within the context of Santal Parganas, India, why women have not mobilized around claiming rights to land and what limits to collective action by women exist around land rights. Despite women's land rights being on the policy agenda for at least the last 20 years, the author describes impediments to their achievement.

Sen, Samita. Women and Labour in Late Colonial India : The Bengal Jute Industry Cambridge: University Press (1999)

In addition to tables, a glossary of terms, maps and a bibliography, the author provides a "history of labouring women in Calcutta in the 19th and early 20th centuries and considers how social constructions of gender shaped their lives. She demonstrates how in contrast to the experiences of their male counterparts, the long term trends in Indian economy devalued women's labour, establishing patterns of urban immigration and changing gender equations within the family."

Shaw, Meghana. "Rights Under Fire: The Inadequacy of International Human Rights Instruments in Combating Dowry Murder in India." *Connecticut Journal of International Law* 19 (2003-2004): 209-230.

This note studies "the most frequently proposed international legal solutions to dowry-related violence, and examines the reasons that current international human rights treaties to which India is a party have yielded little action from Indian authorities." CEDAW is discussed as the "most relevant to the discussion of dowry-related violence".

Sleightolme, Carolyn and Indrani Sinha. Guilty without Trial : Women in the Sex Trade in Calcutta. New Brunswick: Rutgers University Press (1997)

"Through interviews, surveys and case-studies, [the authors] interrogate the double standards of sexual morality that govern the lucrative sex trade in India, thus making visible the more than twenty thousand mothers, heads of households, and community members, whose activities and voices have been silenced so that others may profit from their activities."

Sloss, Laura J. and Ahmed Meunier. "Women's Health and Education in Rural Bangladesh." *Social Science and Medicine* 32 (1991) 959 - 961

United Nations. Economic and Social Commission for Asia and the Pacific. Women of Nepal: A Country Profile, Statistical Profiles No. 4 (1996)

"The present study, by using specific criteria to compare the effectiveness of 2 NGOs in a state in South India, attempts to provide a new approach to analysing NGOs and rural women."

United Nations. Economic and Social Commission for Asia and the Pacific. Women of Bangladesh: A Country Profile, Statistical Profiles No. 2 (1995)

Viswanath, Vanita. NGO's and Women's Development in Rural South India : A Comparative Analysis. Boulder: Westview Press (1991)

Nepal:

Aiken, Jane. "Lessons From Nepal: Partnership, Privilege, and Potential." *Washington University Global Studies Law Review* 2 (2003): 391-413.

The author gives an overview of her own work in Nepal in effecting changes in national legislation.

Malla, Sapana Pradhan. "Using CEDAW to Fight for Women's Inheritance Rights" in Cynthia Meillon (ed.) *Holding On To The Promise: Women's Human Rights and the Beijing +5 Review*, New Jersey: Center for Women's Global Leadership (2001).

Discusses inheritance laws in Nepal. Points out how CEDAW may be used as part of the strategy to highlight the discriminatory nature of the socio-legal structure in Nepal. Also discusses recent court cases that have attempted to deal with the laws themselves.

Malla, Sapana Pradhan. "Nepal " in McPhedran et al, eds., *The First CEDAW Impact Study - Final Report* (2000): 77. Available online at www.iwrrp.org under CEDAW.

This "country report" – one of ten in the international CEDAW impact pilot study, conducted in 1998 and 1999 – cites the primary constraints in securing the rights of women: "[r]ural poverty, traditional social barriers and serious lack of realization about women's rights" . The political instability and poorly coordinated Government are also problematic for achieving success in this area. The author concludes with a call for NGOs to learn how to use CEDAW more effectively to realize their goals.

Mandhane, Renu. "The Use of Human Rights Discourse to Secure Women's Interests: Critical Analysis of the Implications." *Michigan Journal of Gender & Law* 10 (2003-2004): 275-326.

This article highlights "the significant theoretical constraints of universalism, the tendency for human rights advocates to ignore the underlying cause of rights violations, as well as problems associated with the concept of and informal hierarchy between rights." She suggests that feminist legal theory can be referred to as an advocacy tool where the international human rights framework fails. She uses the recent and successful campaign by Nepali women to have abortion legalized as a reference point.

Manzione, Lara L. "Human Rights in the Kingdom of Nepal: Do They Only Exist on Paper?" *Brooklyn Journal of International Law* 27 (2001-2002): 193-244.

Explores Nepal's Constitution in the context of the political history of the country. Also offers an analysis of the Constitution in light of the international legal obligations of Nepal, including those of CEDAW.

Sri Lanka:

Abeysekera, Sunila. "Maximizing the Achievement of Women's Human Rights in Conflict-Transformation: The Case of Sri Lanka" *Columbia Journal of Transnational Law* 41 (2002-2003) 522- 540.

The author focuses on South Asia and Sri Lanka in particular. Explores the evolution of conflict and its impact on human rights, with a particular emphasis on women. Attention is given to the role of women in peace-building under a human rights framework, including CEDAW.

***Post Beijing Reflections: Women in Sri Lanka 1995-2000*. Sri Lanka: Centre for Women's Research (2000).**

Discusses the preparation of a shadow report for submission for the Beijing +5 Review. Details the history of NGO consultations on Beijing +5 and the National Commission on Women. Also gives information on the campaign on Violence Against Women in Sri Lanka.

Middle East

Afkhami, Mahnaz and Erika Friedl. **Muslim Women and the Politics of Participation: Implementing the Beijing Platform**. Syracuse: Syracuse University Press (1997)

"Atrocities Committed Against Kurdish Women." *Women Against Fundamentalism* 5(1) (1994) 60

Brandt, Michele and Jeffrey A. Kaplan. "The Tension Between Women's Rights and Religious Rights: Reservations to CEDAW by Egypt, Bangladesh and Tunisia." *Journal of Law and Religion* 12 (1995-1996) 105-142.

The objective of this article is to "highlight the connections between CEDAW's tenets, the nature of Islam-based reservations, and the course of women's lives in certain reserving countries." It concludes with suggestions for how CEDAW might best respond to religious-based reservations.

Jacobson, Heather. "The Marriage Dower: Essential Guarantor of Women's Rights in the West Bank and Gaza Strip." *Michigan Journal of Gender and Law* 10 (2003) 143-168.

Heather Jacobson argues that eliminating or reducing the marriage dower would "materially harm the majority of [poor and rural Muslim] women" in the West Bank and Gaza Strip. Women's groups argue the only way to improve a women's status is to eliminate the marriage dower. However, Jacobson disagrees and feels that the elimination would have many negative effects: benefit only the upper class, "produce financial insecurity and impoverishment of the poor and rural women," "deprive poor and rural women of their only means to financial security," reduce the autonomy of women's their dependence would increase on husbands, advance a nationalist agenda and "reduce her bargaining power within marriage and her financial security outside of marriage [mahr and marriage/divorce]." She suggests a possible reform solution should be for the benefit of the poor and rural women.

Mattar, Mohamed. "Trafficking In Persons, Especially Women and Children, In Countries of The Middle East: The Scope of the Problem and the Appropriate Legislative Responses." *Fordham International Law Journal* 26 (2002-2003) 721-760.

Countries of the Middle East are places of destination, origin and transit for trafficking for the purposes of prostitution and forced labour, especially domestic servitude. This article discusses the forms of trafficking in the countries of the Middle East and explains the current legislative responses to the problem. It also evaluates the adequacy of these responses by comparing them with the minimum standards set forth in the U.S. Trafficking Victims Protection Act of 2000. Lastly, the article suggests necessary legislative changes that must be initiated by these countries to combat trafficking in women and children in the region.

Mayer, Ann Elizabeth, "A "Benign" Apartheid: How Gender Apartheid has been Rationalized," *5 UCLA J. Int. & Foreign. Aff.* (2000-2001): 237-338.

This article explores "why gender apartheid, despite its direct analogies to racial apartheid, has largely been seen as a relatively benign phenomenon." The author's focus is on "gender apartheid" in the Middle East. This paper includes a discussion of various critiques of CEDAW, especially those espousing a strict cultural relativist and/or conservative religious positions. Mayer argues that attacks on "gender apartheid" are "not aimed at culture and religion per se but, rather, at oppressive ideologies and the injustices and harms that come from one group dominating another."

See generally: UNDP Programme on Governance in the Arab Region. Available online: <http://gender.pogar.org/publications/>

Egypt:

Khalidi, Ramla and Judith Tucker. "Women's Rights and the Arab World." *Middle East Report* (1992) 1 - 8

Khaliq, Urfan. "Beyond the Veil?: An Analysis of the Provision of the Women's Convention in the Law as Stipulated in Shari'ah." *Buffalo Journal of International Law* 2 (1995) 1 - 47

The author's analysis is founded in the fact that of those states that have ratified the convention, a small number are Islamic states, and within that small number there are many reservations. She posits that this is due to the Islamic states economic independence and subsequent lack of Western influence. She examines both the Shari'ah and the convention to determine if the alleged incompatibility between them truly exists or if the alleged conflict is a fallacy advocated for political reasons.

Moghadom, Valentine M. Women, Work and Economic Reform in the Middle East and North Africa Boulder Colorado : Lynne Rienner Publishers (1998)

The author has divided the book into three primary sections; 1. an introduction and overview of both political economy and globalizing economy; 2. case studies from Morocco, Tunisia, Turkey, Egypt, Jordan, Syria, Iran and Algeria; 3. responses and strategies to structural change and mobilization.

Shami, Seteny, Lucine Taminan, Soheir A. Morsy, Zeinab B. El Bakri, El-Wathig M. Kameir. eds. Women in Arab Society : Work Patterns and Gender Relations in Egypt, Jordan and Sudan . USA : Berg Publishers Ltd. and the UN Educational, Scientific and Cultural Organization (1990)

The editors have organized the textual material into three primary categories; 1. Women's participation in the Jordanian labour force - a comparison of rural and urban patterns; 2. Rural women, work and gender ideology - a study in Egyptian political and economic transformation ; and 3. Women's participation in economic, social and political life in Sudanese urban and rural communities - the case of Saganna in Khartoum and Wad-al-`Asha village in the Gezira area.

Shuki, Shirin J.A. Arab Women: Unequal Partners in Development England: Avebury Publishers Ltd. (1996)

"This book seeks to elaborate on the problem of gender inequality, in the process of development, in a rural village in Jordan. To examine in detail and analyse the reasons behind the inequalities in a social and economic context."

