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INTERNATIONAL EFFORTS TO END DISCRIMINATION AGAINST WOMEN

HEARING

BEFORE THE

COMMITTEE ON INTERNATIONAL RELATIONS HOUSE OF REPRESENTATIVES

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INTERNATIONAL EFFORTS TO END DISCRIMINATION AGAINST WOMEN

WEDNESDAY, MAY 3, 2000

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC.

The Committee met, pursuant to notice, at 10:02 a.m. in room 2172, Rayburn House Office Building, Hon. Benjamin A. Gilman, (Chairman of the Committee) presiding.

Chairman GILMAN. The Committee on International Relations meets today to receive testimony on international efforts to end discrimination against women.

This Committee has repeatedly affirmed its support for the rights of women. Most recently, on November 9 of last year we approved H.R. 3244, the Trafficking Victims Protection Act, which is intended to increase the protections under U.S. and foreign law for victims of sexual trafficking and slave-like working conditions, most of whom are women.

This legislation, which moved forward in our Committee under the leadership of Mr. Smith and Mr. Gejdenson, as well as other Members of this Committee, should soon be on the House Floor, and we hope it will make a significant contribution to our international efforts to increase the protections available to women.

Regrettably, for reasons that I have never found persuasive, the Administration opposes the Trafficking Victims Protection Act.

The Administration has, however, been active in other areas in seeking to combat discrimination against women. One of those areas is the Convention on the Elimination of All Forms of Discrimination Against Women, the so-called CEDAW treaty. President Carter signed that Convention in 1980, but it has never been ratified by the U.S. Senate.

The Convention is strongly supported by the Clinton Administration. Supporters of the Convention today blame the Senate Majority for the fact that the Convention has not been ratified. However, I submit that had President Clinton pressed this matter more vigorously during the first 2 years of his Administration, when Senator Pell chaired the Foreign Relations Committee, he might have obtained Senate ratification of the Convention in 1993 or 1994, and we would not be here talking about it today.

The objectives of the Convention are laudable. Critics of the Convention have complained that it is overly broad, and I hope that our witnesses will be able to dispel those concerns. We look forward to hearing today's testimony about the steps the Administration is

taking in this and other areas to end discrimination against women.

I now recognize the Ranking Minority Member, the gentleman from Connecticut, Mr. Gejdenson, for any opening remarks.

Mr. GEJDENSON. Thank you, Mr. Chairman. I join with you in supporting this legislation and this hearing. Representative Woolsey has done outstanding work on it. We are very happy to see Congresswoman Maloney, also an active supporter, here today.

We think that with 160 some other countries already on board, it is outrageous that the U.S. Senate has prevented the United States from becoming a signatory to this legislation, and I think that without any question we should move this very rapidly from our Committee.

We see today a world where women are still finding discrimination not just in education, in health care, in the area of work, but even their survival in many societies is endangered by custom and activities which threaten the survival of women, abuse them physically, and sell them into slavery, and so it is outrageous that we in this country have not joined this international effort.

I commend again Ms. Woolsey and her colleagues for their tremendous effort in this area.

Chairman GILMAN. Thank you, Mr. Gejdenson.

Mr. Smith.

Mr. SMITH. Thank you very much. Mr. Chairman, there is no question that women in many countries face discrimination in areas such as employment, education, housing and access to financial resources. I am entirely sympathetic to this issue, and I welcome the opportunity to examine how the United States and this Congress can support substantive efforts to end such discrimination and can encourage full and equal respect for human rights of all people, women and children.

Through law and practice, Mr. Chairman, the United States has been a leader in advancing equality of opportunity for women and men. The United States has ratified human rights instruments, including the International Covenant on Civil and Political Rights, which mandate non-discriminatory respect for fundamental human rights.

I stand second to no one in my determination that human rights of all people should be respected. The Convention on the Elimination of All Forms of Discrimination Against Women, though, is not about ending discrimination against women in the United States because in this country women do possess tools necessary to seek redress if they face discrimination.

CEDAW ratification is about furthering an agenda which seeks to insure abortion on demand and which refuses to recognize any legitimate distinctions between men and women. If there is any question on this, one need only look at the U.N. website, which proudly proclaims that CEDAW is the only human rights treaty which affirms the reproductive rights of women and targets culture and tradition as influential forces shaping gender roles and family relations.

As a party to CEDAW, the United States would subject itself to the jurisdiction of a U.N. committee that was established to enforce compliance with CEDAW. Only a few examples of this committee's

opinions are needed to demonstrate the agenda advanced by CEDAW.

First, the CEDAW committee has interpreted the treaty's language on eliminating discrimination against women and access to health care to mean that it is discriminatory for the government to refuse to legally provide for the performance of certain reproductive health care services for women. This is a step toward the globalization of legalized abortion that I and many other of my colleagues can never support because, frankly, we believe that abortion is violence against children.

If one just looks at the methods that are employed by the abortionist, dismemberment of an unborn child, chemical poisoning, these types of acts are violence against children. Many countries have come under the scrutiny of CEDAW, and they have been encouraged, admonished and even not compelled, but close to it, to change their laws that protect the rights of unborn children.

Second, the treaty obligates state parties to modify the social and cultural patterns of conduct of men and women in order to eliminate stereotyped roles for women and men. As American citizens, we should be appalled by the notion that our government would assert the authority to modify the roles that a husband and wife have undertaken in their family because a government expert believes those roles are based on social or cultural stereotypes.

Earlier this year, for example, the CEDAW committee demonstrated its view of such stereotyped roles when it expressed concern that Belorussia had introduced symbols such as a Mothers Day and Mothers Award. In the CEDAW committee's opinion, these symbols encourage women's traditional roles and, therefore, should be eliminated. Do our constituents, Mr. Chairman, really want a group of international bureaucrats telling them that the day set aside to honor our mothers must be abolished? I think not.

The United States does not have to ratify CEDAW in order to be a leader in human rights. Signing a treaty does not make a country a leader in human rights. China and Burma, to name just a few examples, have both ratified CEDAW, but no one would seriously suggest that those countries have a better record than the United States for respecting the human rights of women.

Rather than argue over legal instruments as controversial and fundamentally flawed as CEDAW, this Committee and this Congress should be discussing ways for the United States and other countries to implement the human rights commitments that already have been made. The United States is a leader in human rights because its actions demonstrate a belief that human rights must be respected equally for men and women.

The United States has set an example for the international community by establishing effective mechanisms for women and men to seek redress when recognition of their rights is denied on the basis of sex. In the United States, if an individual suffers discrimination despite legal restrictions against it, he or she can seek legal recourse on the basis of anti-discrimination legislation.

This past year, Mr. Chairman, the U.S. delegation to the OSCE, and the Helsinki Commission which I chair, in the House, Senate and the Executive Branch, successfully advanced language in the Charter for European Security, and I strongly supported it, that

commits OSCE participating States to "make equality between men and women an integral part of our policies" and that commits participating states to specifically "undertake measures to eliminate all forms of discrimination against women."

What is needed now is implementation of such commitments. For example, the constitutions of most, if not all, of the OSCE countries, like scores of other countries in other regions, state that men and women have equal rights under the law, but despite this statement of principle women in most of these countries lack any effective legal redress if they face discrimination in employment, education, housing or access to credit.

Using the OSCE framework and its own example, the United States can encourage other participating States to fulfill their OSCE commitments by adopting comprehensive anti-discrimination legislation that enables women to assert their rights.

The Congress can also take the lead in the international community, and I offered the resolution last year in St. Petersburg at the OSCE Parliamentary Assembly which seeks to crack down on this offensive, horrific abuse of women, especially in trafficking. Many trafficking victims are women who face unemployment in their native countries because of sex discrimination, but have no effective means of challenging that discrimination.

Earlier in this Congress, Congressman Sam Gejdenson and I introduced a bill, H.R. 3244, which hopefully will be up on the Floor shortly, that would severely punish persons in the United States convicted of trafficking in human beings and provide incentives for foreign countries to initiate efforts to combat this outrageous abuse of women.

Mr. Chairman, I would ask that some other documentation be included in the record, including the OSCE text that was adopted in Istanbul in November 1999 with regards to equality of rights.

I yield back the balance of my time, Mr. Chairman.

Mr. GEJDENSON. Mr. Chairman.

Chairman GILMAN. Thank you, Mr. Smith.

Mr. Gejdenson.

Mr. GEJDENSON. Mr. Chairman, frankly I am a little concerned about the issues raised by Mr. Smith. I know he does it earnestly, but I think that this is good legislation.

Even though there are clearly countries that sign onto this Convention who may not be carrying it out, it is not the converse that without America's approval that somehow the situation is better. I know I am in support of this.

Mr. Chairman, I was wondering. Are you planning to support this legislation, Mr. Chairman?

Chairman GILMAN. I am strongly in support of the objectives of the CEDAW convention. I am looking forward to today's hearing because I want to hear the Administration's responses to some of the objections that have been raised by critics of the Convention.

Any other Members seeking recognition? Ms. Lee.

Ms. LEE. Thank you, Mr. Chairman. Let me just thank you for holding this hearing.

The issue of discrimination against women in the United States and around the world is one that must be addressed, and I appreciate the Committee holding the hearing so we can hear from our

colleagues on this, and thank you, Congresswomen Woolsey and Maloney, for being here and for taking the lead on our behalf.

Unfortunately, discrimination against women is still widespread both in the United States and around the world. Here in our country, for example, the tools may be available to women, but often times they are not available due to either their race or economic status. The issue of race discrimination, domestic violence, economic opportunity, access to health care are still basic human issues that for some women present a struggle in their lives here in America and abroad.

Certainly we have made significant strides, but there is much that needs to be done. CEDAW is a single, comprehensive treaty to protect women's rights and was drafted and pursued by advocates with United States participation. The year 2000 marks 20 years since CEDAW was opened for ratification, so we must move this forward. It is a moral imperative. Congress must not turn a blind eye to the need to make women's rights around the world a priority.

Thank you very much for the hearing again, Mr. Chairman. I look forward to the testimony.

Chairman GILMAN. Thank you, Ms. Lee.

Any other Members——

Mr. HASTINGS. Mr. Chairman.

Chairman GILMAN. Mr. Hastings. Judge Hastings.

Mr. HASTINGS. Thank you very much, Mr. Chairman, and thank you for holding this hearing. I would like to compliment our colleagues, Ms. Maloney and Ms. Woolsey, for their leadership not only as it pertains to CEDAW, but on women's issues and issues with reference to people who are discriminated against in general.

Mr. Chairman, I think it sends a very poor signal to countries around the world that the United States has not ratified the CEDAW treaty. I take this opportunity to point out that this is not the only treaty that does not allow for difficulties to be addressed. We have also not ratified the convention on the child, which was passed by the United Nations in 1989 and we became signatories to in 1995.

Yesterday, Mr. Chairman, I filed some legislation hoping to remedy that particular problem and asking that the Senate expedite its business, as well as the Administration, with reference to the ratification of the CEDAW treaty and the convention on the child.

In my view, we are lagging behind the rest of the world. On the convention of the child, only the United States and Somalia have not ratified that treaty. I find that abhorrent, and I equally find it abhorrent that we have not moved the pace with reference to the treaty that we are here about today.

Thank you, Mr. Chairman, for holding this hearing.

Chairman GILMAN. Thank you, Judge Hastings.

Any other Members seeking recognition?

If not, we will now proceed with our panelists. Our first panel this morning consists of three of our distinguished colleagues, Congresswoman Woolsey, Congresswoman Morella and Congresswoman Maloney. Congresswoman Morella has not yet arrived.

Congresswoman Maloney of New York is co-chairman of the Congressional Caucus on Women's Issues, and I will ask Congress-

woman Maloney to submit her full statement for the record or summarize, whichever she sees appropriate.

Congresswoman Maloney.

STATEMENT OF THE HONORABLE CAROLYN MALONEY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK

Ms. MALONEY. Thank you, Mr. Chairman.

Chairman GILMAN. Would you hold on just a moment? Ms. Maloney's mike is not working. Would you test it again, please? Just test it if you would.

Ms. MALONEY. Thank you, Mr. Chairman.

Chairman GILMAN. It is still not working. Hold on just a moment.

Ms. MALONEY. OK. All right. Thank you, Mr. Chairman, for your supportive——

Chairman GILMAN. Thank you.

Ms. MALONEY [continuing]. Statements and Mr. Gejdenson and really many, Mr. Hastings, Ms. Lee, all of your statements and for supporting many of the initiatives of the women's caucus. This is among our must pass bills that have come forward in the women's caucus in a bipartisan way with Congresswoman Kelly.

This particular bill was offered by my distinguished colleague, Ms. Woolsey, and I will defer to her for the opening statement and follow her comments.

Ms. WOOLSEY. Thank you. Thank you very much, Madam Chairman.

Chairman GILMAN. Ms. Woolsey of California has been very active on women's rights and is the Minority Deputy Whip on the Floor, and she has also served on the Children's Task Force.

Please proceed.

STATEMENT OF THE HONORABLE LYNN WOOLSEY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Ms. WOOLSEY. Thank you, Mr. Chairman and Ranking Member Mr. Gejdenson and all the wonderful Members that are here and interested in this issue this morning. I thank you for holding this hearing and allowing for the opportunity to testify.

Mr. Chairman, since being elected in 1992, I have urged the Senate Foreign Relations Committee to ratify the convention on elimination of all forms of discrimination against women known as CEDAW. Knowing also, Mr. Chairman, your strong stand on women's international rights, I am hoping that following this hearing, this Committee will be able to mark up House Resolution 107, which urges the Senate to ratify CEDAW.

CEDAW, a United Nations treaty, is considered the women's international bill of rights because it establishes basic human rights for women around the globe. These are rights not fully addressed in any other treaty. The United Nations recognized and actually condemned the devastating consequences of gender discrimination when it adopted CEDAW in 1979.

Chairman GILMAN. If I might interrupt, Ms. Woolsey? I am being called to the Floor. We have four Committee resolutions on the

Floor, and I am going to ask Mr. Campbell, the gentleman from California, to preside.

Ms. WOOLSEY. I will miss your presence, Mr. Chairman.

Chairman GILMAN. We will be back.

Mr. CAMPBELL [presiding]. Congresswoman Woolsey, please go right ahead.

Ms. WOOLSEY. Thank you. It is nice to see you, Mr. Campbell. As I was saying,——

Mr. CAMPBELL. It is mutual Congresswoman.

Ms. WOOLSEY [continuing]. CEDAW, a United Nations treaty, is considered the women's international bill of rights because it establishes basic human rights to women around the globe. These are rights that are not fully addressed in any other treaty.

The United Nations recognized and condemned the devastating consequences of gender discrimination when it adopted CEDAW in 1979. On July 1980, President Carter signed CEDAW and submitted it to the Senate for ratification. I am sad and disappointed to report that this year marks the 20th year that CEDAW has been available for United States ratification, but the Senate has yet to ratify.

In 1994, the Senate Foreign Relations Committee held a hearing on CEDAW, reported in favor of its ratification with four reservations, reservations that respond to Congressman Chris Smith's concerns earlier this morning. There were four understandings and two declarations.

