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MAJORITY AND MINORITY: AUTONOMY, RIGHTS AND PROTECTIONS FOR GIRL CHILDREN

Julia Sloth Nielsen

Senior Researcher, Children's Rights Project, Community Law Centre (Member: South African Law Commission Project Team on the Review of the Child Care Act (Project 110))

At what age should girls be allowed to marry? To consent to sexual relations? To choose to form relationships against the wishes of their parents? And to terminate an unwanted pregnancy? Answers to these questions raise thorny moral, political, and cultural choices for all of us. Then, there are societal considerations too, which often lend shape to the terms of the debate.

At present, the law provides for a range of different provisions which give some preliminary answers to the questions raised above. The so-called "age of majority" is defined in the legislation with the same title, passed in 1972. This is set at 21 years, and on attaining that age a child acquires the right to marry without the consent of parents, the right to incur obligations under contracts and various other rights which seen together, signal the end of the phase known in common law as "minority". But the Child Care Act 74 of 1983, which addresses child care and protection issues, as well such diverse matters as the reporting of child abuse and the protection of children in institutions, defines a child for the purposes of this Act as a person under the age of 18 years. The Marriage Act of 1961 allows a girl of 15 years and a boy of 18 years to marry with parental consent. And girls who are 12 years or older, and boys who are 14 years or older may marry with the consent of both their parents and the Minister of Home Affairs. Below the age of puberty (derived from common law, and set at 12 years for girls and 14 years for boys), no person may marry. In addition to these laws, there are also provisions defining the age of consent to sexual intercourse (in the Sexual Offences Act, discussed below), and to the right to choose to terminate a pregnancy (also discussed further below).

In general, questions have begun to be raised about the variety of, and differences in, the age limits that appear from a cursory examination of the law in this field. Given the range of law reform initiatives currently underway which traverse this terrain, it seems likely that public debate on the limits of autonomy, parental rights and the position of the girl child will ensue in the near future.

At root, are complex issues of children's sexuality, perceptions of maturity, and rights to autonomy of choice. Ratification of the UN Convention on the Rights of the Child (1989) has highlighted the importance of the child's right to a voice in matters affecting his or her rights (Article 12). Gender equality - implying substantively equal out-

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comes for boy and girl children - is both constitutionally and as a result of international law now a normative imperative in our democracy. But countervailing arguments relate to the desire to protect girl children from unwise choices which may negatively affect their futures, protection from sexual exploitation, especially by "older" men, and parental and custodial rights to make decisions on behalf of children and minors.

The 1996 constitution explicitly places a duty on the state to protect children from maltreatment, neglect, abuse and degradation (Section 28 (1)(d)), which would imply that the state must enact legislation which promotes protection of girl children from sexual abuse.

Societal considerations may include women's interest in reproductive freedom, which would extend to girl children, as well as societies' interest in the protection of women and children from ever increasing abuse and violence. As a general point, the 1996 constitution defines childhood (for the purposes of the rights granted in it) as including "persons below the age of eighteen years". As the UN Convention also sets the age of childhood at 18 years, this age limitation is sure to provide further boundaries to help define some of the limits to children's autonomy.

In a number of respects, South Africans will, over the next while, be forced to confront these and other underlying suppositions and concerns about girls and maturity, including sexual maturity, as legal developments unravel. The 1996 Choice on Termination of Pregnancy Act laid an initial foundation for the emergence of this impending debate, by granting girl children reproductive autonomy in respect of the decision to terminate a pregnancy. There is no minimum age limit (of say 12 years, or 14 years) in the Act, and although a young girl may be advised to consult parents or relatives before deciding to proceed with a termination, she need not accept their advice, and may proceed with a termination even if they do not consent.