Sinclair, M. Thea. Ed. Gender, Work and Tourism

The text examines "the central role played by women in tourism. It discusses the nature of their work and the ways in which tourism creates tensions between the attitude and conduct of tourists and the beliefs and behaviours of local women." Countries considered include; UK Northern Cyprus, Mexico, Philippines, and South East Asia.

Venatraman, Bharathi Anandhi. "Islamic States and the United Nations Convention on the Elimination of all forms of Discrimination Against Women: Are the Shari'ah and the Convention Compatible?" *The American University Law Review* 44 (1995) 1949 - 2011

Iran:

Afshar, Haleh. "Women and the Politics of Fundamentalism in Iran." *Women Against Fundamentalism* 5(1) (1994) 15 – 20

Aliaskari, Mahsa. "U.S. Asylum Law Applied To Battered Women Fleeing Islamic Countries." *Journal of Gender, Social Policy & The Law* 8 (2000) 231-282.

This comment analyzes U.S. asylum law and procedures as applied to battered women who escape Islamic states, particularly Iran. The author begins with a brief overview and history of U.S. asylum law, looks at how it is applied to battered women generally, then focuses on its application to women fleeing Islamic states. Lastly, the author makes suggestions as to how the U.S. should deal with asylum cases involving battered women who flee their countries with their children.

Cohan, Carolyn Cox. "International Mavericks: A Comparative Analysis of Selected Human Rights and Foreign Policy Issues in Iran and the United States" *The George Washington International Law Review* 33 (2001): 197-276.

This Note asks the question "Why do states resist international human rights law?" in order to answer this question, the author compares Iran and the United States because they are both resistant to ratifying international treaties. The author begins by looking at the parallels between the two countries in terms of the treaties they ratified or reserved. Then, Iran's singularity is considered by comparing it to other Islamic and Middle Eastern states. Similarly, America's exceptionalism is also compared to other Western, developed nations. Further, Iran and the United States are compared with each other on three fronts: 1) foreign policy of unilateralism and aggression, 2) their Human Rights policies on the rights of women and minorities and 3) religion and the state. From this comparison, the author has three conclusions: 1) both countries have influential groups that favor unilateralism, 2) the actual beneficiaries of these policies are people with the least influence in national politics and historically have been disadvantaged or excluded and 3) they are unique, superior states that are immune from peer pressure.

Halper, Louise. "Law and Women's Agency in Post-Revolutionary Iran." *Harv. J. L. & Gender*, 28 (2005) 85.

"This Article suggests that it is the action and agency of Iranian women, sometimes acting together with men, but mobilizing specifically and consciously as women, that may be a crucial factor accounting for the current favorable trends in their status." The author goes on to "examine the phenomenon of "Islamic feminism" and the attempts to reconceive a religious jurisprudence that eliminates misogynistic tendencies ..." concluding that "Shari'a law is open to reinterpretation through a process of political and social negotiation within its framework, and that Iranian women have been forceful agents of that reinterpretation."

Mahalingam, Ravi. "Women's Rights and the "War on Terror": Why the United States should view the ratification of CEDAW as an important step in the conflict with militant Islamic fundamentalism." *California Western International Law Journal* 34 (Spring 2004) 171-209.

Explores link between women's rights and terror. Advocates that US ratification would allow US to make an authoritative statement on women's rights and to direct such efforts towards the Arab and Muslim World. Examines internal debate within Islamic societies between fundamentalists and modernizers. Uses case examples of Iran and Afghanistan. Also explores impact, content and criticisms of CEDAW.

Israel:

Ramadan, Dr. Moussa Abou. "Judicial Activism of the Shari'ah Appeals Court in Israel (1994-2001): Rise and Crisis" *Fordham International Law Journal* 27 (2003): 254-298.

The Note argues that since 1994, the new qadis in the Shari'ah Court started a course of judicial activism, which "attempted to strengthen the position of the Shari'ah Appeals Court." The conclusion was that the qadis have been successful in some realms, until recently when the Shari'ah system underwent a crisis. Dr. Ramadan begins with a background of Muslims in Israel. He shows how the jurisdiction of the judges was broadened in succession (inheritance), child custody and waafs. Then, he explores this on many similar levels: "strengthening of the position of the Shari'ah appeals court in relation to the regional Shari'ah courts," "strengthening the symbolic standing of the courts," "strengthening the shari'ah appeals court in relation to Israeli law," and the "strengthening the Shari'ah appeals court in relation to litigants." Finally, after he highlights the present crisis, he concludes with an outline for reform.

Jordan:

Arnold, Kathryn Christine. "Are the Perpetrators of Honor Killings Getting Away with Murder? Article 340 of the Jordanian Penal Code Analyzed Under the Convention on the Elimination of All Forms of Discrimination Against Women." *American University International Law Review*. 16 (2000-2001): 1343-4110.

Discusses the current situation in Jordan for those accused of honour crimes, including homicides. Specific attention is paid to Article 340, which exonerates or reduces prison sentences for perpetrators of honor crimes and argues that the prevalence of honor crimes violates Jordan's obligations under CEDAW.

Pakistan:

Smith, Perry S. "Silent Witness: Discrimination Against Women in the Pakistani Law of Evidence." *Tulane Journal of International and Comparative Law* 11 (2003) 21-58.

Smith argues that Pakistan should abandon all evidence laws discriminating against women. In putting forth this thesis, the author argues 1) Shari'ah law does not require these discriminatory laws of evidence and 2) these laws are contrary to women's rights in the Pakistani Constitution and international treaties (i.e. Article 15 of CEDAW). Through an in-depth analysis of Pakistani evidence law and sources of law (Quran, Habiths, UDHR, CEDAW) Smith attempts to provide an ideology and methodology to abandon discriminatory provisions. Smith encourages Pakistan to reform, as he feels it is in the best position among Islamic countries to eliminate all discriminatory laws, like the Indian Subcontinent. In concluding, he applauds the continuance of the first steps that were taken in *Patel v. Pakistan* by the Federal Sharia Court.

Waheed, Manar. "Domestic Violence in Pakistan: The Tension between Intervention & Sovereign Autonomy in Human Rights Law" *Brooklyn Journal International Law* 29:2 (2004) 937-976.

The Note "agues that while liberation from within one's culture, religion, history and state may be ultimately essential for the full realization of human rights in general, this method is insufficient for women's human rights because women's rights are different." Instead, the Note stresses that the international community should intervene in women's rights in Pakistan because any changes from within the country will be difficult to make. Waheed explains the current abuse women in Pakistan face (mutilations, honor killings, stove burnings, acid attacks, etc.) and Pakistan's creation of protective measures that do not really protect women (I.e. lack of police intervention, state barriers and judicial bias and disregard (I.e. misinterpretation of Islam). In concluding, the Note discusses the international human rights obligations that Pakistan complies with superficially (i.e. CEDAW) and presents a case for international intervention (i.e. economic sanctions) and state reforms.

Weiss, Anita M. "Interpreting Islam and Women's Rights: Implementing CEDAW in Pakistan." *International Sociology* 18 (September 2003): 581-601.

This article focuses on the debate about what constitutes discrimination against women, how the state might act to eliminate discrimination in both the legal and social senses, as well as explores the roles being played by various groups within the women's movement to facilitate the Pakistani government's adherence to CEDAW. Attention is paid to how these factors play out in Muslim society and the type of changes required to see their fulfillment.

Western and Eastern Europe

Corrin, Chris. Ed. Women in a Violent World : Feminist Analysis and Resistance Across Europe Edinburgh University Press (1996)

This text "illuminates the commonalities and the differences in Women's experiences across, race, class, religion, sexual orientation and nationality and examines women's and men's experience of violence in various situations across Europe."

Gaspard, Françoise. "La Convention CEDAW et l'Union européenne", dans *L'égalité entre les femmes et les hommes et la vie professionnelle*, Paris, Dalloz, 2003, pp. 175-184. [French]

Scarf, Mimi. Battered Jewish Wives: Case Studies in the Response to Rape New York: The Edwin Mellen Press (1988)

The author writes about "battering and Jewish identity in order to understand a major component of the book and why Jewish women stay or do not stay in battering situations." Scarf posits that in order to understand why some men batter and why some men stop, "it is necessary to understand the appearances of mar'it ayin."

Tomasevski, Katarina. "European Approaches to Enhancing Reproductive Freedom." *The American University Law Review* 44 (1995) 1037 - 1051

Wald, Patricia M. "Some Unsolicited Advice to my women Friends in Eastern Europe." *SMU Law Review* 46 (1992) 557 - 583

Zajovic, Stasa. "Women and Ethnic Cleansing." *Women Against Fundamentalism* 5(1) (1994) 34 - 36

France:

Fletcher, Catherine. "'Il Reste des Basille a Prendre': Gender and Equal Opportunities in France." *Modern & Contemporary France* 13(1) (2005): 85-99.

"This article argues that legislation has thus far remained linked to the restricted notion of equality espoused by equality theorists rather than the more radical concept of equality espoused by difference theorists. A liberal interpretation of gender mainstreaming under both the Raffarin and Jospin Governments fails to deal with structural inequalities caused by a lack of domestic parity."

Gaspard, Françoise. "The French Parity Movement", in Jytte Klausen et Charles S. Maier, *Has Liberalism Failed Women ?* New York, Palgrave, 2002, pp. 55-66.

Germany:

Schoepp-Schilling, Hanna Beate. "Germany" in McPhedran et al, eds., *The First CEDAW Impact Study - Final Report* (2000): 55. Available online at www.iwrrp.org under CEDAW.

This "country report" – one of ten in the international CEDAW impact pilot study, conducted in 1998 and 1999 – discusses the role CEDAW had played in Germany. The author concludes that much of the progress made in legislation and social policies related to women was the result of

European Community Directives, antidiscrimination legislation in the U.K. and Scandinavian countries, and the women's lobby during the unification process, not CEDAW. CEDAW has been used only in connection with the "debate and legislative efforts regarding "positive discrimination" or "affirmative action" in the public employment sector".

Hungary:

Morvai, Krisztina. "Why Doesn't She Just Leave?" Research-based Policy Recommendations for the Prevention of and Response to Domestic Violence in Hungary." SOCO Project Paper No. 101, Vienna (2001). Available online at: <http://www.iwm.at/publ-spp/soc101pp.pdf>

This paper deals with domestic violence and explores Hungarian laws and policies that deal with it. The research team outlines here "a complex national strategy for the prevention of and response to domestic violence" in Hungary.

Ireland:

Mullally, Siobhan. "Mainstreaming equality in Ireland: a fair and inclusive accommodation?" *Legal Studies* 21 (2001): 99-115.

