

The Sustainable Development Goals: An Opportunity for the Advancement of Women's Economic and Social Rights**

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I. Abstract

This paper examines the topic of women's economic and social rights under the umbrella of the Sustainable Development Goals (SDGs) and human rights law. Our findings demonstrate discrepancies across countries with respect to the enjoyment by women of economic and social rights. With the strong momentum around the SDGs, the paper then asks whether these can serve to provide impetus to women and economic and social rights.

II. SDGs, CEDAW and Women's Economic and Social Rights

The SDG goals are part of the United Nations (UN) General Assembly resolution 70/1 'Transforming our World: the 2030 Agenda for Sustainable Development'. SDGs 1, 3 and 5 address economic growth and poverty, health and gender equality respectively. These SDG goals are also captured in the UN's standalone treaty addressing women's rights, the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). The goals are also addressed in the UN treaty addressing economic and social rights, the International Covenant on Economic, Social and Cultural Rights (ICESCR). Furthering substantive gender equality requires a concerted effort on many fronts. The SDGs, with their many interlocking goals touching on gender equality, represent great promise⁽¹⁾.

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(1) Sandra Fredman, Working Together, Human Rights, the Sustainable Development Goals and Gender Equality (London: British Academy, November 2018). Available at <https://www.thebritishacademy.ac.uk/sites/default/files/Working-Together-Human-Rights-Sustainable-Development-Goals-Professor-Sandra-Fredman.pdf> (last accessed November 2019).

State ratification of CEDAW requires states to ensure gender equality in their legislation and, indeed, through “all appropriate means” (CEDAW, article 2). A number of the articles of CEDAW particularly relate to economic and social rights. These include article 10 the elimination of discrimination against women in the field of education, article 11 the elimination of discrimination against women in the field of employment, article 12 the elimination of discrimination against women in the field of health care and article 13 the elimination of discrimination against women in other areas of economic and social life. This paper will examine the situation of States Parties which highly respect economic and social rights (ESR) but only demonstrate moderate respect for women’s economic and social rights (WESR) despite their ratification of CEDAW.

The paper uses data from the Social and Economic Rights Fulfilment (SERF) index of 162 countries covering all but high-income OECD countries (Core SERF index)⁽¹⁾. The SERF index operationalizes ESRs following the terms and requirements of the ICESCR. Using the Cingranelli-Richards (CIRI) Human Rights Dataset⁽²⁾, the paper uses the core index of the study “Women’s Economic Rights” (WECON) (a score from 0 to 3 depending on the level of economic rights for women) and “Women’s Social Rights” (WOSOC) (a score from 0 to 3 depending on the level of social rights for women).

The findings of the cluster analysis show that despite high levels of ESR, respect for women’s rights is low for some countries. For instance, although countries such as Algeria, Egypt, Iraq, Syria, Iran, and Indonesia and China have high respect for ESR, the cluster analysis results show that these countries have poor respect for WESR. Similarly, Morocco and Turkey have high ESR but moderate WESR while Yemen and Pakistan have moderate ESR but low WESR.

As Campbell reminds us, “the UN has a two-pronged complementary approach to women’s human rights”⁽³⁾. The first is through equality and non-discrimination as captured in all human rights instruments and the second is through CEDAW. WESR, too, are captured through both of these prongs, through both non-discrimination and equality provisions and the specific treaties on women’s rights and economic, social and cultural rights. Both the

(1) For an outline of the SERF Index and its data set see <https://serfindex.uconn.edu/overview/> (last accessed November 2019)

(2) For an outline of the CIRI Human Rights Dataset see <http://www.humanrightsdata.com/p/data-documentation.html> (last accessed November 2019)

(3) Meghan Campbell, Human Rights, the Sustainable Development Goals and Gender Equality, (London: British Academy, nd), Working Paper, p. 6. Available at <https://www.thebritishacademy.ac.uk/sites/default/files/Working-Paper-Human-Rights-SDGs-and-Gender-Equality.pdf> (last accessed November 2019)

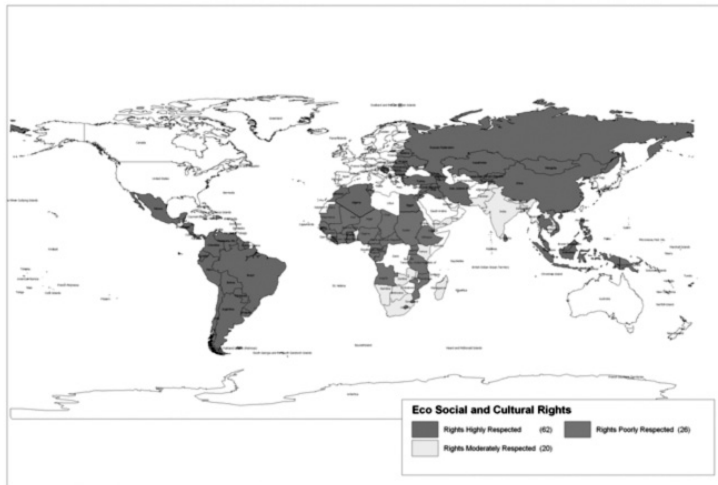
assessment of the enjoyment of specific rights by women, and an assessment of no discrimination and inequality being suffered by women in the enjoyment of rights, are pertinent⁽⁴⁾.