Given the present background of both common and statute law affecting the question of majority, minority and sexual choices, this new Act stands out in two ways. First, there is no age-linked lower limit, below which child sexuality (and consequently pregnancy) is presumed not to exist; or below which, by implication, a blind eye is turned, unless rape has been reported and proven. At common law and in many statutes, the trend was to fix such lower limits in many instances. For example, the Child Care Act 74 of 1983 provides that a child of 14 years is competent to consent to medical treatment, but parents retain the right to consent to an operation until the child reaches the age of 18 years, unless the High Court overrides the parent's decision. This implies that a girl child of 14 would be able to obtain oral contraceptive treatment independent of parental consent, but would require parental consent for the insertion of an intra-uterine device, because this latter form of contraception necessitates a surgical procedure. In Roman law, the age of 14 was often used to define the limit between a child lacking in certain mental capacities, and a child who, although still a minor, was endowed with greater capacity to make decisions and greater accountability. So the age of 14 still delineates the presumption of incapacity of children in criminal law, for example. And Roman law notions about the age at when puberty is reached (12 for girls and 14 for boys) still finds echoes in our law today.

The new legislation on Choice on Termination of Pregnancy represents a noteworthy shift away from the present legal position on parental power over children and their autonomy of choice.

But the new Act on Choice on Termination of Pregnancy places the reproductive rights of the girl child at the fore, and ignores artificial age-based distinctions which determine when sexual maturity, and the maturity to decide independently, commence. Clearly, it is now in this respect out of step with the 1983 Child Care Act, which requires parental consent for surgical procedures until the age of 18 years.

Second, as has been pointed out by commentators, the new legislation on Termination of Pregnancy represents a noteworthy shift away from the present legal position on parental power over children and their autonomy of choice. The general position at common law is that children are subject to parental power and that many important decisions in a child's life must either be accompanied by parental consent (for example, getting married where a minor is below the age of 21 years), or effected with parental assistance (such as suing someone in court where the minor is below the age of 21 years).

Questions now arise as to how far the innovations of the Choice on Termination of Pregnancy Act will be taken in other contexts. First, existing South African statute law is plagued with inconsistencies, inequalities and unjustified "Victorianisms" with regard to majority, minority and the child's freedom to choose. As the initial country report on the Convention on the Rights of the Child (Government of National Unity, November 1997) details, the present age of majority is 21 years. Below that, children are, save a few exceptions, subject to parental power. But, both the Child Care Act and the constitution place an age limit of 18 years, for the purposes of the rights and protections in these documents, in order to define who is a child. At 18, a person acquires the right to vote. Is it then logical to require parental consent until the age of 21 years in order to marry, or to incur obligations under a contract?

It may be inevitable that the present Age of Majority Act of 1972 will be amended to reflect a more general and widely applicable age of 18 as

the upper limit of childhood in the future. Although this will significantly affect parental power, it is unlikely to cause as much controversy as the more thorny questions which may arise in relation to the interplay between recognition of the independence (and sexual autonomy) of young people, and the protection of the girl child from violence, exploitation and abuse.

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The present Sexual Offences Act of 1957 was reviewed by the South African Law Commission Project 108, and the ensuing Issue Paper (No. 10) raises for comment some of the aspects alluded to above:

- the present irrebuttable presumption that a girl under the age of 12 is incapable of consent to intercourse (for boys the age was 14 years until amended by a statute in 1987);
- the fact that since intercourse by males, even with consent, with a girl below the age of 16 years constitutes a statutory offence (the offence known as statutory rape);
- the "age of consent" (for the purposes of the Sexual Offences Act) is 16 for girls; but the age of consent for boys is 19, and this implies a prohibition on consensual homosexual activity and by implication, the sexual autonomy of boys under this age (see Pierre de Vos's discussion of recent developments in this regard in this issue of the Newsletter at page 4).

Further, provisions of the Sexual Offences Act also have the effect of prohibiting certain lesbian forms of sexual activity for girls below the age of 19 years. The Issue Paper on Sexual offences points out that "sexual intercourse with pre-pubescent children is regarded as the serious crime of rape and punished as such. Sexual intercourse with pubescent youths is regulated by fixing a so-called age of consent which determines the age at which intercourse with youths is permitted." (at page 34 of the Issue Paper).The Issue Paper then poses the questions: "What should the age of consent be? And is it an effective mechanism for preventing sexual abuse of children?"

