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Committee Secretary
 Joint Standing Committee on Treaties
 Department of House of Representatives
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To the Committee,

Amnesty International welcomes the Australian Government's commitment to the ratification of the Optional Protocol to the *Convention on the Elimination of all forms of Discrimination against Women (CEDAW)*.

Until the Optional Protocol to CEDAW came into force in 2000, the Committee on the Elimination of all forms of Discrimination against Women was limited to monitoring compliance by states parties by receiving, reviewing and issuing observations and recommendations on periodic reports. The Optional Protocol has created an avenue for women to seek redress at the international level for violations of their rights as well as mandating the Committee to initiate inquiries into grave or systematic violations of women's rights by a State Party. The Optional Protocol brings the Committee into line with other committees monitoring international human rights treaties and is therefore a significant advancement in the promotion and protection of the human rights of women.

Amnesty International Australia strongly encourages the Australian Government to ratify the Optional Protocol as a matter of priority. By providing an opportunity for redress when states parties violate women's human rights or fail to protect women against discrimination according to the terms of CEDAW, the Optional Protocol performs several important functions. Most immediately, the complaints procedure fills an existing gap in the protection of women's human rights, in particular by providing international recourse to women who have been denied access to justice at the national level. The procedures mandated by the Optional Protocol also allow the Committee to highlight the need for more effective remedies at the national level as stipulated in CEDAW, making detailed recommendations on how these remedies can be achieved. They also enable the Committee to elaborate recommendations into an existing body of jurisprudence on how women's human rights should be guaranteed and protected in real life situations. The jurisprudence contributed by the Committee will benefit the work of other international and regional mechanisms set up to redress violations of women's human rights.

I would particularly like to draw your attention to the inquiry procedures established by articles eight and nine of the Optional Protocol. The inquiry procedure allows the Committee to focus attention on widespread practices affecting women such as lack of equal opportunities in education, politics or the work place; sexual exploitation; or abuses that cross borders and involve multiple governments such as in trafficking or violence against women in situations of armed conflict. It provides for an in-depth examination of the underlying causes of discrimination against women and can focus on abuses that would not normally be submitted to the Committee by means of the individual complaints procedure.

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While the Optional Protocol does not permit states to enter reservations (Article 17), it does include an 'opt-out' clause in regards to the inquiry procedure. Under Article 10, a State Party to the Optional Protocol can at any time declare that it does not recognise the competence of the Committee to carry out such inquiry. Amnesty International strongly opposed this compromise during the drafting process. I would therefore urge you to ensure that Australia's ratification of the Optional Protocol does not include a declaration under Article 10.

Australia's unreserved ratification of the Optional Protocol would also offer important leadership to the region. Compared to many other regions, the rights of women in the Pacific do not enjoy a high level of recognition or protection. Australia has the opportunity not only to advance the rights of women in Australia, but also to demonstrate to our closest neighbours the importance of external scrutiny and international avenues of redress.

As part of its global campaign to Stop Violence against Women, Amnesty International is campaigning for all governments to exercise due diligence in order to ensure that their obligations under international law to respect, protect and fulfil women's human rights are implemented both in law and in practice. Here in Australia almost 80 000 members have put their support behind this goal and we look forward to Australia's ratification of such a fundamental human rights instrument.

Yours sincerely,



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