

Women's International League for Peace and Freedom
Ligue internationale des femmes pour la paix et la liberté
Liga Internacional de Mujeres por la Paz y la Libertad
Internationale Frauenliga für Frieden und Freiheit

Consultative Status with United Nations ECOSOC, UNCTAD and UNESCO

Special Consultative Relations with FAO, ILO and UNICEF
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Committee Secretary
Joint Standing Committee on Treaties
Department of House of Representatives
PO Box 6021
Parliament House
CANBERRA ACT 2600
Email: jsct@aph.gov.au

Dear Secretary,

Re: Accession by the Australian Government to the CEDAW Optional Protocol

We are writing on behalf of the Australian Section of the Women's International League for Peace and Freedom (WILPF) concerning the indication that the Australian Government is likely to accede to the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).

WILPF thanks the Secretariat and the Committee for granting our organisation an extension of time in which to make our short submission.

Since our founding in 1915, WILPF has worked for social and racial justice, human rights, the environment and an end to war as a means of dealing with human conflicts. Addressing discrimination against women is a key part of our organisation's program of work.

In 1983, our organisation very much welcomed Australia's becoming a party to the Convention. Over the years, we have also welcomed domestic legislation reflecting the Australian Government's commitment to protecting women's rights.

We were deeply puzzled therefore when the Howard Government failed to sign onto the Optional Protocol when it opened for signature. We were even more puzzled over the past decade when, despite innumerable entreaties from many NGOs, the Howard Government persistently refused to accede to the Optional Protocol to CEDAW.

In our view, the reluctance of the Howard Government to accede to the Optional Protocol reflected a wider unease with the processes of the United Nations and with a lack of commitment on the part of the Howard Government to the UN itself. With profound regret, we observed over the eleven and a half years of that government that both Messers Howard and Downer were all too willing to join the United States (in particular) in actions (and lack of actions) that had the effect of undermining the efforts of the UN more broadly, and of undermining international human rights law in particular. Detention without trial at Guantanamo, abandonment of *habeas corpus* rights and recent changes in international norms concerning the use of torture are unwelcome cases in point where the US has led the way towards an erosion in the international community of human rights standards which many of us had come to take for granted in western democracies.

Therefore, we very much welcomed the reiteration by the new Foreign Minister, Stephen Smith early in the life of the Rudd Government that the new government viewed commitment to the UN as one of the important planks of its foreign policy. We were greatly relieved by this restatement of the new government's commitment to the UN.

In our view, the Optional Protocol is a necessary complement to the Convention on the Elimination of All Forms of Discrimination Against Women, and indispensable in completing the Australian Government's commitment to eradicating discrimination on the basis of gender within the Australian community. We believe that our Government needs to be seen to be willing to ensure that discrimination against women is eradicated in Australia.

Given the Australian Government's own Sex Discrimination Legislation and domestic mechanisms for redress, it is quite likely that most Australian women will not need to seek redress by way of appeal to the UN's CEDAW Committee. However, for some women who face double oppressions - women with disabilities, Indigenous women and

women in rural and regional Australia, the CEDAW Committee may well provide a welcome and necessary hearing and mechanism of redress. Nevertheless, if the Australian Government has nothing to hide and nothing to fear, then all avenues should be available for ensuring that remedies against discrimination are thorough.

As we have observed with recent erosions concerning detention without timely trial and the use of torture, commitment on the part of governments such as the Government of the US to human rights can, without watchful care and oversight, be allowed to erode. We hope not to see any backsliding on international progress on women's human rights. By acceding to the Optional Protocol, Australia will be returning once more to a leadership role in international efforts to protect and promote women's human rights. It is our expectation that the Government will not continue to disappoint Australian women as the previous government did.

With thanks once again to the Committee for this opportunity to make our views known.

Yours sincerely

Cathy Picone and Ruth Russell
Joint National Coordinators