Additional questions might be: what is the function of setting an age of marriage? Is the age of consent to intercourse in any way related to the age at which a child may marry? Can the law tolerate inconsistencies in the so-called age of consent, and the age at which contraceptive treatment may be obtained? Is the law on termination of pregnancy relevant, or does this serve a different interest altogether, namely reproductive freedom? What should the extent of parental power be, and when should it terminate, in general and with regard to specific decisions of the child?

Some of these issues will be resolved in the context of the Law Commission Project on Sexual Offences against Children, but the broader investigation on majority, minority and autonomy will fall to a separate team, namely the project committee which has been appointed to review the Child Care Act, and possibly other legislation affecting children and children's rights. The outcome of these investigations will have to balance carefully both the rights and freedoms of the girl child in our society, and at the same time, endeavour not to undermine or diminish the protection of the girl child from abuse and exploitation.

The Women and Human Rights Project made a submission to the South African Law Commission on the Sexual Offences Against Children Issue Paper. Copies of the submission are available on request from the Women and Human Rights Documentation Centre at a reasonable charge to cover postage and photocopying expenses.

Contact:
Farahnaaz Safodien
(tel: 021-9592950)

The Economic and Social Rights Project at the Community Law Centre has just released its first edition of a quarterly publication, ESR Review (Economic and Social Rights Review). The Review features articles on topical issues, as well as reviews legislation, policy documents, court decisions and international developments relating to economic and social rights. Copies of ESR Review are available from the Women and Human Rights Documentation Centre.

Contact:
Farahnaaz Safodien
(tel: 021 959 2950)

SEXUAL ORIENTATION, THE RIGHT TO EQUALITY AND THE (DE)CRIMINALIZATION OF SEXUAL CONDUCT

Pierre de Vos
Senior Lecturer, Department of Public and Adjective Law (UWC)

In August 1997 judges Iain Farlam and Sandile Ngcobo delivered an important decision in the Cape High Court in *S v K* 1997(9) BCLR 1283 (C) in which it declared that the criminal proscription of sodomy occurring between consenting male adults could not be justified in terms of Section 8(2) of South Africa's Interim Constitution (and Section 9(3) of South Africa's 1996 Constitution). The High Court, in reviewing the judgement of the Knysna Magistrates Court, quashed the conviction of the accused who had admitted to the magistrate to having had consensual anal sexual intercourse with another prisoner in Knysna prison. The accused was convicted of the common law crime of sodomy which operates regardless of whether it took place with or without consent or whether it took place in a private or a public place.

This was the first reported case in which a court was asked to look into the acceptability of the criminalisation of so-called "gay sex", since South Africa's first democratic constitution came into force in 1994. (Interestingly enough, the accused had indicated to the court that he had two children and it was by no means clear that he viewed himself, or was viewed by those around him, as "gay".) Section 8(2) of the Interim Constitution states that:

"No person shall be unfairly discriminated against, directly or indirectly, and, without derogating from the generality of this provision, on one or more of the following grounds in particular: ...sexual orientation...".

As South Africa's constitution was the first in the world to include a direct prohibition on unfair discrimination based on sexual orientation, (although the Canadian Supreme Court has "read" such protection into the equality clause of that country's Charter of Rights) many lawyers around the world dealing with sexual orientation cases have been eagerly awaiting pronouncements from South African courts on this topic.

The 1996 South African Constitution was the first in the world to include a direct prohibition on unfair discrimination based on sexual orientation.

The judgement of *S v K* is interesting just as much for what it says as for what it remains silent about. Judge Farlam's judgement gives an extensive overview of the criminalisation of "gay sex" from the Roman times to the present. He particularly stresses the fact that same-sex activity had not always been criminalised and that early Christian teachings saw nothing wrong with sex between men. It was only from the third century AD, after Christianity became the official religion of the State, that penal laws were put on the statute book which criminalised conduct which was newly regarded as sinful or as wrongful from the point of view of private law. The judgement also contains an overview of recent judicial pronouncements on the topic of same-sex sodomy in the United States, England, Canada, and from the European Court of Human Rights. It failed to include any discussion of the decision of the United Nations Human Rights Committee in *Toonen v Tasmania* in which the Committee declared that the criminalisation of male sodomy in the Australian State of Tasmania was in contravention of the right of privacy guaranteed in the International Covenant on Civil and Political Rights. It also failed to give any in-depth analysis of the scope of the protection afforded by Section 8(2) of the constitution and rather relied on foreign case law to "prove" that the criminalisation of same-sex sodomy was unacceptable.