III. Country Cases

Our chosen Country Cases all demonstrate high respect for ESR, but their WESR are poorly or moderately respected despite their ratification of CEDAW and their obligations to that convention. Both the ICESCR and CEDAW require States Parties to submit reports pertaining to the implementation of the treaty rights and the progress they have made in ensuring enjoyment of the rights concerned. The Sustainable Development Goals 2030 give us another opportunity to return to the core challenges of gender equality, health and economic growth, and to ensuring a more harmonised respect of all of these concerned rights.

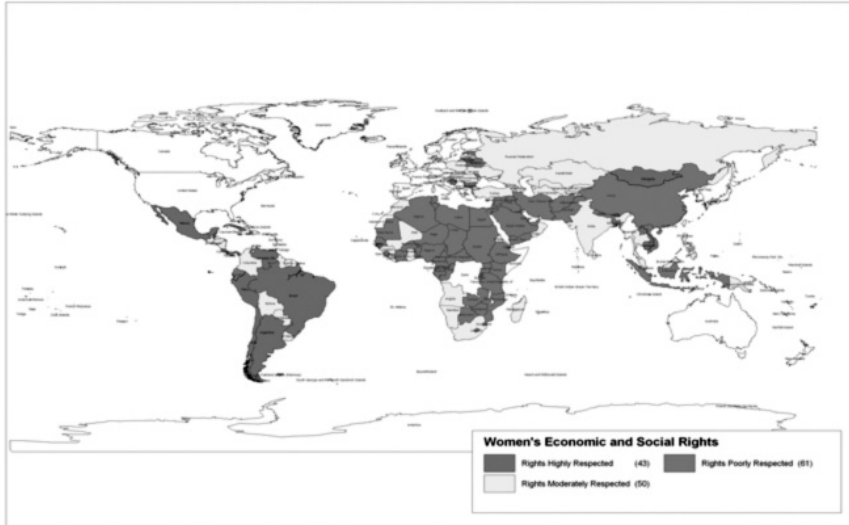
The paper finds that CEDAW ratification does not necessarily result in the effective implementation of women's economic and social rights. That is, CEDAW ratification in itself is shown to not be very successful in altering the disparity in the country case studies with respect to WESR.

Map 1 - Economic social and cultural rights. Green, rights highly respected; Red, rights poorly respected; Yellow, rights moderately respected.



(4) Especially with regard to CEDAW and the question of poverty see: Meghan Campbell, *Women, Poverty, Equality, The Role of CEDAW* (Oxford: Hart, 2018). She argues that women suffer disproportionate poverty and are often denied human rights or a relationship with society that will assist the harm that they suffer.

Map 2⁽⁵⁾- Women's economic, social and cultural rights. Green, rights highly respected; Red, rights poorly respected; Yellow, rights moderately respected.



This paper has selected the following countries to study. They are listed here with their dates of CEDAW and ICESCR ratification indicated in round brackets, and they are both listed and discussed in accordance with the year in which they ratified CEDAW.

Ecuador (CEDAW 1981, ICESCR 2010), Haiti (CEDAW 1981, ICESCR 2013), Egypt (CEDAW 1981, ICESCR 1982), Yemen (CEDAW 1984, ICESCR), Iraq (CEDAW 1986, ICESCR 1971), Morocco (CEDAW 1993, ICESCR 1979), Algeria (CEDAW 1996, ICESCR not ratified), China (CEDAW 2001, ICESCR 1980), Syria (CEDAW 2003, ICESCR 1969), Turkey (CEDAW 2003, ICESCR 1985), Iran (CEDAW not ratified, ICESCR 1975), Indonesia (CEDAW 2006, ICESCR 1984) and Pakistan (CEDAW 2008, ICESCR 1996).
(order by year of ratification of CEDAW)

All of the abovementioned countries have highly respected ESR (indicated in green in Map 1) and all have, with the exception of Haiti, ratified the ICESCR 2008 thereby agreeing to all of its regulations. All of them, with the exception

(5) These maps were submitted as part of a broader project and journal article by Kamiar Alaei et al, Cross Country analysis of correlation between protection of women's economic and social rights, health improvement and sustainable development, 9.6 *BMJ Open*, July 2019. Available at <https://bmjopen.bmj.com/content/9/6/e021350> (last accessed November 2019)

of Iran, have ratified CEDAW before 2004, including Haiti. Although these States have highly respected ESR, their WESR are poorly or moderately respected despite their ratification of CEDAW. Both the ICESCR and CEDAW require States Parties to submit reports pertaining to the implementation of their respective regulations and their progress towards implementing those conventions.

1. China

China ratified CEDAW in 1980, yet still has poorly respected WESR (indicated in red in Map 2). China revised the Law on the Protection of Rights and Interests of Women in December of 2005, which guarantees the right of women to enjoy equal rights to education and culture, as well as an emphasis on the protection of women who cannot support themselves. The Act stresses the obligations and legal responsibilities of the State and emphasizes that the central and local government agencies are responsible for implementing the Women's Act and other laws and regulations concerning the protection of women's rights and interests⁽⁶⁾. With this Act in place, there was hope that China would come to show more progress in the fulfilment of WESR.

China's latest report to the CESCR was dated 6 July 2012⁽⁷⁾ and its most recent state report to CEDAW was from 17 January 2013⁽⁸⁾. Issues raised in the reports include the right of women to education and training, health, employment and working conditions, rural migrant workers, access to social assistance, development, culture and sports. The state report to CESCR⁽⁹⁾ raises, once again, the Rights and Interests of Women's Act and the promise held by its provisions.