These provisions address the overriding concerns that CEDAW critics maintain. Most of these concerns claim that CEDAW would override the United States Constitution, open the door to frivolous litigation, force social engineering and promote abortion. I am confident after reading what came out in the declarations in 1994 that these concerns were addressed, and hopefully the Senate Foreign Relations Committee will ratify CEDAW.

CEDAW is ratified by 165 countries, all of our allies. I am disappointed that the Senate's inaction puts the United States in the company of North Korea, Sudan, Somalia and Iran. I am certain, and I know you will agree, that the United States does not belong in this company, particularly when it comes to women's rights.

The United States played a major role in drafting CEDAW, and now we should live up to our commitment, and we must ratify it. Furthermore, without ratification the United States will not be a member at the international committee when the treaty monitors implementation of its provisions. We will be absent. The seat that should be filled by the United States will be vacant.

While some critics feel the committee oversteps or makes radical recommendations, in fact it has no enforcement measures, but instead it creates a working framework for countries to utilize in their quest to promote women's rights. It is an advisory committee. It is an overview committee, but it can do no more than make recommendations.

Making the United States a player on this committee would lend support to the treaty's effectiveness, and it will give the United States credibility when advocating on women's issues here at home and around the globe.

Mr. Chairman, I would like to share two examples of how CEDAW has been effective. First, when Brazil redrafted its constitution it used CEDAW as the framework for articulating human rights for women. The Brazilian constitution now contains provisions on gender equality, gender based violence, state interest in the prevention of domestic violence, the equality of rights within marriage, family planning and employment that parallels CEDAW's provisions.

On the continent of Africa, CEDAW has provided a vehicle for women. Zambia ratified CEDAW in 1995 and in 1991 extended its bill of rights to cover sex discrimination. Without that, many of the rights we have here in our country would not be available to the women in Africa.

More important, there is a groundswell of support for ratification right here at home. Ten states, 14 counties and 26 cities have passed resolutions advocating U.S. ratification of CEDAW. Last year, the Church Women United and the United Methodist Women and other supporters of CEDAW delivered more than 10,000 handwritten—every letter was individually written, and we delivered them to the Senators urging ratification. Each letter was to an individual Senator.

I can assure those of you who are here today that not only are people from other countries looking for leadership from the United States, but so are our constituents. The people's House must go on record and urge the Senate to ratify CEDAW. Today's hearing is a great first step in this process.

I look forward to continuing to work with the Committee and to place the United States in a strong standing for women's rights globally.

I yield back my time. Thank you.

[The prepared statement of Representative Woolsey appears in the appendix.]

Mr. CAMPBELL. Thank you, Congresswoman Woolsey, for your fine statement.

Congresswoman Maloney, you had yielded to Congresswoman Woolsey. Did you wish to conclude?

Ms. MALONEY. Yes, I would, and I would like my comments to be placed in the record as read.

Mr. CAMPBELL. Without objection.

STATEMENT OF THE HONORABLE CAROLYN MALONEY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK

Ms. MALONEY. I would like to underscore that this is a national disgrace, an international disgrace. As my colleague pointed out, 165 nations, countries, have ratified CEDAW. Our country stands alone with Sudan and North Korea and a few others.

One point that I would like to point out in response to my dear friend and colleague, Mr. Smith's, earlier statements. There is nothing in CEDAW that states that on abortion. It has nothing to do with it. In fact, the Senate Foreign Relations Committee passed the Helms understanding stating that nothing in CEDAW creates a right to abortion and should not be promoted as a method of family planning, so I would like to offer that if he has an objection to

any language in the treaty, we would entertain deleting it or talking to him about it because what he said is in it is not there.

The convention continues to languish in the Senate, locked up in the committee, even though CEDAW contains no provisions in conflict with American laws, no action has been taken on CEDAW, and it is really absolutely fundamental.

One aspect that is very important is that very shortly we will be going to the 5-year review of the international U.N. conference on women, and in the next 33 days will we or will we not endorse human rights of women across the world? That is what we are here to ask today. As many of my colleagues have said, the Ranking Member, others have said that we absolutely should do this. This is an absolute embarrassment. The Administration considers this a major priority.

Family planning. If the gentleman is opposed to abortion, one way to prevent abortion is through family planning. As Mr. Campbell knows, he worked very hard last year on various family planning refunding actually for the first—our country created the U.N. population program, yet it was defunded, and Mr. Campbell led the refunding effort, and we thank you for that.

You know that our population is more than 6,000,000,000 now, and by 2050 the United Nations projects that this figure could double to 12,000,000,000. Most of this growth will occur in developing countries, the countries where the desire for family planning service is far greater than the supply.

Already, more than 150,000,000 women and families want access to family planning services, but do not have the resources available to them. There are 2,000,000,000 young people quickly approaching their reproductive years, and will they have access to family planning, resources they need? This will have a direct impact on the economic stability of their countries, on the environment and really the entire world. Voluntary family planning would help all of these women, and CEDAW, although it has nothing to do with abortion, it does promote family planning.

I must say that one thing that is tremendously problematic is that many nations' governments do not include women in their definition of human. Consequently, women are denied very basic rights. I truly believe that empowering women globally reduces the negative impact of HIV and AIDS, which Ms. Lee has worked so hard on, along with Chairman Leach, the negative impact of fast growing population on our rural environment and economy and improves the education and employment of over half of our world's community.

The Women's Caucus has also supported two other resolutions, which I hope this Committee will take up. One is H.R. 187, which urges the United Nations to reject the Taliban as a legitimate government in Afghanistan, to deny the Taliban a seat in the General Assembly as long as they continue to practice horrific violations of women's rights.

We have had hearings in the Women's Caucus. They must wear a berka. They are killed if they go to school. They are killed if they show an ankle or a hand. It is just horrific what is happening there.

We have also worked on H.R. 1849 to require the Attorney General to publish regulations relating to gender related persecution, including female genital mutilation, for use in determining an alien's eligibility for asylum. This legislation helps women who are not fortunate enough to be born in the United States or other industrialized countries and who have no means to protect themselves. Although we grant asylum on many bases, we do not for gender related violence, and certainly female genital mutilation is a horrible, life threatening practice that needs to be terminated.

In any event, if you read all of CEDAW it merely says let's empower women with education, with health care, with information, with knowledge. Let's empower them to be productive members of their communities and their villages and their societies. We should be part of the global effort to help women.

Many countries look to the United States for leadership. It is an absolute total embarrassment. We should not have a government by one person, in this case Mr. Helms, who has held up this very important treaty. Again, 165 nations cannot be wrong. We should join 165 nations in time for the United Nations General Assembly where they review Beijing plus five.

My distinguished colleague, Connie Morella, has joined us. Thank you very much, and I yield back the balance and would like my rather lengthy statement to be placed in the record, which is a lot more than what I said.

[The prepared statement of Representative Maloney appears in the appendix.]

Mr. CAMPBELL. Congresswoman Maloney, your words will be included in the record barring no objection.

Ms. MALONEY. Thank you.

Mr. CAMPBELL. Hearing no objection, so ordered.

We are joined now by Congresswoman Morella, the third member of our panel of Members. Congresswoman Morella has long been active in international and human rights issues. She was the first women to chair the Arms Control and Foreign Policy Caucus. She represented the United States at the U.N. Conference on Population and Development in Cairo. She co-chaired the congressional delegation to the United Nations Fourth World Conference on Women in Beijing.

She is the Subcommittee Chair of the Science Committee's Technology Subcommittee and vice-chair of the Committee on District of Columbia of the Government Reform and Oversight Committee and a friend and a champion of women's rights and human rights in every other respect.

It is a pleasure to welcome you, Congresswoman Morella.

STATEMENT OF THE HONORABLE CONSTANCE A. MORELLA, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MARYLAND

Ms. MORELLA. Thank you, Mr. Chairman and Members of the Committee. I am sorry I was not here to hear the statements of my distinguished colleagues. I know in part what they have said and certainly associate myself with their comments.

I thank you very much for the opportunity to testify before the Committee today, and I am especially pleased to be here with my

colleagues to talk about actions that we can take on foreign policy to reverse discrimination against women around the world, and the affirmative steps that we can take to help the world's women and their daughters to overcome the effects of discrimination.

The Committee and Congress have enacted a number of initiatives in the last decade or two in recognition of the problems that women and girls face. They include authorization and funding for programs dealing with micro credit, family planning, rape victims, domestic abuse, and treatment of torture survivors, just to name a few. I am also pleased by the recent attention which has been given to the problem of sex trafficking, and I am sure that the Committee will continue to investigate the problem and the best way we can work to bring about its demise.

Mr. Chairman, the importance of women's roles and development and potentially differential impact of USAID policies and programs on women and men, because of gender roles and activities, has been recognized for more than 30 years. Particularly in the last decade, there has been a realization of the centrality of the status of women in developing and implementing sustainable development policies and programs.

This week, the HIV and AIDS pandemic was declared a national security threat. In Africa, whole regions are being ravaged. Families lose some of what economic power they had when a parent dies and the rest when a second parent, having been infected by the first, dies. Children drop out of school to replace their parents' income, or to care for them while they are ill, and then are orphaned.

Extrapolate this scenario to account for tens of millions of people populating some two dozen countries over the next 10 or 20 years. Inadequate social safety nets are overwhelming governments that are unable to cope. People become politically alienated. Economies contract. Nations destabilize.

HIV and AIDS is not an African problem alone. Disease spreads. It is everyone's problem. Infection rates are rising at alarming rates in Asia, the Caribbean and Latin America. In addition to a number of praiseworthy proposals which had been made to address the African crisis, one of the best tools we have to fight the spread of HIV and AIDS is to assure that women and men have access to quality reproductive health information and facilities.

We have not invested sufficient resources in these programs in the last several years. Regardless of the restrictions which may or may not be attached, we need to reverse the trend. Meeting the President's requested funding level for family planning programs for the coming year would be a good start.

I was honored to be part of a special order on global HIV and AIDS last evening that was led by Ms. Lee, a Member of this Committee, and I very much valued the fact that we had an opportunity to promote awareness with the public.

Disease spreads. Congressman Brown and I have introduced legislation to address one of the fastest growing killers, tuberculosis. TB kills 2,000,000 people every year. That is a person every 15 seconds. Globally, TB is the biggest killer of young women. The World Health Organization estimates that one-third of the world's people are infected with the bacteria that causes tuberculosis, and there

are 8,000,000 new cases every year. It is spreading because of inadequate treatment, and it knows no national borders.

In my own district, so-called affluent Montgomery County, Maryland, earlier this year a woman had to be forcibly removed from her apartment by government health personnel because she refused to be treated.

There is a highly effective, inexpensive treatment for tuberculosis known as directly observed treatment short course called DOTS, the acronym. Under DOTS, health workers directly monitor patients with tuberculosis for the purpose of insuring that they take their full course of medicine, and yet fewer than one in five of those who are ill with tuberculosis are receiving DOTS treatment, and, according to World Bank estimates, DOTS treatment is one of the most cost effective health interventions available. $20 to $100 will save a life, and it can produce cure rates as high as 95 percent even in the poorest countries.

Mr. Chairman, it is a universal truth that education is key to economic well being, but in too many countries access to education is limited. Girls particularly are disadvantaged. UNICEF reports that 150,000,000 children do not attend school, and two-thirds of them are girls. Those girls who do attend drop out in higher numbers than boys. So investing in girls' education is one of the most effective means of promoting economic growth and poverty reductions. We know from studies that additional education corresponds with reduced family size, reduced rates of infant and maternal mortality, healthier and better nourished families. These trends are continued in following generations.

Our assistance programs should be designed to insure equity in education to meet the needs of girls. Governments should promote policies to encourage them to enroll and stay in school and to recruit more female teachers. Parents and community members must be mobilized to support and promote girls' education and participate in decisionmaking and oversight regarding schools in their communities.

I know I am preaching to the choir here as I go on with education and tuberculosis and HIV and AIDS, but you are awfully nice to listen.

Mr. CAMPBELL. It is our privilege, Congresswoman Morella. Please continue.

Ms. MORELLA. Although great attention has been given to the role of women in sustainable development programs, gender analysis of the impact of our programs continues to lag.

USAID's progress in integrating gender analysis through its assistance programs has been hindered by a lack of structures and mechanisms to insure accountability. AID is addressing this with its adoption of its gender action plan meant to built agency wide commitment, capacity and incentives for integrating gender analysis into its policies, programs and projects.

Later this month, the AID Advisory Committee on Voluntary Foreign Assistance will file its report assessing the implementation of the plan. I think it should include reporting on integration of gender analysis and the impact of USAID policies, programs and projects in its annual presentation to Congress, and I think AID missions should be held to account for their efforts to integrate

gender analysis into programs and explain their inability to do so if they cannot.

Mr. Chairman and Members of the Committee, the subjects which I have briefly mentioned—education, health, gender based analysis of the effects of the assistance programs—are going to be addressed in comprehensive legislation that I am planning to introduce, and I hope all of you will become cosponsors of it.

In collaboration with Congressman Porter, Congresswoman Lowey, and Congresswoman Kilpatrick, we have been working with a consortium of non-governmental organizations led by Women's EDGE to develop the Global Actions and Investments for New Success for Women and Girls Act.

The GAINS Act, will address U.S. policy, education, health, micro credit, refugees, trafficking, as well as other subjects. I look forward to working with this Committee on that legislation. I hope you will give it serious consideration.

I had a comment in here for Mr. Gilman, but since he is not here he can read my testimony and know that I said good things about him and that this might well be the last hearing that I would appear before that he would be chairing.

In closing, I wanted to thank you for calling the hearing and allowing me to testify before this very distinguished Committee. I thank you very much.

[The prepared statement of Representative Morella appears in the appendix.]

Mr. CAMPBELL. Thank you, Congresswoman. Without objection, your full statement, including the laudatory comments of Chairman Gilman, will be included in the record.

It is traditional not to put any Members to questions unless they would wish it. I will just use this one moment to say thanks to Congresswoman Maloney for your kind words about me, but, as I recall, it was you and me together, and it could not have been possible without both of us working for funding international family planning. The importance of that is that you and I share awareness of equality, and I commend you every bit as much.

What I would like to do, since I was not able to make an opening statement, is just to state the following, and then if you have a comment or disagreement that is fine. It will only take a minute, after which I would yield to my colleagues.

As to self-executing provisions of the treaty, as I understand it there are none. So, Mr. Smith or other Members of our Committee who might be worried about an intrusion on sovereign United States rights should be reassured that the treaty itself does not include self-executing provisions. Rather, it is a call to arms, if you will, or a call to action, but the action has to be done by American constitutional processes.

Second, there is some value, nevertheless. I do not want to say that this is toothless. There is some tremendous value, particularly under the alien tort statute, a subject I used to teach, but let me just take it for a second and say this.

An alien can sue in the United States courts for tort committed in violation of the law of nations. Victims of gender mutilation can, in my view, take advantage of this, but a court might say that the United States recognition of this abuse as an international human

rights violation is in doubt since the United States had not ratified CEDAW. The ratification of CEDAW, in other words, provides a very strong premise that American courts will use to allow a suit under the alien tort statute for violations of women's rights.

Those two observations I wanted to put on the record, and perhaps Ms. Loar will be able to speak to them in her testimony.

I would yield to any of the panelists if you would wish to comment on that.

