



**Vith Annual Meeting
of the Network of Women Parliamentarians of the Americas**

**REPORT ON APPLICATION OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS
OF DISCRIMINATION AGAINST WOMEN (CEDAW)**

**Presented by Ms. Lucero Saldaña Pérez
Senator of the Chamber of Senators of the Congress
of the United States of Mexico and
Representative for North America on the Executive Committee
of the Network of Women Parliamentarians of the Americas**

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INTRODUCTION

I am pleased to submit this **Report on Application of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)**. The Network of Women Parliamentarians of the Americas agreed at its last annual meeting to conduct this analysis and have me report on it, being keenly aware of the importance of this international instrument and the need to analyze its application in the Americas. This report is part of the activities marking the 25th anniversary of the coming into effect of CEDAW in 1981.

This report is based on the responses of women parliamentarians in Argentina, Brazil, Canada, and Mexico to a questionnaire regarding information contained in the most recent reports submitted to the CEDAW Committee by the countries of the Americas, as well as relevant provisions in the constitutions and other legal texts of these same countries.

Each section of this report presents eloquent examples of legislative measures adopted by countries of the Americas in pursuit of Convention objectives. This does not mean that the countries not mentioned took no steps in this regard, but simply that we chose to touch on several representative cases that may be considered successes.

The objective of this document is to analyze how the CEDAW is being applied in the Americas, discuss what remains to be done legislatively in our respective countries, identify areas where legislation could be enacted to give effect to the provisions contained in this instrument, and pinpoint opportunities for regional cooperation in this matter.

I hope this report will help guide us, as women parliamentarians, in gauging progress to date and determining what remains to be done to give effect to the commitments undertaken by our respective countries as regards gender equality and respect for women's basic rights.

1) CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW)

The CEDAW, also known as the "Charter of Women's Rights," is a unique legal instrument containing international legislative provisions aimed at achieving equality between men and women, as well as full recognition of the basic rights of women through the adoption of legal and political measures and programs that states parties must implement.

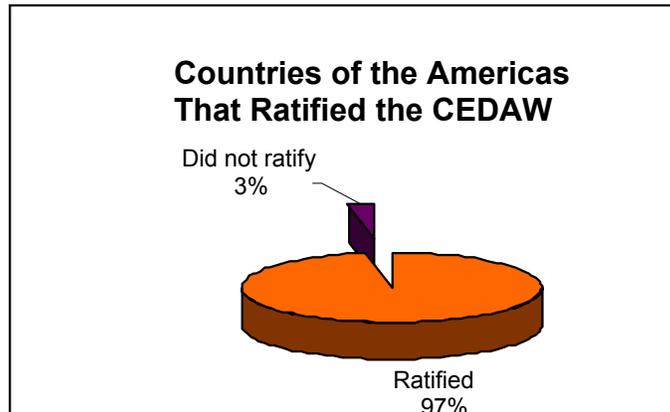
Thanks to observation of the provisions contained in said Convention as well as analysis by the Committee created in accordance with the Convention and its recommendations, the CEDAW has become an important guide to the adoption of specific gender issue measures.

The CEDAW should be considered by parliamentarians of both genders as a powerful and valuable tool that can spur significant legislative progress in favor of women, serving as a true benchmark for our efforts, which are crucial to ensuring that the rights mentioned in this international instrument are recognized and protected in the national legislation of each of our countries.

One of the purposes of this report, it should also be noted, is to discuss conditions that promoted or prevented the adoption by our respective parliaments of measures to ensure application of the content of said Convention.