The author examines the steps taken in recent years to mainstream equality issues into the law and policy process in Ireland.

Mullally, Siobhan. "Debating Reproductive Rights in Ireland." *Human Rights Quarterly* 27.1 (2005): 78-104.

"This article examines the struggle for reproductive autonomy within the context of the abortion debate in Ireland, where reproductive rights particularly and women's human rights generally have often been portrayed as hostile to cultural and national sovereignty."

Netherlands:

Roernik, Alide and Ite Van Dijk. "Netherlands " in McPhedran et al, eds., *The First CEDAW Impact Study - Final Report* (2000): 123. Available online at www.iwrp.org under CEDAW.

This "country report" – one of ten in the international CEDAW impact pilot study, conducted in 1998 and 1999 – criticizes the government for using "discussions and publications" and not "legislation and a strict translation of the obligations of the convention" as a strategy for trying to improve the status of women. The authors' main conclusion is that a national focal point of action, run by NGOs, would be the best method of increasing the impact of CEDAW.

Russia:

Flanagan, William F. "HIV/AIDS and Human Rights in Russia: Compliance and the Rule of Law." *Osgoode Hall Law Journal* 39 (2001): 39-76.

The article "examines Russia's legal response to its ongoing HIV/AIDS epidemic. Russia's international human rights obligations are reviewed and the article then critically assesses the extent to which Russia's current HIV/AIDS law and practice are consistent with those obligations." There is specific reference made to CEDAW's provisions that relate to the disproportionate vulnerability of women to HIV/AIDS due to systemic discrimination on the basis of gender.

Pilkerton, Christopher M. "Traffic Jam: Recommendations for Civil and Criminal Penalties to Curb the Recent Trafficking of Women from Post-Cold War Russia." *Michigan Journal of Gender & Law* 6 (1999-2000): 221-259.

This article explores the connections between the Russian mafia and trafficking in women. The author offers a number of recommendations for the application of American criminal, civil and immigration law to help curb the problem of trafficking.

Sweden:

Svanstrom, Yvonne. "Through the Prism of Prostitution: Conceptions of Sexuality in Sweden at Two Fins-de-Siecle," *Nordic Journal of Women's Studies* 13(1) (2005): 48-59.

"Women have gained a number of citizen rights in society, but where *women's rights* to bodily integrity are concerned these have been harder to attain. For more than a hundred years feminists have questioned a constitutive norm which states that men's sexuality is women's responsibility, and demanded changed state laws on prostitution and sexual violence. Sweden has a radical law which criminalizes the purchase of sexual services. Still, however, men's sexuality is by some seen as women's responsibility."

Turkey:

Acar, Feride. "Turkey" in McPhedran et al, eds., *The First CEDAW Impact Study - Final Report* (2000): 203. Available online at www.iwrp.org under CEDAW.

This "country report" – one of ten in the international CEDAW impact pilot study, conducted in 1998 and 1999 – deals with "ratification"; "uses of CEDAW"; "reporting" process and "NGO involvement." The author cites specific cases of effective use of CEDAW by legislators, members of the judiciary, and high-level bureaucrats in policy formulation and initiation of debate. There was some use of CEDAW by NGOs, but NGOs and civil society remained mostly unaware of CEDAW's provisions.

Human Rights Watch. Women's Rights Project. "A Matter of Power. State Control of Women's Virginity in Turkey." *Human Rights Watch* 6(7) (1994)

Ukraine:

Rudneva, Olexandra. "Ukraine" in McPhedran et al, eds., *The First CEDAW Impact Study - Final Report* (2000): 215. Available online at www.iwrp.org under CEDAW.

This "country report" – one of ten in the international CEDAW impact pilot study, conducted in 1998 and 1999 – discusses women's position in Ukraine before and after the Soviet transition period. The author notes the lack of knowledge among senior government officials and legislators of the difference between formal and substantive equality as a significant problem. CEDAW's impacts in Ukraine have been greatest since the Parliamentary Hearings and the Beijing Platform for Action, both in 1995. Rudneva cites the need for awareness-raising of women's NGOs so they may better utilize CEDAW's provisions in their advocacy work.

United Kingdom:

Petersen, Carole J. and Harriet Samuels. "The International Convention on the Elimination of All Forms of Discrimination Against Women: A Comparison of its Implementation and the Role of Non-Governmental Organisations in the United Kingdom and Hong Kong." *Hastings International & Comparative Law Review* 26 (2002-2003) 1-50.

The authors offer a comparative study of the implementation of CEDAW in Hong Kong and the United Kingdom. Looks at the role CEDAW has played in public policy making, the judiciary,

and the participation of non-governmental organizations. Offers an analysis of similarities and differences and opportunities for better implementation.

Ruggie, Mary. The State and Working Women : A Comparative Study of Britain and Sweden Princeton University Press (1984)

The author argues "that the focus of women-specific factors that affect the status of women compared to men in the work force fails to explain fully the persistence of women's inferior status in the labour market. [Moreover] that the issue of women and work must be placed within the broader context of the configuration of state/society relations." Ruggie compares Britain's liberal welfare approach to social policies to the Swedish societal corporatist model.

Latin America and the Caribbean

Center for Reproductive Law and Policy & DEMUS, Estudio para la Defensa de los Derechos de la Mujer. Women of the World: Laws and Policies Affecting their Reproductive Lives, Latin America and the Caribbean New York: The Center for Reproductive Law and Policy (1997)

De Villota, Paloma, ed. Macroeconomía, política fiscal y liberalización. Análisis de su impacto sobre las mujeres. (en español). New York: United Nations Development Fund for Women (2000).

"This book focuses on macroeconomics, fiscal policy and trade liberalization, and their impact on women. It includes a series of presentations made at a course on the subject organized by UNIFEM, ECLAC, ILPES and the national women's mechanisms of Chile, SERNAM, and some key articles from the special edition of World Development on feminist economics."

Deere, Carmen Diana and Magdalena Leon. Empowering Women: Land and Property Rights in Latin America. Pittsburg: University of Pittsburgh Press (2001).

Discusses issues of gender and property in the Latin American context, with a particular focus on challenges facing rural women. Discussion of property and land rights in the international arena, post-CEDAW reforms to Constitutions and national legislation in Latin American countries.

Economic Commission on Latin American and the Caribbean. The Challenge of Gender Equity and Human Rights on the Threshold of the Twenty-first Century. Santiago, Chile: Women and Development Unit of ECLAC (2000)

Part of the "Mujer y Desarrollo" [Women and Development] series. Explores gender policies of countries in the region, discusses CEDAW in context of constitutional and legislative reforms within Latin American countries.

Hernandez-Truyol, Berta Esperanza. "Latinas, Culture and Human Rights: A Model for Making Change, Saving Soul." *Women's Rights Law Reporter* 23 (2001-2002): 21-44.

Discusses the progress achieved for women in the Americas by use of the human rights model. Also explores international protections on the basis of race and sex and explores the cultural dimensions of subordination.

Kurshan, Leslie. "Rethinking Property Rights as Human Rights: Acquiring Equal Property Rights for Women Using International Human Rights Treaties." *Journal of Gender, Social Policy & the Law* 8 (2000) 353-386.

Discusses "opportunities for women to acquire equal property rights by using mechanisms available under human rights treaties." The author uses the provisions of the Inter-American

Human Rights regime as well as the UN regime to argue for increased use of human rights to remedy the position of women in North, Central and South America.

PAHO. Women and Health in Latin America and the Caribbean: Old Issues and New Approaches. Washington D.C. (1994)

Simms, Glenda P. "Development of Gender Institutions in the Caribbean: Challenges for the 21st Century." Presented at Ninth session of the Regional Conference on Women in Latin America and the Caribbean, 2004. Available online:

http://www.eclac.cl/mujer/reuniones/conferencia_regional/Glenda_Simms.pdf

The objective of this paper is to review the process of how the institutions responsible for promoting gender equity have evolved in the Caribbean region. Also the challenges that face the women in these small nation states will be highlighted.

Wilson, Richard J. and Jan Perlin. "The Inter-American Human Rights System: Activities From Late 2000 Through October 2002." *American University International Law Review* 18 (2003-2003): 651-752.

This article is part of an analysis of the Inter-American Court of Human Rights and the Inter-American Commission on Human Rights. There is significant attention paid to cases interpreting women's rights in the Inter-American system, including the interpretations of CEDAW given by the Court and Commission.

Brazil:

Cavallaro, James L. "Toward Fair Play: A Decade of Transformation and Resistance in International Human Rights Advocacy in Brazil." *Chicago Journal of International Law* 3 (2002): 481-492.

Discusses the efforts made in Brazil towards the effective internationalization of rights activism in Brazil.

Human Rights Watch. Americas Watch Committee. Criminal Injustice: Violence Against Women in Brazil New York: Human Rights Watch (1991)

Chile:

Center for Reproductive Law and Policy (CRLP). Open Forum on Reproductive Health and Rights. "Women Behind Bars: Chile's Abortion Laws, a Human Rights Analysis." New York: CRLP (1998)

Colombia:

Costa Rica:

Leitinger, Ilse Abshagen. Ed. and Translator. The Costa Rican Women's Movement : A Reader. Pittsburgh: The University of Pittsburgh (1997)

This book "provides an insiders view of the women's movement in on small but quintessentially Latin American society. It collects the voices of 41 diverse women, some radical others strongly conservative, and most ranging in between - as they write about their lives and their experiences working for change within the Costa Rican community."

Cuba

Hernandez-Truyol, Berta Esperanza. "Glocalizing Law and Culture: towards a cross-constitutive paradigm" *Albany Law Review* 67 (Winter 2003) 617-628.

Looks at the factors that determine whether a law will effect a cultural change. Discusses law and culture theories generally and then examines successes and failures of CEDAW in its ability to effect cultural change. Uses Cuba as a case study.

Perkovich, Robert and Reena Saini. "Women's Rights in Cuba: "Mas or Menos"" *Emory International Law Review* 16 (2002): 399-444.

Gives an historical overview of women's rights movements in Cuba and their current situation. The authors also explore issues of health and social relations, employment, prostitution, and domestic violence within the context of Cuban society.

Dominican Republic:

Perez, Mercedes. "Legislative Reform and the Struggle to Eradicate Violence Against Women in the Dominican Republic." *Colum. J. Gender & L.* 14 (2005) 36.

This article explores Law 24-97 Against Domestic Violence introduced in the Dominican Republic. The author argues that this represents positive steps but that there is still much work to be done in order to bring the government's actions into compliance with its international legal obligations.