If not, I will go to the next speaker, who is Mr. Hastings. Mr. Hastings, do you have any questions for our colleagues?

Mr. HASTINGS. I do, Mr. Chairman, and thank you. I also would like to add a comment.

When Ms. Morella, my good friend and a good friend to all of us, joined the panel, at some point during the course of your testimony, Ms. Morella, you commented to the fact that you were preaching to the choir. It is a very small choir here, and I think that is one of the problems.

Very occasionally, those of us, particularly men who are avant-garde about women's issues, do not have the ear of some of our colleagues that we work with on a day to day basis, and I do not say that disparagingly, but with an abundance of understanding that we need to develop strategies to be sure to include significant numbers of persons who can be influential in the objectives that we are trying to achieve.

Toward that end, the legislation that you and your colleagues have been working on, I beg of you at the earliest time you accept cosponsors that you include me, and then at least I know I will be on record early on as matters go.

Additionally, I would like to say that I think all of us here who are concerned know that a part of the problem is the now chair of the Senate Foreign Relations Committee. I do not know Senator Helms. I have never met him, and I only know his reputation through what I hear as I travel about the world.

I do not know that he knows, and I believe he does need to know, that there are those who feel that he has pretty much individually hijacked foreign relations in the United States of America. Toward that end, when Senator Bob Graham and myself introduced legislation dealing with the convention on the child and the fact that it had not been ratified—I will use media speak—a high ranking Senate source said to me that no treaties were going to be ratified because Senator Helms did not choose to do so.

We love our government, and we have great reason to have better understanding from the Senator. If there is to be a strategy developed, it should be to pressure him to understand that when 163 countries have ratified a treaty like CEDAW or we find ourselves in a position where countries are moving forward on matters as it pertains to discrimination against women, and yet we are the alleged champions and have not done the simple act of ratifying a treaty with the clarifications. I might add I do not hear, and I guess my question to you all is I do not hear any objection now.

I heard from both Ms. Woolsey's and Ms. Morella's testimony that the clarifications or the reservations that were offered by Senator Helms would go right along with any new visit that the Senate Foreign Relations Committee might have and that you all at

this point are not raising objections to some of the reservations. Am I correct about that?

Ms. WOOLSEY. You are absolutely correct, and the language in 1994 from the Senate Foreign Relations Committee acted on the matter. There were reservations that would state clearly that CEDAW does not create a right to abortions and that abortions should not be promoted as a method of family planning.

Mr. HASTINGS. Right.

Ms. WOOLSEY. It was clear in the language.

Mr. HASTINGS. Well, I for the life of me then do not understand what other reservations exist, and if they are out there they ought to be known.

Let me ask you, and this will be my final question, Mr. Chairman, since many of the countries that have ratified CEDAW continue to have very poor records in terms of discrimination against women.

I heard lengthy testimony about Iran and some of their actions. I know that in Iraq and Burma, just as two examples, that women are discriminated against, as well as many countries in Africa. What can the United States do, or do we have any leverage at this point, to make CEDAW a more effective tool for achieving concrete results in ending discrimination against women around the world?

Ms. WOOLSEY. Well, sir, we can do nothing if we do not ratify it in our own country. That makes us voiceless. If we have a seat at the table, then we can advise. We can recommend. We can weigh in with our statements, but when we have not ratified the treaty then we are really voiceless in this regard.

Mr. HASTINGS. Thank you, Mr. Chairman.

Ms. MORELLA. May I make a comment, too?

Mr. HASTINGS. Yes, please. Thanks, Connie.

Ms. MORELLA. I was at the U.N. Conference on Environment in Rio, Population and Development in Cairo, and Women in Beijing. All of them dealt with empowering women because this would empower societies, whether it was through education, removing violence from one's life, health access, which deals with microenterprise, which deals with enhancing our environment. It all ties in.

I do not know why we have had such reticence about signing on to these U.N. conventions when we are leaders with regard to these conferences. I would submit that we should continue, as Representative Woolsey has, to try to get ratification of it, but at the same time we have to look at these other programs that are doing that very thing, eliminating discrimination against women.

Ms. MALONEY. To respond to the gentleman's question of how we can put more teeth, obviously passing CEDAW is an important symbolic statement. As was pointed out, Helms' understanding which stated that nothing in CEDAW creates a right to abortion was literally passed out of the Senate, and still the Senate did not ratify it.

Likewise with my colleague, Ms. Morella, we were delegates to the world conference in Beijing, China, 5 years ago where the report from the United States delegation called for the ratification of CEDAW, and in just 33 days we will be meeting in New York for the 5-year review of Beijing. You will have at least 180 countries there. It will be very embarrassing if the report from the United

States states that we still have not met up to the commitment that we made in Beijing, China, as a delegation to ratify CEDAW.

The funding for USAID and UNFPA helps countries around the world combat AIDS, female genital mutilation, education and health empowerment, and one of the bills that we have put forward is called Back to the Future. Mr. Campbell has helped me with that, as well as Ms. Lee and Ms. Morella and Ms. Woolsey, and it calls for funding at 1995 levels; not 1999 levels, but what we funded UNFPA and USAID back in 1995, to go out and empower women and educate communities about the importance of educating women.

When you educate women, you educate the village, the family and the stability of the country, the knowledge not only on family planning, but AIDS prevention, health care education, so funding these two very vital programs that the United States literally created and led for many years, if we can continue to go back to the future with 1995 levels of funding for USAID and UNFPA.

Mr. HASTINGS. Mr. Chairman, if you would just indulge me just one moment?

Mr. CAMPBELL. Of course. The gentleman has additional time.

Mr. HASTINGS. Chris Smith, one of our colleagues from New Jersey that has been very active on a number of subjects pertaining to women, one being the trafficking of women. When Congressman Smith and I and others were in attendance at the Organization for Security and Cooperation in Europe last year, he introduced a resolution on behalf of the United States delegation, of which I was a participant and signatory to. We met not resistance, but guffaws almost from our colleagues in the United Kingdom and Canada asking us where were we on the ratification of this treaty, and so it hampers our interfacing with other organizations, that organization being one, that is a 54 member country organization, all of whom have ratified CEDAW.

Thank you, Mr. Chairman.

Mr. CAMPBELL. Thank you, Congressman Hastings.

The Congressman's comment reminds me to be sure that I am a cosponsor of your resolutions. Would you kindly see that my name is included if it has not been already?

Ms. WOOLSEY. Thank you. I believe you are. Certainly Mr. Hastings is. We would love to put you on it.

Mr. CAMPBELL. Very well.

Mr. Chabot is next—we alternate between parties—if you would like. Otherwise we will proceed.

Thank you. We will proceed then. I apologize to Mr. Delahunt. I understand the rule is in terms of the order you show up rather than seniority, so I apologize. I yield now to Mr. Delahunt.

Mr. DELAHUNT. No need to apologize, Mr. Chairman. In fact, Mr. Hastings absolutely I think echoed my own concerns.

I will be very brief other than simply to say to my colleagues a job well done. Thank you for your perseverance, your persistence. I agree. It is an embarrassment. It is indeed unfortunate.

I welcome the observation by the learned constitutional scholar, our pro tem chairman, Mr. Campbell, relative to the self-executing provisions because after listening to Mr. Smith I was concerned

about Mothers Day, but it would appear that Mothers Day would survive ratification of CEDAW.

I really think that you all got to the quick because I suspect that the real concern is the abortion issue, and you have been very clear and unequivocal that the reservation by Senator Helms would be retained, and I do not see any rational basis for why we have not ratified it.

With that, I will yield back.

Mr. CAMPBELL. Congresswoman Lee of Oakland.

Ms. LEE. Thank you very much. Let me just find out from you, Congresswoman Woolsey. In terms of women's international organizations and the human rights organizations, what has been the general feedback from these groups with regard to the lack of United States ratification of the treaty?

Ms. WOOLSEY. Over 100 women's and church groups support ratification of CEDAW. They know it is the right thing for the United States to have a seat at the table. Congresswoman, as I told you, the Church Women United and the United Methodist Women brought 10,000 handwritten letters to me, and we made sure they got to individual Senators, saying thank you to the Senators who had signed on to ratify CEDAW and encouraging those who were holding back. That is 10,000 handwritten. They could get more.

Ms. LEE. Short of changing chairs with the Senate Foreign Relations Committee, which we know is not going to happen, what do we do next? I mean, I think this is a major step in the right direction, but how do we move forward?

Ms. WOOLSEY. Well, the next step, of course, will be to have this Committee mark up House Resolution 107, get it to the House Floor, and then the House can vote on it. We have 112 bipartisan cosponsors now that we have Mr. Campbell on our legislation. We will pass it out of the House which urges the Senate to ratify CEDAW. It has to be ratified in the Senate and the Senate must take action.

You know, it is all right that Senator Helms disagrees with CEDAW. It is all right that Congressman Smith has disagreements, but, you know, this is a democracy, and Senator Helms must know that he has to let the other 99 Senators weigh in and vote on whether or not they support it.

This is not a country with a one person democracy. We have to insist that he see it that way. He can vote any way he wants, but he has no right not to let the rest of the Senate weigh in.

If we would start here, that would help. We will let the rest——

Ms. MALONEY. Passing it out of the House would be a huge statement.

Ms. WOOLSEY. Right.

Ms. MALONEY. A huge statement.

Ms. WOOLSEY. Yes. If we pass it out of the House, it will be a national statement that will have to be heard.

Thank you for asking.

Ms. LEE. Thank you. Let me just comment with regard to the work that all of you have done in terms of raising this to the public's attention. I found after last year's series of activities, many women in this country were shocked to find that we had not ratified it. For some reason, the word had not gone out, but I think

now we have a prime opportunity thanks to all of you and what we are doing to engage women. The 10,000 signatures, as well as what has been going on throughout the country now, I think gives us a real unique opportunity to move this forward.

Just on behalf of my constituents I want to say thank you very much for everything.

Ms. WOOLSEY. And thank you for your support.

Mr. CAMPBELL. Thank you, Congresswoman Lee.

Ms. WOOLSEY. Thank you.

Mr. CAMPBELL. Mr. Pomeroy.

Mr. POMEROY. I want to thank the panel. This is really an issue that I think deserves the light of day to be cast clearly and squarely upon it. We are in an untenable position—not moving this forward.

Senator Helms, in blocking Committee action on this treaty, is not reflecting his own party. He is not reflecting the U.S. Senate and certainly not reflecting the American people, so I really commend you for your participation in this hearing today.

I hope I am on the resolution. Like our Chairman, if I am not, please put me on. I would want to be.

I would like to ask your thoughts on the relationship of this treaty to the education of girls in Third World countries. I have become convinced that that issue, education of girls in Third World countries, is the single most important thing that we can do as part of our foreign policy to address systemic difficulties resulting in health epidemics, resulting in war, resulting in dysfunctional economies.

It really is at the heart of so very much that is wrong that we try to bandaid our way over with these kind of ad hoc, knee jerk responses, but we are not getting at the crux of it, which is the education of girls. What is the relationship between this treaty and that issue, any of you?

Ms. WOOLSEY. Well, Mr. Pomeroy, education is one of the major tenets of CEDAW. Equal education, educating girls and young women.

Mr. POMEROY. Right.

Ms. WOOLSEY Education, equality in work, but it starts with education, and that is one of the major tenets of CEDAW.

Ms. MORELLA. In my statement, which did not truly address CEDAW, but addressed discrimination against women, a major part of it is education. Two-thirds of those people in developing countries that are not educated are women, are females, and when you can see how they are heads of households, how important that is, and mention was made that in those countries when you educate a woman you educate a family. That is important in terms of their understanding of reproductive health, of micro enterprise endeavors. I will have legislation on it, but indeed it links up.

I also think this is very important what Congresswoman Woolsey has been tenacious about and the family planning that Congresswoman Maloney has been a leader on, but I think it is important that we match our rhetoric with the actions, and that is putting the money significantly into AID, directing it toward education and showing by example that we are more than words. I believe that very strongly.

Ms. MALONEY. Advancing the status of women is not only the right thing to do, but it is the single, most effective thing we can do to address the multiple foreign policy goals at one time.

I appreciate your comments, Mr. Pomeroy.

Mr. POMEROY. I want to emphasize this is not just matters of principle discussed at women's conferences—international women's conferences. These are fundamentals of economics agreed to by male economists in boring finance seminars. I mean, it is just absolutely true. It is common sense. It needs to be moved forward. I really do commend you for your work.

There are women's issues that do not involve abortion, and I think that sometimes we get so incredibly sensitive to the abortion dimension of things that we impose it on all things about women. Of course, there is no joinder, and we do a terrible disservice to public policy when we cannot look at issues rationally that are squarely before us, so you leadership on this is so very important. Thank you.

Mr. CAMPBELL. Thank you, Mr. Pomeroy.

We are at the end of the Members' panel. If you wish to say something else, the Chair certainly is willing to.

Not hearing anything further, thank you, Congresswoman Woolsey, Congresswoman Maloney, Congresswoman Morella.

Ms. MORELLA. Mr. Chairman, you are a champ.

Mr. CAMPBELL. Congresswoman Morella, you have what it takes.

That is a bit of an inside joke as to what you say to a Member of Congress when you forget their first name. You say hi, champ, and then the other person says you have what it takes. I now have explained the inside joke.

Thank you very much. Now it is my distinct privilege to introduce Theresa Loar, our next and principal witness. Ms. Theresa Loar was appointed by President Clinton as senior coordinator for international women's issues at the Department of State. She was given that appointment 4 years ago in 1996.

She also serves as director of the President's Interagency Council on Women. She previously served as a State Department official in Mexico, Korea and various bureaus of the Department of State.

Ms. Loar, your testimony will be submitted in the record in full. I appreciate the fact that you took the time and trouble to prepare 12 pages, but, given that, try instead of—well, you know what I mean. If you could summarize it?

On a personal note, I would like to say something interesting that maybe you did not know. In 1981, Ronald Reagan, President Reagan, established an interagency task force on women chaired by Elizabeth Dole, I think you have that in your line of succession. I was the only male member of that task force.

Ms. Loar, you are welcome.

STATEMENT OF THE HONORABLE THERESA LOAR, DIRECTOR, THE PRESIDENT'S INTERAGENCY COUNCIL ON WOMEN AND SENIOR COORDINATOR FOR INTERNATIONAL WOMEN'S ISSUES, U.S. DEPARTMENT OF STATE

Ms. LOAR. Thank you, Mr. Chairman. It sounds like you got all the training you need for this hearing.

I want to thank you, Mr. Chairman, for the opportunity to testify before your Committee on international women's issues. I would like to commend the Chairman and this Committee for focusing on women, one of the most powerful and as yet under utilized forces for change and progress around the world.

I will make an abbreviated statement and request that my full testimony be submitted into the record.

As I begin my testimony, I would like to say what an honor it is to follow such strong congressional champions for women, Congresswomen Maloney, Woolsey and Morella. They really have made a mark not just here in the United States, but around the world.

As I testify today on support for women, I am fortunate to have with me visiting from New Jersey my No. 1 supporter, a woman who raised five daughters, one of the great women of the world, my mother, Ann Loar. I am very glad to have my mother here with me today.

Mr. CAMPBELL. Ms. Loar, you are most welcome. If you would stand up? I think the Committee Members would like to recognize you.

