

# How human rights law can improve women's health

February 16 2023, by Drew Sheldrick

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UN CEDAW members Natasha Stott Despoja and Corinne Dettmeijer-Vermeulen with report author Dr Janani Shanthosh in Geneva, Switzerland. Credit: University of New South Wales Canberra

Research being launched at the United Nations in Geneva, Switzerland, today offers a rare glimpse at how the key international convention on

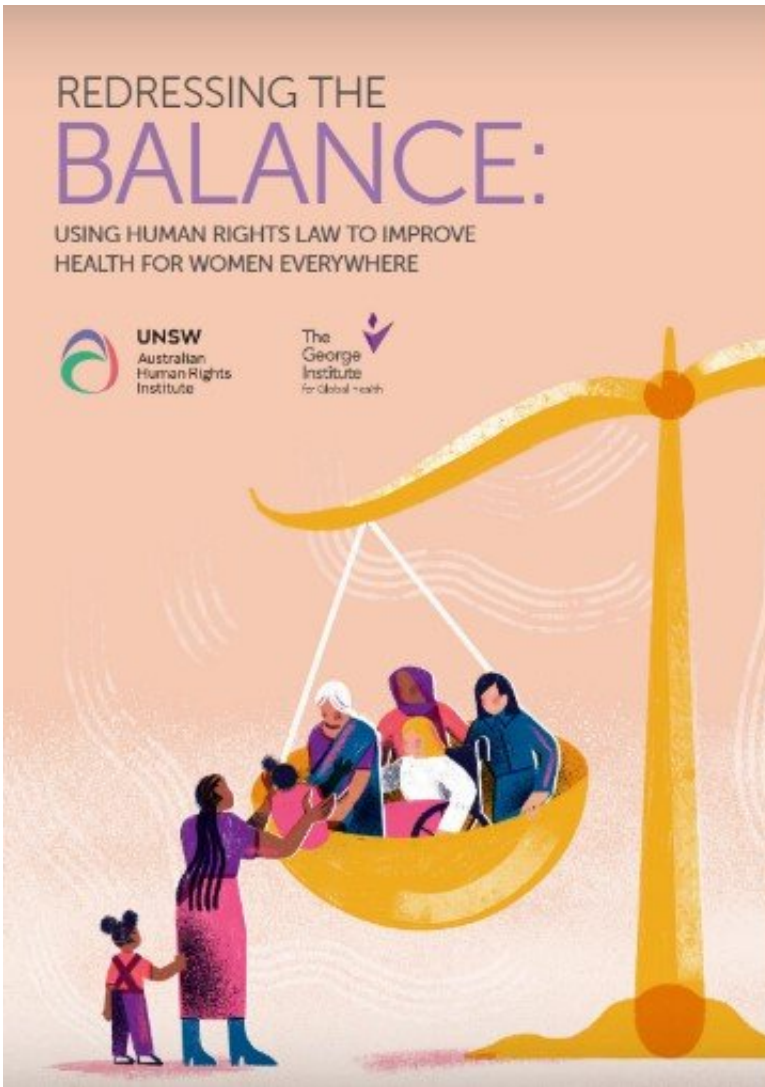
women's rights has been translated into national laws on issues such as sexual health and domestic violence.

"Redressing the balance: Using human rights law to improve health for women everywhere" examines the guidance provided by the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), and the response to that guidance by governments around the world.

Drawing on data from 117 countries, the new report from the Australian Human Rights Institute at UNSW Sydney and The George Institute for Global Health assesses how well each country has implemented laws to address key issues in alignment with their international legal obligations under CEDAW.

"In so many cases around the world, deep-rooted inequalities between men and women remain longstanding features of the complex web of laws and their variable implementation that shape women's health," said report author Dr. Janani Shanthosh, manager of the Institute's Health & Human Rights Program.

"The law can be a powerful tool for challenging the status quo. It can signal to society a respect for women's equality. Laws can also allow decisions to be made with an economy of effort where they produce consistent outcomes and apply equally to entire populations."



Credit: University of New South Wales Canberra and The George Institute for Global Health

## Key findings

Every four years, each country that has ratified CEDAW prepares a progress report for the consideration of the Committee. Despite four decades of this critical work, and the role performed by the CEDAW Committee in encouraging health-related law reform for women in situations of vulnerability, the reports have not been systematically

evaluated. Between 1997–2020, governments implemented or amended 423 laws in response to law-related CEDAW recommendations (46 percent of the law-related Committee recommendations).

The majority of the Committee's recommendations attempted to address gender-based violence (GBV), with few relating to gender-based poverty, refugees, asylum seekers and migrants, and LGBTQIA+ women.

Overwhelmingly, the recommendations governments failed to implement were anti-GBV laws, including those aimed at preventing sexual harassment, extending legal grounds for abortion, and prohibiting [domestic violence](#).

Using data from the [CEDAW Implementation Map on Women's Health](#), the report analyzes strategies the CEDAW Committee uses to prompt governments to review, implement and evaluate health-promoting laws, the legal models implemented by governments in response to the recommendations, concerns raised by civil society organizations regarding reforms, and key issues facing women in vulnerable situations.

"While law is no silver bullet, it can be used by governments to follow through on their obligations and duties under international law to respect, protect and fulfill human rights," Dr. Shanthosh said.

"Countries that reform and fully implement gender equality laws using an intersectional lens have every opportunity to produce better [health](#), nutrition and educational outcomes for women and their families, and to create inclusive societies, [economic prosperity](#), [universal access](#) to essential public services and decent work for [women](#)."

Provided by University of New South Wales Canberra

Citation: How human rights law can improve women's health (2023, February 16) retrieved 14 June 2024 from <https://phys.org/news/2023-02-human-rights-law-women-health.html>

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