Mexico:

Grimm, Nicole L. "The North American Agreement on Labor Cooperation and its Effects on Women Working in Mexican Maquiladoras." *American University Law Review* 179 (1998-1999): 179-227.

The focus of this article is the effect of North American Agreement on Labor Cooperation (the labor side agreement in NAFTA) on female maquiladora workers in Mexico. The author argues that women have been excluded since the negotiation stages of the agreements and that there are specific provisions in NAALC and NAFTA that have negatively affected this group of workers.

Koerner, Reka S. "Pregnancy Discrimination in Mexico: Has Mexico Complied With the North American Agreement on Labor Cooperation?" *Texas Forum on Civil Liberties and Civil Rights* 4 (1998-1999): 235-264.

Discusses discriminatory labor practices in Mexico towards women within the overall context of the North American Agreement on Labor Cooperation and NAFTA. Specific attention is paid to the provisions of CEDAW, which Mexico has ratified, and how they provide further support against discriminatory practices.

Panama:

Diaz, Silma Pinilla. "Panama" in McPhedran et al, eds., *The First CEDAW Impact Study - Final Report* (2000): 135. Available online at www.iwrp.org under CEDAW.

This "country report" – one of ten in the international CEDAW impact pilot study, conducted in 1998 and 1999 – consists of a series of interviews and analysis of Panamanian laws and government policies. Members of the Panamanian government, judiciary and NGOs were interviewed for their views on CEDAW's impact in the country. The author concludes that the proposed "Law whereby Equal Opportunity for Women is Established" may be the most significant impact of CEDAW.

Peru:

Kirk, Robin and Human Rights Watch. The Americas Watch Committee. Untold Terror: Violence Against Women in Peru's Armed Conflict. New York: Human Rights Watch (1992)

Latin American and Caribbean Committee for the Defence of Women's Rights (CLADEM), The Center for Reproductive Law and Policy (CRLP) and DEMUS, Estudio para las Defensa de los Derechos de la Mujer. Compiled for the Nineteenth Session of the Committee of the Elimination of all Forms of Discrimination Against Women. Women's Sexual and Reproductive Rights in Peru: A Shadow Report. (June 1998)

Loli, Silva and Gladys Acosta. "Women's Legal Program: The Convention on the Elimination of all Forms of Discrimination Against Women and the Peruvian Justice System." El Otro Derecho (1991) 51 - 88 (Spanish)

North America

Canada:

Cameron, Jamie. "Federalism, Treaties and International Human Rights Under the Canadian Constitution." *The Wayne Law Review* 48(2002): 1-56.

This article explores the relationship between federalism, treaties, and international rights under the Canadian Constitution. The author concludes that while "Canada's record of performance in ratifying and implementing international human rights instruments may not be perfect, ... it is at least enviable." The flexible and pragmatic approach taken by the federal and provincial governments has allowed this to happen.

Canada, Department of Justice. Responding to the Needs of Ethnocultural Minority Women in Situations of Spousal Assault. Ottawa: DJC (1995)

Canadian Ethnocultural Council, Carleton University, Research Resource Division for Refugees. Response to an Independent Review of Canada's Immigration Act: Submission to the Legislative Review Advisory Group Ottawa (1997)

Caragata, Lea. "Neoconservative Realities: The Social and Economic Marginalization of Canadian Women." *International Sociology* 18(3) (2003): 559-580.

This article suggests that globalization is a force "in concert with other phenomena which marginalizes groups of already disadvantaged Canadian women." The author analyzes the impacts of these changes at the level of women and their families and also for their broader sociopolitical effects. She concludes that "high levels of women's unemployment, more restricted job opportunities for young women entering the labour force, home-based work and low rates of pay reinforce women as the non-primary worker."

Currie, Janet. Ethnocultural Minority Women, Spousal Assault and Barriers to Accessing Problems in Using the Justice System: A Review of the Literature . Ottawa: Department of Justice (1995)

Ferris, Lorraine E., Margot McMain-Klein and Laura Silver. Dealing with the Medical-Legal Issues Concerning Documenting Suspected and Alleged Cases of Wife Abuse. Toronto: University of Toronto, Faculty of Medicine (1996)

Hackett, Honourable Judge Donna. "Finding and Following the Road Less Travelled: Judicial Neutrality and the Protection and Enforcement of Equality Rights." to be published in Journal of Canadian Women and the Law Queen's University (1998)

Martin, Sheila L. Women's Reproductive Health, The Canadian Charter on Rights and Freedoms and the Canada Health Act. Ottawa: Canadian Advisory Council on The Status of Women (1989)

"Reports on Women's Equality in Eight States Reviewed." *UN Chronicle* 23 (1986) 86

Schwartz, Martin D. and Walter S. DeKeseredy. Women Abuse on Campus: Results from the Canadian National Survey Sage Publications (1997)

The authors "expose a 'hidden campus curriculum' that exists to maintain gender inequality." Additionally, they "examine the incidence and prevalence of woman abuse in courtship, the reaction against women's use of self-defence, and the factors that increase the risk of dating abuse. Swartz and DeKeseredy finish with a look into the education and awareness programs that have been established to respond to the problem of dating abuse.

Waldorf, Lee and Bazilli, Susan. "Canada " in McPhedran et al, eds., The First CEDAW Impact Study - Final Report (2000): 35. Available online at www.iwrp.org under CEDAW.

This "country report" – one of ten in the international CEDAW impact pilot study, conducted in 1998 and 1999 – notes that the Canadian political and economic climate has changed drastically since CEDAW was ratified in 1981, because "[g]overnment restructuring and budget cutbacks, with ensuing cuts to funding and programs directed to women, are seriously undermining the gains the Canadian women's movement has made."

United States:

Adams, Laura S. "Divergence and the Dynamic Relationship Between Domestic Immigration Law and International Human Rights." *Emory L.J.* 51 (2002): 983-1002.

This paper argues there is a growing divergence between international human rights law and domestic (US) immigration law. The author explores reasons for the divergence, attempts by some to effect a convergence and recent successes in the area. The divergence is noted as a negative development and argues there will be a need to resort to the political process to counter it.

Adelman, Michelle R., "International Sex Trafficking: Dismantling the Demand" 13 *S. Cal. Rev. L. & Women's Stud.* 387 (2003-2004).

The article examines the extent to which increasing global concern over the problem of sex trafficking has fostered racist images of 'The Third World', particularly as those images relate to women. Part II presents current U.S. and international legislative responses to sex trafficking. Part III presents a critical analysis of the ways in which the current U.S. legislative response to the issue has created racist images of trafficked women and continues to focus on the vulnerability of women rather than addressing root causes. Part IV contends that the objectification of women in the legal commercial sex industry in the U.S. is the dominant factor in bolstering the demand for illegally trafficked sex workers into the United States.

Aliaskari, Mahsa. "U.S. Asylum Law Applied To Battered Women Fleeing Islamic Countries." *Journal of Gender, Social Policy & The Law* 8 (2000) 231-282.

This comment analyzes U.S. asylum law and procedures as applied to battered women who escape Islamic states, particularly Iran. The author begins with a brief overview and history of U.S. asylum law, looks at how it is applied to battered women generally, then focuses on its application to women fleeing Islamic states. Lastly, the author makes suggestions as to how the U.S. should deal with asylum cases involving battered women who flee their countries with their children.

Backer, Mary. "Towards a Progressive Politics and A Progressive Constitution" *Fordham Law Review* 69 (2001): 207-2056.

This Note argues "both the electoral system in the US and the constitution stand in the way of a progressive movement grounded in a politics of care." She support this with certain pressures (increasing need for supports for working parents, incarceration rates, income disparities, and other problems related to poverty (and the War on Drugs), dissatisfaction with a culture tolerant of fun, violence and hate, the convention on the rights of the child and the convention on the elimination of discrimination against women (CEDAW) and demographic changes.) and certain possibilities (supports for families, anti-drug policies of prevention and care, gun control and restrictions on hate speech and modern electoral systems and new standards for democratic legitimacy). Then, she looks at politics of care and equality, human nature and well-being. In concluding, the author suggests two steps for a progressive agenda: 1) proportional representation and 2) Constitutional reform, which would encompass a progressive bill of rights. She suggests the bill should have limited judicial review and substantive provisions such as, substantive rights expressing government's commitment to give individuals what they need to flourish as human beings, equality of race, religion, national origin, sexual orientation and sex, a right to an independent news media, a right to protection from gun control, a right to a fair trial for criminal defendants, a right to protection from hate speech and media violence, an environmental commitment, worker's rights, religious freedom and world trade.

Brocato, Vanessa. "Profitable Proposals: Explaining and Addressing the Mail-Order Bride Industry Through International Human Rights Law." *San Diego Int'l L.J.* 5 (2004): 225-265.

The author explores the mail-order bride industry (MOBI) and its exploitation of inequalities, both economic and gender. There is discussion of both CEDAW and the *Convention on the Elimination of all forms of Racial Discrimination* and how the MOBI relies upon racial and gender discrimination. Education and outreach are cited as necessary underpinnings to support what is already a progressive framework of international and national laws in the US.

Cohan, Carolyn Cox. "International Mavericks: A Comparative Analysis of Selected Human Rights and Foreign Policy Issues in Iran and the United States" *The George Washington International Law Review* 33 (2001): 197-276.

This Note asks the question "Why do states resist international human rights law?" in order to answer this question, the author compares Iran and the Unites States because they are both resistant to ratifying international treaties. The author begins by looking at the parallels between the two countries in terms of the treaties they ratified or reserved. Then, Iran's singularity is considered by comparing it to other Islamic and Middle Eastern states. Similarly, America's exceptionalism is also compared to other Western, developed nations. Further, Iran and the United States are compared with each other on three fronts: 1) foreign policy of unilateralism and aggression, 2) their Human Rights policies on the rights of women and minorities and 3) religion and the state. From this comparison, the author has three conclusions: 1) both countries have influential groups that favor unilateralism, 2) the actual beneficiaries of these policy are people with the least influence in national politics and historically have been disadvantaged or excluded and 3) they are unique, superior states that are immune from peer pressure.

Dormady, Valerie A. "Status of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in 1998." 33 *Int'l L.* (1999): 637-644.

The article outlines the overall status of CEDAW during the year of 1998. It examines ratification to that date, as well as the actual compliance or failure of compliance in various nations. The article also outlines the drafting changes made to the proposed Optional Protocol to CEDAW. Finally, the article briefly outlines the support expressed by then President Clinton

and First Lady Hillary Rodham Clinton, as well as other members of U.S. Congress and private groups, for the ratification of CEDAW in the USA.