[Applause.]

Ms. LOAR. Thank you, Mr. Chairman.

Secretary Albright has mandated that the advancement of women's human rights and the advancement of women be put into the mainstream of U.S. foreign policy, and under extraordinary leadership we have made great strides in carrying out this mandate.

The work we are doing to support women flows out of the U.N. Conference on Women held in Beijing, China, that so many of the Members of Congress who spoke earlier referred to. This gathering of delegates from 189 countries and 50,000 NGO's was a hallmark event that had profound effects on how governments, including our own, look at issues affecting women and their families.

Those of us working to coordinate the U.S. Government engagement in this conference could not have foreseen the impact this event would have. Our U.S. delegation included three distinguished Members of Congress who were here at the hearing today, Representatives Maloney, Morella and Smith.

Our First Lady, Hilary Rodham Clinton, who led the U.S. delegation in Beijing, sent out a clarion call to the international community to recognize that human rights are women's rights and women's rights are human rights.

My testimony today will report on a powerful partnership working to improve the lives of women and girls. This partnership includes our government, NGO's here and around the world, other governments, international organizations and Members of this Congress.

The focus is on fighting trafficking and supporting women democracy builders. I will also reiterate our support for the women's human rights treaty, the United Nations convention on the elimi-

nation of all forms of discrimination against women. I will also look ahead to Women 2000, the fifth year review of the Beijing women's conference.

My position as senior coordinator for international women's issues at the State Department was created through the efforts of Congress in 1994. President Clinton appointed me to this position in 1996, and since that time we have made great progress in institutionalizing issues affecting the lives of women and the development, formulation and implementation of U.S. foreign policy.

I have two key areas of focus, expanding women's political participation and eliminating violence against women. In my position as director of the President's Interagency Council on Women, I am proud to represent that the council has served as a model for other governments committed to progress for women. Representatives of the governments of India, South Korea and New Zealand have come to hear how a government task force like the council can be a catalyst for policy formation to support women's advancement.

Another key element in my work is the strong partnership with a broad representation of the NGO community. This is something that the State Department is starting to do more and more, but it is not something traditionally the State Department has done over the years.

My office holds the largest ongoing public briefings with the NGO community held at the Department of State. For the past 3 years, we have held open and transparent public quarterly briefings attended by some 300 to 400 individuals. This strong collaboration with NGO strengthens and informs my work. This inside/outside strategy has been an effective way to develop policy.

One of the key issues in the area of violence against women that has emerged both domestically and internationally in the last few years is the trafficking and the women and children. Among the most horrific abuses that women face around the world is the buying and selling of humans for elicit purposes.

Trafficking is one of the fastest growing criminal enterprises today behind drug trafficking and arms trafficking. Although it is sometimes characterized as a women's issue, it involves not only women, but also children and men. It is first and foremost a human rights issue, but is also a socio-economic issue, a public health issue and one organized criminal activity.

I have met with trafficking victims and organizations working in the field to help these women and their families, and I have heard firsthand of the devastation suffered by young women, sometimes merely only girls, who are deprived of their childhood when traffickers sold them into slavery. These encounters have deepened my commitment to marshal the full breadth of government resources available to confront and stop trafficking, which now affects over 1,000,000 women and children each year.

One of the key issues behind trafficking is the low economic status of women and the low status of girls around the world. Congressman Pomeroy talked about his commitment to girls' education. I would echo that and talk about the importance of educating girls and valuing girls so that they are not pulled out of school and their childhoods are not cut short.

The President, the Secretary of State and the Attorney General have all shown tremendous commitment to this serious human rights issue. First Lady Hilary Rodham Clinton has worked tirelessly to bring this issue out of the shadow and onto the world stage. As a result of this leadership, the full machinery of the Department of State and several other government agencies is working on this issue. We have several multi-lateral initiatives underway with the United Nations, the European Union and OSCE. Some of the anti-trafficking efforts of OSCE have benefited from the strong support of Congressman Smith.

Most recently, the United States and the Philippine government co-hosted a meeting in the Philippines called the Asian regional initiative to combat the trafficking of women and children. This involved over 20 Asian and Pacific nations who are working together for the first time. Our embassies in the field are already reporting new levels of cooperation among the governments of Thailand and Cambodia, for example.

Congress is essential to our efforts on trafficking. Passage of an effective bill that provides severe punishment for traffickers and protection for victims from medical treatment to shelters to the opportunity to become legal residents is crucial. However, this bill must not, as some have proposed, inflict mandatory economic sanctions on countries that may seem to be doing too little to combat trafficking. This could require the United States to impose sanctions on as many as two-thirds of the world's governments. Moreover, such a heavy handed response would cripple NGO's work in this area.

Internationally, we need to achieve consensus and rapid ratification by states working on the U.N. trafficking protocol being negotiated in Vienna. We look forward to continue working with Congress.

My other key area of focus is promoting women's political participation so that as the time that we live in now offers us great opportunities for democracy to take hold. Our key program for that effort is the Vital Voices Women in Democracy initiative. This is an ongoing global initiative that implements Secretary Albright's mandate to promote the advancement of women as a U.S. foreign policy objective. It has benefited from the strong support of the First Lady.

At some conferences we have announced U.S. Government commitments. For example, in Vienna we announced $3 million to fight trafficking and violence. We have now surpassed $10 million in funding for that issue in that region. Vital Voices raises the voices of emerging women leaders from around the world who are forging the way to democracy.

Moving ahead to Women 2000, Beijing plus five—in September, 1995, the United States joined 188 other governments at the United Nations. The United Nations joins 180 other governments in Beijing for the significant turning point on how the world looked at the issues affecting women and their families. The document that came out of that U.N. conference was a very strong policy statement.

In June, 2000, looking ahead, the United States will join most of the other nations of the world at a special session of the United

Nations General Assembly in New York. The purpose is to appraise and assess the progress it made in advancing the status of women.

To hold the U.S. Government accountable for Beijing followup, the President's council has put together a resource document, a reference tool called The 2000 Edition of America's Commitment. This is a 5-year review of U.S. Government programs. This document highlights U.S. efforts measured against the Beijing document, The Platform for Action. I have brought along copies of the book today for Members of the Committee, and we are mailing that out to NGO's and sharing it with other governments around the world.

The Beijing conference has unleashed changes for the better for women everywhere. In the past 5 years, I have had an opportunity to meet with women from every continent who recounted with pride how they are achieving progress in their country, spurred on by the U.N. women's conference.

There are now more laws on the books against domestic violence, new violence protection programs in place and legal aid centers from Sri Lanka to Bulgaria. Women have greater access to micro credit. In Rwanda, the government is revising discriminatory laws in the area of inheritance rights, which is so important to the survivors of the Rwanda genocide. A new constitution in Venezuela allows women for the first time to transfer citizenship to their foreign born spouses.

Mr. Chairman, I turn now to the women's international bill of rights, as Congresswoman Woolsey calls it, the convention to end all forms of discrimination against women. The Administration feels strongly that CEDAW must be ratified. Its ratification is an administration priority. The President, the First Lady and the Secretary of State have repeatedly called for its ratification.

We have worked closely with NGO's in their quest for ratification of this treaty. I would like to note the tireless efforts of Kit Cosby, Pat Rengel and their working group on the ratification of CEDAW, as well as Billy Heller of California and the National Committee for Ratification of CEDAW. I understand that Kit and Pat are here today, and we thank them for their guidance and support.

These groups should be commended for their efforts. American citizens have been working for the past 20 years on this issue. At least 10 states have endorsed ratification of CEDAW in their own state legislatures.

I would also like to thank the 33 cosponsors who reintroduced Senate Resolution 279 in support of CEDAW and, of course, the Members of the House, some of whom have come forward today, who have been supportive of Congresswoman Woolsey's legislative efforts on behalf of CEDAW.

Some say that only radical feminists support CEDAW. This is not true. Support comes from organizations and citizens across the broad spectrum of our society. The Gray Panthers, AARP, the National Coalition of American Nuns, the National Council of Negro Women, the American Bar Association all have endorsed CEDAW. The list goes on and on.

CEDAW removes obstacles to women's full enjoyment of their rights. It does not create an international right to abortion. Rather, it seeks to insure equal access for men and women to health care services. It does not encroach on the principle of federalism or vio-

late U.S. sovereignty. Rather, it reinforces U.S. commitment to equality and human rights.

The United States is one of the world's leading advocates for human rights and fundamental freedoms. Ratification would strengthen our global efforts to advance the status of women.

I would like to talk briefly about the importance family planning plays in the lives of women around the world. One hundred and fifty million women in the developing world want to space or limit their child bearing, but have no access to family planning. Family planning saves lives, protects women's health, promotes healthy families and prevents abortion. Real world evidence in places like Russia and eastern Europe shows that family planning can do just that.

As we look ahead to the fifth year review of Beijing, one of the most extraordinary changes we have seen around the world is the willingness of governments to step forward and to stand up for women's human rights. I started my position as senior coordinator for international women's issues just a few days after the Taliban moved into Kabul and Afghanistan and shocked the world with their regressive restrictions on women.

Sadly, these restrictions remain today, but the promotion of human rights, particularly the human rights of women and girls, is among our highest priorities in Afghanistan. The international community must remain steadfast and united in its resolve to seek wider rights and opportunities for Afghan women and girls. The United States will not move away from this agenda.

The Clinton Administration has an unprecedented record in achieving progress for women, but there is still work to be done. There is a momentum now from villages to towns and countries around the world. The commitment women and men everywhere have shown to improve the lives of women, girls and their families will continue into the twenty-first century.

We thank the Members of Congress who work with us on this agenda for lasting change and progress. Thank you.

[The prepared statement of Ms. Loar appears in the appendix.]

Mr. ROHRABACHER [presiding]. Thank you very much. I am Congressman Dana Rohrabacher. We have had a change at the helm here.

Ms. Loar, I will just take advantage of the fact that I am now the Chair to ask a few questions of my own. I could not help but notice that you were, of course, strongly advocating the CEDAW. Is that how it is pronounced?

Ms. LOAR. Yes.

Mr. ROHRABACHER. The CEDAW conference or proposal, and then you were focusing on Congress' inaction. To what then do you ascribe the failure of the Clinton Administration to obtain the ratification of CEDAW in the 2 years, 1993 and 1994, when President Clinton was President, but the Democratic party had control of both houses of Congress?

Ms. LOAR. Mr. Chairman, I would say that the consensus in support for women's human rights has been one that has been growing and one that has increased, and I think our——

Mr. ROHRABACHER. The President did not have a commitment at the beginning of his Administration?

Ms. LOAR. Oh, I think he had. I think he came into office with that commitment. I think we have seen that commitment growing and evidenced in many strong ways, and that is why we are continuing to fight for passage of CEDAW.

Mr. ROHRABACHER. I do not think that quite answered my question. Why did he not do it in the first 2 years——

Ms. LOAR. Well, actually the President did.

Mr. ROHRABACHER [continuing]. When he had all the power to do it?

Ms. LOAR. President Clinton did send the treaty. President Carter some 20 years ago signed the treaty and did send it to the Senate for ratification.

Mr. ROHRABACHER. Yes.

Ms. LOAR. We made very clear our efforts to endorse the purpose of CEDAW. We did send it up to the Senate for ratification. We worked very hard to work out the reservations so that those areas where there were some perhaps misrepresentations or misunderstandings were clarified. We have been very clear in pushing this.

Mr. ROHRABACHER. So this was in that 2-year period, 1993 and 1994, that the Administration did that?

Ms. LOAR. These efforts have been going on for some time. It was sent to the Senate in 1994.

Mr. ROHRABACHER. It was sent to the Senate in 1994. When in 1994 was it sent?

Ms. LOAR. I do not know the exact date. I would probably say in the summer, perhaps June or July.

Mr. ROHRABACHER. So in the final months of those first 2 years when you had control of both houses it was sent to the Senate. Was there any agreement made by the Democratically controlled Senate to bring this to a vote?

Ms. LOAR. I can say that there was broad support for CEDAW when it was first brought to the Senate. We know that there is very broad support now, and we know that the basic elements of CEDAW and what it represents, that agenda——

Mr. ROHRABACHER. I am not asking about right now. I am asking about when the Democrats controlled both houses of Congress and the presidency why did they did not act.

Ms. LOAR. I cannot speak to that. I can speak to right now the need for CEDAW and the——

Mr. ROHRABACHER. OK.

Ms. LOAR [continuing]. Interest on behalf of women around the world for it.

Mr. ROHRABACHER. All I would suggest is when you say that this Administration has such a pristine record on women's rights that we take into consideration when it could have done anything on this issue that it wanted and controlled both houses of Congress and the Executive Branch, it did nothing.

You mentioned your own situation and your own recognition of the rights of women in Afghanistan. How long have you been in your job at the State Department?

Ms. LOAR. Since September 1996.

Mr. ROHRABACHER. OK. You have undoubtedly heard my demands over and over again for the records dealing with this Administration's policies toward Afghanistan. Have you personally

tried to see that I and this Committee received a copy of the documents we requested in order to determine what the policy of this Administration toward the Taliban is?

Ms. LOAR. Mr. Chairman, I know well of your interest and support for the people of Afghanistan. I am not familiar with your request for documents. I have not——

Mr. ROHRABACHER. You are not?

Ms. LOAR. I am not aware of that, but I do know well of your interest and support.

Mr. ROHRABACHER. You are not familiar with that?

Ms. LOAR. I am not personally. I have not heard anything about that.

Mr. ROHRABACHER. Just so you will know, and I want to state for the record, having been in Afghanistan a number of times—I am probably the Congress' foremost expert on Afghanistan—I have charged this Administration has a covert policy of supporting the Taliban, and the Taliban would not be in power if it was not for this Administration wanting it and cutting deals with the Saudis and the Pakistanis to see that the Taliban were there.

I have demanded, and received support from the Chairman of this Committee, a request for the documents that would prove or disprove that charge. For over 2 years, this Administration has done everything they could to block me from the documents and block this Committee from legitimate oversight.

I will tell you right now, for someone who supposedly is concerned about women's rights, for you not to have waded in behind the scenes, calls into question your commitment whether it is a political commitment to this Administration or a commitment to the rights of women that you are talking about today.

The most gross violator of women's rights in the world today is the Taliban government in Afghanistan, and this Administration's policies in regard to the Taliban have been disgraceful and deceitful to the American people. This Committee has oversight responsibility to find out what this Administration's policies have been, and this Administration has stonewalled us and blocked our ability to find out what policies we have had toward Afghanistan.

To make it very clear for you, we expect people like yourselves, who are behind the scenes and in the Administration who supposedly support women's rights, to be pressuring the Administration to do what their public positions indicate they should be doing.

Again, I would hope that in the next few months this Administration will finally provide the documents for the time period that I requested to find out what the policy of this Administration was toward the creation and support of the Taliban's control of Afghanistan.

I would say that issue overrides many of the things that you have been talking about today, and I would hope that when you go back to the State Department that you personally activate yourself to see that those documents are available and that if you find that this Administration has been supporting the Taliban that you join with us, whatever party, to try to change that policy. It is a disgrace.

I will be very happy to hear whatever you want to retort to that, and then we will let one of our colleagues speak.