2. Ecuador

Ecuador ratified CEDAW on 9 November 1981 without any reservations, suggesting a favourable concern for women's rights within the nation. Ecuador has highly respected WCPR, demonstrated by it being the first Latin American nation to grant women the right to vote in 1929. In addition, women also have a large role in parliament, winning 53 of 137 possible assembly seats in 2013⁽¹⁰⁾.

(6) CEDAW/C/CHN/3-4, 10 June 1997, 3rd and 4th Periodic Report of China.

(7) E/C.12/CHN/2, 6 July 2012, 2nd Periodic Report of China

(8) CEDAW/C/CHN/7-8, 17 January 2013, Combined 7th and 8th Report of China

(9) E/C.12/CHN/2, 6 July 2012, 2nd Periodic Report of China

(10) Hannah Poor, *The Historical and Contemporary Role of Women in Ecuadorian Society*, Modern Latin America web supplement for 8th edition (Providence: Brown University, 2017). Available at <https://library.brown.edu/create/modernlatinamerica/chapters/chapter-15-culture-and-society/essays-on-culture-and-society/the-historical-and-contemporary-role-of-women-in-ecuadorian-society> (last accessed November 2019).

However, there seems to be a disconnect in terms of WESR. Ecuador has a regionally superior business environment according to the World Bank's 2015 *Doing Business* report yet women still earn 65% of the salary of a man in an equal position⁽¹¹⁾.

Part of the issue stems from the high fertility rate that prevents women from seeking employment as well as the fact that 42-60% of Ecuadorian women face some form of domestic abuse which hinders their economic participation as well⁽¹²⁾.

However, Ecuador has certainly attempted to advance this participation. As of 2004, many organizations have been created in Ecuador to promote the economic and social advancement of women⁽¹³⁾.

This provides some optimism for the future of WESR and Ecuadorian health and development. Ecuador's latest report to CEDAW was dated 27 February 2013⁽¹⁴⁾ and its report to CESCR⁽¹⁵⁾ from 11 January 2019 with the Committee's Concluding Observations being issued in November 2019⁽¹⁶⁾.

This state report to the CESCR addresses women's unpaid work, violence against women, domestic violence, the determination to defeminize poverty, the health and social security of women.

3. Pakistan

Pakistan has many legal instruments mentioning women's rights as a top priority and a number of quota systems. The Pakistani Constitution also guarantees citizens the right to pursue economic opportunities irrespective of sex, caste or creed and related labor laws in its Article 38. Nevertheless, Pakistan has one of the highest gender disparity rates in the world, ranking 144 of 145 countries in the 2015 Gender Gap Report⁽¹⁷⁾.

In May 2016, Pakistan held a status report on WESR hosted by the National

(11) World Bank, *Doing Business 2015, Going Beyond Efficiency* (Washington DC: World Bank Group, 2014). Available at <http://documents.worldbank.org/curated/en/889621468024831999/pdf/919950WP0Box3804580Ecuador00Public0.pdf> (last accessed November 2019)

(12) 2008 Country Reports on Human Rights Practices, Ecuador, (Washington: U.S. Department of State, 2009). Available at <https://www.state.gov/j/drl/rls/hrrpt/2008/wha/119158.htm> (last accessed November 2019).

(13) World Report 2015, Ecuador, (NY: Human Rights Watch, 2015). Available at <https://www.hrw.org/world-report/2015/country-chapters/ecuador#88a0f6> (last accessed November 2019) and U.S. Relations with Ecuador, (Washington: U.S. Department of State, 2016). Available at <https://www.state.gov/r/pa/ei/bgn/35761.htm> (last accessed November 2019).

(14) CEDAW/C/ECU/8-9, 27 February 2013, Combined 8th and 9th Periodic Report of Ecuador.

(15) E/C.12/ECU/4, 11 January 2019, 4th Periodic Report of Ecuador.

(16) E/C.12/ECU/CO/4, 14 November 2019, Concluding observations on the fourth periodic report of Ecuador.

(17) Pakistan, World Economic Forum, 2016. Available at <http://reports.weforum.org/global-gender-gap-report-2016/economies/#economy=PAK>

Commission on the Status of Women (NCSW) emphasizing the lack of improvement in WESR⁽¹⁸⁾. Pakistan's rating is largely due to a lack of employment opportunities, job types and wages, vulnerable work as well as a lack of agency for the female population⁽¹⁹⁾.

These factors combined also limit the progress of health outcomes of the nation. Greater involvement in the labor force could result in a greater health impact as women in Pakistan currently spend upwards of 90% of their salary on the health and education of their children⁽²⁰⁾.

Pakistan's latest state report to CEDAW⁽²¹⁾ dates from 1 March 2017 and its latest report to CESCRR⁽²²⁾ from 4 February 2016. The former CEDAW report outlines a number of initiatives to break the cycle of poverty for women, bearing testament to recognition of the vulnerability of women to poverty⁽²³⁾.

4. Iran

Iran is rated at 139 on the Global Gender Gap report⁽²⁴⁾. The 1999-2004 period saw a number of efforts for Iran to ratify CEDAW. Parliament approved ratification of CEDAW, however the oversight body than needs to approve Parliamentary legislation, the Guardian Council, blocked CEDAW ratification as being against Islam but without specifying on what grounds and why⁽²⁵⁾.

