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## Alumnus Profile: Elizabeth Abi-Mershed

David Hyden

*American University Washington College of Law*

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## Cairo Conference Invokes the Empowerment of Women

by Renate Nikolay

Almost 180 countries attended the recent United Nations International Conference on Population and Development (Cairo Conference) held in Cairo, Egypt. Although the event was the third in a series of conferences on the world's growing population (following the 1974 Conference in Bucharest and the 1984 Conference in Mexico City), one element distinguished the Cairo Conference from its predecessors: no prior meeting on population or related social issues had attracted as large a contingency of non-governmental organizations involved in women's rights.

The catch-phrase of the conference was "empowerment of women." Queen Noor of Jordan, a participant at the conference, stated that the biggest success of the meeting was the linkage drawn between population control and women's rights. She and others noted that this was a significant shift from the earlier population conferences which promoted the use of contraceptives without regard for societal pressures on women. Conference participants acknowledged that educated women with economic and political power could do more to effect a reduction in fertility rates. Emphasis was also placed on the importance of eliminating disparities in the treatment of men and

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women. Norwegian Prime Minister Gro Brundtland stated that "only when men and, equally, women have the right and the ability to take part in the shaping of society will the profound changes that are needed be politically sustainable."

The focus of the conference was the spiraling growth in global population, which by the year 2050 is estimated to double to over 10 billion people. Many participants contended that such a growth, if realized, will have serious consequences for sustainable development, a principal objective of the conference, as well as upon the environment. They believe that an increase in global population will damage the ecological system of the planet and hinder the process of development.

The Programme of Action, the final document of the Cairo Conference,

incorporates the principle of the empowerment of women as a fundamental means of contending with and managing the world's growing population. This includes promoting cooperation and equality among men and women, involving women in the decision-making process at all stages, and providing equal access to education for women as well as for men. Other goals endorsed in the Programme of Action include the reduction of infant, children, and maternal mortality rates, and the universal access to reproductive health services, including family planning and sex education.

One of the major controversies connected to the population issue concerned abortion. Although the right to an abortion was supported to varying degrees by numerous countries and non-governmental organizations, they met vigorous opposition from the Holy See and countries intent on preserving life from the moment of conception. A compromise, however, was eventually reached providing that "in no case should abortion be promoted as a method of family planning," but conceded that "in [such] circumstances in which abortion is not against the law, such abortion should be [made] safe."

This compromise illustrates another

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## ALUMNUS PROFILE

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### WCL Alumnus Assists OAS in Addressing Women's Rights

by David Hyden

Elizabeth Abi-Mershed, J.D. '91, is playing a major role in the establishment of a program focusing exclusively on women's rights as part of the Organization of American States' Inter-American Commission on Human Rights. An attorney and human rights specialist at the Commission since 1992, Abi-Mershed is assisting the Commission's Special Rapporteur on Women's Human Rights and Washington College of Law professor Claudio Grossman in developing the nascent project.

Tentatively named the Status of Women in Law in the Americas, the project will focus on legislation and practice in OAS member states as they relate to women's human rights. Project members

will review representative legislation and prepare assessments on both a state-by-state and sub-regional basis. Reporters will determine if the treatment of women in a subject area conforms with norms established in the American Declaration of the Rights and Duties of Man and the American Convention on Human Rights, the OAS' operative human rights documents.

Abi-Mershed points to outdated statutes that facially discriminate against women, but remain in force, as the source of most *de jure* violations. She cites as an example laws of several member states which provide that only women may be found guilty of adultery. *De facto* violations, Abi-Mershed explains, stem

from a reluctance by officials to enforce existing laws on behalf of women or to significantly punish offenders. She notes that statutes often ignored by officials include labor protection and domestic violence laws intended specifically to protect women, as well as more general criminal statutes.