Significantly, the judgement rejected an alternative argument that the criminal prohibition on male sodomy contravened the guarantee to the right to privacy in the constitution. Taking up an argument so succinctly made by Edwin Cameron in an article published in 1994, Judge Farlam argued that a reliance on the right to privacy in this matter would merely perpetuate a stereotype that same sex-sexuality, although something to be tolerated in the privacy of the home, was nevertheless something shameful and problematic that belonged in the private sphere. As Judge Farlam pointed out, the South African constitution, in including a specific prohibition against discrimination based on sexual orientation, in fact establishes the principle of equality between hetero-and homosexual individuals and any challenge of the law that discriminates on the basis of sexual orientation must thus be considered as an equality issue, not as an issue privacy rights.

The judgement in the Cape High Court did not bring an end to all legal discrimination against those men who take part in consensual sexual activity with each other. Firstly, the judgement only has binding effect in the Western Cape and, in principle, the common law of-

fence against consensual male sodomy remains in place in all the other jurisdictions in South Africa. Secondly, although it has rarely been prosecuted in the last fifty years, there still exists the common law crime defined as "unnatural sexual offences between men". These punishable acts include "sexual gratification obtained by friction between the legs of another person", mutual masturbation and other unspecified sexual activity between men. It might seem far-fetched today, but the deeply ingrained legal sanction against gay sexuality is amply demonstrated by a litany of cases in which vague and sometimes "unnameable" sexual acts have been punished as "depraved and immoral" conduct. As recent as 1967, a man was convicted of mutual masturbation with another man in the Eastern Cape Division of the South African Supreme Court (*S v V* 1967 (2) SA 17 (E)).

Furthermore, Section 20A of the Sexual Offences Act - the so called "party law" - remains on the statute books despite its far fetched and almost laughable content. This section namely prohibits "any male person" from committing "with another male person at a party any act which is calculated to stimulate sexual passion or to give sexual gratification". A party is defined in the Act as "any occasion where more than two persons are present". This provision, in effect, prohibits gay men from engaging in a variety of public acts of affections such as kissing or perhaps even holding hands and will most certainly not withstand a constitutional challenge.

The Sexual Offences Act distinguishes between the age of sexual consent for heterosexual and homosexual sex.

The Sexual Offences Act also distinguishes between the age of sexual consent for heterosexual and homosexual sex. Section 14 of the Act namely prohibits "immoral or indecent act(s)" committed by a man older than nineteen with a man younger than nineteen, as well as such acts committed by a woman older than nineteen with a woman younger than nineteen. This is three years older than the age of consent for heterosexual sex between older and younger participants, which is set at sixteen.

Lastly, the Criminal Procedure Act (51 of 1977) provides for the lawful killing of a suspect during an arrest in those cases where the suspect was going to be arrested for a crime listed in Schedule 1 of the Act. Alongside crimes such as murder, high treason, theft and kidnapping, Schedule 1 also includes the common law crime of sodomy. It is thus lawful to kill somebody suspected of having committed the crime of sodomy during an arrest as long as the usual requirements had been met.

Because discriminatory laws and practices based on sexual orientation remain on the statute books, the Coalition for Lesbian and Gay Equality, in partnership with the Human Rights Commission, filed an application in the Johannesburg High Court in August 1997 to challenge all the provisions set out above. Although the Minister of Justice at first indicated that he would oppose the application, he later retracted his opposition to the application and the matter was heard unopposed in November 1997. At the time of writing, the judgement had not been delivered, but because the matter was heard unopposed, it is a foregone conclusion that all the provisions mentioned in this article will be declared in contravention of the right to equality guaranteed in the constitution.

