TEMPORARY SPECIAL MEASURES

ACCELERATING *DE FACTO* EQUALITY OF WOMEN UNDER ARTICLE 4(1)
UN CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

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Temporary Special Measures – Accelerating de facto Equality of Women under Article 4(1) UN Convention on the Elimination of All Forms of Discrimination Against Women

Ineke Boerefijn, Fons Coomans, Jenny Goldschmidt, Rikki Holtmaat, Ria Wolleswinkel (eds.)

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PREFACE

The supervisory organs (the so-called treaty bodies) of the six major United Nations conventions on human rights (the Convention on the Elimination of All Forms of Discrimination Against Women (1979) being one of them), have played and are playing a crucial role in the further, progressive development of international human rights law, *inter alia*, through the adoption of general comments or general recommendations. Such general comments or recommendations are based on the experiences of the treaty bodies in their examination of state reports as reflected in the concluding observations on such reports, and on individual complaints in situations where a treaty body is mandated to deal with such complaints. The general comments and recommendations so far adopted by the treaty bodies have contributed greatly to the further clarification of the substance of the rights of individuals and the corresponding obligations of states.

From this perspective the Maastricht Centre for Human Rights (Maastricht University) and the Netherlands Institute of Human Rights (SIM, Utrecht University) were highly pleased that they were allowed to play a role in the process which will eventually lead to the adoption of a General Recommendation by the Committee on the Elimination of All Forms of Discrimination Against Women (CEDAW) on Article 4(1) of the Women’s Convention. This article relates to the issue of temporary special measures which is, of course, not only relevant in the context of the Women’s Convention itself, but also, as a cross-cutting issue, in the context of the five other international human rights treaties mentioned above. It was a great pleasure for the organisers of the expert meeting that the meeting was attended by gender and human rights experts from different parts of the world, including the expert-rapporteur of CEDAW on the issue of temporary special measures. Having been elected to CEDAW in 2002 it was for me personally a privilege to participate in the expert-meeting as a member-elect of CEDAW; this was also the case for Pramila Patten from Mauritius. The Maastricht Centre for Human Rights and the Netherlands Institute of Human Rights which are both partners in the Netherlands School of Human Rights Research, are very grateful to the organising committee and to the participants in the seminar for their important input. It was the sincere feeling at the end of the seminar that everyone had a firm grasp of the main elements of the problem of temporary special measures in the field of human rights.
Preface

I sincerely hope that the proceedings of the seminar and the papers presented during the seminar will prove to be important building blocks for a clear, meaningful and policy-relevant General Recommendation of CEDAW on Article 4(1) of the Women’s Convention.

Professor Cees Flinterman
Director Netherlands School of Human Rights Research
ACKNOWLEDGEMENTS

This book is the result of fruitful collaboration between the Universities of Leiden, Utrecht and Maastricht (the Netherlands). It is the outcome of an expert meeting on Article 4(1) of the UN Convention on the Elimination of All Forms of Discrimination Against Women, which was held in October 2002 in Valkenburg/Maastricht, the Netherlands. The editors would like to thank the contributors to this volume for submitting and presenting their papers at the expert meeting and preparing their contributions for publication.

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Finally the editors would like to thank Cees Flinterman for chairing the expert meeting, Chantal Kuypers for taking care of the practical, organisational and logistical aspects of the meeting, Sophie Janssen for secretarial assistance in preparing the manuscript for publication and Niels Dekker for checking the footnotes.
# TABLE OF CONTENTS

Preface ................................................................................................................. v  
Acknowledgements .............................................................................................. vii  
Table of Contents .............................................................................................. ix  

**Introduction** ..................................................................................................... 1  

The Goals of the Meeting...................................................................................... 1  
1. The Development of a General Recommendation on Article 4(1) of the CEDAW Convention ......................................................... 1  
2. Stimulating the Legal Debate on Positive Action ....................................... 3  
   Formal and Substantive Equal Rights ......................................................... 3  
   Positive Obligations .................................................................................... 4  
   Overcoming Political and Social Resistance to Special Temporary Measures ............................................................... 4  
3. Stimulating Positive Action Measures in the Netherlands ..................... 4  
The Themes of the Meeting and the Content of this Volume...................... 5  

**PART I GENERAL ISSUES** .............................................................................. 9  

Opening of the Seminar  
*Jenny Goldschmidt* ............................................................................................ 11  

Reflections on a General Recommendation on Article 4(1) of the Convention on the Elimination of All Forms of Discrimination Against Women  
*Hanna Beate Schöpp-Schilling* ......................................................................... 15  

1. Preface ........................................................................................................... 15  
2. Introduction ................................................................................................... 16  
3. The Relationship between Article 4(1) and Article 4(2) ......................... 17  
4. Temporary Special Measures in International Law ............................... 18  
5. The *Travaux Préparatoires* on Articles 4(1) and 4(2) of the CEDAW-Convention .............................................................. 19  
6. The Issue of Terminology .......................................................................... 22  
7. Practice of the CEDAW-Committee and Other Bodies ......................... 22  
8. Substantive Equality .................................................................................... 25  
9. Mandatory Nature of Article 4(1) ............................................................. 27  
10. ‘Temporary’ Nature of Special Measures .............................................. 29  
11. Types of Temporary Special Measures .................................................. 29  
12. Reflections on Possible Elements of a General Recommendation ....... 31
Table of Contents