Ernst, Julia L., Laura Katzive, and Erica Smock. "The Global Pattern of U.S. Initiatives Curtailing Women's Reproductive Rights: A Perspective on the Increasingly Anti-Choice Mosaic." 6 U. Pa. J. Cons. L. (2003-2004): 752-795.

The author examines American reproductive rights law, placing it in both historical and global context. The article examines the landmark decision of *Roe v. Wade* (410 U.S. 113 (1973)), describing the global state of women's reproductive rights at the time of the decision as well as the impact of the decision both domestically and globally. The author then traces the more recent conservative changes to US law relating to women's reproductive rights, with a view to domestic law, as well as an examination of US foreign policy and its impact on women's reproductive rights internationally. The author advocates a renewed opposition to the increased restrictions being placed on reproductive choice.

Feld, Louise. "Along the Spectrum of Women's Rights Advocacy: A Cross-Cultural Comparison of Sexual Harassment Law in the United States and India." Fordham International Law Journal 25 (2001-2002): 1205-1281.

This paper compares and contrasts sexual harassment laws in the United States and India, with a specific focus on the workplace. She traces the development of these laws and the courts' treatment of sexual harassment in each country. The author advocates a self-reflective approaches to cross-cultural comparisons to explore successful and unsuccessful tactics to problems that face women everywhere.

Gold, Fara, "Redefining the Slave Trade: The Current Trends in the International Trafficking of Women" 11 U. Miami Int'l. & Comp. L. Rev. 99 (2003).

The author distinguishes unwilling victims of international sex trafficking from U.S. domestic prostitutes for the purpose of her analysis. The article gives a brief historical overview of forced prostitution in the international context, and examines the evolving international definition of 'trafficking in women'. It also discusses the process by which many women are trafficked as well as the methods used by traffickers. Greater attention is given to the possible U.S. legal recourses available to survivors, although some international response is also discussed. The article ends with a description of aspirations for curtailment of trafficking, for both U.S. policy makers and non-governmental organizations.

Gross, Aeyal M. "Globalization, Human Rights, and American Public Law Scholarship." Theoretical Inquiries in Law 2(10) [2001]: 1-14.

Hall, Carol. "The Link Between Public and Private Harm: Is There Hope For Gender-Based Violence As A Ground For Asylum in the United States?" Immigration and Nationality Law Review 21 (2000) 679-700.

This paper explores the notion that gender-based violence (private) must be recognized as involving interlocking public systems of oppression and thus rises to the level of persecution, in U.S. asylum policy. The author also traces the historical privatizing of gender and gender-based violence against women and examines the international law context and instruments in which it is recognized that this kind of violence is a form of persecution and human rights violation against women. Lastly, the author gives direction on how the U.S. can fulfill its responsibility to make asylum policy open to women with gender-based persecution claims.

Kwon, Jennifer. "The Comfort Women Litigation and the San Francisco Treaty: Adopting a Different Principle of Treaty Interpretation." Geo. Wash. L. Rev. 73 (2005) 649-667.

The author proposes that the use of international treaties to which the US is either a signatory or party provide the basis for a new interpretation of the terms of the San Francisco Peace Treaty between Japan and the US that would allow "comfort women" to obtain legal redress in American courts.

Lalwani, Manisha. "The "Intelligent Wickedness" of U.S. Immigration Law Conferring Citizenship to Children Born Abroad and Out-of-Wedlock: A Feminist Perspective." 47 *Vill. L. Rev.* (2002): 707-746.

This comment examines from a feminist perspective the gendered distinction made in American citizenship law regarding children born out-of-wedlock to one American and one non-American parent. Lalwani traces the history of the current law, which confers automatic citizenship upon children born out of wedlock to American mothers, while holding that children born out of wedlock to American fathers are only granted citizenship after they are legitimated. She examines the equal protection challenges to the law, discusses the implications of the current law, and examines the potential for reform upon the ratification of CEDAW.

Lozner, Stacy Laira. "Diffusion of Local Regulatory Innovations: The San Francisco CEDAW Ordinance and the New York City Human Rights Initiative." 104 *Columbia Law Review*, Issue 3 (2004): 768-800.

The article examines a local CEDAW ordinance enacted in San Francisco, outlining its structure and examining its approach. It focuses specifically on the Ordinance's methods of problem solving. The article looks at the possibility of the enactment of similar ordinances in other cities within the United States, specifically New York City, advocating local adaptations of approach.

Mahalingam, Ravi. "Women's Rights and the "War on Terror": Why the United States should view the ratification of CEDAW as an important step in the conflict with militant Islamic fundamentalism." *California Western International Law Journal* 34 (Spring 2004) 171-209.

Explores link between women's rights and terrorism. Advocates that US ratification would allow US to make an authoritative statement on women's rights and to direct such efforts towards the Arab and Muslim World. Examines internal debate within Islamic societies between fundamentalists and modernizers. Uses case examples of Iran and Afghanistan. Also explores impact, content and criticisms of CEDAW.

Malani, Leila Rassekh, Sara C. Albert, and Karina Purushotma (eds). "CEDAW – The Treaty for the Rights of Women." Washington: The Working Group on Ratification of the U.N. Convention on the Elimination of All Forms of Discrimination Against Women, 2004.

This is an extensive resource on CEDAW and the need for US ratification. This book introduces CEDAW, outlines its main provisions, and explores its impact in a variety of areas. It gives information on how to use CEDAW and its influence on court decisions. Furthermore, it has an entire chapter devoted to dispelling the myths advanced by CEDAW's detractors. This resource is available online at: www.womenstreaty.org

Mayer, Ann Elizabeth. "Reflections on the Proposed United States Reservations to CEDAW: Should the Constitution be an Obstacle to Human Rights?" 23 *Hastings Constitutional L. Q.* (1995-1996): 727-824.

The article outlines the opposition in the US to the ratification of CEDAW, including the use of the constitutional Equal Protection Clause jurisprudence in lieu of CEDAW adoption. The author argues that the US is, in fact, refusing to accept the basic principles underlying CEDAW (i.e. equality and women's rights). She advocates and undertakes an examination of the protections available to women under the US Constitution in comparison to those afforded to women internationally under CEDAW. The author examines the US's proposed Reservations to

CEDAW and reviews the Reservations that the US has affixed to human rights conventions in the past, providing a context for examination of the proposed CEDAW reservations.

Nelson, Kathryn E. "Sex Trafficking and Forced Prostitution: Comprehensive New Legal Approaches" 24 *Hous. J. Int.* 551 (2001-2002).

The article is divided into five parts. Parts I and II introduce and define the problem of international trafficking and forced prostitution particularly as it relates to women. Part III analyses the international response through discussion of trafficking law. Specific attention is given to the Optional Protocol and the Trafficking Protocol. Part IV presents trafficking law in the U.S., both before and after the passing of the Trafficking Act. Part V offers conclusions and recommendations, with a call for international action supported and mirrored in domestic policy and action.

Porter, Amber Ann. "The Role of Domestic Violence in the Consideration of Gender-Based Asylum Claims: *In Re R-A-*, an Antiquated Approach." *University of Cincinnati Law Review* 70 (2001-2002) 315-342.

This Casenote focuses on the case *In Re R-A-*, which sought to determine whether repeated spousal abuse makes a woman eligible for asylum as an alien who has been persecuted on account of either her membership in a particular social group or her political opinion. The Board of Immigration Appeals decided to deny the applicant asylum. This Note illuminates the inadequacies of the Board's reasoning and illustrates the devastating impact this case could have on future asylum claims by females.

Powell, Catherine. "United States Human Rights Policy in the 21st Century in an Age of Multilateralism." 46 *St. Louis University Law Journal* (2002): 421-430.

The author advocates increased involvement by the US in promoting constructive forms of global interdependence through participation in international regimes and institutions. She outlines the debate over the actual impact and of international institutions on global conditions. The author stresses the importance of US involvement in international institutions. She outlines the benefits to the US of such participation, namely increased credibility and effectivity, as well as a greater ability to advance human rights internationally due to more first-hand experience. The author briefly discusses the failure on the part of the US to ratify a number of international treaties, including CEDAW.

Powell, Catherine. "Dialogic Federalism: Constitutional Possibilities for Incorporation of Human Rights Law in the United States." *U. Pa. L. Rev.* 150 (2001-2002): 245-296.

This article argues for an approach to international human rights law and constitutional law "premised on dialogue and intergovernmental relations as a way to negotiate, rather than avoid, conflict and indeterminacy" which the author terms "dialogic federalism."

Simms, Glenda P. "FAMILY VIOLENCE IN THE UNITED STATES AND ABROAD." *New York Law School Journal of International and Comparative Law Symposium, Guns at Home, Guns on the Street: An International Perspective* 15(2), 1995: 237. Available online at: <http://www.saf.org/LawReviews/Simms.htm>

This speech was given at a symposium focused on gun control and offers a comparative perspective on the situations in Canada and the USA and the implications for violence against women.

Sinha, Anita. "Domestic Violence and US Asylum Law: Eliminating the "Cultural Hook" for Claims Involving Gender-Related Persecution." *N.Y.U.L. Rev.* 76 (2001): 1562-1598.

This Note seeks to demonstrate that the "nations of culture that animate asylum jurisprudence are deeply rooted in racial and gender stereotypes." The author offers a comparison of three US asylum cases: *In re Kasinga*, *In re R-A-*, and *In re S-A-* to show how violence against women abroad is perceived by American asylum adjudicators. The INS's proposed regulations for dealing with gender-based claims are examined and suggestions for improvement offered.

Solinger, Reckie. Abortion Wars: A Half Century of Struggle 1950 - 2000 Berkeley: University of California Press (1998)

Thomas, Dorothy Q and Human Rights Watch, Women's Rights Project. All too Familiar: Sexual Abuse of Women in U.S. State Prisons New York: Human Rights Watch (1996)

Tiefenbrun, Susan, "The Saga of Susannah – A U.S. Remedy for Sex Trafficking in Women: The Victims of Trafficking and Violence Protection Act of 2000" 2002 *Utah L. Rev.* 107 (2002)

The article is based on economic theory and is divided into three parts. The first describes the problem of sex trafficking – its nature, history, and multiple underlying causes as well as how these issues fit into the feminist and critical race theoretical legal discourses. The second examines and critiques international legal solutions adopted in the past to address sex trafficking, including international human rights legislation. The third analyses the U.S. legislative response to sex trafficking.

