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CEDAW implementation in contexts similar to Taiwan: Japan, Chile, USA

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CEDAW and Taiwan

- CEDAW is an important framework for the women of Taiwan – this is a wonderful initiative!
- Impressive achievements have been made – due to initiatives out of civil society and the state apparatus
- My contribution today: Provide examples of CEDAW use from other places in the world in order to assist important work done in Taiwan:
 - From Japan (cultural and regional proximity)
 - From Chile (experience of authoritarianism)
 - From the United States (not party to CEDAW)



Japan: successes in male-dominated environment

- Ratification process: legal changes in the field of employment (EEOL), nationality rights and education (1985)
- Prior: civil society organizations and female politicians mobilize and push a reluctant government
- After: Legal changes insufficient for women's movements; bring cases of discrimination to the courts, result: amendment of EEOL in 1999; other steps (e.g. domestic violence law)
- Successes due to a coalition of movement actors, politicians and bureaucrats; also transnational connections



Chile: motherhood and gender equality – clash or overlap?

- Post-authoritarian context: strong pro-human rights rhetoric, but dictatorship has favored “sexist organization of society”
- Women active in democratization process → “politicized motherhood”
- Gender policies in democracy: important initiatives, but often watered down (weak WPA; intra-family violence law; very little progress in reproductive rights)
- International framework is crucial support for women’s rights proponents
 - Politically useful in areas of normative overlap (violence against women; support for mothers; non-discriminatory education)
 - Less useful in other areas, in particular overcoming gender stereotypes, eliminating de-facto discrimination, and reproduction



Lessons for Taiwan

- Hard to push for laws promoting gender equality within tradition of strong gender difference
- Challenge: laws may be in place (even if hard to achieve) – traditions are harder to change
- Both Japan and Chile seem to be more reluctant to change than Taiwan
- Interesting strategies:
 - coalition building among different domestic actors AND transnational networking (Japan, Chile)
 - use of litigation to push for law enforcement (Japan)
 - long term/ small step thinking in fields of most resistance (Chile, reproductive rights) and deeply rooted traditions



USA: Local not national implementation

- Why not ratified? Understanding of sovereignty AND rejection of some dimensions of CEDAW
- Local initiative: San Francisco city ordinance – mainstream CEDAW/ women’s rights into city departments, policies and services
- Initiated by NGOs, receptive city government
- Creation of local monitoring instrument
- Results: work in progress; better understanding of relevance of gender in each city department; concrete changes that sometimes benefit not only women (e.g. flexible work-life models)
- Challenges: Limited resources and understanding of human rights; dynamic of progress could not be perpetuated; no overarching goals formulated



Lessons for Taiwan

- Implementation is feasible without formal ratification; this brings additional challenges (how to keep the process going?)
- Participatory implementation yields good results (ideal: implementation in many layers)
- Involvement of as many constituencies as possible – but how to maintain the momentum? Need of resources?
- “Learning-by-doing” process – what does it exactly mean to take a human rights approach in a city government?
- Hard to translate this process into more reluctant context

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