

Women's rights organizations raise concerns with the UN over the US's failure to uphold human rights of women and girls

A coalition of leading women's rights organizations is holding the USA to account for failing to protect the rights of women and girls in all their diversity.

GENEVA, SWITZERLAND, October 19, 2023 /EINPresswire.com/ -- The United States of America is violating its international legal obligations by failing to uphold the human rights of women and girls within its borders.



Palais des Nations, United Nations in Geneva, Switzerland

Five prominent women's rights organizations have outlined their concerns in a [submission](#) to the United Nations [Human Rights Committee](#), highlighting areas where violations in the country persist, including child marriage, female genital mutilation and/or cutting (FGM/C), online sexual exploitation and abuse, and sex-based discrimination.

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Submission to the UN Human Rights Committee

The Alliance for Universal Digital Rights (AUDRI), Equality Now, the ERA Coalition, Unchained At Last, and The US End FGM/C Network made a joint submission prior to the Committee's review and in-person dialogue with United States representatives at the 139th session of the Committee which took place on October 17 and 18, 2023, at the UN in Geneva.

THE UNITED NATIONS HUMAN RIGHTS COMMITTEE

The Committee consists of independent experts who

assess and report on how well countries that have ratified the International Covenant on Civil and Political Rights (ICCPR) are adhering to their human rights commitments. The Committee reviews submissions about countries, engages in dialogue with governments to promote

positive action and then issues recommendations.

The ICCPR is an important international human rights treaty that provides a range of protections for civil and political entitlements. All countries that have signed on to the treaty are obliged to protect and preserve basic human rights, including equality before the law, sex equality, and freedom from torture.

The ICCPR also explicitly prohibits discrimination on the basis of sex and requires State parties to provide an effective remedy for rights violations.

Despite public commitments made by the US to uphold human rights principles in relation to gender equality, numerous shortfalls remain and the country is not meeting its legal obligations under the ICCPR, which the US is a signatory and has ratified.

The coalition of women's rights organizations is asking the Committee to call on the US to enact significant reforms that protect the rights of women and girls in all their diversity and ensure compliance with ICCPR principles.

US DOESN'T HAVE CONSTITUTIONAL SEX AND GENDER EQUALITY

As of October 2023, the US Constitution - the country's most authoritative legal document - does not explicitly prohibit sex-based discrimination or gender inequality. This is in stark contrast to 85% of UN Member States that have constitutions which prohibit discrimination on the basis of sex and/or gender.

The [Equal Rights Amendment](#) (ERA) is a proposed amendment to the US Constitution that would ensure the right to sex equality in the law. Despite the ERA meeting all the requirements for ratification, the US Government refuses to recognize it as the 28th amendment to the Constitution.

The ERA would apply far-reaching protections for the rights of people living in the US. This includes protection from further rollback of their human rights, such as limiting access to abortion.

Zakiya Thomas, President and CEO of the ERA Coalition and Fund for Women's Equality explains,



Bettina Hager, Chief of Policy and Programs at the ERA Coalition

"This year marks a century of advocacy to get the ERA into the US Constitution - something every other industrialized democracy on the planet already has stated in their own constitutional documents. How can we call ourselves the leaders of the free world without recognizing the basic equality of all our people?"

"The answer is: we can't. We must remedy this travesty of justice now, and insist the US Constitution include an explicit protection against sex discrimination in compliance with the ICCPR. We urge the Human Rights Committee to recommend the United States finally recognize and publish the Equal Rights Amendment as the 28th Amendment to the US Constitution. A move that is more than a century past due."

CHILD MARRIAGE REMAINS LEGAL IN THE MAJORITY OF US STATES

Child marriage is legal in 40 US states, including five states without any absolute minimum age of marriage. At least 300,000 minors were legally married between 2000 and 2018, some as young as ten years old. Child marriage disproportionately affects girls, who account for 86% of minors who are married. Most were wed to adult men.

Child brides report high rates of physical, sexual, financial, and emotional abuse during their marriages, as well as early and unplanned pregnancies and poor mental and physical health. Child marriage disrupts education and limits economic attainment, trapping girls in a cycle of poverty with little chance of becoming economically independent or secure. Girls who marry are more likely to drop out of school, earn less over their lifetimes, and live in poverty.

It is unacceptable that in most states, child marriage is considered a valid defense to statutory rape, which entails an adult having sex with a minor. Research shows that at least 60,000 marriages since 2000 occurred at an age or spousal age difference that should have been considered statutory rape. Laws in the US serve to condone child marriage and perpetuate sexual violence.