"Women's Rights Body Reviews Reports from Eight States." *UN Chronicle* 24 (1987) 46

Wronka, Joseph. Human Rights and Social Policy in the 21st Century Revised Edition : A History of the Idea of Human Rights and Comparison of the United Nations Declarations of Human Rights with United States Federal and State Constitutions . Lanham: University Press of America (1998)

The author "traces the history of the idea and practice of human rights from ancient times until the present. It identifies major sources and stages of this quest which has culminated in this century in the unopposed adoption, by the UN of a Universal Declaration of Human Rights." The author also examines the gaps between the UN Declaration and existing US constitutions.

Violence Against Women

Abreu, Veronica C. "Women's Bodies as Battlefields in the Former Yugoslavia: An Argument for the Prosecution of Sexual Terrorism as Genocide and for the Recognition of Genocidal Sexual Terrorism as a violation of *Jus Cogens* under International Law." *The Georgetown Journal of Gender and the Law*, 6 (2005) 1.

The author argues that "although the ICTY's judicial interpretation of torture acknowledges sexual terrorism as torture (and thereby as a violation of *jus cogens*), it does not cognize that it was the combination of sex and ethnic discrimination which caused the Muslim and Croat women to become targets of genocidal sexual terrorism. ... Like the laws proscribing torture, the laws of crimes against humanity do not cognize the combination of sex and ethnic discrimination which is the hallmark of genocidal sexual terrorism. ... The argument that current international law, specifically laws against torture, crimes against humanity, and war crimes, adequately criminalizes the acts that refer to as genocidal sexual terrorism is analogous to the argument that a charge of murder sufficiently encompasses all the nuances that characterize genocide."

Adams, Dean. "The Prohibition of Widespread Rape as a Jus Cogens." *San Diego Int'l L.J.* 6 (2005) 357.

"This comment explains why the prohibition of widespread rape should be recognized as a jus cogens through analyses of the failure of existing international legal instruments, advances within international law towards the universal prohibition of widespread rape, and policy reasons for classifying widespread rape as a jus cogens."

Allen, Beverly. The Hidden Genocide in Bosnia-Herzegovina and Croatia Minneapolis : University of Minnesota Press (1996)

The author examines the horrors of rape / death camps and genocidal rape as a weapon of war through the eyes and voices of survivors. There are six predominant themes in the book; identity, representation, facts, analysis and remedies / implications.

Amirthalingam, Kumaralingam. "Women's Rights, International Norms and Domestic Violence: Asian Perspectives," *Human Rights Quarterly* 27.2 (2005): 683-708.

"This article examines domestic violence laws in two Asian jurisdictions and highlights the importance of using a gender analysis to create an alternative narrative of, and different solutions to, the problem. ... The tension between cultural norms and international norms is considered and it is suggested that certain universal norms need to be championed—in this case the right of women to be free from domestic violence."

Amnesty International. *It's in our hands – Stop Violence against women*. London: Amnesty International Publications, 2004.

This report covers a variety of topics falling under violence against women including sexuality, poverty, stigma, conflict and militarization, culture and universality. It explores measures that exist to address impunity and explores the opportunities afforded by the international human rights regime, including CEDAW, to address the multitude of factors contributing to violence against women. It concludes with strategies for change, both local and global.

Andrews, Penelope E. "Globalization, Human Rights and Critical Race Feminism: Voices from the Margins." 3 *The Journal of Gender, Race & Justice* (2000): 373-399.

The author attempts to demonstrate that critical race feminism "may provide the theoretical potential for an analysis of marginalized groups in the global human rights framework." She explores the experiences with violence of Aboriginal women in Australia and black South African to frame her analysis. Much discussion is given to the potential for legalism to obscure the social and economic inequalities that contribute to violence against women. Overall, the international human rights discourse is cited as positive, though the author claims it is necessary to interlink violence and economic opportunities to achieve real progress for women.

Ayers Count, Dorothy, Jacquelyn C. Campbell and Judith K. Brown. eds. Sanctions and Sanctuary: Cultural Perspectives on the Beating of Wives Boulder Colorado: Westview Press (1992)

The editors' goal is to "dispel the prevailing silence by examining the cultural influences on wife beating that have made it sometimes punishable, sometimes acceptable and sometimes condones or even advocated." The articles are derived from "studies of 14 Western and non-western cultures which examined why wife beating persists and the cultural factors that encourage or discourage it".

Blanck, Amanda. "Domestic Violence as a Basis for Asylum Status: A Human Rights-Based Approach." *Women's Rts. L. Rep.* 47 (2000-2001): 47-75.

This article focuses on the controversial case of Rodi Alvarado (*Re R-A-*) to "illustrate how the current asylum definition fails to protect women when their human rights are violated and their lives are at risk." The article examines the traditional legal bases for asylum claims and laws and procedures in the US, Canada, Australia and the EU. The author argues that a more general human rights based approach to the asylum definition is warranted and would begin addressing the pervasive problem of domestic violence.

Callamard, Agnes. Documenting Human Rights Violations by States Agents – Sexual Violence. Canada: Amnesty International and International Centre for Human Rights and Democratic Development (1999)

Handbook for monitoring adherence of governments and international community to international treaties and agreements (including CEDAW).

Callamard, Agnes. Investigating Women's Rights Violations in Armed Conflicts. Canada: Amnesty International and International Centre for Human Rights and Democratic Development (2001).

Gives standards for documentation of abuses (deliberate and indiscriminate attacks/sexual violence/trafficking in persons/abuses of refugee women) in armed conflicts, discusses International Criminal Court and protections for women, and discusses role of women in post-conflict reconstruction. Particular attention is paid to CEDAW within the context of women's rights to health care (Article 12).

Corrin, Chris. Ed. Women in a Violent World : Feminist Analysis and Resistance Across Europe Edinburgh University Press (1996)

This text "illuminates the commonalities and the differences in Women's experiences across, race, class, religion, sexual orientation and nationality and examines women's and men's experience of violence in various situations across Europe."

Dworkin, Terry Morehead and Cindy A. Schipani. "Gender Voice and Correlations with Peace." *Vanderbilt Journal of Transnational Law* 36 (2003): 527-562.

"This article seeks to address questions of violence by considering issues of gender." Looks at the potential for business opportunities to curb societal violence by improving opportunities for women in the economy.

Ehrlich, Susan. Representing Rape: Language and sexual consent. New York: Routledge (2001)

The author discusses the language of sexual assault cases brought to court.

Gardam, Judith and Hilary Charlesworth. "Protection of Women in Armed Conflict." *Human Rights Quarterly* 22 (2000) 148-166.

Discusses experiences of women in armed conflict. The authors contend that the focus on violence against women, particularly sexual violence, in conflict tends to obscure the range of ways women are affected by armed conflict.

Heyman, Michael G. "Asylum, Social Group Membership and the Non-State Actor: The Challenge of Domestic Violence." *University of Michigan Journal of Law Reform* 36 (2002-2003): 767-814.

The author explores the definition of "social group" in refugee law. He argues that the current interpretations are too narrow and unjustly exclude asylum applicants seeking protection on the basis of domestic violence. There is considerable discussion of the international response to persecution based on gender, including CEDAW and other instruments.

Morvai, Krisztina. "Why Doesn't She Just Leave?" Research-based Policy Recommendations for the Prevention of and Response to Domestic Violence in Hungary." SOCO Project Paper No. 101, Vienna (2001). Available online at: <http://www.iwm.at/publ-spp/soc101pp.pdf>

This paper deals with domestic violence and explores Hungarian laws and policies that deal with it. The research team outlines here "a complex national strategy for the prevention of and response to domestic violence" in Hungary.

Norsworthy, Kathryn L. *Feminist Interventions for Southeast Asian Women Trauma Survivors: Deconstructing gender-based violence and developing structures of peace.* Report presented at the Annual Meeting of the American Psychological Association, 2001.

Offers an analysis of structural and institutional violence in Thailand, Cambodia, and refugees from Burma. Contains suggestions from members of the focus groups for strategies for social change.

O'Hare, Ursula A. "Realizing Human Rights for Women." *Human Rights Quarterly* 21.2 (1999) 364-402.

The author examines the progress made since the recognition of violence against women as a human rights violation. She explores the functioning of the Committee, the state reporting process and how the internationalization of measures to address violence against women has marked a reconceptualization of human rights law.

Paul, Subrata. "Combating Domestic Violence Through Positive International Action in the International Community and in the United Kingdom, India, and Africa." 7 *Cardozo J. Int'l & Comp. L.* (1999): 227-244.

This article discusses some of the positive steps and actions the international community has taken in addressing violence against women. CEDAW and the CEDAW Committee are discussed in reference to violence against women particularly and how the Convention has influenced women's activism within and between countries. Other UN departments and initiatives are outlined. Efforts in the United Kingdom, India and Africa are discussed. A prominent theme is the differences between *de jure* and *de facto* efforts at eradicating domestic violence and how women's organizations have seized on these in their advocacy efforts.

Perez, Mercedes. "Legislative Reform and the Struggle to Eradicate Violence Against Women in the Dominican Republic." *Colum. J. Gender & L.* 14 (2005) 36.

This article explores Law 24-97 Against Domestic Violence introduced in the Dominican Republic. The author argues that this represents positive steps but that there is still much work to be done in order to bring the government's actions into compliance with its international legal obligations.

Pimentel, Silvia. "DIREITOS HUMANOS A PARTIR DE UMA PERSPECTIVA DE GÊNERO" / "Human rights from a gender perspective" / Available online at: <http://www.pge.sp.gov.br/centrodeestudos/revistaspge/revista53/direitos.htm> [Portuguese].

Rehn, Elisabeth and Ellen Johnson Sirleaf. Women war peace – The Independent Experts Report. New York: United Nations Development Fund for Women (2002). Available online at: www.unifem.org

"The voices of women, their experiences during war and their struggles to build peace are at the heart of this report by independent experts Elisabeth Rehn (Finland) and Ellen Johnson Sirleaf (Liberia). Because of the specific way in which women are targeted during conflict, and because Security Council Resolution 1325 (2000) on women, peace and security called for

further study, UNIFEM appointed the two women, both politicians and government officials in their home countries, to travel to conflict areas, interview women and bring their concerns to the attention of the United Nations and the world. The report covers many areas of concern, from the gender dimensions of violence and displacement during conflict to the role of peacekeepers and the need for women to play a central part during peace negotiations and reconstruction. Key recommendations focus on finding ways to protect and empower women."

Rude, Darlene. "Reasonable Men and Provocative Women: an Analysis of Gendered Domestic Homicide in Zambia." *Journal of Southern African Studies* 25 (1999) 7-27.

