

THE WOMEN'S CONVENTION TURNED 30



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Achievements, Setbacks, and Prospects

*Edited by*

Ingrid WESTENDORP



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Ingrid Westendorp (ed.)

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## PREFACE

On 8 March 2010, International Women's Day, many of the authors of this book attended a one-day seminar organized by the Maastricht Centre for Human Rights of the Maastricht University. It was a most inspiring event on which new ideas were launched and thorough discussions were held. The seminar was not only attended by legal scholars from the Netherlands and abroad, but also by Non-Governmental Organisations' representatives, civil servants and students.

The 27 contributors of this book have different national and cultural backgrounds; some have just started their (academic) careers whilst others already are well-established in their particular field of work. They all had to write their particular contribution on top of a busy daytime job. As is not uncommon in projects such as this, some of the authors have managed to submit their Chapters in a very short period of time whilst others were facing unexpected challenges. It is never easy to get 27 individuals on the same page, but in the end every single chapter shows enthusiasm and dedication to the cause of equality for women. I am genuinely grateful to every single one of them.

I would also like to express my gratitude to the Maastricht Centre for Human Rights and the Faculty of Law's Research Fund for their (financial) support to organize this seminar, and to Intersentia for making the publication of this book possible.

Special thanks go to Chantal Kuypers who, on top of organizing the seminar, has always been my prop and stay with whatever problem I encountered during the compilation of this book.

Finally, my gratitude goes to three enthusiastic and hard-working student assistants who did research, looked up references and gave support to whoever needed it: Laura Visser, Samira Sakhi and Antonia Waltermann.



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## LIST OF ABBREVIATIONS

CEDAW	Committee on the Elimination of Discrimination Against Women
CERD	Committee on the Elimination of Racial Discrimination
CESCR	Committee on Economic, Social and Cultural Rights
CHR	Commission on Human Rights
CMW	Committee on Migrant Workers
CO/COs	Concluding Observation(s)
CRC	Committee on the Rights of the Child
CSO/CSOs	Civil society organization(s)
CSW	Commission on the Status of Women
DEDAW	Declaration on the Elimination of Discrimination Against Women
ECJ	European Court of Justice
ECN	European Convention on Nationality
ECOSOC	Economic and Social Council of the United Nations
EU	European Union
FC	Female circumcision
GA	General Assembly of the United Nations
GATS	General Agreement on Trade in Services
HRC	Human Rights Committee
ICCPR	International Covenant on Civil and Political Rights
ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
IGO/IGOs	Intergovernmental organization(s)
ILO	International Labour Organization
NGO/NGOs	Non-governmental organization(s)
UDHR	Universal Declaration on Human Rights
UN	United Nations
SRVAW	Special Rapporteur on Violence Against Women
TFEU	Treaty on the Functioning of the European Union
TRIPS	Agreement on Trade Related Aspects of Intellectual Property Rights
VAW	Violence Against Women
WHO	World Health Organization
WTO	World Trade Organization





## ABOUT THE CONTRIBUTORS

**Ms Margreet de Boer** studied Dutch Law and Criminology (1982–1986). For her thesis she developed a complaint procedure on sexual harassment for the Free University. In 1989, Margreet de Boer started her career as a women’s lawyer: she became partner in a law firm, and provided legal aid to women on family law, the legal position of victims of domestic and sexual violence, social security and equal treatment. She handled several cases on sex-discrimination for the equal treatment commission and the court.

In 2000, Margreet de Boer became a senior consultant with the Clara Wichmann Instituut, the expertise Centre for Women and Law, where she worked as senior consultant and director. Since 2004 she has her own consultancy firm on Women’s Rights. In these positions she focussed on the analysis and research of the gender aspects of laws and their implementation. She was co-author of the Dutch Shadow Report on the implementation of CEDAW in the Netherlands (2006), and advisor for the Dutch Audit Committee on Gender mainstreaming (2005–2006). She developed several trainings, on gender aware legislation, on CEDAW and on the legal aspects of domestic violence. Margreet de Boer is partner in Rights 4 Change, a project organisation which focuses on human rights impact assessment.

Margreet de Boer is also an active member of the political party GroenLinks (GreenLeft). She was member of the local council in Amsterdam-West (from 2006–2011), and from June 2011 she is member of the Senate of the Dutch Parliament.