The vast majority of other Muslim nations with Sharia Law have ratified CEDAW. In its Preamble, the Constitution associates women with the primacy of the family and its important role⁽²⁶⁾. In 2013, President Hassan Rouhani issued the Citizenship Rights Charter⁽²⁷⁾, in which men and women were announced to be equal citizens.

(18) Women's Economic Participation and Empowerment in Pakistan: Status Report 2016, (Center of Gender and Policy Studies, Islamabad: UN Women Pakistan, 2016). Available at <http://www2.unwomen.org/-/media/field%20office%20eseasia/docs/publications/2016/05/pk-wee-status-report-lowres.pdf?vs=5731> (last accessed November 2019).

(19) Ibid.

(20) Ibid.

(21) CEDAW/C/PAK/5, 23 February 2018, 5th Periodic Report of Pakistan.

(22) E/C.12/PAK/1, 4 February 2016, Initial Report of Pakistan.

(23) CEDAW/C/PAK/5, 23 February 2018, 5th Periodic Report of Pakistan.

(24) Iran, Islamic Republic, World Economic Forum, 2017. Available at: <https://reports.weforum.org/global-gender-gap-report-2016/economies/#economy=IRN> (last accessed November 2019).

(25) Leila Alikarami, CEDAW and the Quest of Iranian Women for Gender Equality, (London: Open Democracy, 18 December 2014). Available at: <https://www.opendemocracy.net/en/5050/cedaw-and-quest-of-iranian-women-for-gender-equality/> (last accessed November 2019).

(26) Constitution of the Islamic Republic of Iran. Available at: <https://www.wipo.int/edocs/lexdocs/laws/en/ir/ir001en.pdf> (last accessed November 2019).

(27) Golriz Esfandiari, Rohani Officially Launches Iranian Citizens' Rights Charter, Radio Free Europe/Radio Liberty, 19 December 2016. Available at: <http://www.rferl.org/a/iran-rohani-launches-citizens-rights-charter/28184867.html> (last accessed November 2019)

In particular, Article 3 had multiple subsections that prioritized WESR, discussing “Economic and Property Rights”, “Employment and Decent Work”, and womens’ rights⁽²⁸⁾. This Charter legally emphasized WESR in a manner that the Constitution does not. Since the Islamic Revolution, the percentage of women in the labor force has increased until 2005, after which it experienced a sharp decline⁽²⁹⁾.

From 2005–2008 there was a slight decline in female participation due to the onslaught of the baby boomers in the female population⁽³⁰⁾, until it began rising in 2012 once again.

Despite earlier international sanctions, Iran rallied its female population into the economy showing the positive effect on WESR. Legally speaking, WESR would be predicted to be incredibly low since many policies undermine these rights. Yet, statistically, there is a very different representation of female economic pursuits as women’s involvement in the labour force continues to grow.

This is due to the fact that the cultural reality of the nation does not discriminate highly against women’s participation. So, while there are legal barriers, they are not acted upon de facto and as a result the WESR, while low, is rising and holds promise.

5. Haiti

Also ratifying CEDAW in 1981, Haiti’s 2008 report on the implementation of the Convention acknowledged the urgent need for a comprehensive strategy designed to reduce inequality between men and women in all areas of activity⁽³¹⁾. Within the Haitian Constitution there is no specific emphasis on gender or women. However, the cultural reality of the nation does not strongly discriminate against women⁽³²⁾.

With respect to its politics, Haiti is complex in that it has had two female

(28) President Rouhani’s Draft Citizenship Rights Charter: English Translation, Center for Human Rights in Iran, 23 January 2014. Available at: <https://www.iranhumanrights.org/2014/01/draft-citizenship/> (last accessed November 2019)

(29) Labor Force Participation Rate, female (% of female population ages 15+) (modelled ILO estimate). The World Bank, 2017. Available at: <http://data.worldbank.org/indicator/SL.TLF.CACT.FE.ZS> (last accessed November 2019).

(30) Rokhsana Bahramitash and Hadi Salehi, *Veiled Employment: Islamism and the Political Economy of Women’s Employment in Iran*, 1st edn. Syracuse, New York: Syracuse University Press, 2011.

(31) Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women: Haiti. United Nations.

(32) Gender Roles and Family Life: Haiti. Available at: <http://countrystudies.us/haiti/29.htm> (last accessed November 2019).

Prime Ministers, yet in the 2016 Senate elections there was not a single female Senator⁽³³⁾. The same complication applies to WESR as well. The *Plan stratégique de développement d'Haïti* and *Plan d'action pour le relèvement et le développement national d'Haïti* do not make WESR central to economic development⁽³⁴⁾.

Often women are actively involved in the labor force, however, not in many professional roles⁽³⁵⁾. Overall, Haiti has the potential to ultimately change the course of their WESR⁽³⁶⁾. Haiti's latest state report to CEDAW's precedence⁽³⁷⁾ was from 3 December 2014 and had dedicated sections reporting on health, education, employment and social protection. Haiti has not ratified the ICESCR.

6. Algeria

Algeria ratified CEDAW in 1996. The Constitution of Algeria is a mix of French and Islamic Law and guarantees equality of the sexes and explicitly recognized CEDAW precedence over Algerian law⁽³⁸⁾.

Algeria retains a couple of committees, most noticeably the “Ministry for the Family and Status of Women” as well as the “National Women’s Council”, which seek to protect women’s rights within the country⁽³⁹⁾.