Examines recent jurisprudence around the defence of provocation as it has been used in Zambian cases of domestic homicide.

Scarf, Mimi. Battered Jewish Wives : Case Studies in the Response to Rage New York: The Edwin Mellen Press (1988)

The author writes about "battering and Jewish identity in order to understand a major component of the book and why Jewish women stay or do not stay in battering situations." Scarf posits that in order to understand why some men batter and why some men stop, "it is necessary to understand the appearances of mar'it ayin."

Shaw, Meghana. "Rights Under Fire: The Inadequacy of International Human Rights Instruments in Combating Dowry Murder in India." *Connecticut Journal of International Law* 19 (2003-2004): 209-230.

This note studies "the most frequently proposed international legal solutions to dowry-related violence, and examines the reasons that current international human rights treaties to which India is a party have yielded little action from Indian authorities." CEDAW is discussed as the "most relevant to the discussion of dowry-related violence".

Spindel, Cheywa, Elisa Levy, and Melissa Connor. With an End in Sight – Strategies from the UNIFEM Trust Fund to Eliminate Violence Against Women. New York: United Nations Development Fund for Women (2000). Available online at: www.unifem.org

This publication "highlights initiatives in seven countries and shows how women's organizations can work together with judicial and law enforcement systems, community and youth groups, policy-makers and international organizations to end gender-based violence."

Stiglmayer, Alexandra. Ed. Mass Rape: The War Against Women in Bosnia - Herzegovina London: University of Nebraska (1994)

The text contains updates of two essays written by the author. The first provides an historical context to the war while the second details the results of 20 interviews with victims and 3 interviews with perpetrators. In addition there are essays on "mass rape and war from ethno psychological, sociological, cultural and medical perspectives." The overall focus of the text is the " need to address the crucial issues of recognizing human rights of women and children."

Tan, Anamah. "Stop Violence against Women" Paper available online at: http://www.anamahatan.com/downloads/papers/violence_against_women.doc

Ms. Tan discusses the various approaches, especially legal, to combatting violence against women. Singapore's legislative and social initiatives are explored.

UNIFEM. Not a Minute More: Ending Violence Against Women. New York: United Nations Development Fund for Women (2003). Available online at: www.unifem.org

"This report highlights many of the achievements over the past few decades in combatting gender-based violence and outlines what must be done to build on these achievements. It

provides examples of good practices as well as of efforts that did not meet the goals set out for them — and explores why not. It looks at the challenges ahead and asks what the most fruitful next steps might be.”

Waheed, Manar. “Domestic Violence in Pakistan: The Tension between Intervention & Sovereign Autonomy in Human Rights Law” *Brooklyn Journal International Law* 29:2 (2004) 937-976.

The Note “argues that while liberation from within one’s culture, religion, history and state may be ultimately essential for the full realization of human rights in general, this method is insufficient for women’s human rights because women’s rights are different.” Instead, the Note stresses that the international community should intervene in women’s rights in Pakistan because any changes from within the country will be difficult to make. Waheed explains the current abuse women in Pakistan face (mutilations, honor killings, stove burnings, acid attacks, etc.) and Pakistan’s creation of protective measures that do not really protect women (I.e. lack of police intervention, state barriers and judicial bias and disregard (I.e. misinterpretation of Islam). In concluding, the Note discusses the international human rights obligations that Pakistan complies with superficially (i.e. CEDAW) and presents a case for international intervention (i.e. economic sanctions) and state reforms.

Waller, Karina Michael. “Intrastate Ethnic Conflicts and International Law: How the Rise of Intrastate Ethnic Conflicts has Rendered International Human Rights Law Ineffective, Especially Regarding Sex-Based Crimes.” *Journal of Gender, Social Policy & The Law* 9 (2001) 621- 661.

Analyses the Yugoslav conflict and the human rights laws designed to prevent it. Explores difficulty of reconciling notions of international human rights and the treaties meant to protect them with the current state of world conflicts.

Ward, Colleen A. Attitudes Toward Rape : Feminist and Social Psychological Perspectives Sage Publications : Thousand Oaks (1996)

The author “looks at popular perceptions of sexual violence and asks such key questions as how is rape defined? who is responsible for sexual assault? how can rape be prevented? She also critically examines feminist and psychological theory and research on attitudes towards rape.”

Weiner, Merle H. “The Potential and Challenges of Transnational Litigation for Feminists Concerned About Domestic Violence Here and Abroad.” *Am. U.J. Gender Soc. Pol’y & Law* 11 (2002-2003): 749-800.

This article is structured around three strands of law relating to domestic violence: domestic law, public international law, and private international law. The focus of the author is to explore the potential impacts, both positive and negative, that transnational litigation holds for affecting domestic violence advocacy. The *Hague Convention on the Civil Aspects of International Child Abduction* is explored in detail.

Zaman, Habiba. “Violence Against Women in Bangladesh: Issues and Responses.” *Women’s Studies International Forum* 22 (1999) 37-48.

Highlights the “complexity of violence and presents cases of resistance against violence.” Also addresses the “significant role of women’s groups and other non-government organizations in bringing about ... qualitative change necessary.”

Refugee Women

Adams, Laura S. "Divergence and the Dynamic Relationship Between Domestic Immigration Law and International Human Rights." *Emory L.J.* 51 (2002): 983-1002.

This paper argues there is a growing divergence between international human rights law and domestic (US) immigration law. The author explores reasons for the divergence, attempts by some to effect a convergence and recent successes in the area. The divergence is noted as a negative development and argues there will be a need to resort to the political process to counter it

Aliaskari, Mahsa. "U.S. Asylum Law Applied To Battered Women Fleeing Islamic Countries." *Journal of Gender, Social Policy & The Law* 8 (2000) 231-282.

This comment analyzes U.S. asylum law and procedures as applied to battered women who escape Islamic states, particularly Iran. The author begins with a brief overview and history of U.S. asylum law, looks at how it is applied to battered women generally, then focuses on its application to women fleeing Islamic states. Lastly, the author makes suggestions as to how the U.S. should deal with asylum cases involving battered women who flee their countries with their children.

Anker, Deborah. "Refugee Law, Gender, and the Human Rights Paradigm." *Harvard Human Rights Journal* 15 (2002) 133-154.

The international community created two regimes to deal with human rights abuses: one, the human rights regime, to monitor and deter abuse, and the other, the refugee regime, to provide surrogate state protection to some of those who are able to cross borders. Increasingly, refugee law is confronting issues on the forefront of the human rights agenda, especially questions of gender and women's rights. This paper discusses some of the human rights issues that refugee law addresses, focusing on three examples: rape and sexual violence, female genital surgery and family violence.

Blanck, Amanda. "Domestic Violence as a Basis for Asylum Status: A Human Rights-Based Approach." *Women's Rts. L. Rep.* 47 (2000-2001): 47-75.

This article focuses on the controversial case of Rodi Alvarado (*Re R-A-*) to "illustrate how the current asylum definition fails to protect women when their human rights are violated and their lives are at risk." The article examines the traditional legal bases for asylum claims and laws and procedures in the US, Canada, Australia and the EU. The author argues that a more general human rights based approach to the asylum definition is warranted and would begin addressing the pervasive problem of domestic violence.

Condon, Jenny-Brooke. "Asylum Law's Gender Paradox." *Seton Hill Law Review* 33 (2002-2003): 207-257.

The author explores the analyses the burden on female asylum applicants to fit their claims within a paradoxical frame of protection. The paradox stems from the lack of a category of asylum protection based on gender, causing women to confront "conceptions of their experiences as either too narrow or too broad to qualify them as refugees." Specific attention is paid to the "R-A- rule" in US asylum law.

Crawley, Heaven. Refugees and Gender: Law and Process. Bristol: Jordan Publishing Ltd (2001).

Offers a legal and theoretical exploration of women's experiences in the domestic asylum determination process of the UK. Discusses relevant extracts for the use of CEDAW in making asylum claims.

Fitzpatrick, Joan and Katrina R. Kelly. "Gendered Aspects of Migration: Law and the Female Migrant." *Hastings Int'l. & Comp. L. Rev.* 22 (1998-1999): 47-112.

This article examines the legal regulation of migration arguing it "reproduces and exacerbates the social and cultural inequalities that disempower female migrants." The authors discuss trends in migration regulation and their specific impacts on the woman migrant. They suggest that the international response to the issues raised by migration has been "pious but ineffectual" and suggest it is through greater non-governmental organizational activism that regulation can become more gender sensitive.

Hall, Carol. "The Link Between Public and Private Harm: Is There Hope For Gender-Based Violence As A Ground For Asylum in the United States?" *Immigration and Nationality Law Review* 21 (2000) 679-700.

This paper explores the notion that gender-based violence (private) must be recognized as involving interlocking public systems of oppression and thus rises to the level of persecution, in U.S. asylum policy. The author also traces the historical privatizing of gender and gender-based violence against women and examines the international law context and instruments in which it is recognized that this kind of violence is a form of persecution and human rights violation against women. Lastly, the author gives direction on how the U.S. can fulfill its responsibility to make asylum policy open to women with gender-based persecution claims.

Heyman, Michael G. "Asylum, Social Group Membership and the Non-State Actor: The Challenge of Domestic Violence." *University of Michigan Journal of Law Reform* 36 (2002-2003): 767-814.

The author explores the definition of "social group" in refugee law. He argues that the current interpretations are too narrow and unjustly exclude asylum applicants seeking protection on the basis of domestic violence. There is considerable discussion of the international response to persecution based on gender, including CEDAW and other instruments.

McCabe, Eve, "The Inadequacy of International Human Rights Law to Protect the Rights of Women as Illustrated by the Crisis in Afghanistan," *5 UCLA J. Intl. & Foreign Aff.* (2000-2001): 419-460

The author examines both international human rights law and asylum law in terms of their ability to address human rights violations against women. McCabe examines the provisions in CEDAW that exist to protect the human rights of women but argues a lack of an effective enforcement mechanism, state default on reporting obligations, and the overall lack of implementing the provisions have meant CEDAW's success in improving women's lives has been very limited. Through a case study of Afghanistan she highlights the international community's failure to adequately enforce the international human rights obligations on behalf of women. She concludes with suggestions for how to improve compliance with CEDAW as well as potential reforms to asylum laws.

McKay, Leanne. "Women Asylum Seekers in Australia: Discrimination and the Migration Legislation Amendment Act [No. 6] 2001." *Melbourne Journal of International Law* 4 (2003) 439-466.

