

The Carter Center, Atlanta, Georgia of Heaven and Earth - A Forum on Faith, Belief, and the Advancement of Women's Human Rights, Statement by Ms. Navanethem Pillay United Nations High Commissioner for Human Rights, Atlanta, 4 April 2011

President Carter,
Dear Colleagues,
Ladies and Gentlemen,

It is always a pleasure to be at the Carter Center, and particularly to participate in this Forum on Faith, Belief and the Advancement of Women. This topic is very pertinent in light of the events which have taken place in the last few months in the Middle East and North Africa.

It is not surprising that women have played a key role in the protest movements in those regions. Wearing jeans, headscarves or the full hijab, with secular or religious views, they were at the forefront of the demonstrations. They claimed public space and public attention. They demanded change. They knew that they were likely to suffer most from a perpetuation of the status quo.

The courage and determination of women in the Middle East and North Africa should be a source of inspiration for all of us, women and men striving to achieve full respect for human rights in general, and the rights of girls and women in particular. Their struggle also shows that there has always been a global women's movement, with many names and many faces. We must support these women now, so that the space they have claimed and gained through those protests remains wide open for them and other groups at risk. We must guard against the reassertion of discriminatory practices and intolerance during the period of uncertainty which will be inevitable during the political transition. It is important to learn from past experiences of political reform, including in countries emerging from conflict, and ensure that women's rights are not set aside as something to be dealt with after political reforms are won.

The protest movements and the responses they generated have highlighted the transformative power of globalization both in its positive and negative aspects. It can be a strong force for the creation of cultural understanding, but it can also inspire intolerant propaganda. It can be an engine to equalize opportunities for wealth, but it can also deepen economic disparities.

All of us struggle to grasp the full implications of globalization as we seek to assert our own identities, our historical heritage, our concept of progress while adapting to the increasingly interconnected world. All too often those who are identified as not sharing a community's history, traditions and values, or who challenge stereotypical or traditional roles are perceived as threats to the stability of that community's belief system and customs.

Yet no society, regardless of its geographic location or level of economic development, can be said to be represented by a single and comprehensive set of shared values. Traditions, beliefs and values change over time, and are viewed and interpreted differently within

societies. There are traditions of hate, just as there are traditions of tolerance; traditions of repression, just as there are traditions of liberation; and traditions of deprivation and exclusion, just as there are traditions of social justice. These contrasts can be found in the histories of all countries and of many systems of belief.

Our task is to be squarely and unequivocally on the side of those in every society who promote and defend human rights, to stand with those who believe in human dignity and equality. And yes, in compassion as well.

In this context, I commend groups and individuals that seek common ground between the universality of human rights and religious beliefs. One such a group is The Elders, a small council of retired leaders, brought together by Nelson Mandela, and which counts President Carter amongst its members. Two years ago they issued a statement on equality for women and girls calling on religious and traditional leaders to 'change all discriminatory practices within their own religions and traditions.' The movement Musawah, or "Equality," led by Muslim women, strives—and does so publicly—to integrate Islamic teachings, universal human rights and national constitutional guarantees of equality and justice. Their approach is pragmatic and law-based, and they seek to foster a constructive discussion platform where, and I quote them, "religion is no longer an obstacle to equality for women, but a source of liberation."

The dignity of all, regardless of sex or background, is fundamental to all faiths and cultures. It is also the basis of the Universal Declaration of Human Rights. Of course there will always be some who would deny the universality of our rights and seek to use arguments of tradition and culture to oppose them. To them I say, speak to my staff who work in every corner of the globe defending human rights. Ask them if any single woman, man or child has ever stood up to demand the right to be tortured, summarily executed, raped, mutilated, kept prisoner within the family home, starved or denied education, medical care, in the name of their culture and values.

As a woman of colour who struggled against apartheid, I recall that, while ours was a movement that cut across the many cultures and traditions of South Africa, the common thread that most bound us together was precisely that of the common values of human rights, the universal principles enshrined in the Universal Declaration, and translated into binding form by human rights treaties. For us, the UN was a source of encouragement and support, particularly in the aftermath of the Sharpeville massacre.

Indeed, the first United Nations human rights treaty, the 1965 International Convention on the Elimination of All Forms of Racial Discrimination, particularly condemned racial segregation and apartheid. The first UN mandatory arms embargo was imposed by the Security Council in 1977 to express condemnation for the practices of the apartheid regime. A year later, the first World Conference against Racism reiterated this stance. In the following decades, the United Nations has continued to advocate against the inhumanity of that system, promoting anti-apartheid initiatives by governments and civil society.

Dear Colleagues,

Freedom of thought, conscience and religion is a fundamental human right set out in articles 18 of the Universal Declaration and the International Covenant of Civil and Political Rights. It can be limited only under restricted conditions, but like any other human right it cannot be used to justify the violation of other fundamental human rights. This includes the right to enjoy all human rights without discrimination. The struggle against discrimination

permeates all aspects of United Nations activities, and a central facet of this has been the promotion of women's equality.