In regards to educational attainment, Algeria has complete parity in tertiary education. Once enrolled, female students are just as likely as men to further their studies in their respective interests, if not more.

However, despite all this, Algeria still ranks 134 out of 144 countries simply in economic participation and opportunity⁽⁴⁰⁾. Furthermore, comparisons of labor force participation within the country in regard to those above the age of fifteen are startling.

(33) Proportion of seats held by women in national parliaments (%) | Data 2017. Available at: <http://data.worldbank.org/indicator/SG.GEN.PARL.ZS?locations=HT> (last accessed November 2019).

(34) Proportion of seats held by women in national parliaments (%) | Data 2017. Available at: <http://data.worldbank.org/indicator/SG.GEN.PARL.ZS?locations=HT> (last accessed November 2019).

(35) Proportion of seats held by women in national parliaments (%) | Data 2017. Available at: <http://data.worldbank.org/indicator/SG.GEN.PARL.ZS?locations=HT> (last accessed November 2019).

(36) Andre V. Haitian Times | Strengthening Women’s Economic Opportunity in Haiti [Internet]. PADF. 2016. Available at: <http://www.pdf.org/news/2016/3/31/haitian-times-strengthening-women-economic-opportunity-in-haiti> (last accessed November 2019).

(37) CEDAW/C/HTI/8-9, 3 December 2014, Combined 8th and 9th Periodic Report of Haiti.

(38) CEDAW/C/DZA/1, 1 September 1998, Initial State Report of Algeria.

(39) Women’s Rights in the Middle East and North Africa - Algeria [Internet]. Freedom House; 2005. Available at: <http://www.refworld.org/publisher,FREEHOU,COUNTRYREP,DZA,47387b6a0,0.html> (last accessed November 2019).

(40) Economies: Algeria [Internet]. World Economic Forum; 2016. Available at: <http://reports.weforum.org/global-gender-gap-report-2015/economies/#economy=DZA> (last accessed November 2019).

Compared to a sixty per cent participation rate among men above the age of fifteen, only fifteen per cent of the female population above age fifteen take part in the labor force⁽⁴¹⁾. In explanation of these findings, Algeria claimed, in their 1999 report, that upon regaining independence, they faced several challenges, including refugee care and support for vulnerable families, along with national reconstruction in all dimensions⁽⁴²⁾.

In order to cope with these many new challenges, Algeria had to design and create new institutions and make them immediately effective which resulted in placing Convention provisions on temporary hold. Nonetheless, despite low numbers, many of the women in the labor force participate in varying fields of health care, education and the legal field⁽⁴³⁾.

This is significant because it demonstrates the potential for success in economic participation, as there is almost no gender-based segregation in the labor market itself. Furthermore, the elevated educational attainment for women also gives rise towards the prospect of higher numbers in labor force participation and, resultantly, make WESR a priority. Algeria's latest state report to CEDAW⁽⁴⁴⁾ dates to 24 March 2010 and to CESCR⁽⁴⁵⁾ to 6 January 2009.

7. Indonesia

Indonesia ratified ICESCR in 2006 and they have highly respected ESR and poorly respected WESR. Ranked 92 in the Global Gender Gap Report, Indonesia ratified CEDAW in 1984. In Indonesia's constitution, nothing specifically mentions women's rights or gender equality.

It mentions "every person" when discussing certain rights. For example, "Every person shall have the right of recognition, guarantees, protection and certainty before a just law, and of equal treatment before the law"⁽⁴⁶⁾.

(41) Labor force participation rate, female (% of female population ages 15+) (modeled ILO estimate) <https://data.worldbank.org/indicator/SL.TLF.CACT.FE.ZS?locations=DZ> (last accessed November 2019).

(42) Initial Reports of States Parties: Algeria. United Nations, 1998. Available at: <https://www.ohchr.org/en/hrbodies/cedaw/pages/cedawindex.aspx> (click on Algeria, then CEDAW, then initial report, last accessed November 2019).

(43) Algeria-MENA Gender Equality Program: Status of Girls and Women in the Middle East and North Africa UNICEF; 2011. Available at: <https://www.unicef.org/gender/files/Algeria-Gender-Equality-Profile-2011.pdf> (last accessed November 2019).

(44) CEDAW/C/DZA/3-4, 24 March 2010, Combined 8th and 9th Periodic Report of Algeria.

(45) E/C.12/DZA/4, 6 January 2009, Initial Report of Algeria.

(46) The 1945 Constitution of the Republic of Indonesia. Available at: http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---ilo_aids/documents/legaldocument/wcms_174556.pdf (last accessed November 2019).

Despite this, there are a total of 279 laws in place that restrict the rights of women such as The Marriage Act of 1974, which states that men are the head of households, allows polygamy, and sets the minimum age of marriage for girls at 16⁽⁴⁷⁾.

Although the marriage law is still in place, there are other laws such as The Elimination of Domestic Violence Law passed in 2004, which makes domestic violence illegal⁽⁴⁸⁾.

These laws were put in place after Indonesia elected their first woman President (2001-2004). WESR are poorly respected due to a lack of specific gender equality laws, enforcement of those laws, and ethnic and cultural traditions.

Resulting from low pay, low skill occupations due to gender stereotypes, very few women occupy high level jobs in the public and private sector resulting in discrimination in the workplace⁽⁴⁹⁾.