The decriminalisation of gay male sexuality will invariably bring gay men and lesbians closer to being treated as equal by the law. However, it will have important consequences for law reformers who will have to rethink the way our law deals with sexual offences. For example, the present gender specific definition of rape will probably have to change to ensure that unconsensual sodomy is adequately punished by our law. Lastly, it will take much more time and many more court challenges before the vast majority of other discriminatory provisions in private law matters are brought in line with the constitution.

Postal Address:
Women and Human Rights Documentation Centre
Community Law Centre
University of the Western Cape
Private Bag X17
Belville, 7535

Physical Address:
New Social Science Building
Ground Floor
University of the Western Cape

Tel: (021) 959-3703(direct) or
(021) 959-2950

Fax: (021) 959-2411

E-mail: fsafodie@law1.uwc.ac.za

GENDER EQUALITY IN THE ENJOYMENT OF ECONOMIC AND SOCIAL RIGHTS

Sandy Liebenberg
Senior Researcher, Economic and Social Rights Project, Community Law Centre

The United Nations Division for the Advancement of Women (DAW) hosted an expert group meeting on *Promoting Women's Enjoyment of their Social and Economic Rights* from 1-4 December 1997. The meeting was held at Abo Akademi University in Turku, Finland in co-operation with the Institute for Human Rights based at this University. The purpose of the expert group meeting was to develop recommendations for the 42nd session of the Commission on the Status of Women (2-13 March 1998) which will be considering the "Human Rights of Women" in its long-term programme of follow-up to the Beijing Declaration and Programme of Action.

The meeting had to grapple with the double marginalisation of socio-economic rights and gender factors from the mainstream human rights discourse and institutions. In her opening statement, Ms. Jane Connors (Chief, Women's Rights Unit, DAW) noted that economic and social rights remain less well-understood than other human rights. She highlighted that gender factors posed additional conceptual and practical challenges to women's full enjoyment of these rights, both at a national and international level. The expert group meeting sought to develop a deeper understanding of the impact of gender on the conceptualisation of these rights and to clarify the obligations of governments and other actors (e.g. the international financial institutions). The meeting made a number of recommendations for action at the national, regional and international levels to advance women's full and equal enjoyment of economic and social rights. These recommendations included concrete measures to be adopted at the level of law, policies, programmes and with regard to resources.

I participated in this meeting as an expert and delivered a paper entitled *Gender Equality in the Enjoyment of Economic and Social Rights: A Case Study of the South African Constitution*. As the Rapporteur, I was also responsible for producing the report of the meeting.

A short extract from the report is published dealing with the integration of gender factors in the conceptualisation, implementation and monitoring of economic and social rights:

A. The Framework for Women's Enjoyment of Economic and Social Rights

1. The recognition of economic and social rights as human rights and their practical realisation have a particular significance for women. Women are disproportionately affected by the lack of recognition of these rights. The recognition of economic and social rights as fundamental human rights alongside civil and political rights and other human rights requires that States accord priority consideration to their fulfillment. Rights are not simply a matter of policy choices for Governments, but impose legally sanctioned duties to respect and ensure the rights in question. Moreover, the full recognition of rights requires the creation of effective channels of redress to hold States accountable for violations of these rights. Women's empowerment is advanced by establishing concrete standards and mechanisms of accountability for violations of economic and social rights. Thus, the rights approach is being increasingly pursued by women, women's organisations and other entities seeking to promote gender equality and women's empowerment. ...

2. The expert group meeting emphasised that women face constraints and vulnerabilities which differ from those which affect men and that these constraints and vulnerabilities are of significant relevance in the enjoyment of these rights. In addition, it noted that these variables mean that women may be affected by violations of economic and social rights in ways that are different from men.