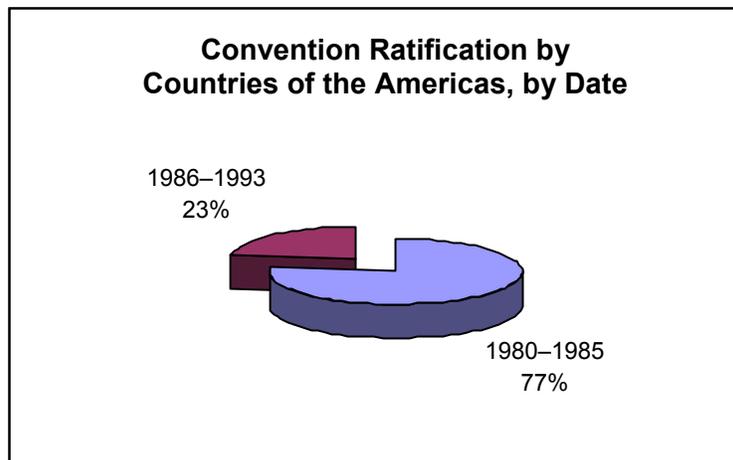
2) SIGNATURE, APPROVAL, AND RATIFICATION OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

All 35 countries of the Americas ratified the Convention, except the United States—a total of 97%.



Source: Author's adaptation of data on the Convention website at <http://www.un.org/womenwatch/daw/cedaw/>

Approximately three-fourths of the Americas—27 countries—ratified the Convention in the first five years of the 1980s, while the other fourth (8 countries) followed suit between 1986 and 1993, with the Bahamas being the last to ratify it.



Source: Author's adaptation of data on the Convention website at <http://www.un.org/womenwatch/daw/cedaw/>

3) RESERVATIONS

Eight countries of the Americas have reservations regarding the first paragraph of Article 29 on the jurisdiction of the International Court of Justice in the settlement of disputes arising from the interpretation or application of the Convention, despite the fact that the second paragraph of this article provides that any state party may, on signing or ratifying the Convention or acceding thereto, declare that it does not consider itself bound by the provisions of the first paragraph.

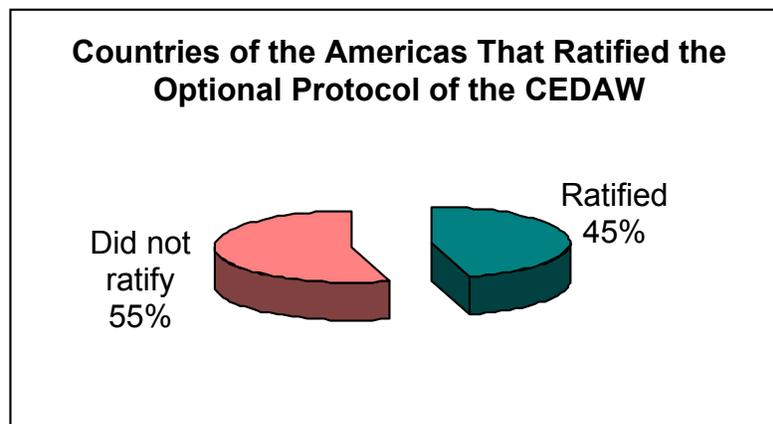
However, the CEDAW Committee is especially concerned by reservations regarding Article 2, which it deems essential to the pursuit of the Convention's objectives. Article 2 expressly mentions that states parties condemn discrimination against women and agree to pursue a policy to eliminate it.

A single country of the Americas—the Bahamas—has expressed reservation regarding this article, as well as hesitation regarding Article 9 on nationality and Article 16 on marriage and family relations.

4) ADOPTION OF THE OPTIONAL PROTOCOL OF THE CEDAW BY THE COUNTRIES OF THE AMERICAS

The preamble of the Optional Protocol is crucial to the application and implementation of the CEDAW. It states that the Protocol reaffirms the determination of states parties to “ensure the full and equal enjoyment by women of all human rights and fundamental freedoms and to take effective action to prevent violations of these rights and freedoms.”

Clearly, adoption of this Protocol in the Americas is only partial: Of the 35 countries of the Americas that ratified the Convention, only 15 ratified its Protocol—less than half. The last to do so was Belize in December 2002.