This treatment goes against the constitution, which states in article 28D, "Every person shall have the right to work and to receive fair and proper remuneration and treatment in employment"⁽⁵⁰⁾.

Indonesia's latest state report to CEDAW⁽⁵¹⁾ was on 7 January 2011 and to CESCR⁽⁵²⁾ on 29 October 2012. With regards to women and health, by way of example, the report was very detailed and forthright, highlighting a high maternal mortality, the continued practice of female genital mutilation (FGM), early marriages, teen pregnancy and the prevalence of HIV/AIDS amongst women⁽⁵³⁾.

8. Turkey

Turkey ratified the ICESCR in 2003 and have highly respected ESR yet it ranks 130 out of 145 countries according to the 2015 Global Gender Gap

(47) Indonesia, Social Institutions and Gender Index, 2017. Available at: <http://www.genderindex.org/country/indonesia> (last accessed November 2019) and UN Women Indonesia, UN Women: Asia and the Pacific, 2015. Available at: <http://asiapacific.unwomen.org/en/countries/indonesia> (last accessed November 2019).

(48) Indonesia, Social Institutions and Gender Index, 2017. Available at: <http://www.genderindex.org/country/indonesia> (last accessed November 2019).

(49) CEDAW/C/IDN/3-4, 24 March 2010, Combined 6th and 7th Periodic Report of Indonesia, paras. 97-122.

(50) The 1945 Constitution of the Republic of Indonesia. Available at: http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---ilo_aids/documents/legaldocument/wcms_174556.pdf (last accessed November 2019).

(51) CEDAW/C/IDN/3-4, 24 March 2010, Combined 6th and 7th Periodic Report of Indonesia

(52) E/C.12/IDN/1, 6 January 2009, Initial Report of Indonesia

(53) CEDAW/C/IDN/3-4, 24 March 2010, Combined 6th and 7th Periodic Report of Indonesia, paras. 123-158.

Index. In 1985, Turkey ratified CEDAW with reservations to article 15, 16, and 19, which were later withdrawn on September 20, 1999⁽⁵⁴⁾.

In Turkey's constitution, a paragraph was added on 7 May 2004 that states, "Men and women have equal rights. The state has the obligation to ensure that this equality exists in practice." Also, Article 50 states, "No one shall be required to perform work unsuited to his/her age, sex, and capacity."

Article 90 of the Constitution, amended in 2004, ensures that CEDAW has precedence in case of a conflict with national law, thus making CEDAW superior to national law in gender policy. In addition, Articles 5 and 12 of the 2005 Turkish Penal Code states that "no discrimination shall be made between persons with respect of sex"⁽⁵⁵⁾.

Despite all of this, WESR are moderately respected. This is due to a lag in implementing national and international gender equality commitments. Even though laws are in place, for gender equality, the implementation of those laws are hindered by social norms and practices, specifically involving access to employment⁽⁵⁶⁾.

The main challenges are violence against women, equal opportunities in the workplace, paid and unpaid labor, hidden forms of discrimination and access to political decision-making and representation.

In Turkey, there is influence from a societal preference towards men. Women are viewed as being mother and wife first, which effectively acts as a barrier for women's access to employment⁽⁵⁷⁾. Turkey's latest state report to CEDAW⁽⁵⁸⁾ was on 7 January 2011 and to CESCR⁽⁵⁹⁾ on 28 January 2009.

(54) Declarations, Reservations and Objections to CEDAW, Convention on the Elimination of All Forms of Discrimination Against Women, (status as of November 2019). Available at: <https://treaties.un.org/> (last accessed November 2019).

(55) Muftuler M. Gender Equality in Turkey, European Parliament: Directorate General for Internal Policies, 2012. Available at: [http://www.europarl.europa.eu/RegData/etudes/note/join/2012/462428/IPOL-FEMM_NT\(2012\)462428_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/note/join/2012/462428/IPOL-FEMM_NT(2012)462428_EN.pdf) (last accessed November 2019).

(56) Turkey, UN Women: Europe and Central Asia, 2017. Available at: <http://eca.unwomen.org/en/where-we-are/turkey> (last accessed November 2019).

(57) Simsek M. Being a Woman In Turkey: An Application, Economics, Management and Financial Markets, 2014, 9(4). Available at: <https://www.questia.com/library/journal/1P3-3578293071/being-a-woman-in-turkey-an-application> (last accessed November 2019).

(58) CEDAW/C/TUR/7, 9 December 2014, 7th Periodic Report of Turkey.

(59) E/C.12/TUR/1, 28 January 2009, Initial Report of Turkey.

9. Egypt

Egypt was a ratifier of CEDAW in 1981 yet challenges around women's rights persist. In regards to WESR, women are significantly less involved in the economy, with an average 21.31% participation compared to men at 73.4% between 1990 and 2014⁽⁶⁰⁾.

Furthermore, the Organization for Economic Cooperation and Development's Social Institutions and Gender Index 2014, which assesses legislation, practices, and attitudes that violate women's rights lists Egypt among the nations that are "very high" in gender discrimination⁽⁶¹⁾.

In fact, in 2016, Egypt was ranked 132 in the Global Gender Gap Report⁽⁶²⁾. Interestingly, despite these rankings, Egypt has a history of powerful women. Women have played a large role in the Egyptian political sphere, such as their active role in the Arab Spring in 2011, but that was also a reason for the significant reports of sexual assault and kidnapping of women⁽⁶³⁾.