**Ms Martine Boersma** studied Law at Maastricht University (*cum laude*), where she specialized in company and commercial law, as well as in labour and health law. Subsequently, she started her PhD research in September 2007 with the Maastricht Centre for Human Rights. The dissertation addresses the possibilities for combating corruption in the public sector by making use of the systems of international human rights law and international criminal law. Martine also teaches various courses in the field of international and European law at Maastricht University. Since 2011 Martine Boersma works as a solicitor.

**Dr Marjolein van den Brink** has lectured at Utrecht Law School since 2000. Between 2001 and 2010 she combined this with a commissionership of the Dutch national Equality Body. Previously, she worked for the national advisory council

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**Prof. Dr Fons Coomans** holds the UNESCO Chair in Human Rights and Peace. He is also the coordinator of the Maastricht Centre for Human Rights, and Senior Researcher at the Netherlands School of Human Rights Research. His fields of research include the international protection of economic, social and cultural rights in general and the right to education and food in particular, as well as international supervisory mechanisms in the field of human rights. He is the coordinator of the courses on economic, social and cultural rights of the Advanced European Masters Degree in Human Rights and Democratisation in Venice.

**Dr M.C.E.M. (Tilly) Draaisma** studied Dutch law (Utrecht University, 1980) and fiscal law (Tilburg University, 1991) and made her doctorate at the Free University, Amsterdam (2001). The title of her doctoral thesis was: *De stiefouder: stiefkind van het recht. Een onderzoek naar de juridische plaatsbepaling van de stiefouder (Stepparent: Stepchild of Law. A study into the Legal position of the stepparent)*. She was a solicitor till 1985. Currently, she is senior lecturer international law in the department of law at the Dutch Open University, Heerlen.

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**Prof. Dr Gerard René de Groot** studied Law at the Rijksuniversiteit Groningen (the Netherlands) and at the Westfälische Wilhelmsuniversität Münster (Germany). In Groningen he obtained the degrees *Magister iuris* and

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**Ms Sille Jansen** graduated from University College Utrecht and Maastricht University. She is currently working as an advocacy officer for sexual and reproductive health and rights at Rutgers WPF, with women's rights as her particular focus. In her function as chair of CHOICE for youth and sexuality she advocates for youth participation in this field, as a lever for development.

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**Mr Jasper Krommendijk** has been employed as a PhD researcher at the Maastricht Centre for Human Rights since 1<sup>st</sup> November 2009. His PhD research, under the supervision of Prof. Dr A.P.M. Coomans and Prof. Dr F. Grünfeld, deals with the impact and effectiveness of human rights state reporting under the main six UN human rights treaties and Concluding Observations at the domestic level. Jasper holds an LLM degree in International Law and Law of International Organisations from the University of Groningen Faculty of Law, The Netherlands (*cum laude*). He previously completed bachelor degrees in International Relations and International and European Law at the same university (both *cum laude*). After his studies, Jasper did an internship at the Dutch Ministry of Economic Affairs, working on issues relating to the EC Services Directive. In addition, he worked at the Ministry of Justice in the field of European criminal law and monitoring and evaluation mechanisms between May and October 2009.

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**Ms Phyllis Livaha** joined the Faculty of Law at Maastricht University in 2008, where she teaches both international law and international relations. She holds a Juris Doctor from Michigan State University College of Law and a B.A. (honours) in Political Science from Bennett College. Before joining the faculty at Maastricht, she was a volunteer researcher for International Rights Advocates, a litigation project of the International Labor Rights Fund that provides legal support to victims of human rights abuses around the world. She has also worked as a Client Support Specialist at EVE, Inc. (End Violent Encounters). She externed at Legal Services of South Central Michigan, volunteered as a Women's Program Assistant at Refugee Services, and interned at Amnesty International.

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**Ms Laura Visser** graduated cum laude from the Bachelor European Law School English Track. Currently she is enrolled in the Master International Laws at Maastricht University. In the academic year 2010–2011 she participated in the Women’s Human Rights Clinic of Prof. C. Flinterman, which meant that she closely followed CEDAW’s work for a year. In addition to her studies, she was the student assistant for the Maastricht Centre for Human Rights.

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