Source: Author's adaptation of data on the Convention website at <http://www.un.org/womenwatch/daw/cedaw/>

5) APPLICATION OF THE CEDAW IN THE LEGISLATION OF THE COUNTRIES OF THE AMERICAS

The Convention has proved to be a valuable tool worldwide, particularly for identifying constitutional guarantees regarding women's rights, drafting and interpreting legislation in light of gender issues, and promoting the development and implementation of policies aimed at improving the status of women. This is because the Convention inherently asserts that achieving gender equality implies equality not only in the legislation, but in everyday life, which forces governments to adopt affirmative action measures.

Parliaments play a key role in ensuring the creation of a legal framework that is not only nondiscriminatory, but also conducive to the adoption of measures to offset existing discrimination, particularly affirmative action measures.

As regards application of the CEDAW, the legislative measures we analyzed in light of their adoption fall under the following categories:

1.- MEASURE AIMED AT THE INCLUSION OF CONVENTION PRINCIPLES IN EACH COUNTRY'S CONSTITUTION OR BASIC LEGISLATION

This measure is important because the inclusion of Convention principles in a country's constitution is the foundation for protecting women's rights and recognizing the obligations government authorities must assume in this regard.

While all constitutions in the Americas mention the principle of ensuring equality or prohibiting discrimination for various reasons, less than one-third refer explicitly to the principle of gender equality. Among those that do are the constitutions of Canada, Chile, Cuba, Ecuador, Guatemala, Guyana, Mexico, Nicaragua, Paraguay, Venezuela, Brazil, and Colombia. For Brazil and Colombia, the incorporation of this principle was a direct result of the CEDAW and the opportunity it provided women's groups to demand its inclusion.

In Colombia, women's organizations submitted proposals to include CEDAW principles in the country's new constitution. The legislative assembly recognized these principles and expressly inserted them in Section 13 of Colombia's Constitution.

Brazil's new Constitution drafted in 1988 contains provisions inspired by the CEDAW. For example, adoption of one of the 200 amendments proposed by the National Council for Women's Rights prompted the clear restatement of the gender equality principle in Article 5, Paragraph I.

Section 15 of the Canadian Charter of Rights and Freedoms expressly prohibits all forms of discrimination based on race, national or ethnic origin, color, religion, gender, age, or mental or physical disability. However, this section allows the adoption of laws, programs, and activities aimed at improving the conditions of individuals or groups who are disadvantaged, particularly due to gender. Section 28 also guarantees people of both genders the rights and freedoms mentioned in the Charter.

In Mexico, the principle of gender equality under the law was enshrined in 1975 in Article 4 of the country's Constitution.

In Argentina, discrimination has been prohibited since the 1994 constitutional reform and is enshrined in Article 75, Paragraph 22 of the Constitution, which expressly states that the CEDAW is an integral part of the Constitution and, as such, takes precedence over any other legislation in the country.

The constitutions of other countries of the Americas also recognize the principle of equality, but limit it to particular sectors of activity. For example, in Ecuador the principle of gender equality is mentioned in Article 34 of the Constitution on production and the economy.

Article 34.- The state shall guarantee women and men equal rights and opportunities in the access to resources used for production, as well as in economic decisions regarding the administration of marriage relations and property.

Similarly, Nicaragua's Constitution enshrines the principle of gender equality—but only in terms of political rights—in a chapter on these rights that reads as follows:

Article 48.- All Nicaraguans are unconditionally equal in the enjoyment of their political rights; there is absolute equality between men and women in the exercise of their political rights and the performance of their political duties and responsibilities.

It should also be noted that in other countries like Haiti, the Dominican Republic, and Uruguay, while the principle of equality is enshrined in the Constitution in general terms, there are no provisions recognizing gender equality or prohibiting gender-based discrimination.