The Convention on the Elimination of All Forms of Discrimination against Women – ratified by or acceded to by 186 States, but unfortunately only signed by the United States (in 1980 under your administration, President Carter) – is a legally binding roadmap to transform gender relations within States, communities and families. It has inspired the creation of civil society internationally and nationally and empowered individual women to recognize and claim their rights. The work of its oversight body, the Committee on the Elimination of Discrimination against Women, has fostered constitutional, legislative and policy change in many States, particularly in relation to violence against women and girls that was frequently justified on the basis of religious or cultural practices.

The United Nations independent human rights experts have also been instrumental in fostering change and promoting protection. In 1986, the United Nations Commission on Human Rights appointed a special rapporteur to examine incidents in all parts of the world that were inconsistent with the provisions of the 1981 declaration on the elimination of all forms of intolerance and of discrimination based on religion or belief and recommend remedial measures for such situations.

Each of the four rapporteurs who have held this mandate have paid close attention to the nexus between freedom of belief and the enjoyment by women of their human rights.

They have drawn attention to harmful practices which they consider to be mainly attributable to cultural interpretations of religious precepts, or which may even conflict with religion. Special rapporteurs have recommended the enactment of legislation to eliminate discriminatory or harmful practices and the repealing of laws that infringe on the rights of women. They have called for the penalization of those who perform these practices.

Moreover, these independent experts have made clear that, disturbingly, some of these practices are championed by religious leaders, States or communities, and are very difficult to challenge. They have also noted that women are largely excluded from the decision-making processes of most religions. Their voices are all too often absent from dialogues among and between faiths and beliefs.

Scholars and experts have noted that a clear separation between the State and the religious authorities helps to equalize the playing field for women by shifting the focus from the protection of some rights to the protection of all rights for all, those who are religious-oriented and those whose views are secular; the religious majority and the religious minorities; the pious and the agnostic.

The working group on discrimination against women in law and practice, recently established by the Human Rights Council, will also be well-placed to address ways to ensure that the human rights to non-discrimination on the basis of sex and freedom of religion, conscience and belief can be enjoyed fully.

For its part, my Office strives to translate the framework of the human rights' vision of equal rights and non-discrimination into a daily reality in the lives of all women.

We focus on the promotion and protection of all women's human rights, including their economic, social and cultural rights which are also a means of securing women's

participation in all aspects of governance. We work to combat sexual violence in particular where it is condoned either explicitly or implicitly by the State, and to ensure that its victims receive justice. This is not only a moral imperative, but also a legal obligation without which communal welfare is compromised. I am confident that the creation of UN Women will bring more coherence, energy and ideas to the UN system on the implementation of the human rights of women.

Dear Colleagues,

With CEDAW and the jurisprudence it spurred, the normative framework to ensure equality for women in international law is firmly in place. Fifteen years ago, States undertook to eliminate discrimination in the context of the Fourth World Conference on Women in Beijing. Yet tangible improvements in the daily lives of millions of women lag well behind stated commitments and intentions.

We need to accelerate implementation and enforcement of women's rights by countering gender-based discrimination and violence which persist both in the public and private spheres, during peace as well as in conflict or transition periods. These are manifestations of the historically unequal power relations between women and men perpetuated by traditional and customary practices that accord women a lower status in the family, the workplace, and in society at large.

Men and women, boys and girls must be educated about women's human rights and everyone's responsibility to respect the rights of others. This should include recognition of women's right to control their bodies and their sexuality, as well as having equal access to inheritance, property, education and social security.

As observed in the Beijing Platform, religion, thought, conscience and belief may, and can, contribute to fulfilling women's aspirations. However, the document notes, "it is acknowledged that any form of extremism may have a negative impact on women and can lead to violence and discrimination." The Platform calls on Governments to take steps so that tradition and religion and their expressions are not a basis for discrimination against girls.

Let us recall that religions and their institutions are meant to give believers a home, an identity to be proud of, a sense of belonging to a community of peers in faith, a point of destination and a platform for one's spiritual quests. Religions are, can, and have been empowering experiences in all cultures and in all countries.

Empowerment is predicated on the removal of discriminatory laws and harmful practices that hold women back, frustrate their resourcefulness, and curtail their access to a fair share of the common wealth.

Empowerment requires their active participation in public life, their freedom of expression, association and movement. Empowerment demands firm communal commitments to defeating fear, want and exclusion.

Empowerment must be ultimately locked into national policies fostering self-help and solidarity. In this context, absorbing international standards into domestic law and enforcing them is of paramount importance. Targeted national action plans are also crucial.

Justice mechanisms have been creatively and effectively used to ensure accountability in dire situations when governments, in both poor and rich countries, have failed to guarantee women's enjoyment of their human rights, or where women's complaints were stonewalled by bureaucratic inertia and prejudice.

The promotion and exercise of tolerance, the ability to keep our hearts and minds open to the reasoning of others are the true litmus tests to gauge whether our commitment to the full and interdependent set of human rights and to human dignity is truly genuine and not just expedient rhetoric.

Thank you.