Ms. LOAR. Let me say that I will carry back your request of the State Department. I will carry that back with me as I return to the State Department this afternoon.

I would just say that the Secretary of State has been very direct and clear in her criticism of the Taliban for its treatment of women and girls. It is gratifying to know you share that concern. I know you have a deep, long-term interest in Afghanistan. Our record is very strong and very clear, and we are going to continue to have that record.

Mr. ROHRABACHER. The record of this Administration is not very strong and clear. It is deceitful, and it is false. I do not care if Madeleine Albright talks about human rights and goes over to China or we have an Administration that is kissing the boots of these gangsters. All the talk about human rights does not mean a darn thing if the Administration does not put any force behind it in China.

I will tell you, her words in Afghanistan do not mean anything to these fascist thugs who run Afghanistan and treat women the way they do when we have an administration that has cut a back room deal with Pakistan and Saudi Arabia to support them and keep them in power.

This Administration disarmed the opposition to the Taliban. Bill Richardson and Rick Interfurth went to CABO and then went to the Northern Alliance at a pivotal moment and disarmed the opposition to the Taliban.

We also have an opposition right now under Commander Musuad. People like yourself who supposedly believe in human rights for women and make that your priority should be doing everything you can to see that this Administration not disarms the opposition to the Taliban, but supports Musuad and supports those people in Afghanistan who do not believe in this type of oppression, not only of women, but of everyone else.

I will say right now I was in Afghanistan during the war. This oppression of women, which they say is just cultural, is not something that the people of Afghanistan fought for when they were trying to kick the Russians out. They may be developing Muslims, but they are not fanatics. This reflects the Pakistani and the Saudi brand of Islam, if you will.

With that, I am sorry, but I do feel strongly about this obviously. It is not just for women's rights, but for everybody's rights.

Ms. LOAR. Mr. Chairman, I would agree that the restrictions and the human rights abuses against women in Afghanistan are not culturally based, and I would agree that our government's—perhaps we do not agree about this, but my belief is that our government has been very strong in standing up to women of Afghanistan.

We will continue to do that. I will take back your concerns to the State Department. Thank you, Mr. Chairman.

Mr. ROHRABACHER. Thank you.

Ms. Woolsey or Ms. Lee? Which one comes first?

Ms. LEE. Thank you very much, Mr. Chairman.

Let me go back to the treaty. I would like to find out just in terms of your work—and thank you for everything you have done and for being here today——

Ms. LOAR. Thank you.

Ms. LEE. What does the United States face when we try to talk to other nations about discrimination against women? Does our failure to ratify CEDAW undercut our efforts actually to be a leader in international women's issues?

Ms. LOAR. Well, Congresswoman Lee, it is actually quite an embarrassment to go to U.N. conferences where the United States has a strong human rights record, and there will be discussions about institutional mechanisms, treaties, powerful documents that can be used to help women, and it is repeated again and again, whether it is at U.N. meetings or at OSCE meetings like Congressman Hastings referred to where there was a big effort to fight trafficking or whether it is in meetings supporting women's role in democracy. I have been in meetings in Latin America where there is a real focus on trying to fight violence against women in the home.

Again and again we are reminded that we as a government have not ratified this treaty, so it is an embarrassment. It is a setback. Ratification of the treaty would help move us forward in the work we are trying to do for women's human rights.

Ms. LEE. Which countries do we align ourselves with at this point?

Ms. LOAR. Well, it is not a very enviable coalition of countries that have not ratified CEDAW. It includes Iraq. It includes Somalia. It includes some other countries who are not known for their strong brand of democracy.

All of Latin America, every single nation of Latin America, has ratified CEDAW, and many of them are using it to help improve the lives of women and girls. We are in a very unattractive grouping of countries and one that does not put us in a strong stead as a strong leader for democracy around the world in not ratifying CEDAW.

Ms. LEE. As I mentioned earlier, of course, we are still faced here in this country with massive discrimination against women. Ratifying CEDAW, how would that help us in terms of using the treaty as a tool to help women here in America deal with discrimination?

Ms. LOAR. Well, our laws currently already exceed a lot of the standards in CEDAW, so we do not expect it to have a dramatic effect on the U.S. laws related to women's status.

More than anything, we see it as a very powerful tool that will help us in our work internationally and as part of the international community supporting women's advancement.

Ms. LEE. Let me just make a comment, Mr. Chairman, because I think one of the reasons that we need to move forward and quickly ratify CEDAW is to send a message, though, to our courts here in this country and to all of those with jurisdiction over implementing anti-discrimination policies which we have in place here.

Often times I believe they are just there either for women who have the money and the means to mount lawsuits or they are there because we passed the law, but I believe in passing this treaty we would have at least the moral obligation to move forward with our anti-discrimination laws against women in this country, so I see this as a very necessary tool for me as an African-American women in America who needs these kinds of mechanisms on record and internationally also.

Thank you, Mr. Chairman.

Mr. ROHRABACHER. Ms. Woolsey.

Ms. WOOLSEY. Thank you, Mr. Chairman. Mr. Chairman, you will not be surprised that Afghanistan has not ratified CEDAW.

Mr. ROHRABACHER. No pressure from the Administration obviously.

Ms. WOOLSEY. Well, I have to tell you, speaking of the Administration, and this will lead me into my question with Ms. Loar.

I was elected in 1992 when Bill Clinton was elected, and one of the first items that was a part of my agenda was the ratification of CEDAW. During that time Bill Clinton and the State Department started working with the Senate Foreign Relations Committee.

Because we know that our President likes to reach out across party lines, he worked with the State Department and with Senator Helms to iron out concerns. That took up all of the rest of the time that it would have taken to bring it to the Senate Floor and get it passed. Then we lost the Majority, and then it was straight downhill.

Now, I do not think this should be a partisan issue. I mean, this is a women's human rights issue. What I would like from you, Ms. Loar, because you are part of the State Department, what does the State Department need from us? You have done your part. The Secretary of State has written to the Senate. The President has asked the Senate to ratify. What do we have to do?

Ms. LOAR. We understand that there are discussions about the possibility of hearings to get the issue fully explored and to be able to have a strong basis for ratification. We know that the resolution that you have sponsored in gaining support even today here as we speak, we think resolutions of that nature are very helpful to give a sense to the Senate in their role in ratifying the treaty that there is a groundswell of support. We would like to see more of that.

We know from the groups that have worked so tirelessly here in the United States, here in Washington and all across the United States that there is a lot of support at the grassroots for ratification of this treaty, and we think that will be reflected ultimately in passage of the treaty.

Ms. WOOLSEY. Well, I thank you, and you can count on us to work with you.

Ms. LOAR. And we thank you for your leadership on that.

Ms. WOOLSEY. Thank you very much.

Mr. Chairman, when I came in here I had 111 cosponsors on H. Res. 107, and I am leaving with 113; 114 if you will sign on it.

Mr. ROHRABACHER. Congratulations. I will take a look.

There is a question that they want me to ask for the record, and if you could perhaps answer in writing if you would like? I will just read this to you for the record, and then you could reply for the record as well.

In the case of another international human rights convention, the International Covenant on Civil and Political Rights, the United Nations body, with responsibility for overseeing the implementation of that covenant, has ruled that as a matter of international law, the U.S. reservations to the covenant have no legal effect. This means that when the covenant was ratified there were

reservations that were put into it as part of the legislation of ratification by the Congress, but now we have that body saying those reservations do not have any effect, no legal effect or no legal voice.

Here is the question. Does the United States accept the validity of this ruling by that panel, and what assurances can you give the Committee, which oversees the implementation of this convention, that the elimination of discrimination against women, and that if there are reservations during this whole process, in the ratification process, that there will not be a similar ruling that the reservations of this convention have no legal force or effect?

First of all, you can answer that in writing, or if you would like to answer it now that is fine.

Ms. LOAR. Mr. Chairman, with your agreement I would like to answer that in writing. I will take that question back with me.

Mr. ROHRABACHER. Yes. This is vitally important because it goes to the heart of the power of Congress to——

Ms. LOAR. Right.

Mr. ROHRABACHER [continuing]. Pass to what degree and if we take everything or leave everything because if all our reservations are declared null and void by the United Nations that means that it is take it or leave it time for Congress from now on if the policy of the Administration is to accept that as the policy.

Thank you very much for being a witness, and also thank you for—I mean, I came in and came on very strong, and I believe what I believe in. I would hope that you did take my admonition about someone who is serious about women's rights.

Frankly, I am shocked that you had not heard of my demand and these charges that I have been making for 2 years. This has been a struggle on my part to try to get the documentation to prove something that indicates that this Administration is involved in a heinous crime against women. As I say, I am just surprised that you not only have not acted upon it, but have not heard about it.

I would hope that people in the Administration, like yourself, who are committed to human rights and are committed especially to women's rights will pay attention to this battle and struggle that I have been waging for 2 years.

I can think of no greater threat to the rights of women in the world today than the acceptance of the Taliban form of Islam in other countries that have Islamic populations. If other countries which have Islamic populations start taking the lead from the Taliban, hundreds of millions of women will lose their rights and will find a dramatic decrease in their rights and find themselves in subjugation of the worst possible kind. The only thing that we can do is try to forcefully oppose this type of government that they have in the Taliban in Afghanistan.

Let me note that we had an alternative. The King of Afghanistan, who has been in exile since the Russians took over, his wife was the one who first helped liberate the women of Afghanistan 50 years ago. He is a very pro western and moderate alternative for the people of Afghanistan who would love to have had the alternative.

But, this Administration went in the other direction and instead undermined any efforts to bring the King back and undermined the efforts of the Northern Alliance, which are composed of people who

are even more consistent with how you would like to see women treated in the Islamic countries, yet this Administration continually undermined the efforts of these groups to change the government of Afghanistan. It is an important issue, and it is important not just for women, but for everyone who believes in a broad sense of human rights that cover both genders and not just women's rights.

I hope that you will take a look into it, and I hope that behind the scenes you will tell them that, No. 1, you expect the documents that we have requested be made available, and if those documents indicate that this Administration had a covert policy of supporting this horrendous, fascistic regime, the Taliban regime, that you will publicly or privately try to do what you can to change that policy.

With that, I want to thank you for again being here today and putting up with my confrontation, and I declare this hearing adjourned.

Ms. LOAR. Thank you, Mr. Chairman.

[Whereupon, at 11:41 a.m. the Committee was adjourned.]

A P P E N D I X

MAY 3, 2000

STATEMENT OF THE HONORABLE BENJAMIN A. GILMAN
HEARING ON INTERNATIONAL EFFORTS
TO END DISCRIMINATION AGAINST WOMEN
May 3, 2000

The Committee on International Relations meets today to receive testimony on international efforts to end discrimination against women.

This Committee has repeatedly affirmed its support for the rights of women. Most recently, on November 9th of last year, we approved H.R. 3244, the "Trafficking Victims Protection Act," which is intended to increase the protections under U.S. and foreign law for victims of sexual trafficking and slave-like working conditions, most of whom are women. This legislation, which moved forward in our Committee under the leadership of Mr. Smith, Mr. Gejdenson, as well as other members of this Committee, should soon be on the House Floor, and we hope it will make a significant contribution to international efforts to increase the protections available to women.

Regrettably, for reasons that I have never found persuasive, the Administration opposes the Trafficking Victims Protection Act. But the Administration has been active in other areas in seeking to combat discrimination against women. One of those areas is the Convention on the Elimination of All Forms of Discrimination Against Women, the so-called "CEDAW" Treaty.

President Carter signed this Convention in 1980, but it has never been ratified by the United States Senate. The Convention is strongly supported by the Clinton Administration. Supporters of the Convention today blame the Senate majority for the fact that the Convention has not been ratified.

However, I would submit that had President Clinton pressed this matter more vigorously during the first two years of the Administration, when Senator Pell chaired the Foreign Relations Committee, he might have obtained Senate ratification of the Convention in 1993 or 1994, and we would not be here today talking about it.

The objectives of the Convention are laudable. Critics of the Convention have complained that it is overly broad, and I hope that our witnesses will dispel these concerns.

I look forward to hearing today's testimony about the steps the Administration is taking in this and other areas to end discrimination against women.

LYNN WOOLSEY
6TH DISTRICT, CALIFORNIA

COMMITTEES:
SCIENCE
EDUCATION AND THE WORKFORCE
STEERING

E-MAIL ADDRESS:
lynn.woolsey@mail.house.gov

WEB PAGE ADDRESS:
http://www.house.gov/woolsey/

Congress of the United States
House of Representatives
Washington, DC 20515–0506

WASHINGTON OFFICE:
439 CANNON BUILDING
WASHINGTON, DC 20515–0506
TELEPHONE: (202) 225–5161

DISTRICT OFFICES:
1101 COLLEGE AVE., SUITE 200
SANTA ROSA, CA 95404
TELEPHONE: (707) 542–7182

NORTHGATE BUILDING
1050 NORTHGATE DRIVE, SUITE 140
SAN RAFAEL, CA 94903
TELEPHONE: (415) 507–9554

Congresswoman Lynn Woolsey
Testimony
Full Committee Hearing on International Discrimination against Women
House International Relations Committee
May 3, 2000

Mr. Chairman and Ranking Member Gedjenson, thank you for holding this hearing and for the opportunity to testify this morning on international discrimination against women. Since being elected in 1992, I have urged the Senate Foreign Relations Committee to ratify the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). Knowing Chairman Gilman's strong stand on women's international rights, I hope that following this hearing, the Committee will mark-up House Resolution 107, urging the Senate to ratify CEDAW.

CEDAW, a United Nations treaty, is considered the Women's International Bill of Rights because it establishes basic human rights to women around the globe. These are rights not fully addressed in any other treaty. The U.N. recognized and condemned the devastating consequences of gender discrimination when it adopted CEDAW in 1979. On July 17, 1980, President Carter signed CEDAW and submitted it to the Senate for ratification. I am sad to report that this year marks the 20th year that CEDAW has been available for US ratification but the Senate has yet to ratify it.

In 1994 the Senate Foreign Relations Committee held a hearing on CEDAW and reported in favor of its ratification with four reservations; four understandings; and two declarations. These provisions address the overriding concerns that CEDAW critics maintain.
Most of these concerns claim CEDAW could override the U.S. Constitution, open the door to frivolous litigation, force social engineering and promote abortion. I am confident that this hearing will demonstrate the positive impact CEDAW has and the falsity of such claims. In fact, these concerns were addressed six years ago by the Senate Foreign Relations Committee in hopes of obtaining Senate ratification.

CEDAW is ratified by 165 countries -- all of our allies. I am disappointed that the Senate's inaction puts the U.S. in the company of such rogue nations as North Korea, Sudan, Somalia, and Iran. I am certain we all agree that the United States does not belong in this company. The U.S.

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played a major role in drafting CEDAW and now it should live up to its commitment and ratify it.

Furthermore, with ratification the United States gets a seat on the international committee established by the treaty to monitor implementation of its provisions. While some critics feel the committee oversteps or makes radical recommendations, in fact, it has no enforcement measures, but instead creates a working framework for country's to utilize in their quest to promote women's human rights. Making the United States a player on this Committee would lend support to the treaty's effectiveness and give the United States credibility when advocating for women's human rights.