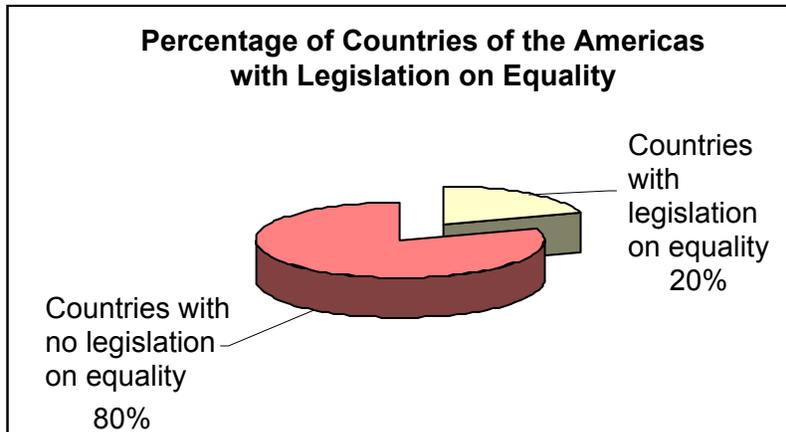
Similarly, the Constitution of Surinam recognizes gender equality but only between husband and wife, i.e., expressly within the framework of marriage.

2.- MEASURES AIMED AT THE ADOPTION OF OTHER LEGAL PROVISIONS THAT PROMOTE EQUALITY OR PROHIBIT DISCRIMINATION

Among the Convention effects in the Americas are various laws promoting equality or decrees prohibiting gender-based discrimination adopted in some of our countries after the CEDAW came into effect and inspired by its guiding principles. These include the following:

- Costa Rica – Legislation promoting social equality for women (1990)
- Venezuela – Equal opportunity legislation (1993)
- Guatemala – Legislation aimed at protecting dignity and promoting the full development of women (1999)
- Panama – Act No. 4 on the right to equal opportunity for women (1999)
- Honduras – Legislation on the right to equal opportunity for women (2000)
- Colombia – Legislation instituting an action plan to guarantee equal opportunity for women (2003)
- Mexico – General legislation on gender equality adopted recently (2005)

This means only one-fifth of CEDAW states parties in the Americas have adopted comprehensive and specific legislative provisions on gender equality.



Source: Author's adaptation of data drawn from reports submitted to the CEDAW Committee and legislation in effect in various countries of the Americas

3.- AFFIRMATIVE ACTION MEASURES

Article 4 of the CEDAW has had a significant impact on legislation and government policies in our countries with its provision promoting the adoption of “temporary special measures aimed at accelerating de facto equality between men and women.”

The most obvious impact of this provision is that a number of countries of the Americas have amended their constitution accordingly. For example, Paraguay asserts in Article 48 of its Constitution that “the state shall foster the conditions and create the desired mechanisms to ensure that equality is real and effective,” and Venezuela stipulates in Article 21 of its Constitution that “the law shall put in place the legal and administrative conditions needed to guarantee real and effective equality for all under the law; ensure the adoption of affirmative action measures in favor of individuals and groups at risk of discrimination or marginalization; provide special protection to persons who, for any of the reasons mentioned above, find themselves in a position of obvious weakness; and punish anyone who abuses or mistreats these persons.”

Such measures and justification for their adoption also appear in Article 23 of Argentina’s Constitution, Article 13 of Colombia’s Constitution, and the Canadian Charter of Rights and Freedoms, which stipulates that programs promoting equal access may be implemented, as well as measures to improve the conditions of disadvantaged groups.

However, although the constitutions of certain countries do not specify that the state can implement affirmative action measures, this is sometimes provided for in legislation as in Mexico, which adopted a federal act for this purpose aimed at preventing and eradicating discrimination. In still other cases, this right is stipulated in certain legislation but may not be identified as such, e.g., positive discrimination measures for participation in the political process.

4.- APPLICATION OF MEASURES REGARDING VARIOUS SECTIONS OF THE CEDAW

A) COMMITMENT TO ELIMINATING ALL FORMS OF TRAFFICKING OF WOMEN AND EXPLOITATION OF THE PROSTITUTION OF WOMEN

Progress in the application of Convention provisions regarding this commitment has not been consistent. In 1999, Argentina amended its penal code to distinguish between crimes of corruption and prostitution. In Chile, prostitution is not illegal, but it is regulated for public health reasons. Other countries have amended their penal codes to remove dated references to “attacks on decency” and replace them with the expression “attacks on sexual integrity.” Other countries like the Dominican Republic have acknowledged the lack of a proper legal framework for dealing with this issue, or—like Guyana—noted that a preliminary study of the legislation in force indicates that provisions on prostitution are in need of radical change. Surinam’s position in this regard is of concern, as this country’s reports to the Committee indicate that the issue was not considered in its legislation.