Systematizing the Application of Different Types of Temporary Special Measures under Article 4 of CEDAW
Frances Raday....................................................................................................35

1. General Observations........................................................................... 35
2. Theories of Social Justice ................................................................. 36
3. Application of Different Types of Temporary Special Measures in Accordance with Theories of Social Justice......................... 38
   3.1. Quota Systems............................................................................... 38
   3.2. Allocation of Resources .............................................................. 40
   3.3. Preferential Treatment ............................................................... 41
   3.4. Reporting Obligations on Goals and Timetables......................... 43
4. Concluding Observation...................................................................... 44

The Practical Relevance of Article 4 CEDAW with Particular Attention for Articles 11, 13 and 14
Elizabeth Evatt ............................................................................................45

1. The Desirability of a General Recommendation on Article 4(1) .... 45
2. The Relevance of Article 4(1) for Other Provisions.......................... 47
3. The General Recommendation on Article 4(1) in the Light of the Functions of General Recommendations...............................49

What Could the European Union learn from the CEDAW Convention
Joke Swiebel.................................................................................................51

1. Introduction........................................................................................... 51
2. Equality Theory – UN and EU Follow a Different Approach ........ 52
3. Different Perspectives – Human Rights vs. Internal Market........... 54
4. Recent Developments: the Treaty of Amsterdam ......................... 55
5. New Legislation and the EU Charter of Fundamental Rights....... 57
6. The EU and CEDAW............................................................................59

PART II CONCEPTUAL ISSUES ................................................................ 63

The Concept and Practice of Affirmative Action
Marc Bossuyt............................................................................................... 65

1. The Concept of Affirmative Action.................................................... 65
2. Forms of Affirmative Action.............................................................. 65
   2.1. Affirmative Mobilisation or Affirmative Fairness ....................... 66
   2.2. Affirmative Preference................................................................. 67
3. Conclusions........................................................................................... 69
Table of Contents

The Practice of Affirmative Action Policies: Explaining Resistances and How These Affect Results
Carol Bacchi ........................................................................................................ 75

1. Introduction ........................................................................................... 75
2. The Logics of Resistance ..................................................................... 77
3. The History and Effects of Resistance ................................................ 81
   3.1. Theoretical Resistance/Containment ............................................... 81
   3.2. Economic and Political Resistance/Containment........................... 83
   3.3. Feminists’ Views on Affirmative Action ........................................... 86
4. Where is Affirmative Action Today? ................................................. 88
5. Reframing Affirmative Action ............................................................ 94

Temporary Special Measures: How Long is Temporary and What is Special?
Marsha Freeman ............................................................................................. 97

1. Introduction ........................................................................................... 97
2. The Nature of the Obligations under Article 4(1) ............................ 99
3. Distinction Between Temporary Special Measures to Accelerate the Achievement of *de facto* Equality, and Permanent Measures to Eliminate Discrimination .................................................. 100
4. An Analytical Continuum for Temporary Special Measures ..... 103
5. The Less Common Issues: Applying the Allocation Analysis..... 107
6. Conclusion ........................................................................................... 109

Beyond the Dichotomy of Formal and Substantive Equality: Towards a New Definition of Equal Rights
Sandra Fredman ............................................................................................ 111

1. Introduction ......................................................................................... 111
2. Treating Likes Alike or Formal Equality ......................................... 112
   2.1. Equality of Opportunity ............................................................... 113
   2.2. Equality of Results ..................................................................... 114
   2.3. Equality as Transformation.......................................................... 115
3. Equality and CEDAW ........................................................................ 116
4. Conclusion ........................................................................................... 118

Obligations to Adopt Temporary Special Measures Under the Convention on the Elimination of All Forms of Discrimination Against Women
Rebecca Cook ............................................................................................... 119

1. Introduction........................................................................................... 119
2. Requirements for Temporary Special Measures ............................ 123
Table of Contents

2.1. Accelerating *de facto* Equality............................................................ 123
2.2. Prohibition of Unequal or Separate Standards............................... 125
2.3. Temporary in Nature ......................................................................... 127
3. Obligations to Adopt Temporary Special Measures.......................... 129
  3.1. Obligations Derived from the Object and Purpose of the Women’s Convention.............................................................................. 130
  3.2. Obligations Derived from Specific Articles .................................... 132
    3.2.1. Political and Public Life............................................................. 135
    3.2.2. Employment................................................................................ 137
    3.2.3. Health......................................................................................... 139
4. Conclusions ......................................................................................... 140

Affirmative Action
Comments on Professor Cook’s paper
Aalt Willem Heringa ........................................................................................ 143

PART III SUBSTANTIVE RIGHTS.......................................................... 149

Rights-Based Education as Pathway to Gender Equality
Katarina Tomasevski ...................................................................................... 151