Mr. Chairman, I would like to share two examples of how CEDAW is effective. When Brazil redrafted its constitution, it used CEDAW as the framework for articulating human rights for women.

The Brazilian constitution now contains provisions on gender equality, gender-based violence, state interest in the prevention of domestic violence, the equality of rights within marriage, family planning, and employment that parallel CEDAW provisions.

On the continent of Africa, CEDAW has provided a vehicle for women. Zambia ratified CEDAW in 1985 and in 1991 extended its Bill of Rights to cover sex discrimination. In 1992 Sara Longwe won a sex discrimination suit against a hotel invalidating a policy prohibiting women from entering the hotel unless accompanied by a man. The court found the policy violated the Zambian Constitutional Bill of Rights and CEDAW. Without CEDAW as a tool, Sara may not have been so successful in her fight for a right that U.S. citizens take for granted.

But more importantly, there is a groundswell of support for ratification here at home. Ten states, fourteen counties, and twenty-six cities have passed resolutions advocating U.S. ratification of CEDAW. Last Congress the Church Women United and the United Methodist Women and other supporters of CEDAW delivered more than 10,000 handwritten letters to Senators urging for ratification. I can assure those of you sitting here today that not only are people from other countries looking for leadership from the United States, but so are our constituents.

The people's House must go on record and urge the Senate to ratify CEDAW. Today's hearings are a first step in this process. I look forward to continue working with this Committee to place the United States in strong standing for women's rights globally.

14th District • New York

Congresswoman

Carolyn **Maloney**

Reports

2430 Rayburn Building • Washington, DC 20515 • 202-225-7944
1651 Third Avenue • Suite 311 • New York, NY 10128 • 212-860-0606

Written Statement of

Congresswoman Carolyn B. Maloney

House International Relations Full Committee Hearing on the

International Discrimination Against Women

Wednesday, May 3, 2000

10:00 AM

Thank you Mr. Chairman and Ranking Member Gedjeson for the opportunity to speak before the committee today on the continued discrimination against women around the globe.

Every day, women around the globe are subject to abuse, violence, and discrimination simply because they are women.

Whether it is the rape of women in Bosnia and Rwanda as part of a policy of ethnic cleansing, the human rights abuses faced by the women of Afghanistan, the genital mutilation practiced on women in Africa, or the more subtle forms of discrimination faced daily by women everywhere, the majority of the world's women and girls remain excluded from basic human rights.

Today's world presents the US with an enormous foreign policy challenge. How do we aid all the areas of the world that need our country's attention and resources? I am here today to send a clear message: advancing the status of women is not only the right thing to do, but it is the single most effective thing we can do to address the multiple foreign policy goals at one time. Empowering women globally reduces the negative impact of HIV/AIDS, the negative impact of fast-growing population on our world's environment and economy, and improves the education and employment of over half of our world's community.

Fifty years ago in Paris, Eleanor Roosevelt--working as the US representative to the UN Commission on Human Rights--joined her fellow delegates in crafting the language of the Universal Declaration of Human Rights. That document has set the standard for basic Human Rights for the last five decades. It is that declaration that the world's courts and governments look to to set policy regarding the human condition.

Unfortunately, some nations' governments do not include women in their definition of 'human,' and consequently, women are denied basic rights. There are women in parts of the world who are routinely beaten. There are women in other parts of the world that are sold to men as sex slaves. Women are even made prisoners of war where rape becomes a weapon. And in each case, in nations where women can not seek legal refuge in "human rights" laws, women have no recourse–no laws protect them.

In Congress, my colleagues and I have drafted legislation aimed to halt the suffering of women throughout the world. My bill, H. Res. 187, urges the United Nations to reject the Taliban as a legitimate government in Afghanistan and to deny the Taliban a seat in the General Assembly as long as they continue to practice horrific violations of women's rights.

I have also sponsored H. R. 1849, to require the Attorney General to publish regulations relating to gender-related persecution, including female genital mutilation, for use in determining an alien's eligibility for asylum. This legislation helps women who are not fortunate enough to be born in the United States or other industrialized countries–women who have no means to protect themselves from continued abuses and discrimination.

However, these two bills and the many other bills sponsored by my colleagues only address a small section of the crimes against women around the world.

One way the United States can actively support its commitment to women's rights around the world is for the United States to ratify the Convention to Eliminate All Forms of Discrimination Against Women, or CEDAW.

This treaty was adopted by the United Nations in 1979, however, the United States has yet to join the 165 other countries that have ratified the treaty. In 1995 at the UN Conference on Women in Beijing, the United States made a public commitment to ratify the Convention by the year 2000. Both President Clinton and Secretary Albright have repeatedly stated the Administration's support for ratification. However, five years has passed and we are still urging the United States Senate to ratify this document.

In just thirty-three days the UN Generally Assembly will convene a Special Session to review the commitments made at the UN Conference on Women in Beijing five years ago and the United States will still not have met its commitment to ratify CEDAW.

CEDAW is an International Bill of Rights for women. It addresses the abuses against women around the world and the measures countries need to take to eliminate discrimination against women in all social, political, economic and cultural areas. The document covers thirty articles in detail.

Today, I would like to speak to one article in particular which states that woman have a right to health care services, including family planning.

Our world's population has grown to more than 6 billion. By 2050, the United Nations projects that this figure could double to 12 billion. Most of this growth will occur in developing countries, the countries where the desire for family planning services is far greater than the supply. Already more than 150 million women and families want access to family planning services, but do not

have the resources available to them. There are two billion young people quickly approaching their reproductive years. Will they have access to the family planning resources they need?

Every woman should have the right to plan her family. Voluntary family planning services allow women to exercise their fundamental human right to plan the size of their families and ensure that every pregnancy is planned. Providing family planning services gives women and families the right to choose -- to choose when they want to begin to have a family and how many children they want in their family. It also promotes safe motherhood practices which can help prevent complications from pregnancy and childbirth. When women and families are given the option of planning and spacing their children, there is a decrease in the risk of mortality in both women and children.

The lack of family planning services around the world is also an environmental concern. Our globe has limited resources, and as our population expands, we exhaust our resources at the same time as our pollution levels rise. Rapid population growth exacerbates many environmental problems that transcend national boundaries. Family planning resources give women the option to choose the number and spacing of their children, which allows families to make a more sustainable impact on our global resources.

The United States has established a long and distinguished record promoting international family planning and reproductive health issues. Unfortunately, in recent years these programs have come under increasing attack as being a venue to promote abortion--despite the fact that no U.S. international family planning funds are used to promote or perform abortions. This same argument has been used as a reason to not ratify CEDAW.

Let's be clear: not only does the United States not allow U.S. international family planning funds to be used for abortions, but the Convention specifically does not address abortion. And, the Senate Foreign Relations committee accepted the Helms' understanding that nothing in CEDAW creates a right to abortion and should not be promoted as a method of family planning.

CEDAW simply states that women should have the right to health care that includes family planning--resources that help lower maternal and infant deaths and decrease the need for abortion from unplanned pregnancies.

The Convention continues to languish in the Senate, locked up in the Committee on Foreign Relations. Even though CEDAW contains no provisions in conflict with American laws, no such action has been taken on CEDAW to date.

The issues that I have raised today are not just women's issues. As First Lady Hillary Clinton has said, 'Women's rights are human rights and human rights are women's rights.' And they merit attention.

Though over four years has passed, we still have thirty-three days before the UN General Assembly Special Session meets in New York City on June 5, 2000.

It is time for the United States to return to the helm of international policy and Human Rights and ratify the Convention to Eliminate All Forms of Discrimination Against Women. The United States should be speaking loudly and clearly in support of women's rights. Without U.S.

ratification we are sending a signal that it is okay for other countries to not grant women the right to vote, that it is okay to sell women as property, and that it is okay to classify women as second class citizens.

As proponents of a free, democratic world, the violation of the human rights of any single woman is a violation of the rights of all of us. With just days left until the five year review of the UN Conference on Women, the clock is ticking on this Congress. In the next 33 days, will we or won't we endorse human rights of women across the world? That is what we are here to ask today.

Again, I thank the Chairman and the Ranking Member for holding this hearing today and I look forward to working with my colleagues to urge the Senate to ratify CEDAW.

Thank you.

Statement of the Honorable Constance A. Morella
International Relations Committee hearing on Discrimination against Women

May 3, 2000

Mr. Chairman and Members, thank you for the opportunity to testify before the Committee today. I am especially pleased to be here with my colleagues from the Women's Caucus to talk about the actions that we can take in our foreign policy to reverse discrimination against women around the world, and the affirmative steps we can take to help the world's women, and their daughters, to overcome the effects of discrimination.

The Committee and the Congress have enacted a number of initiatives in the last decade or two in recognition of the problems women and girls face. These include authorization and funding for programs dealing with microcredit, family planning, rape victims, domestic abuse, and treatment of torture survivors, to name but a few. I am also pleased by the recent attention which has been given to the problem of sex-trafficking, and I'm sure that the Committee will continue to investigate this problem and the best way we can work to help bring about its demise.

Mr. Chairman, the importance of woman's role in development and the potentially differential impact of USAID policies and programs on women and men because of gender roles and activities has been recognized for more than 30 years. And particularly in the last decade, there has been a realization of the centrality of the status of women in developing and implementing sustainable development policies and programs.

This week, the HIV/AIDS pandemic was declared a national security threat. In Africa, whole regions are being ravaged. Families lose some of what economic power they have when a parent dies, and the rest when the second parent, having been infected by the first, dies. Children drop out of school to replace their parents income, or to care for them, while they are ill, and then are orphaned. Extrapolate this scenario to account for tens of millions of people populating some two dozen countries over the next ten or 20 years. Inadequate social safety-nets are overwhelmed, governments are unable to cope, people become politically alienated, economies contract, nations destabilize.

HIV/AIDS is not an African problem. Disease spreads. It is everyone's problem. Infections rates are rising at alarming rates in Asia, the Caribbean, and Latin America. In addition to a number of praiseworthy proposals which have been made to address the African crisis, one of the best tools we have to fight the spread of HIV/AIDS is to assure that women and men have access to quality reproductive health information and facilities. We have not invested sufficient resources in these programs in the last several years. Regardless of the restrictions which may or may not be attached, we need to reverse this

trend. Meeting the President's requested funding level for family planning programs for the coming year would be a good start.

Disease spreads. Congressman Brown and I have introduced legislation to address one of the fastest growing killers, tuberculosis. TB kills two million people every year -- that's a person every fifteen seconds. Globally, TB is the biggest killer of young women. The World Health Organization estimates that one-third of the world's people are infected with the bacteria that causes tuberculosis. Every year there are eight million new cases. TB is spreading because of inadequate treatment and it knows no national borders. In my own district earlier this year, a woman had to be forcibly removed from her apartment by government health personnel because she refused to be treated.

There is a highly effective and inexpensive treatment for TB known as Directly Observed Treatment, Short Course (DOTS). Under DOTS, health workers directly monitor patients with tuberculosis for the purpose of ensuring that they take their full course of medicine. Yet, fewer than one in five of those who are ill with TB are receiving DOTS treatment. According to the World Bank estimates, DOTS treatment is one of the most cost-effective health interventions available -- $20 to $100 will save a life. DOTS can produce cure rates as high as 95 percent even in the poorest countries.

Mr. Chairman, it is a universal truth that education is key to economic well-being. But in too many countries, access to education is limited, and girls in particular are disadvantaged. UNICEF reports that 130 million children do not attend school; two-thirds of them are girls. And those girls who do attend drop out in higher numbers than boys. Investing in girls' education is one of the most effective means of promoting economic growth and poverty reduction. Studies indicate that additional education corresponds with reduced family size, reduced rates of infant and maternal mortality, and healthier and better nourished families. These trends are continued in following generations.

Our assistance programs should be designed to ensure equity in education and to meet the needs of girls. In particular, governments should be encouraged to promote policies that encourage girls to enroll and stay in school, and to recruit more female teachers. In addition, the parents and community members must be mobilized to support and promote girls' education and participate in decision-making and oversight regarding schools in their communities, and to encourage greater community and parental participation generally.

Although great attention has been given to the role of women in sustainable development programs, gender analysis of the impact of our assistance programs continues to lag. AID's progress in integrating gender analysis throughout its assistance programs has been hindered by a lack of structures and mechanisms to ensure accountability. AID is addressing this with its adoption of its Gender Action Plan, meant to build agency-wide commitment, capacity, and

incentives for integrating gender analysis into its policies, programs, and projects. Later this month, the AID Advisory Committee on Voluntary Foreign Assistance will file its report assessing the implementation of the plan.

AID should include reporting on integration of gender analysis and the impact of USAID policies, programs, and projects on women in its annual presentation to Congress, beginning with an assessment of the progress in implementing the Gender Plan of Action. AID missions should also be held to account for their efforts to integrate gender analysis into programs, and explain their inability to do so should it not be possible.

Mr. Chairman, the subjects which I have covered briefly today, education, health, and gender-based analysis of the effects of assistance programs, are among those that will be addressed in comprehensive legislation which I will be introducing in the near future. In collaboration with Congressman Porter, Congresswoman Lowey, and Congresswoman Kilpatrick, I have been working with a consortium of non-governmental organizations, led by Women's EDGE, to develop the Global Actions and Investments for New Success for Women and Girls Act. The GAINS for Women and Girls Act will address U.S. policy, education, health, microcredit, refugees, and trafficking, as well as other subjects. I look forward to working with the Committee on this legislation and I hope that you will give it your serious consideration.

Because the term-limits which we imposed on Committee Chairmen may require you to step down at the end of this Congress, this may be the last time I appear before you as the Chairman of the International Relations Committee. I want to thank you for the leadership which you have shown on so many issues in foreign affairs, particularly in Europe and the Middle East, and for your support of family planning. Your advocacy of microcredit programs, in particular, has emancipated thousands of women from poverty and helped to provide a better future for their children.

In closing Mr. Chairman, I want to thank you again for calling this hearing today concerning discrimination against women, and for your recognition of the harm it causes to families and communities around the world.

STATEMENT ON INTERNATIONAL WOMEN'S ISSUES

BY THERESA LOAR
DIRECTOR OF THE PRESIDENT'S INTERAGENCY
COUNCIL ON WOMEN
AND
SENIOR COORDINATOR FOR
INTERNATIONAL WOMEN'S ISSUES
U.S. DEPARTMENT OF STATE

BEFORE THE
HOUSE COMMITTEE ON INTERNATIONAL RELATIONS

MAY 3, 2000

5/3/00

Mr. Chairman, thank you for the opportunity to testify before your Committee today on international women's issues. I would like to commend the Chairman and this Committee for focusing on women, one of the most powerful and as yet, underutilized forces for change and progress around the world. Secretary Albright has mandated that the advancement of the human rights of women be put into the mainstream of U.S. foreign policy. Under her extraordinary leadership, we have been very successful in carrying out this mandate.