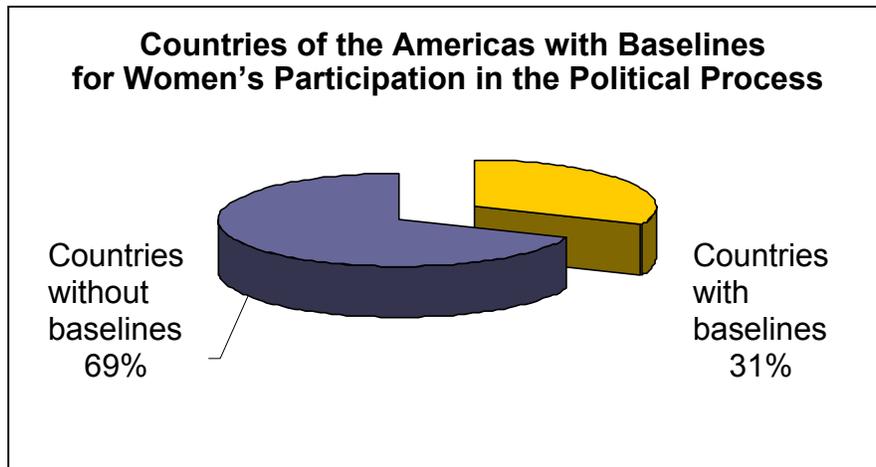
One of the main factors reported to us as being an obstacle to eliminating the exploitation of women for prostitution is that it generates significant economic activity and considerable revenues in certain Caribbean countries. Jamaica’s report indicates that the country has no appropriate legislation to counter sexual tourism.

Legislation on human trafficking is virtually absent in the Americas. Canada amended its criminal code in November 2005 in this regard, although the Immigration and Refugee Protection Act, in force since 2002, already referred specifically to a violation involving human trafficking. Colombia has also amended its penal code in this regard. Mexico recently approved a bill aimed at preventing and penalizing human trafficking, although it cannot be adopted until it is approved by the Chamber of Deputies.

In Mexico prostitution is not regulated, although the penal and civil codes recognize the illegality of the third party sale of sexual services, especially in the case of services provided by children (penal code) or women (civil code). On November 7, 1996, the Federal Act Against Organized Crime was published in the Official Gazette. Its objective is *“to establish rules for investigation, legal action, indictment, punishment, and execution of sentences in cases of offenses committed by a member of an organized crime group.”* This act also specifies that its *“provisions are public and apply everywhere within national borders,”* particularly to the trafficking of undocumented persons or minors.

B) COMMITMENTS TO WOMEN’S RIGHTS AS REGARDS NATIONALITY AND PARTICIPATION IN PUBLIC AND POLITICAL LIFE

The Convention stipulates that states parties should take all appropriate steps to eliminate discrimination against women **in public life and the political process**. With a view to applying this provision and translating it into legislative measures in the Americas, eleven CEDAW signatories adopted rules establishing a minimum level for the representation of women in politics (between 20 and 40%). This helped increase the presence of women in legislative proceedings in these countries to an average of 9% between 1990 and 2003.



Source: Author's adaptation of data provided by the World Bank Gender and Development Board, February 2006

As regards **nationality**, the constitutions of most countries of the Americas grant equal rights to men and women. For example, Article 38 of the Bolivian Constitution expressly mentions that women married to foreign men do not lose their Bolivian nationality. Similarly, Article 26 of the Act Respecting Mexican Nationality explicitly stipulates that neither women nor men who marry a foreigner lose their Mexican nationality.