The overlooking of WESR, thus, can be explained by the advent of the Arab Spring with its unstable government regimes along with the rise of terrorism⁽⁶⁴⁾. However, overall, Egypt over the years has made and established projects, laws placed within their constitution, and programs both within and outside of the National Conference for Egyptian Women. Egypt's latest state report to CEDAW⁽⁶⁵⁾ was on 5 September 2008 and to CESCRR⁽⁶⁶⁾ on 22 January 2011.

10. Iraq

Iraq ratified CEDAW in 1986 and in the second and third periodic reports of Iraq on its implementation it clearly lays out all the actions Iraq has taken to respect women's rights⁽⁶⁷⁾.

Iraq's largest step toward the advancement of women was the development of the High-level National Committee for the advancement of Iraqi Women

(60) Egypt: Female Labor Force Participation, TheGlobalEconomy.com., 2017. Available at: http://www.theglobaleconomy.com/Egypt/Female_labor_force_participation/ (last accessed November 2019).

(61) Egypt-Gender Equality and Women's Empowerment, USAID, 2016. Available at: <https://www.usaid.gov/egypt/gender-equality-and-womens-empowerment> (last accessed November 2019).

(62) Egypt, World Economic Forum, 2016. Available at: <http://reports.weforum.org/global-gender-gap-report-2016/economies/#economy=EGY> (last accessed November 2019).

(63) The Arab Spring in Egypt, Religious Literacy Project, 2017. Available at: <http://rlp.hds.harvard.edu/faq/arab-spring-egypt> (last accessed November 2019).

(64) The Arab Spring: Five Years on, Amnesty International, 2016. Available at: <https://www.amnesty.org/en/latest/campaigns/2016/01/arab-spring-five-years-on/> (last accessed November 2019).

(65) CEDAW/C/EGY/7, 5 September 2008, 7th Periodic Report of Egypt.

(66) E/C.12/EGY/2-4, 22 December 2011, Combined 2nd, 3rd and 4th Periodic Reports of Egypt.

(67) CEDAW/C/IRQ/2-3, 19 October 1998, 2nd and 3rd Periodic Reports of Iraq.

under the chairmanship of the Minister of Labor and Social Affairs⁽⁶⁸⁾.

The objectives, procedures, and implementation mechanisms of the National Strategy for the Advancement of Iraqi Women are based on the provisions of the Iraqi constitution and the norms of the Islamic Law.

Although there is no Global Gender Gap Report ranking for Iraq, it is still considered a disparate nation per the Social Institutions and Gender Index. Part of the reason for the disparity is due to the many wars that Iraq has faced over the years which has burdened their government from making internal advances⁽⁶⁹⁾.

The combination of these events, along with the emergence of ISIS in 2014 has led to a downfall in the significance of womens' rights⁽⁷⁰⁾. Iraq is currently still under unique circumstances as it continues its attempts at stabilization, but has made impressive strides in making their nation a better place for its women and citizens. Iraq's latest state report to CEDAW⁽⁷¹⁾ was on 15 August 2018 and to CESCR⁽⁷²⁾ on 20 November 2013.

12. Syria

The Syrian Arab Republic Constitution's article 45 states that women are guaranteed "all the opportunities that enable them to participate fully and effectively in political, social, cultural, and economic life" while article 25 grants all Syrians, both men and women, equal rights⁽⁷³⁾.

It ratified CEDAW in 2003. However, in regard to the actual administration, the allocation of the various areas of Syria into districts, subdivisions and villages make it hard for all CEDAW terms to be implemented within every sub-district and touch every community of women in the country.

Since 2003, Syria has made efforts in promotion, training and research, media and publicity, and many other measures to better the quality of life for

(68) Iraq, Social Institutions and Gender Index, 2017. Available at: <http://www.genderindex.org/country/iraq> (last accessed November 2019).

(69) Iraq, Social Institutions and Gender Index, 2017. Available at: <http://www.genderindex.org/country/iraq> (last accessed November 2019).

(70) Nadjie A., *The Forgotten Story: Women and Gender Relations 10 Years After*, Watson Institute of International and Public Affairs, 2013. Available at: <http://watson.brown.edu/costsofwar/files/cow/imce/papers/2013/Women%20and%20Gender%20Relations%2010%20Years%20After.pdf> (last accessed November 2019).

(71) CEDAW/C/IRQ/7, 15 August 2018, 7th Periodic Report of Iraq.

(72) E/C.12/IRQ/4, 20 November 2013, 4th Periodic Report of Iraq.

(73) Syrian Arab Republic, Social Institutions and Gender Index, 2017. Available at: <http://www.genderindex.org/country/syrian-arab-republic/> (last accessed November 2019).

women⁽⁷⁴⁾. The recent Syrian Civil War which grew out of the Arab Spring in 2011 has had drastic effects on Syrian women.

Common warfare tactics are rape and sexual violence against women, which has been on the rise since the beginning of the conflict. As of 2016, the Global Gender Gap Report has ranked Syria as 142 out of 144 countries with almost negligible economic participation for women⁽⁷⁵⁾.

Much like Iraq, the circumstances of war have limited the nation from progressing its WESR. The Syrian Arab Republic's latest report to CEDAW⁽⁷⁶⁾ dates back to 25 October 2012 and to CESCR⁽⁷⁷⁾ to 17 November 1999.