The work we are doing to promote the status of women flows from the UN Fourth World Conference on Women held in Beijing in September 1995. This gathering of government delegates from 189 countries and 50,000 representatives of non-governmental organizations (NGOs) was a hallmark event that had a profound effect on how governments, including our own, look at issues affecting women and their families. As I worked to coordinate U.S. government engagement in this conference, I could not have foreseen the impact this event would have. Our U.S. delegation included three distinguished members of Congress who are at this hearing today: Representatives Maloney, Morella and Smith. Our First Lady, Hillary Rodham Clinton, who led the U.S. delegation to Beijing, sent out a clarion call to the international community to recognize that "human rights are women's rights and women's rights are human rights." Her powerful rhetoric at that Conference and her visionary leadership and actions since, have transformed the agenda for women from small villages in South Asia to parliamentary assemblies in Latin America to halls of newly emerging governments in Northern Ireland and the former Soviet Union.

My testimony today will report on a powerful partnership working together to improve the lives of women and girls. This partnership includes our government, NGOs here and around the world, other governments and international organizations and members of this Congress. The focus is on fighting trafficking and supporting democracy builders. I will also reiterate our support for the women's human rights treaty, the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). Finally I will look ahead to Women 2000, the fifth year review of the Beijing Women's Conference

My position as Senior Coordinator for International Women's Issues at the Department of State was created by Congress in 1994 to promote the human rights of women within U.S. foreign policy. This is one example of a productive collaboration between the legislative and executive branches. President Clinton appointed me to this position in 1996. Since that time, we have made great strides in institutionalizing issues affecting the lives of women into the development, formulation and implementation of U.S. foreign policy. I have two primary areas of focus:

- expanding women's political participation, and
- eliminating violence against women.

In my position as Director of the President's Interagency Council on Women, I am proud to report that the Council has served as a model for other governments committed to progress for women. Representatives of the governments of India, South Korea and New Zealand have come to hear how a government task force, like the Council, can be a catalyst for policy initiatives to support women's advancement. President Clinton established the President's Interagency Council on Women on August 26, 1995 to coordinate the U.S. implementation of the Platform for Action, a public policy document for women's empowerment that was agreed to by 189 countries, including the United States, at the UN Women's Conference. The Council enjoys a strong leadership team of First Lady Hillary Rodham Clinton as Honorary Chair, Secretary of State Madeleine K. Albright as Chair and Secretary of Health and Human Services, Donna Shalala, as Immediate Past Chair. The Council includes a high level representation of executive branch agencies working for women's progress.

Another key element of my work is the strong partnership with a broad representation of the NGO community. My office holds the largest ongoing public briefings with the NGO community in the Department of State. For the past three years, on a quarterly basis, we have held open and transparent public briefings attended by 300-400 individuals each quarter. This strong collaboration with NGOs strengthens and informs my work. This inside-outside strategy has been an effective way to develop policy.

Trafficking in women and children

One of the key issues in the area of violence against women that emerged both as an international and domestic problem in the last few years is trafficking in women and children. Women face tremendous obstacles and abuse in many countries around the world. Among the most horrific of abuses is the buying and selling of humans for illicit purposes.

Trafficking in persons is one of the fastest growing criminal enterprises today behind drug trafficking and arms trafficking. Although it is sometimes characterized as a "women's issue" it involves not only women, but also children and men. Trafficking in human beings is, first and foremost, a human rights issue. But it is also a socioeconomic issue, a public health issue and a transnational crime issue.

I have met with trafficking victims and organizations working in the field to help these women and their families and I have heard firsthand the heart-breaking devastation suffered by young women – sometimes only girls – who have been deprived of their childhood when traffickers sold them into slavery.

These encounters have deepened my commitment to marshal the full breadth of government resources available to confront and stop trafficking which now affects over one million women and children each year. The Secretary of State has made her views crystal clear: "[T]he women who have been victimized deserve to have their voices heard. And if we apply a standard of zero tolerance to those who sell illegal drugs, we should be at least as tough in opposing those who buy and sell human beings."

At its core, the international trade in persons is about abduction, coercion, deception, violence and exploitation. Sex trafficking is only one form of the problem. Approximately half of the 50,000 trafficked to the United States each year is for bonded sweatshop labor and domestic servitude. Trafficking into the commercial sex industry, then, is merely one form of a broader range of trafficking exploited by organized criminal enterprises.

Causes of trafficking

While there are numerous contributing factors, economic desperation of victims and potential victims is at the core of trafficking. The trafficking industry is driven by poverty and economic desperation, most particularly among women and girls who have little or no access to economic opportunities, support services, or resources, including credit, land ownership and inheritance.

The low social status of women in many countries contributes as well. Children, and girls in particular, are pulled out of school early, enhancing the likelihood that they will end up in the hands of traffickers

U.S. strategy for combating trafficking

The President, the Secretary of State, and the Attorney General have all shown tremendous commitment to this serious human rights issue. First Lady Hillary Rodham Clinton worked tirelessly to bring this issue out of the shadows and onto the world stage. The Departments of State and Justice, and other relevant agencies, have made significant progress over the past two years to advance the United States anti-trafficking strategy set forth in a Presidential directive of March 11, 1998 on Steps to Combat Violence Against Women and Trafficking in Women and Girls.

Pursuant to that Directive, the Clinton Administration adopted a comprehensive and integrated policy framework that guides the development of our policies both domestically and internationally. It consists of the "three P's" of prevention, protection and assistance for victims, and prosecution of and enforcement against traffickers.

The Presidential memorandum directed the President's Interagency Council on Women to lead the development and coordination of the U.S. government's domestic and international policy on this issue and we have done just that. The Council coordinates the

efforts of the Departments of State, Justice, Labor, and Health and Human Services, USAID and the former U.S. Information Agency.

As a result of the leadership of the Secretary and the work of the Council, the full machinery of the Department of State is working on this issue, including the relevant regional bureaus, and functional offices and bureaus such as the Bureaus of International Narcotics and Law Enforcement, Consular Affairs, Democracy, Human Rights and Labor, Diplomatic Security and Population, Refugees and Migration.

We have seen how powerful it is to have the U.S. Secretary of State raise this issue with heads of government and her fellow foreign ministers. During her meetings with leaders of Italy, Finland, Ukraine and Israel, the Secretary has made it a priority to raise trafficking at the highest levels. As a result, we now have co-operative programs with these countries to fight trafficking.

Multilateral initiatives

We also have several important multilateral initiatives underway with the United Nations, the European Union, and OSCE. The anti-trafficking efforts of OSCE has benefited from the strong support Representative Smith.

Most recently, the United States and the Philippines co-hosted a meeting in Manila March 29-31, 2000 called the Asian Regional Initiative to Combat the Trafficking of Women and Children (ARIAT). Over twenty Asia and Pacific nations met and developed a regional action plan to combat the trafficking of women and children, including preventing trafficking, protecting the victims of trafficking, reintegrating trafficking victims into society and prosecuting the traffickers. Our embassies in the field are already reporting new levels of cooperation against trafficking among governments in the region.

Congress and the trafficking problem

While important progress on this issue has been made, much work remains to be done. Congress is essential to the success of these efforts.

Passage of an effective bill that provides severe punishment for traffickers and protections for the victims – from medical treatment to shelter to the opportunity to become legal residents in some cases - is crucial. However, that bill must not, as some have proposed, inflict mandatory economic sanctions on countries that may seem to be doing too little to combat trafficking. That could require the United States to impose sanctions on as many as two-thirds of the world's governments. Moreover, such a heavy-handed response would cripple NGOs' work in this area, punish minor violators as harshly as major ones and force the United States to stop funding deterrence programs.

Internationally, we need to achieve consensus and rapid ratification by states parties on the UN trafficking protocol being negotiated in Vienna.

Mr. Chairman, we look forward to working with Congress to achieve meaningful legislation that will end this form of modern day slavery.

Women and Democracy

My other key focus of promoting women's political participation reflects that we live in a time of great opportunity when democracy is taking root around the world. No true democracy can exist unless all citizens can participate, including women. Each country needs women's voices and their full participation in the social, economic, political and cultural lives of that country. The Department of State supports programs to expand women's political and economic participation in the lives of their countries.

The major vehicle for expanding women's political and economic participation is the Vital Voices Women in Democracy Initiative. This was first launched in Vienna, Austria in July 1997. Vital Voices is an ongoing global initiative that implements Secretary of State Albright's commitment to promote the advancement of women as a U.S. foreign policy objective. It has benefited from the strong support of First Lady Hillary Rodham Clinton who has keynoted at each Vital Voices gathering. At these gatherings, she has announced U.S. government funding commitments to launch follow up projects. At the Vienna Conference, which was organized by our then Ambassador to Austria, Swanee Hunt, Mrs. Clinton announced $3 million to combat violence against women and trafficking in the former Soviet Union. In less than three years, U.S. funding for these issues in that region has surpassed $10 million. We are grateful that members of Congress have met with Vital Voices alumnae from around the world in roundtable discussions as congressional counterparts.

Vital Voices raises the voices of emerging women leaders around the world who are forging the way towards democracy. It creates partnerships among governments, NGOs and the private sector to support the full participation of women in the economic, social and political progress of their countries. Vital Voices conferences launch regional initiatives to give citizens in emerging democracies and countries in transition the skills, tools and resources they need to empower themselves, their communities and their countries. Regional Initiatives have been launched for Eastern and Central Europe; Northern Ireland; the Americas; the Baltics and Russia. Vital Voices Global and Regional Roundtables have been held in Palermo, Italy; Reykjavik, Iceland; Istanbul, Turkey and Washington, DC.

An example of an emerging woman leader who has benefited from the Vital Voices Initiative is Nadine Perrault, a human rights leader in Haiti. After attending the Vital Voices of the Americas conference in October 1998, she returned home to Haiti and formed a Vital Voices of Haiti Association. This Association of some 100 women worked with other women in Haiti to strengthen their role in the political, economic and social progress of their country.

Their work quickly spread throughout the Caribbean and in October 1999, women from 14 Caribbean countries came together in Trinidad to launch a Vital Voices of the Caribbean Initiative. They focused on raising awareness of and combating domestic violence and the creation of a women's leadership institute of the Americas. As a result of this experience, five women decided to run for elected office in Haiti. Because of the political situation there, many of these women have suffered threats against their lives and the safety of their families. The Vital Voices of Haiti Association is serving as a support network for these political candidates.

Women 2000: Beijing Plus Five

In September 1995, the United States joined 188 other governments at the United Nations Fourth World Conference on Women in Beijing, China that marked a significant turning point in international views on women's human rights. There these countries adopted the Platform for Action, a comprehensive statement on women's rights and public policy in 12 critical areas of concern ranging from poverty to the environment.

This document was the strongest policy statement on women's empowerment ever made by the international community. It represented the first time a UN document directed at advancing women had been framed in the context of human rights and economic independence. It recognized that human rights are women's rights and women's rights are human rights. It reaffirmed that violence against women and girls must never be tolerated. It emphasized women as agents of change rather than as passive beneficiaries or victims. It outlined actions to enable women to participate fully in decision-making at all levels in political, economic and social institutions. It consistently encouraged them to do so in full partnership with men.

In June 2000 the United States will join most of the nations of the world at a Special Session of the United Nations General Assembly in New York called "***Women 2000: Gender Equality, Development and Peace for the Twenty-First Century***." The purpose is to appraise and assess the progress achieved in advancing the status of women since the UN Fourth World Conference on Women in Beijing five years ago. The President's Interagency Council on Women has the lead in preparing for ***Women 2000.***

The President's Interagency Council has coordinated implementation of the Platform for Action at the federal level and worked with individual agencies to develop initiatives to further women's progress. The Council representatives themselves have worked within their respective agencies, to identify initiatives to improve the lives of women and girls and to ensure the goals of the Platform for Action become an integral part of their operation.

To hold the U.S. government accountable, the President's Council has put together a resource document, a reference tool entitled the 2000 Edition of *America's Commitment,* that is a five-year review of U.S. government programs, policies and initiatives that promote the advancement of women here in the United States and abroad.

This document highlights U.S. government efforts measured against the goals of the Beijing Platform for Action. I have brought along copies of this book for members of the Committee.

The Beijing conference has unleashed changes for the better for women everywhere. In the past five years, I have had an opportunity to meet with women from every continent who recounted with pride how they are achieving progress in their country, spurred on by the UN Women's Conference. There are now more laws on the books against domestic violence. New violence against women prevention programs and legal aid centers in Sri Lanka and Bulgaria have been created. Women have greater access to microcredit. In Ecuador, micro-enterprise programs have benefited approximately 18,000 women and their families. In Kuwait women are working to obtain the right to vote and run for political office. In Rwanda the government is revising discriminatory laws against women and girls, particularly in the area of inheritance rights. Cote d'Ivoire, Senegal and Tanzania recently passed laws against female genital mutilation. A new Constitution in Venezuela allows women, for the first time, to transfer citizenship to their foreign-born spouses.

CEDAW

This Administration feels strongly that CEDAW must be ratified. Its ratification is an Administration priority. The President, the First Lady and the Secretary of State have repeatedly called for its ratification.

We have worked closely with NGOs in their quest for ratification of this treaty. I want to note the tireless efforts of Kit Cosby, Pat Rengel and their Working Group on the Ratification of CEDAW, as well as Billie Heller of the National Committee for Ratification of CEDAW. These groups should be commended for their efforts. American citizens have been working for the past 20 years on this issue. At least ten states have endorsed ratification of CEDAW in their state legislatures.

I also want to thank the 33 co-sponsors who reintroduced Senate Resolution 279 in support of CEDAW

Some say that only radical feminists support CEDAW. That is not true. Support comes from organizations and citizens across the broad spectrum of our society. The Gray Panthers, AARP, National Coalition of American Nuns, National Council of Negro Women, American Bar Association, Sierra Club, Lutherans, Methodists, Presbyterians, Catholics, Jews, Unitarians, Baha'is have all endorsed CEDAW. The list goes on and on.

CEDAW removes obstacles to women's full enjoyment of their rights. CEDAW does not create an international right to abortion. Rather it seeks to ensure equal access for men and women to health care services. It does not encroach on the principle of federalism or violate U.S. sovereignty. Rather it reinforces U.S. commitment to equality

and human rights and serves to bolster existing domestic laws. It does not usurp parental role in child rearing. Rather it calls for protection of the interests of children.

In countries that have ratified CEDAW, women have used it as a vehicle for positive change. In Japan, for example, women have used CEDAW to work for stronger employment anti-discrimination laws. In Tanzania and Nepal, courts have relied on CEDAW to protect a woman's right to own and transfer land. In Colombia, Brazil, Uganda and South Africa, CEDAW's principles provided a framework for articulating women's human rights.

The United States is one of the world's leading advocates for human rights and fundamental freedoms. Ratification would strengthen our global efforts to advance the status of women. Our ability to press other countries to fulfill their obligations under international human rights treaties remains limited until we ratify CEDAW. Our deep commitment to promoting women's human rights around the world and opposing violations of those rights is also undermined.

Ratification gives us added leverage in foreign policy. Policy leverage is the key issue since U.S. law and the CEDAW package are consistent. U.S. ratification provides added leverage to press governments on the mistreatment of women and urge promotion of human rights. Therefore, we again call upon the Senate to ratify this important Convention now as we move into the new century.

International family planning

I want to talk briefly about the importance family planning plays in the lives of women around the world. One hundred and fifty million women in the developing world want to space or limit childbearing, but have no access to family planning. Family planning saves lives, protects women's health, promotes healthy families and prevents abortions. Real-world evidence in places like Russia and Eastern Europe shows that family planning helps to reduce the number of abortions.