However, discriminatory legislative provisions remain in certain countries, e.g., Barbados, Belize, St. Vincent and the Grenadines, and Surinam. The Constitution of the Dominican Republic specifies that a foreign woman who marries a Dominican man takes the nationality of her husband, contrary to the first paragraph of CEDAW Article 9, which stipulates that states parties must guarantee that neither marriage to a foreigner nor the husband's change in nationality during marriage will automatically change the wife's nationality, render her stateless, or force her husband's nationality upon her.

C) COMMITMENTS TO ELIMINATING DISCRIMINATION IN EDUCATION, EMPLOYMENT, AND MEDICAL CARE, AS WELL AS ECONOMIC, SOCIAL, AND CULTURAL LIFE

In the countries of the Americas, a variety of measures have been adopted to fight discrimination in the area of **education**.

Argentina's Act 24.1993, known as the Federal Education Act, was the first piece of legislation to include certain provisions against sexism. In the same country, the 2005 Act respecting technical and vocational education includes a chapter entitled "Equal Opportunity."

In Paraguay, the 1998 publication of the General Education Act marked an important step forward in the area of formal education. For the first time, a section (Section 10) was included that enshrines the principles governing equal access and residence in educational institutions, effective gender equality, and the rejection of all forms of discrimination.

On December 10, 2004, Mexico announced a revision to the Education Act *in order to establish that its guiding principle should be to fight stereotypes and discrimination, particularly against women.*

UNIFEM has qualified other efforts to apply this article in the Americas as successful. For example, in Colombia a committee was created and hands-on training sessions were organized for certain specific groups such as educators, publication editors, and communication professionals on gender issues and ways to fight sexism. Professional school guidance counselors were hired in St. Vincent and the Grenadines, which has helped increase the number of girls enrolled in non-traditional occupation training programs. Cuba has created national university training programs for women to provide professional development opportunities and help them acquire specialized knowledge.

A similarity was noted between certain reports submitted by countries of the Americas regarding the main obstacles to achieving gender equality in education. These obstacles generally arise from cultural factors that lead girls to drop out of school, as well as a gender divide in career selection and vocational curriculum design. Countries also reported the difficulty of applying a gender perspective to program content and training male and female educators in this regard. In addition, the increase in teen pregnancies in countries of the Americas seems to be a common issue affecting girls and their pursuit of an education.

As regards **employment**, the labor code of most countries contains provisions against gender discrimination. This is notably true of Antigua.

In Panama, the principle of equal pay for equal work regardless of gender, nationality, age, race, social class, political views, or religion is enshrined in the Constitution. Legislation in Panama also contains provisions to protect public sector employees against sexual harassment.

Canada has adopted significant legislative measures to guarantee equal rights. These include the Employment Equity Act of 1986, which was revised and strengthened in 1996. It is aimed at achieving equality in the workplace and eliminating the discriminatory treatment of four groups in particular—women, aboriginals, disabled persons, and visible minorities. In the same spirit Canada adopted the Pay Equity Act in 1996 to close the pay gap caused by systematic gender discrimination.

Reports by other countries like Brazil indicate legislative measures tied to maternity and parental leave, as well as the adoption of legislation on women's right to work containing provisions on sexual harassment.

Argentina passed legislation prohibiting gender discrimination in the workplace as well as guaranteeing women's full authority to sign contracts without their husband's permission. Female workers in Argentina also have the right to pay equal to a man's for equal work. Similarly, Act 24.013—the Employment Act—repealed the section prohibiting the hiring of women for night jobs except for nonindustrial positions. In addition, following the revision of employment contract provisions, Argentina's Employment Act now encourages employers to hire women.

In Central America, new legislation has come into effect in the past 15 years and reforms have been achieved as part of a process to ensure gender equality.

The addition of articles 35, 36, and 40 to Ecuador's Constitution has led to considerable changes in women's employment conditions. This new protection has helped women acquire legal equality and equal opportunity on the labor market, and women in Ecuador are now guaranteed equal pay for equal work, as well as protection against all forms of gender discrimination in the workplace.