3. The expert group meeting recognised that pro-active policies are required to ensure that women enjoy economic and social rights. It noted, however, that the explicit and implicit inequalities that affect women's enjoyment of these rights can be exacerbated by policies introduced to ensure that women fully enjoy economic and social rights in those cases where policy makers fail to take account of the reality of the lives of women, as well as men. The expert group meeting emphasised that, in most societies, women and men do not occupy the same position. For example, while it acknowledged that poverty affects both women and men, women experience poverty differently from men. Measures which are introduced to address poverty which fail to take account of the differential impact of poverty resulting from gender may serve to exacerbate and entrench this violation of economic rights where women are concerned. By failing to address gender, they may also fail to support and strengthen women's capacity to break the cycle of poverty.

4. The expert group meeting recognised that the rights of women to enjoy civil, political, economic and social rights are often subsumed in a wider societal struggle for the realisation of rights. For example, women's rights to enjoy economic and social resources are frequently postponed until all members of society are able to take full advantage of these rights. The expert group meeting emphasised

that, far from diluting the wider societal struggle for the realisation of economic and social rights, the identification of women's independent entitlement to these rights can strengthen the general quest for realisation of human rights. ...

5. Recognising the many ways in which the situation of women differs from that of men, the expert group meeting underlined the importance of adopting a gender-sensitive methodology in ascertaining the extent to which women enjoy economic and social rights and in determining violations of these rights. The meeting noted that it was important for those involved in the implementation of economic and social rights to seek data disaggregated by sex and gender-specific information and ensure that the different experiences of women in the enjoyment of these rights, as well as their violation, are rendered visible. In fact, violations of women's economic and social rights were seldom perceived as such.

6. The meeting also noted that it was important to interpret existing human rights norms creatively so that they could be applied to those experiences of women which are different from those of men. Noting that there are an infinite variety of ways in which women's work can be rendered invisible and their contribution to society can remain unaccounted for, the responsibility of Governments to make visible these activities was underlined.

7. Using the right to work and the right to an adequate standard of living defined in the International Covenant on Economic, Social and Cultural Rights as illustrative examples, the expert group meeting noted the gender-specific language of these rights and the male-based model of employment that underlay human rights guarantees relating to employment. The expert group meeting noted that the conceptual framework of the right to work failed to reflect the many forms of remunerated and unremunerated work that women perform. It stressed that a truly gender-sensitive guarantee would encompass within its scope women's patterns of paid work, within the formal and informal sectors, as well as the unremunerated work that women perform.

8. The expert group meeting noted that a gender-sensitive interpretation of the right to work would incorporate reference to the need to ensure removal of obstacles to women's full enjoyment of that right. Such obstacles included, but were not limited to, sexual harassment and other forms of violence against women, and absence or lack of access to child care. Gender-discriminatory cultural norms and practices also constitute obstacles. Removal of these and other obstacles should be understood as part of the obligation to ensure just, favourable and safe conditions of work. The expert group meeting also emphasised the importance of identifying the background of inequality against which women participated as workers in various capacities.

9. The expert group meeting also highlighted the importance of a gendered interpretation of the right to social security and social assistance. Full enjoyment of these rights by women could only be achieved if specific areas of women's interests were identified and made visible. Specific factors to be taken into account included the greater vulnerability of women to loss of employment and interrupted employment, health issues of women and of other family members, loss of family members, and particularly male family members through death, abduction or detention, insecurity of shelter, and the particular disadvantages experienced by women arising from their disproportionate share of reproductive, child-rearing and caring work. The development of innovative and creative safety nets for women living in poverty was identified as a matter deserving particular attention.

A copy of the Report of the expert group meeting and the paper by Sandy Liebenberg entitled, *Gender Equality in the Enjoyment of Economic and Social Rights: A Case Study of the SA Constitution* is available from the Women and Human Rights Documentation Centre at a reasonable charge to cover postage and photocopying expenses.
Contact
Farahnaaz Safodien
(tel: 021 - 959 2950).

The report can also be located at the following Web location: http://www.un.org/dpcsd/daw.

We acknowledge with thanks the role of the UN Division for the Advancement of Women in making the report available for reproduction and dissemination.