Pregnancy-related complications are the leading cause of mortality among women of reproductive age in developing countries, killing an estimated 600,000 women every year. As many as one in every four of these deaths could be prevented through family planning. This is why the Administration has consistently supported international family planning programs. This is why the President has asked for funding in Fiscal Year (FY) 2001 that will return our support to FY 1995 levels - $542 million. And this is why we want to remove legislative restrictions on foreign organizations that hamper their work and bar them from exercising their right to free speech on reproductive health issues without fearing the loss of U.S. funding.

Secretary Albright has said that we support international family planning programs so vigorously because "family planning is a vital international health issue. Women want to have choices, not only about what jobs we have, and how we live, but

also about how we plan our families. These aspirations, by themselves, [should] be enough to warrant our support."

Female genital mutilation

Female genital mutilation (FGM), also referred to as female genital cutting and female circumcision, is both a harmful health practice and a human rights violation. The practice crosses religious, ethnic and cultural lines. Christians, Muslims and Animists alike practice it. Between 115 million to 130 million females have been subjected to FGM worldwide. Two million are at risk each year. Legislation has been passed in ten African countries banning this practice.

My office chairs an interagency working group that coordinates U.S. government efforts in this area. The group includes HHS, Treasury, INS, USAID and the Department of State. It works closely with NGOs to achieve ways to end this practice.

U.S. Embassies provide funding for locally initiated projects in countries where FGM is practiced, for example, to raise public awareness and provide educational resources about the harmful effects of FGM. USAID has supported education and training programs, funded research and provided technical assistance to address this issue. The Department of Health and Human Services works with immigrants in this country about the harmful health effects of the practice.

NGOs in countries where FGM is practiced, have been working for years to end it. Finally, we are starting to see some positive results. In Senegal, for example, the NGO Tostan's basic education program, that empowers women in a variety of skills including literacy, women's health, public health, leadership, management and human rights, has resulted in the permanent banning of the practice in over 105 villages and is spreading rapidly throughout Senegal and into other countries. These positive results show that with educational skills and the knowledge of a woman's basic human rights, this practice can be ended.

Women in Afghanistan

I started in my position as Senior Coordinator for International Women's Issues just a few days after the Taliban moved into Kabul in September 1996 and shocked the world with their regressive restrictions on women and girls. Sadly, these restrictions remain today.

The promotion of human rights, particularly the human rights of women and girls, is among our highest priorities in Afghanistan today. As First Lady Hillary Rodham Clinton said at the Human Rights Day ceremony at the White House this past December, "...if we are going to make human rights come alive for all, then the abuse and silencing of Afghan women must be stopped once and for all. These abuses are not customs. They

are not religious practices. They are human rights violations. And they must not be allowed to accompany us into the twenty-first century."

Yet despite the efforts of this government, the UN and the NGO community, the situation of women and girls in Afghanistan remains largely unchanged today. Admittedly, there have been a few signs of modest improvement, at least in informal educational opportunities for girls, even though these are spotty and fragile. And there is a trend toward improved access to medical treatment for women and girls, at least in Kabul. Regrettably, however, the Taliban's official policies toward women remain in place.

Last year U.S. humanitarian aid to the Afghan people totaled over $70 million, making the United States the world's single largest aid provider. Over half the U.S. contribution ($44 million) was in the form of wheat or flour distributed through UN/WFP programs to the most needy Afghans. More than $3 million was for educational and other programs specifically targeted to help women and girls, mainly refugees in Pakistan. This year's effort will be of comparable magnitude.

The U.S. admissions program for Afghan refugees focuses on vulnerable groups, primarily Afghan women-at-risk. The women are identified by the United Nations High Commissioner for Refugees (UNHCR) as having compelling protection concerns. UNHCR refers their cases to the United States for resettlement processing. We expect to resettle about 1,500 Afghan women and their families this year.

At the time women are moving forward in most other countries of the world, the Taliban have closed the doors on Afghan women. Since the 1995 United Nations Fourth World Conference on Women, there has been increasing agreement in the international community on the importance of women's human rights. The situation in Afghanistan presents us with a test of this principle. This is a pivotal moment for human rights.

The international community must remain steadfast and united in its resolve to seek wider rights and opportunities for Afghan women and girls, particularly freedom of movement, of education and of employment. Only then will the struggle for the human rights of women end in triumph, and the lives of women and girls in Afghanistan share in the broader rights of women in the world.

The Clinton Administration has an unprecedented record in achieving progress for women, but there is still work to be done. The problems women face are real, obstacles remain and setbacks occur. There is a momentum now from villages to towns and countries around the world. The commitment women and men everywhere have shown to improve the lives of women, girls and their families, will continue into the twenty-first century.

We thank the members of Congress who work with us on this agenda for lasting change and progress

Thank you.

Response by the Department of State to additional question submitted for the Record by the Honorable Dana Rohrabacher

Q: In the case of another international human rights convention (other than CEDAW), the International Covenant on Civil and Political Rights, the UN body with responsibility for overseeing implementation of the Covenant has ruled that, as a matter of international low, the U.S. reservations to the Convenant have no legal force of effect. Does the United States accept the validity of this ruling by that panel? What assurances can you give us that the Committee on the Elimination of Discrimination against Women, which oversees implementation of this Convention, will not adopt a similar ruling that the U.S. reservation to this Convention, have no force or effect?

The United Nations Human Rights Committee is an elected group of experts, which performs functions specified in Articles 40 and 41 of the International Covenant on Civil and Political Rights. (The United States has not accepted the jurisdiction of the Committee to receive individual petitions under Article 41.) Under Article 40 the Committee receives reports from States parties, reviews them, and transmits its own reports and general comments to States Parties.

The Committee has not stated that U.S. reservations to the Covenant are null and void. Rather, the Committee has expressed its view that certain types of reservations (some of which the U.S. has entered) are incompatible with the object and purpose of the Covenant and, therefore, would be severable. The implication of this view is that a State remains a party to the Covenant and bound by its provisions

without benefit of those "incompatible" reservations. The United States responded formally to the Committee rejecting this proposition.

In its one review of U.S. practice, which occurred after the Committee's issuance of this statement, the Committee expressed the view that two of the U.S. reservations were incompatible with the object and purpose of the Covenant, and asked that the United States review them, with a view to withdrawing them. The Committee did not state that it believed that the reservations were null and void.

The following language on equality of women and men was adopted in the 1999 OSCE summit document:

Organization for Security and Co-operation in Europe
CHARTER FOR EUROPEAN SECURITY
Istanbul, November 1999

23. The full and equal exercise by women of their human rights is essential to achieve a more peaceful, prosperous and democratic OSCE area. We are committed to making equality between men and women an integral part of our policies, both at the level of our States and within the Organization.

24. We will undertake measures to eliminate all forms of discrimination against women, and to end violence against women and children as well as sexual exploitation and all forms of trafficking in human beings. In order to prevent such crimes we will, among other means, promote the adoption or strengthening of legislation to hold accountable persons responsible for these acts and strengthen the protection of victims. We will also develop and implement measures to promote the rights and interests of children in armed conflict and post-conflict situations, including refugees and internally displaced children. We will look at ways of preventing forced or compulsory recruitment for use in armed conflict of persons under 18 years of age.

EXCERPTS FROM REPORTS OF THE COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Article 12 of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW):

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.

Mandate of the Committee:

The United Nations Committee on the Elimination of Discrimination against Women was established in 1982 to monitor measures undertaken by countries that are parties to the 1979 Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) to fulfil their obligations under that Convention.

The Committee is composed of 23 people, selected by the States parties, who meet twice a year to review reports submitted by the States parties within one year of ratification or accession to CEDAW, and every four years thereafter. Following review of the State parties' reports, the Committee issues a report containing comments and recommendations for action that each State party should take in order to better comply with CEDAW.

Excerpts from 20th Session of the Committee on the Elimination of Discrimination against Women[1]

Report on Liechtenstein:

169. The Committee notes the high number of children born out of wedlock. **It recommends the development of studies and indicators to determine the impact of laws and policies on women, since linkages between the strict anti-abortion law and the high incidence of children born out of wedlock might be revealed.** The Committee urges the Government to institute measures to prevent single mothers from facing the financial and social risks of poverty.

Report on Colombia:

393. **The Committee notes with great concern that abortion, which is the second cause of maternal deaths in Colombia, is punishable as an illegal act. No exceptions are made to that prohibition. ...** The Committee is also concerned that women who seek treatment for induced abortions, women who seek an illegal abortion and the doctors who perform them are subject to prosecution. **The Committee believes that legal provisions on abortion constitute a violation of the rights of women to health and life and of article 12 of the Convention.**

394. The Committee calls upon the Government to consider taking immediate action to provide for derogations from this legislation. Furthermore, it asks the Government to provide regular statistics on maternal mortality by region.

Excerpts from 21st Session of the Committee on the Elimination of Discrimination against Women[2]

Report on Belize:

56. The Committee is concerned at the high incidence of teenage pregnancy, with 23 per cent of births in 1998 being to women under 19 years of age, which, in combination with the prevention of teenage mothers from pursuing their education, is predestined to reduce women's economic opportunities and thus increase their level of poverty. The fact that 60 per cent of births to young women are unplanned is indicative of the lack of adequate family planning information and contraceptive use. **The Committee is also concerned at the restrictive abortion laws in place in the State party.** It is concerned that, in 1998, so-called "unspecified abortions" (abortions initiated outside the formal health sector) were the fifth cause of

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[1] *See* U.N. General Assembly Official Records, Fifty-fourth session, Supplement No. 38 (A/54/38/Rev.1).

[2] *See* U.N. General Assembly Official Records, Fifty-fourth session, Supplement No. 38 (A/54/38/Rev.1).

hospitalization, and hospitals discriminate against these women in the provision of services and care. In this regard, the Committee notes that the level of maternal mortality due to clandestine abortions may indicate that the Government does not fully implement its obligations to respect the right to life of its women citizens. The Committee is concerned that, while there are no legal barriers, the need for contraception remains unmet.

57. **The Committee urges the Government to revise its abortion laws**, in particular since according to the information, existing legislation penalizing abortion is not strictly enforced. It also urges the Government to include age-appropriate sex education in school curricula and to conduct awareness campaigns so as to reduce teenage pregnancy rates and to increase girls' and women's life choices. The Committee also urges the Government to implement programmes and policies aiming to increase knowledge about, and availability of, various types of contraceptives, with the understanding that family planning is a joint responsibility of both partners.

Report on Nepal:

147. The Committee expresses concern at the current law, which criminalizes abortion, including in cases of pregnancy through rape or incest. The Committee considers that the current law on abortion contributes both to the high maternal mortality rate in Nepal and the higher number of women prisoners in that State. It is also concerned that the proposed amendments to the current law continue to be restrictive, allowing abortion only when the mother's health is in danger.

148. **The Committee urges the Government to revise existing legislation and to reconsider the proposed amendments so as to provide services for safe abortions.** The Committee recommends that the Government prioritize prevention of unwanted pregnancy through family planning services and sex education. In these efforts, the Committee suggests that the Government take account of general recommendation 24 on article 12, "Women and health".

Report on Ireland:

185. While noting with appreciation the existence of a Plan for Women's Health, 1997-1999, and the establishment of a Women's Health Council, as well as the wide availability of various programmes to improve women's health, **the Committee is concerned that, with very limited exceptions, abortion remains illegal in Ireland.** Women who wish to terminate their pregnancies need to travel abroad. This creates hardship for vulnerable groups, such as female asylum seekers who cannot leave the territory of the State.

186. **The Committee urges the Government to facilitate a national dialogue on women's reproductive rights, including on the restrictive abortion laws.** It also urges the Government to further improve family planning services and the availability of contraception, including for teenagers and young adults. It also urges the Government to promote the use of condoms to prevent the spread of HIV/AIDS.

Report on Chile:

228. The Committee is concerned at the inadequate recognition and protection of the reproductive rights of women in Chile. The Committee is especially concerned at the laws prohibiting and punishing any form of abortion. This law affects women's health, increases maternal mortality, and causes further suffering when women are imprisoned for violation of the law. The Committee is also concerned that women can only undergo sterilization in a public health institution. It is also concerned that a husband's consent is required for sterilization and a woman who wishes to be sterilized must already have four children. The Committee considers these provisions to violate the human rights of all women.

229. **The Committee recommends that the Government consider review of the laws relating to abortion with a view to their amendment, in particular to provide safe abortion and to permit termination of pregnancy for therapeutic reasons or because of the health, including the mental health, of the woman.** The Committee also urges the Government to revise laws which require health professionals to report women who undergo abortions to law enforcement agencies and which impose criminal penalties on these women. It also requests the Government to strengthen its actions and efforts aimed at the prevention of unwanted pregnancies, including by making all kinds of contraceptives more widely available and without any restriction. The Committee recommends granting women the right to undergo sterilization without requiring their husband's—or anyone else's—prior consent. In that connection, the Committee suggests that the Government take note of general recommendations 21 on marriage and family relations and 24 on article 12, "Women and health".

Report on the United Kingdom of Great Britain and Northern Ireland:

309. Noting the Government's efforts and will to address the issue, the Committee is nonetheless seriously concerned at the level of teenage conception in the State party, which is the highest rate among the countries of Western Europe, and at the consequences of early motherhood, such as lower educational achievement, higher levels of poverty and greater reliance on social welfare. The Committee is also concerned at the high rates of sexually transmitted diseases, especially among teenagers aged 16 to 19. **The Committee notes with concern that the Abortion Act 1967 does not extend to Northern Ireland where, with limited exceptions, abortion continues to be illegal.**

310. The Committee recommends that teenage conception and pregnancy be addressed by a multiplicity of measures, including a greater focus on male responsibility and a review of the primary school curriculum with a view to introducing age-appropriate sex education. It also recommends the allocation of resources for prevention and treatment programmes for sexually transmitted diseases directed at adolescents within a holistic approach to sexual and reproductive health, including sexual violence. **The Committee also recommends that the Government initiate a process of public consultation in Northern Ireland on reform of the abortion law.**

Excerpts from 22nd Session of the Committee on the Elimination of Discrimination against Women[3]

Report on Belarus:

27. The **Committee is concerned by the continuing prevalence of sex-role stereotypes, as also exemplified by the reintroduction of such symbols as a Mothers' Day and a Mothers' Award, which it sees as encouraging women's traditional roles.** It is also concerned whether the introduction of human rights and gender education aimed at countering such stereotyping is being effectively implemented.

Report on Burkina Faso:

38. The Committee recommends that the access of women to primary health services and drinking water be facilitated. It encourages the Government to integrate family planning services in primary health care so that women can have easier access to them. The Committee recommends that the State party should organize awareness-raising and information activities for women about contraceptive measures and should involve men in these activities. **It also recommends that the State party should review its legislation on abortion and provide for coverage by social security.** The Committee further recommends that the female population should be made aware of the risks and consequences of sexually transmitted diseases, including HIV/AIDS.

[3] *See* Concluding Comments from the 22nd Session of the Committee on the Elimination of Discrimination against Women; available at the website of the United Nations Division for the Advancement of Women, <http://www.un.org/womenwatch/daw/cedaw/22sess.htm>.