Fraidy Reiss, Founder of Unchained At Last, states, "This month, when the United Nations Human Rights Committee reviews the United States' commitment to human and political rights, we want to make sure it knows how far behind this country is in stopping the abuse that is child marriage. It's time for the United States to be held accountable."

WEAK PROTECTIONS AGAINST FEMALE GENITAL MUTILATION AND/OR CUTTING

FGM/C is internationally recognized as a grave human rights violation, a form of torture and violence against women and girls, and a manifestation of gender inequality and discrimination. It can cause life-long physical and psychological trauma and occurs across cultural, religious, and socio-economic groups.

Women and girls may be subject to FGM/C inside the US or transported to other countries to

undergo the practice, sometimes referred to as “vacation cutting.” It is a federal crime to perform FGM/C in the US or take someone abroad for the procedure.

However, despite FGM/C affecting at least 513,000 women and girls in the US, nine states have yet to pass any specific laws against this harmful practice. While 41 states have introduced laws on FGM/C, legal protections vary considerably between states, and many need their legislation strengthened and better implemented.

Having comprehensive legislation on FGM/C in every US state is crucial. However, laws must also be effectively implemented using a multi-sectoral approach involving community education and training of frontline professionals such as law enforcement and those in the education, social services, and healthcare sectors.

Caitlin LeMay, Executive Director of the US End FGM/C Network says, “FGM/C is a practice that harms women and girls all over the world, and the United States is no exception. We remain hopeful that following this submission at the international level, the United States will be compelled to address its ongoing human rights violations linked to female genital mutilation or cutting of women and girls who reside in the country.

“In the meantime, our network will continue to advocate for these communities, continue to work with legislative bodies, and continue to work to improve the health and livelihoods of all individuals living with FGM/C in the US.”

TACKLING ONLINE SEXUAL EXPLOITATION AND ABUSE

The US is a key player in the fight against online sexual exploitation and abuse (OSEA) because it is both a global hub for technological development and services and an epicenter for OSEA and sex trafficking – approximately 40 percent of victims trafficked for sexual exploitation were recruited online and in 2020, over 80 percent of sex trafficking prosecutions involved online advertising.

Although the US has passed federal and state legislation addressing aspects of OSEA, there remain significant gaps and inconsistencies between laws in different states. This deficit in robust legal protections particularly affects adults who have experienced violations such as online grooming, extortion, and AI-generated or manipulated sexual abuse images.

Laws haven’t kept pace with the fast development of the internet and technology, references to digital technology remain limited, and it is difficult to apply legal provisions that were designed for the offline world because they are ill-suited and insufficient for the digital sphere.

Amanda Manyame, a member of the AUDRi Steering Committee and Digital Law and Rights Advisor at Equality Now, comments, “We urge the US to join with nations from around the world in effectively tackling online sexual harm together. This requires ensuring that all manifestations

of OSEA are addressed in US laws and policies, and these need to align with international standards, be well implemented, and protect vulnerable people.”

“Digital platforms and service providers should be mandated to implement easy-to-use, clear, and efficient policies and procedures relating to posting, sharing, publication, and removal of OSEA material on their platforms, and with penalties issued when providers fail to comply with the law. In addition, adequate resources must be allocated to investigate and prosecute OSEA cases, and support victims’ access to the legal system.”

US MUST ACT TO PROTECT WOMEN AND GIRLS FROM VIOLATIONS

Bettina Hager, Chief of Policy and Programs at the ERA Coalition, has given an oral presentation to the Committee in Geneva, sharing a concise summary of the coalition’s submission findings and recommendations.

Overarchingly, the US needs to confront the reality that it is failing to uphold the human rights of women and girls within its borders, and urgent action is required to put adequate protections in place.

Shivangi Misra, Global Legal Advisor at Equality Now, reflects, “The ICCPR is one of the few UN human rights treaties that the United States has ratified. Participating in these international treaty body mechanisms is one of the ways to shed light on the human rights violations occurring in the US and bring it to the attention of international experts and audiences.

“Our hope is that more civil society organizations, especially those representing the interests of the most impacted, participate in these processes at the international level.”

While the US champions human rights on the global stage, it cannot ignore the pressing issues and inequalities faced by its own citizens. Protecting and preserving basic human rights includes equality before the law. It is time for the US to align its actions at home with its professed commitment to supporting women’s rights elsewhere.

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