The *Migration Legislation Amendment Act [No. 6] 2001* (MLAA) was implemented by the Australian Government in an effort to restrict the number of refugees who misuse and abuse the Australian immigration process. Little attention was given to the impact the MLAA would have on the rights and freedoms of those individuals it would affect, most notably women. This article examines the position of women asylum seekers under the MLAA in light of Australia's international non-discrimination obligations, particularly under CEDAW. The author aims to demonstrate that Australian domestic migration law is infused with discriminatory practices that are negatively impacting on the development and implementation of Australia's obligations under international human rights and refugee law.

Porter, Amber Ann. "The Role of Domestic Violence in the Consideration of Gender-Based Asylum Claims: *In Re R-A-*, an Antiquated Approach." *University of Cincinnati Law Review* 70 (2001-2002) 315-342.

This Casenote focuses on the case *In Re R-A-*, which sought to determine whether repeated spousal abuse makes a woman eligible for asylum as an alien who has been persecuted on account of either her membership in a particular social group or her political opinion. The Board of Immigration Appeals decided to deny the applicant asylum. This Note illuminates the inadequacies of the Board's reasoning and illustrates the devastating impact this case could have on future asylum claims by females.

Roberts, Althea. "Gender and Refugee Law." *Australian Yearbook of International Law* 22 (2002): 159-199.

The author examines the issue of gender and refugee law through an exploration of the Australian case of *Minister for Immigration and Multicultural Affairs v Khawar*, where the High Court held that "failure by a state to provide effective protection to women from domestic violence could amount to persecution for a Convention reason." There is discussion of the role of CEDAW and the committee in advancing the recognition of gender as an issue transcending the public/private distinctions drawn in refugee law.

Schmiechen, Malinda M. "Parallel Lives, Uneven Justice: An Analysis of Rights, Protection and Redress for Refugee and Internally Displaced Women in Camps." *St. Louis U. Pub. L. Rev.* 22 (2003): 473-522.

The author examines "the situation of externally and internally displaced women in camps and the legal rights, protection and redress they have under international law." Specific attention is paid to the pervasiveness of violence against women in these camps. The lack of a treaty to protect internally displaced persons hinders the protection of these women. The author advocates for the use of CEDAW, among other international instruments, to determine how services are to be provided.

Sinha, Anita. "Domestic Violence and US Asylum Law: Eliminating the "Cultural Hook" for Claims Involving Gender-Related Persecution." *N.Y.U.L. Rev.* 76 (2001): 1562-1598.

This Note seeks to demonstrate that the "nations of culture that animate asylum jurisprudence are deeply rooted in racial and gender stereotypes." The author offers a comparison of three US asylum cases: *In re Kasinga*, *In re R-A-*, and *In re S-A-* to show how violence against women abroad is perceived by American asylum adjudicators. The INS's proposed regulations for dealing with gender-based claims are examined and suggestions for improvement offered.

Spijkerboer, Thomas. Gender and Refugee Status. Burlington, USA: Ashgate Publishing Company (2000)

Deals with Dutch asylum law.

Religion and Women

Bayes, Jane H. and Nayereh Tohidi, eds. Globalization, Gender and Religion – The Politics of Women's Rights in Catholic and Muslim Contexts. New York: Palgrave (2001).

Discusses CEDAW in context of Bangladesh, Latin America, and Turkey. Also has discussion of Beijing Commitments.

Behrouz, Andra Nahal. "Transforming Islamic Family Law: State Responsibility and the Role of Internal Strife." *Columbia Law Review* 103 (2003) 1136-1162.

The author advocates a mediating approach to CEDAW – one that acknowledges unity while respecting diversity. She uses the inheritance practices of the Muslim community in Northern Nigeria as a case study. She argues that reforms are best carried out by Muslims themselves so they can bring their laws and practices into conformity with international standards.

Brandt, Michele and Jeffrey A. Kaplan. "The Tension Between Women's Rights and Religious Rights: Reservations to CEDAW by Egypt, Bangladesh and Tunisia." *Journal of Law and Religion* 12 (1995-1996) 105-142.

The objective of this article is to "highlight the connections between CEDAW's tenets, the nature of Islam-based reservations, and the course of women's lives in certain reserving countries." It concludes with suggestions for how CEDAW might best respond to religious-based reservations.

Chamblee, L. Elizabeth. "Rhetoric or Rights?: When Culture and Religion Bar Girls' Right to Education." *Virginia Journal of International Law* 44 (2003-2004): 1073-1143.

The author explores education as a human right and the state's obligation to provide it. She focuses on the role of UN organizations in monitoring this right and how gender bias in religion and culture has manifested itself in unequal access to education. She explores Islamic countries in particular because of their extensive reservations to human rights based on interpretations of Shari'a law and Islam.

Connors, Jane and Mai Yamani. eds. "The Women's Convention in the Muslim World." Feminism and Islam, Legal and Literary Perspectives (1996) 351 - 373

Crutcher, Sarah. "Stoning Single Nigerian Mothers for Adultery: Applying Feminist Theory to an Analysis of Gender Discrimination in International Law." *Hastings Women's Law Journal* 15 (2004): 239-262.

The author proposes that the sentence of stoning a woman for adultery in Nigeria is both discrimination on the grounds of gender and an impermissible use of the death penalty. She submits the application of Feminist Theory is an appropriate method of interpreting the international law related to this area as opposed to Cultural Relativism or Universalism. Her specific focus is the application of Sharia law in northern Nigeria.

Halper, Louise. "Law and Women's Agency in Post-Revolutionary Iran." *Harv. J. L. & Gender*, 28 (2005) 85.

"This Article suggests that it is the action and agency of Iranian women, sometimes acting together with men, but mobilizing specifically and consciously as women, that may be a crucial factor accounting for the current favorable trends in their status." The author goes on to "examine the phenomenon of "Islamic feminism" and the attempts to reconceive a religious jurisprudence that eliminates misogynistic tendencies ..." concluding that "*Shari'a* law is open to reinterpretation through a process of political and social negotiation within its framework, and that Iranian women have been forceful agents of that reinterpretation."

Howland, Courtney W, ed. Religious Fundamentalisms and the Human Rights of Women. New York: St. Martin's Press (1999)

Topics include: Social and political perspectives on the impact of religious fundamentalism on women, responses to religious fundamentalist assertions of cultural relativism, war over women's bodies, non-legal remedies and resistance. Also discusses religious reservations to CEDAW, women's rights to religious beliefs and education.

Honing-Parnass. "Jewish Fundamentalism and Oppression of Women as Inherent in the Jewish-Zionist State." *Women Against Fundamentalism* 5(1) (1994) 21 – 24

Kissling, Frances. *The Challenge of Christianity*. 44 AM. U. L. REV. (1995) 1345-49.

Mahalingam, Ravi. "Women's Rights and the "War on Terror": Why the United States should view the ratification of CEDAW as an important step in the conflict with militant Islamic fundamentalism." *California Western International Law Journal* 34 (Spring 2004) 171-209.

Explores link between women's rights and terrorism. Advocates that US ratification would allow US to make an authoritative statement on women's rights and to direct such efforts towards the Arab and Muslim World. Examines internal debate within Islamic societies between fundamentalists and modernizers. Uses case examples of Iran and Afghanistan. Also explores impact, content and criticisms of CEDAW.

Mayer, Ann Elizabeth, "A "Benign" Apartheid: How Gender Apartheid has been Rationalized," *5 UCLA J. Int. & Foreign. Aff.* (2000-2001): 237-338.

This article explores "why gender apartheid, despite its direct analogies to racial apartheid, has largely been seen as a relatively benign phenomenon." The author's focus is on "gender apartheid" in the Middle East. This paper includes a discussion of various critiques of CEDAW, especially those espousing a strict cultural relativist and/or conservative religious positions. Mayer argues that attacks on "gender apartheid" are "not aimed at culture and religion per se but, rather, at oppressive ideologies and the injustices and harms that come from one group dominating another."

Ramadan, Dr. Moussa Abou. "Judicial Activism of the Shari'ah Appeals Court in Israel (1994-2001): Rise and Crisis" *Fordham International Law Journal* 27 (2003): 254-298.

The Note argues that since 1994, the new qadis in the Shari'ah Court started a course of judicial activism, which "attempted to strengthen the position of the Shari'ah Appeals Court." The conclusion was that the qadis have been successful in some realms, until recently when the Shari'ah system underwent a crisis. Dr. Ramadan begins with a background of Muslims in Israel. He shows how the jurisdiction of the judges was broadened in succession (inheritance), child custody and waafs. Then, he explores this on many similar levels: "strengthening of the position of the Shari'ah appeals court in relation to the regional Shari'ah courts," "strengthening the symbolic standing of the courts," "strengthening the shari'ah appeals court in relation to Israeli law," and the "strengthening the Shari'ah appeals court in relation to litigants." Finally, after he highlights the present crisis, he concludes with an outline for reform.

Stopler, Gila. "The Free Exercise of Discrimination: Religious Liberty, Civic Community, and Women's Equality." *William & Mary Journal of Women and the Law* 10 (2003-2004): 459-532.

This article explores the relationship between religion, community, and the state and its effects on women's right to equality. The author uses Articles 2 and 5 of CEDAW to examine the steps taken by Israel and the US with respect to religion and women's equality issues.

Stopler, Gila. "The Liberal Bind: The Conflict between Women's Rights and Patriarchal Religion in the Liberal State." *Social Theory and Practice* 31(2) (2005): 191-231.

The author explores tensions in the practice of religion in liberal states and the equality rights of women, ultimately concluding that "either the liberal state acknowledges the adverse impact of patriarchal religion on the equality rights of all women and actively strives to counter that impact, or the liberal state reneges on its fundamental duty to treat all women as equal."

Tahzib-Lie, Bahia. "Applying a Gender Perspective in the Area of the Right to Freedom of Religion of Belief." *Brigham Young University Law Review* (2000): 967-988.

This "Article examines a number of alleged violations of the right to freedom of religion or belief that are primarily directed against women or to which women are particularly vulnerable." The author explores ways this issue could be addressed, including a role for the Committee for the Elimination of Discrimination Against Women.

Weiss, Anita M. "Interpreting Islam and Women's Rights: Implementing CEDAW in Pakistan." *International Sociology* 18 (September 2003): 581-601.

This article focuses on the debate about what constitutes discrimination against women, how the state might act to eliminate discrimination in both the legal and social senses, as well as explores the roles being played by various groups within the women's movement to facilitate the Pakistani government's adherence to CEDAW. Attention is paid to how these factors play out in Muslim society and the type of changes required to see their fulfillment.