The Economic and Social Rights Project at the Community Law Centre recently made a submission to the Portfolio Committee on Health, in response to the White Paper on Health. Copies of the submission are available from the Women and Human Rights Documentation Centre.

Contact:
Farahnaaz Safodien
(tel: 021 959 2950).

NEW ACQUISITIONS

Gill Kerchhoff

Consultant to the Documentation Centre

The following items are some of the newest acquisitions in the Women and Human Rights Documentation Centre which are of particular interest. They represent only some selected publications out of many more new acquisitions in the Centre which may be seen in the latest acquisitions list for September to December 1997. The latest acquisitions list is now available from the Centre.

The Right to Know: Human Rights and Access to Reproductive Health Information

Edited for Article 19 by Sandra Coliver
United Kingdom : Article 19; Pennsylvania: University of Pennsylvania Press, 1995
ISBN 0812215885

This book focuses on the role that access to information plays in enabling women to make informed decisions about their family and private lives, particularly reproductive health. Lack of such information has led to a vast amount of human suffering. The book describes how different governments have censored, manipulated and failed to provide information about abortion, contraception, AIDS, etc. Looking at these in the light of international human rights law, this report identifies government's responsibilities to respect women's right of access to information.

The Human Rights Watch Global Report on Women's Human Rights

Human Rights Watch Women's Rights Project
New York : Human Rights Watch, 1995
ISBN 0300065469

Women are denied many basic human rights, even though international human rights principles have been established since World War II. Over the last two decades, women have mobilized across cultural, traditional, religious, political and geographical differences to challenge gender-related abuse. This report is the result of five years of research into violence against women and sex discrimination internationally. The focus is on the role that governments play in perpetuating such abuse e.g. rape in war, trafficking of women, sexual abuse of refugee women and human rights violations related to reproduction and female sexuality. It finally provides recommendations for action that governments and the international community can take to combat these violations.

A World of Widows

Margaret Owen
London : Zed, 1996
ISBN 1856494209

This book looks at the legal, social, cultural and economic status of widows at an international level. Not a subject greatly researched, Owen finds this an urgent issue considering the extent and severity of discrimination against widows. Apart from examining the various aspects of widowhood, she also looks at specific groups of widows: refugees, older widows, child widows. She closes with a summary of widowhood as a human rights issue and an overview of widows who are organizing for change.

Without Reservation: The Beijing Tribunal on Accountability for Women's Human Rights

Niamh Reilly [editor]
Rutgers, State University of New Jersey : Center for Women's Global Leadership, 1996

Since 1975 and the first UN World Conference on Women in Mexico City, there have been a number of international women's meetings, culminating recently in the Beijing conference in 1995. In the context of these world conferences, the international movement for women's human rights has grown and emerged as a political force. It is now vital to continue this dialogue beyond world conferences and to look at accountability: governments, UN agencies, and civil society are all required to take on the issue of women's human rights.

Promoting Women's Enjoyment of their Economic and Social Rights: Expert Group Meeting, Abo/Turku, Finland, 1-4 December 1997 Report

New York : United Nations Division for the Advancement of Women, Department of Economic and Social Affairs, 1997

This report, compiled by Sandy Liebenberg, was produced out of the expert group meeting on "Promoting Women's Enjoyment of their Economic and Social Rights" which was convened to address those aspects of the Beijing Platform for Action concerned with women's human rights. The meeting recognized the importance of a gender-sensitive interpretation of human rights contained in international human rights instruments relating to economic, social, civil and political rights. It stressed that governments were primarily responsible for ensuring that women's human rights were protected but also provided recommendations for action at national and international levels.

The Right to Live Without Violence: Women's Proposals and Actions Women's Health Collection/1

S.l : Latin American and Caribbean Women's Health Network , 1996

The issue of domestic violence affects women deeply – both individually and communally. The Latin American and Caribbean Women's Health Network claims the task of women's groups is to denounce these violations of human rights and demand an end to the discrimination and inequality which validates violence; lastly their task is to support the many girls and women who are victims of violence. This publication consists largely of contributions from members of the Network: research findings, legal analyses and work experiences.