Despite this progress in applying the CEDAW, much remains to be done. As proof that the main obstacles remain, over half of women still make a living from informal work, the problem of sexual harassment in the workplace has yet to receive due legislative and judicial attention, the lack of pay equity is still a reality, and many countries of the Americas have not been able to add certain essential provisions to their legislation, e.g., to prohibit employers from requiring a woman to present a certificate stating she is not pregnant.

As regards the elimination of discrimination against women in **medical care**, even in countries of the Americas where all citizens—men and women—have equal rights to health care under the law, the reality is that women still receive inferior medical treatment.

In most countries the issue is a matter of public policy. Among the legislative steps that have been taken, we note provisions to this effect in Ecuador's Act Respecting Free Health Care for Pregnant Women and Newborns, as well as Brazil's Act Establishing the Charter of Women's Health and Act 9.263 to Apply Article 226 of the Constitution on Family Planning.

However, the legislation in force in the Americas still does not address the issue of sexual and reproductive health and the need to take effective action to stop violence by treating it as a public health problem, nor does it seek ways to reduce high maternal mortality rates.

In most countries of the Americas, the obstacles to ensuring equal access for all to medical and healthcare services are tied to poverty and the lack of appropriate infrastructures.

An important part of applying CEDAW principles regarding **equal economic and social rights**—in addition to new legislative measures aimed at encouraging women's participation in socioeconomic life—was repealing measures that prevented women from fully participating in this area.

We have observed in particular that when women are able to secure loans, they are generally more responsible when the time comes to repay them, as evidenced by a variety of studies and experiences. This reliability has played no small part in the successful management of programs for women.

Noteworthy legislative measures in this regard include Colombia's Act 823 (2003), which contains special provisions on extending credit to women and supporting disadvantaged single mothers who undertake productive projects.

On December 15, 1999, the Mexican Senate adopted an amendment to Subsection I of Section 24 of the Act Respecting the Institute for Government Worker Safety and Social Services and repealed Subsection V of the same section, an initiative that was approved by the Chamber of Deputies. Specifically, Section 24 limited the right of a female worker or retiree over age 55 to receive cash benefits for the payment of diagnostic, dental, surgical, hospital, pharmaceutical, or rehabilitation care provided to her spouse or common-law spouse who suffered a physical or psychological disability or was financially dependent on her—restrictions that did not apply to the spouse of a male worker. In addition, on February 27, 1992, in the interest of consistency

with the amendment to Article 27 of the Constitution, the New Land Act was proclaimed, paving the way for new approaches to landholdings historically identified in the Constitution: the *éjido*¹, the community, and the smallholding. The *éjido* and the community were given constitutional status and three landholding categories received legal security. The New Land Act also recognizes the equality of men and women in all respects.

Access to land ownership is a key issue that remains unresolved in many countries of the Americas because it is governed by very old laws. In many cases, women are the last in line to inherit property, or the husband has control over the couple's joint assets, even though countries like Bolivia have adopted legislation that specifies a woman's right to own land.

Mexico's New Land Act entered into effect on February 27, 1992, following an amendment to Section 27 of the Constitution. It paves the way for new approaches to landholdings historically identified in the Constitution, acknowledges gender equality in all respects, and contains provisions guaranteeing women equal treatment to men in the inheritance system.

In parts of the Americas, rural women generally still receive insufficient support for making specific improvements to their living conditions. A noteworthy initiative tied to application of the CEDAW for rural women was Colombia's adoption of Act 731 in 2002, which imposes rules aimed at further improving their situation.

D) RECOGNITION OF LEGAL EQUALITY AND THE ELIMINATION OF DISCRIMINATION IN MATTERS RELATING TO MARRIAGE AND FAMILY RELATIONS

This section deals with one of the articles of the Convention that has generated the most reservations due to the fact that some countries cannot fully apply it without making major changes to their Civil Code or to existing legislative provisions.

Some countries in the Americas have adopted legislative measures to this effect. This is the case in Brazil, which removed from its Constitution the principle that conferred to the husband (head of the family) the right to exercise authority within the family unit, and replaced it with another that states that the rights and obligations relating to the conjugal unit are exercised equally by the man and woman (CEDAW, Article 16).