Abi-Mershed feels that the project is clearly in line with the histories and outlooks of the OAS and the Commission. According to Abi-Mershed, a number of official statements - including the 1938 Lima Declaration in Favor of Women's Rights, the 1948 Jamaica Convention on the Granting of Civil Rights to Women, and the 1948 American Declaration - are evidence of these organizations' strong

element which distinguishes the Cairo Conference from prior world population conferences. The Cairo Conference ended with a record level of consensus; the Vatican approved six of the final document's sixteen chapters. In both earlier conferences, the Holy See had refused to join the consensus in any way.

As noted in the Programme of Action, population management policies remain the sovereign right of each nation, consistent with its values, though all policies ideally should conform to international human rights standards. Although the Programme only has the power of recommendation, its effectiveness will depend on the implementation of its suggestions at the national level where it will likely face religious and cultural opposition. Hence, the participation of women in domestic population issues will likely be tempered by national and local realities.

Nonetheless, the participation of women and women's rights organizations at the Cairo Conference is a growing trend on the international scene. Past occasions include the 1990 World Summit for Children, the 1992 United Nations Conference on Environment and Development, and the 1993 World Conference on Human Rights. Upcoming opportunities for such participation include the Fourth World Conference of Women in Beijing, China and the Social Summit in Copenhagen, Denmark, both to be held in 1995. ☉

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concern for the treatment of women. She explains that "the project is an expression of the Commission's historic and renewed commitment to ensuring that women fully and equally enjoy their human rights."

In addition to her duties with the women's project, Abi-Mershed is the Commission's monitor for several states in the Americas. As monitor, she is charged with conducting on-site visits and preparing draft reports for the Commission's consideration. These reports, triggered by petitions from states or individuals, determine whether there have been violations of the Convention or the Declaration. Abi-Mershed is currently pursuing her LL.M. degree at Georgetown University. ☉

## Commission Special Rapporteur Grossman Investigates Women's Rights

by Gabriel Eckstein

**D**uring the 85th session of the Inter-American Commission on Human Rights, Commission Member and Washington College of Law Professor Claudio Grossman was appointed Special Rapporteur to study whether member states' legislation conforms with the rights of women under the Inter-American Declaration of the Rights and Duties of Man and the American Convention on Human Rights. "It is a dramatic problem," says Grossman, who proposed that the Commission devote more time to women's issues. "Women's rights, in spite of statements of equality in the American Convention and Declaration, have not been fully realized."

In recent years, gender issues have come to the fore in debates in many

*"In almost every reality, women are still under-represented although they make up half of the population."*

countries and international organizations. The recent UN Cairo Population Conference and the Reproductive Rights Conference held at The American University are but two examples of a growing awareness among governmental and institutional actors of the important concerns which women currently face. Nonetheless, Grossman reports that violations of women's human rights are still ignored or seriously marginalized in the Americas. "In almost every reality," he states, "women are still under-represented although they make up half of the population." Much of this condition, Grossman believes, is due to "male dominated agendas" which pervade much of this hemisphere. Grossman also pointed to the more brutal forms of violations inflicted against women, including domestic violence and rape, as examples of the lack of awareness of the plight of women.

In his role as Special Rapporteur Grossman plans to organize fact-finding projects to survey the degree to which state practices comply with regional human rights instruments. Grossman hopes that his efforts will result in constructive recommendations for improving the status of women as well as for increasing awareness of women's positive role in society. "First we have to correct the abuses that are present," states Grossman. "Then we have to go towards the realization of formal equality. And third, we need to create a reality where women's concerns are reflected in our discourse."

Towards that end, the Washington College of Law has proposed a joint effort whereby the law school will provide facilities, research assistants, and other needs. Established by two women, the school has a noteworthy history of promoting gender equality. Grossman also added that in the past, WCL has been a very important contributor to the activities of the Commission. "I don't say this in a boastful way, but in terms of the Inter-American system of the protection of human rights, there is no school which has done more." ☉



Dean Claudio Grossman

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