14. Yemen

In 1984 Yemen ratified CEDAW, yet thirty-five years later is still classified to have poorly respected women's economic social cultural rights. In Yemen's sixth periodic CEDAW report from 2007, it mentions that the Women National Committee, which is the government machinery concerned with women, has made the convention one of its most important goals of the National Strategy for Women's Gender Development⁽⁷⁸⁾.

By targeting women in special programs such as political empowerment and fighting violence against women the WNC hopes to change the attitudes and trends standing against women's rights, and to gain supporting attitudes regarding women's roles. Per the 2015 World Report on Yemen from Human Rights Watch, the government failed to implement human rights reforms recommended at the 10-month-long national dialogue conference that took place in 2014⁽⁷⁹⁾.

The National Dialogue Conference made hundreds of human rights and other legal reforms all relating to the drafting of a new constitution. The government is held accountable for the current state of women in Yemen since they took no significant steps to address the issue of human rights crimes through the drafting of a new constitution.

This situation has worsened, in accordance with many of the other Middle

(74) Freedom House, Women's Rights in the Middle East and North Africa - Syria, 14 October 2005, available at: <http://www.refworld.org/docid/47387b70c.html> (last accessed November 2019).

(75) Syria, World Economic Forum, 2016. Available at: <http://reports.weforum.org/global-gender-gap-report-2016/economies/#economy=SYR> (last accessed November 2019).

(76) CEDAW/C/SYR/2, 25 October 2012, Second and Third Periodic Report of Syria.

(77) E/1994/104/Add.23, 17 November 1999, Third Periodic Report of Syria.

(78) CEDAW/C/YEM/6, 13 March 2007, 6th Periodic Report of Yemen.

(79) Yemen, Human Rights Watch, 2015. Available at: <https://www.hrw.org/world-report/2015/country-chapters/yemen> (last accessed November 2019).

Eastern countries, as Yemen has entered its own civil war since early 2015 and has made 2016 a harsh year for women's rights as Yemen ranks last in the Global Gender Gap report⁽⁸⁰⁾. Currently, the outlook on human rights is so dreary that it is hard to move one's attention to specific rights as the country's civilians suffer overall.

The program of action of ICPD asserted that the empowerment and the autonomy of women and the improvement of their PSE and their health status are highly important and essential for the achievement of sustainable development.

A nation can flourish with highly respected economic, social, and cultural rights but ultimately if nations continue to curtail women's development and rights as well as minimize their autonomy and ignore CEDAW regulations, they will continuously halt national and international sustainable development. Yemen's latest state report to CEDAW⁽⁸¹⁾ was dated 5 July 2013 and to CESCR⁽⁸²⁾ 14 March 2014.

IV. Conclusion

Despite high levels of ESR, respect for women's rights is low for some countries and, as demonstrated by the case studies above, CEDAW has not proven to be remarkably successful in altering this disparity in the aforementioned states. Despite ratification of the relevant human rights treaties, and the reporting and review this entails, they still show poorly or moderately respected WESR.

With the strong momentum that is developing around the SDGs, therefore, the question arises as to whether the Sustainable Development Goals 2030 give us another opportunity to return to the core challenges of WESR and to ensuring a more harmonised respect of all of these concerned rights.

A number of ways have, in fact, been suggested for the incorporation of the SDG standards with the CEDAW and CESCRs. This is especially in light of the fact that "The [CEDAW] General Recommendations post-2015 contain references to the SDGs. Repeatedly, the CEDAW Committee refers to the SDGs to justify its engagement with certain aspects of women's rights and its proposed interpretation of CEDAW"⁽⁸³⁾.

(80) Yemen, World Economic Forum, 2016. Available at: <http://reports.weforum.org/global-gender-gap-report-2016/economies/#economy=YEM> (last accessed November 2019).

(81) CEDAW/C/YEM/7-85, 5 July 2014, 6th Periodic Report of Yemen.

(82) E/C.12/YEM/3, 14 March 2014, 3rd Periodic Report of Yemen.

(83) Campbell, *supra* note 5, p. 9.

However, Campbell notes these references to SDGs by CEDAW are somewhat “superficial” and “not integrated into the legal analysis on rural women’s rights”⁽⁸⁴⁾. She advises treaty bodies to “more routinely engage with the SDGs, [so that] they can contribute to and foster a cultural discourse on accountability for human rights and global political commitments”⁽⁸⁵⁾.

Gender equality more broadly, and WESR in particular, need assistance from all fronts with regard to their advancement. The SDGs “focus on aggregate outcomes” and pay “too little attention to the qualitative dimensions of substantive gender equality; while the inadequacy of the accountability mechanisms leaves the attainment of the SDGs vulnerable to political will.

The human rights framework, for its part, adds a greater level of accountability and more attention to the individual, as well as aiming to put in place ways to achieve the ultimate goals, and checking that these in turn are human rights-compliant.

However, the substance of human rights, through the prism of gender equality, is still contested, particularly in relation to women in poverty. Moreover, the accountability structures, while in principle legally binding, are only as strong as the political will of signatory states to implement them⁽⁸⁶⁾.

The momentum behind SDGs should be utilised to draw attention to the shortcomings that continue to be suffered in relation to WESRs. The situation of States Parties that highly respect economic and social rights but only demonstrate moderate respect for women’s economic and social rights despite their ratification of CEDAW—as highlighted above—will prove a good testing ground for this effort.

(84) Ibid, p. 10.

(85) Ibid, p. 11.

(86) Sandra Fredman, *Supra* note 2.

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