The Constitution of Colombia states in Article 42 that family relations are based on the equal rights and obligations of the spouses and mutual respect among all family members. A decree adopted in 1990 prohibits discrimination against women in matters of family relations, and recognizes that mothers have the same rights and obligations as fathers. It also confers on both members of the couple joint responsibility for raising their children.

In Belize, a law adopted in 2000 marked the first steps toward the possibility of property sharing in the event of the dissolution of marriage, and penalized rape within marriage. In Chile, an amendment to the Civil Marriage Act granted women the same recourse as men in the event of divorce.

In Mexico, with the overhaul of the Civil Code for the Federal District in local matters and for the entire republic in federal matters (published under a decree in the Official Gazette of the Federal

¹ Communal land

District on May 25, 2000), major changes were made to the provisions dealing with marriage and family relations, giving full legal equality to women.

In Argentina, Act 23.515, known as the Divorce Act, was adopted. The 1987 act granted men and women the same rights with regard to choosing a spouse and the full freedom to enter into marriage. In Venezuela, the Constitution grants full equality to both spouses or common-law partners, and Article 77 enshrines the democratization of relations within the family and the equality of rights and obligations among family members.

Despite progress in these countries, others in the Americas are lagging far behind. For example, Guyana, which, in its most recent report to the CEDAW Committee, noted that it had taken no concrete measures to prevent forced or arranged marriages—a traditional practice among rural families of Indian origin. In another instance, Nicaragua's latest report mentions that its country's Civil Code still contains provisions that designate the man as the head of the household and representative of the family. These provisions opened Nicaragua's eyes to the need to amend its Civil Code to bring it in line with constitutional provisions that recognize absolute equality between men and women in all areas of life.

CONCLUSIONS

While it is difficult to draw a direct link between the CEDAW and the reworking of the legal framework of countries in the Americas, and given the regional differences between North, Central, and South America, the results observed are clearly a reflection of a worldwide process in which the CEDAW has played a vital role as an international legal instrument to defend women's rights and provide women's organizations with a valuable tool for having them recognized.

Thanks to this instrument, we have made progress in the Americas in such areas as education, although many challenges still lie ahead, including reversing school dropout trends among girls and eliminating gender-based educational segmentation. Moreover, while women are gradually entering the labor market in greater numbers, it must be noted that they generally occupy mid to low-level jobs, often in the informal labor market. And we must not forget the huge challenge of continuing to exert pressure to have work/family balance measures adopted and to have unpaid household work recognized and appreciated for its true value.

With regard to the participation of women in the political life of countries in our hemisphere, despite considerable progress, we are still far from balanced representation within our key decision-making bodies, and we must continue to work to ensure the appropriate measures are adopted to reach this goal.

We must therefore admit that, despite these successes, discriminatory laws are still in place, and we have yet to exhaust all the legal options to have women's rights measures implemented across the board. We still have a lot of catching up to do in terms of medical care for women, notably to tackle the foreseeable causes of maternal mortality. With regard to violence against women, while this challenge is not an explicit part of the commitments laid out in the CEDAW, it still requires immediate and effective action on the part of our countries, with the *Belém do Pará Convention* being the international instrument applicable in this matter throughout the Americas.

It is also worth noting that, while virtually all the countries in the Americas have ratified the Convention, many have yet to ratify the Optional Protocol. This is all the more worrying given

that the recommendations outlined in the CEDAW have not been fully implemented, and that concrete measures must be taken with regard to some of these aspects, as they also appear in other international commitments.

It is imperative that we recognize the important role civil society has played in carrying out the Convention's commitments. We must maintain this contact by continuing our discussions and working together with civil society by supporting the initiatives it undertakes in these areas.

As we prepare to mark the 25th anniversary of the entry into force of the Convention, it is worth pointing out that it is an underused tool and that its effects are clearly not being felt everywhere, hence the need for a thorough review of our respective national legislative instruments to ensure they take into account our commitments under the Convention—a benchmark for the respect of basic women's rights in our hemisphere and around the world.