1. Introduction............................................................................................ 151
2. Global Focus on Eliminating Gender Disparities.............................. 152
3. Limitations of Education alone for Accelerating *de facto* Equality ......................................................................................... 154
4. Gender Disparities in School: Teachers and Learners ................... 156
5. What Education for Child-Mothers? ............................................... 163
6. Countering Denials of Women’s Rights............................................. 166
7. Adapting Education to Girls’ Equal Rights ..................................... 167
8. Summing Up ......................................................................................... 170

Rights-Based Education to Gender Equality
Comments on the Contribution by Katarina Tomasevski
Corinne Packer ............................................................................................. 173

The Meaning of Article 4(1) of the UN Convention on the Elimination of All Forms of Discrimination Against Women: a South African Perspective
Sandile Ngcobo ............................................................................................ 181

1. Introduction............................................................................................ 181
2. The Political Commitment................................................................. 182
2.1. The Legislative and Institutional Commitment of Government.... 182
2.2. The Participation of Women in Political and Public Institutions 184
2.3. The Impact of Women in Parliament............................................... 186
# Table of Contents

3. Special Measures to Accelerate Equality ................................................... 187
   3.1. The Place of Affirmative Action in the Constitution ..................... 188
   3.2. National Legislation that Implements Affirmative Action .......... 190
   3.3. The Requirements of Representivity .............................................. 191
   3.4. Legislation Advancing and Protecting Women ......................... 193
4. Implementation Mechanisms for the Promotion of Gender Equality ......... 195
   4.1. National Institutions that Promote Gender Equality ............... 195
   4.2. The Role of the Judiciary in Enforcing Gender Equality .......... 197
5. Enforcement of the Convention in South Africa .................................. 199
6. Conclusion ......................................................................................... 202

Women’s Participation in Political and Public Life: a Key to the Advancement of Women
Comments on Justice S. Ngeobo’s paper
Athalia Molokomme....................................................................................... 203

1. Introduction .......................................................................................... 203
2. Factors Influencing the Achievement of CEDAW Objectives .......... 203
3. Political Commitment .......................................................................... 205
4. Special Measures .................................................................................. 206
5. Representivity ...................................................................................... 207
6. Effective Implementation Mechanisms ........................................... 208
7. Concluding Comments ........................................................................ 208

ANNEX ........................................................................................................... 211

Building Blocks for a General Recommendation on Article 4(1) of the CEDAW Convention
Report of the Expert Meeting in Maastricht (Valkenburg) 10-12 October 2002
Rapporteur: Rikki Holtmaat ................................................................. 213

1. Introduction .......................................................................................... 213
2. Some Preliminary Remarks (about the Aim/Structure/Strategy) ....... 213
   to Keep in Mind When Drafting the General Recommendation 213
3. Some Headlines of the Discussions.................................................... 214
4. The Structure of the General Recommendation ............................ 218
5. The Object and Purpose of the Convention .................................... 218
   5.1. The a-symmetrical Equality Norm of the Convention ............ 218
   5.2. The Aims of the Convention ......................................................... 219
   5.3. The Content of the Right not to be Discriminated Against ....... 221
   5.4. Negative and Positive Duties ......................................................... 221
   5.5. The Importance of Article 5a of the Convention .................... 222
# Table of Contents

5.6. The Relation between TSMs and the Need for Structural Change ........................................ 223
6. Other Instruments in the Field of TSMs ................................................................. 224
7. The Meaning of the Concept of TSMs in the CEDAW Convention ................................................. 224
8. The Mandatory Nature of TSMs........................................................................ 226
9. Article 4(1) in the Reporting Procedure ................................................... 227
10. Examples of TSMs in Practice ........................................................................ 228
11. Some Final Remarks ........................................................................................ 230

**Committee’s Approach to Article 4, Paragraph 1 of the Convention**  
UN Nations doc. CEDAW/C/2001/II/5  
Convention on the Elimination of All Forms of Discrimination against Women ................................................................. 231

I. Introduction ........................................................................................................... 231
II. Article 4(1) of the Convention on the Elimination of all Forms of Discrimination against Women ......................................................................................... 234
III. The Approach of the Committee on the Elimination of Discrimination against Women to Article 4(1) .......................................................................................... 234
   A. Reports to World Conferences ....................................................................... 235
   B. General Recommendations ........................................................................... 235
   C. Concluding Comments ................................................................................. 236
   C1. General Advocacy for Temporary Special Measures ................................... 237
   C2. Participation in Political and Public Life and Decision-Making ................. 239
   C3. Education and Training ............................................................................... 247
   C4. Equal Participation in Employment and Economic Life ............................ 249
   C5. Temporary Special Measures to Advance the Situation of Particular Groups of Women .................................................................................................................. 250
   C6. Evaluation of the Impact of and Programmes to Support Temporary Special Measures ........................................................................................................ 251
   C7. Misunderstanding of Article 4(1) .................................................................. 251

List of Contributors .................................................................................................. 253

Participants Seminar on Article 4(1) CEDAW, Maastricht/Valkenburg,  
The Netherlands, 10-13 October 2002 ........................................................................ 257