

# ABA Urges U.S. Ratification of Women's Rights Treaty and Law of the Sea Treaty

The American Bar Association strongly supports U.S. ratification of the U.N. Convention on the Law of the Sea (LOS) and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).

### LAW OF THE SEA

The LOS Treaty provides an essential universal legal framework within which issues respecting the stewardship of our common oceans may be equitably resolved and which preserves customary freedom of navigation vital to ocean powers such as the U.S. for both strategic and commercial reasons.

- **The LOS Treaty enjoys broad support from the Bush Administration**, in particular, the Department of Defense which has testified strongly in support of the Treaty. It also enjoys support from the private sector, including the international oil and shipping industries, the fishing industry as well as ocean conservationists, and international law enforcement and antiterrorism organizations.
- **Over 150 nations are party to the Convention, including all members of the European Union.** The U.S. should join our allies in ensuring the preservation of critical navigational rights in the oceans for our military and commercial vessels, and in protecting our right to all resources within the 200-mile exclusive economic zone.
- **Until the U.S. becomes a party to the treaty it cannot offer a judicial candidate for the Law of the Sea Tribunal nor put forth a candidate for membership on the Outer Continental Shelf Commission.** Critical debate and decisions occur in these entities and the U.S. must participate and exercise a leadership role to protect our national interests.

### WOMEN'S RIGHTS TREATY: CEDAW

The first comprehensive treaty addressing women's rights, the Convention provides a universal definition of discrimination against women. The primary goal of CEDAW is to eliminate discrimination against women and to promote the rule of law and respect for human rights around the world. The treaty addresses such issues as education, employment, health care, property ownership, and human trafficking.

- As long as the United States remains the only industrialized nation yet to ratify CEDAW, **it compromises its credibility as a leader in international human rights.** Although 185 countries have ratified the Convention, the United States remains the only industrialized democracy and one of only a handful of countries yet to ratify CEDAW. In not taking action, the United States is in the company of countries such as Sudan and Somalia.
- **Ratification of CEDAW will enable the United States to contribute more effectively to the global struggle for women's rights.** Ratification would make the United States eligible to sit on the UN Committee on the Elimination of Discrimination Against Women (CEDAW Committee), which monitors progress in the treatment of women in countries that have ratified the Convention. The United States then will be in a position to encourage other countries to strengthen respect for human rights generally by working to achieve the goals of equality set forth in the treaty.
- **CEDAW already has proven effective in helping achieve greater equity for women in other countries that have ratified the treaty.** Twenty-two of the countries that have ratified CEDAW have instituted policies and enacted laws to promote women's equal opportunity in employment and decisionmaking. CEDAW has fostered development of domestic violence laws in Turkey, Nepal, South Africa and the Republic of Korea, and anti-trafficking laws in Ukraine and Moldova.
- CEDAW provides a globally agreed upon legal framework for the protection and promotion of basic human rights for women. Countries in transition from repressive regimes, such as Afghanistan and Iraq, can use CEDAW as a guide in establishing laws and policies to ensure equal protection of the law in all areas of society for women and girls.