

**BY FAX: 586-6189**

Committee: Committee on Human Services & Housing and Committee on International Affairs

Hearing Date/Time: Thursday, March 6, 2008, 10:30 p.m.

Place: Room 329

Re: Testimony of the ACLU of Hawaii in Support of HR 16, Requesting the United States Congress to Ratify the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)

Dear Chairs Shimabukuro and Cabanilla and Members of the Committees:

The American Civil Liberties Union of Hawaii ("ACLU of Hawaii") writes in support of HR 16.

The United States played an important role in drafting CEDAW before U.N. ratification in 1979, but more than 20 years later has yet to adopt it as law.

The primary goals of CEDAW are to eliminate discrimination against women, to promote the rule of law, and to advance respect for human rights throughout the world. CEDAW recognizes that discrimination against women violates principles of equal rights and human dignity and is an obstacle to the participation of women, on equal terms as men, in the political, social, economic, and cultural life of their countries. It defines discrimination as any distinction, exclusion or restriction made on the basis of sex, which has the effect or purpose of impairing or nullifying the recognition, enjoyment, or exercise by women, irrespective of their marital status, of human rights and fundamental freedoms.

The U.S. government's failure to ratify CEDAW is inconsistent with and antithetical to its broader foreign policy. On the one hand, the U.S. government presses the world to stand together for a common goal -- the end of terrorism. Yet, on the other hand, in failing to ratify CEDAW, the U.S. government stands apart from nearly all other nations -- 168 countries, including all other industrialized democracies, that have adopted CEDAW.

Indeed, when it comes to women's rights, the U.S. government seems to stand with Afghanistan, Iran, and Sudan, three of the other countries that refuse to ratify CEDAW.

The ACLU calls on President Bush and the U.S. Senate to support and ratify CEDAW. Our leaders have rightly condemned as barbaric the treatment of women in Afghanistan. It is time to put that commitment to women's rights into practice here. It is time for the U.S. to fulfill its

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Hon. Reps. Shimabukuro and Cabanilla, Chairs,  
HSH and INT Committees, Respectively, and Members Thereof  
March 6, 2008  
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promise of equality to women. It is time for the United States to join the coalition of 168 countries and ratify CEDAW.

The mission of the ACLU of Hawaii is to protect the fundamental freedoms enshrined in the U.S. and State Constitutions. The ACLU of Hawaii fulfills this through legislative, litigation, and public education programs statewide. The ACLU of Hawaii is a non-partisan and private non-profit organization that provides its services at no cost to the public and does not accept government funds. The ACLU of Hawaii has been serving Hawaii for over 40 years.

Thank you for this opportunity to testify.

Sincerely,

Laurie A. Temple  
Staff Attorney  
ACLU of Hawaii

American Civil Liberties Union of Hawaii  
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# HAWAII STATE COALITION AGAINST DOMESTIC VIOLENCE

Hearing date and time: March 6, 2008 at 10:30 a.m., Committee on Human Services and Housing and Committee on International Affairs

RE: HRC 16 and HR16

TO: Chair Shimabukuro, Vice Chair Rhoads and members of the Committee on Human Services and Housing; Chair Cabanilla and Vice Chair Awana and members of the Committee on International Affairs

FROM: Ana Maring, Hawaii State Coalition Against Domestic Violence

Aloha, my name is Ana Maring and I represent the Hawaii State Coalition Against Domestic Violence (HSCADV). HSCADV is a private non-profit agency which serves as a touchstone agency for the majority of domestic violence programs throughout the state. For many years HSCADV has worked with the Hawaii Legislature by serving as an educational resource and representing the many voices of domestic violence programs and survivors of domestic violence.

HSCADV supports HCR16 and HR 16.

“Violence against women is a manifestation of historically unequal power relations between men and women, which have led to domination over and discrimination against women by men and to the prevention of the full advancement of women...”The United Nations Declaration on the Elimination of Violence against Women, General Assembly Resolution, December 1993.

A woman called our office the other day and told me she would give up everything she had just to live in peace and without fear. She is one of the thousands of women in Hawaii who most basic need for safety does not exist.

It is not only the violence that traps women in abusive relationships but the reality of their lives. The fact that women still earn approximately .76 cents on the dollar translates into real poverty for women when they attempt to break free from the violence. When the police are summoned to her home, she will not likely face an officer of the same gender but a man who cannot know what it is to truly live in fear of the person who promised to love her. If she is able to leave, she will likely be more deeply scrutinized by the courts and other governmental systems she turns to for protection. These are only a few examples of discrimination of women and the impact it has on their lives. If we are to address the very basic issues of safety for women we must start with the radical notion that women are human beings and deserve to be treated as such.

Thank you for the opportunity to testify.

To: Representative Maile S. L. Shimabukuro, Chair  
House Committee on Human Services & Housing

Representative Rida T.R. Cabanilla, Chair  
House Committee on International Affairs

From: Amy French  
Hawaii Pacific University Nursing Student

Re: HCR16

Hearing: Thursday, March 6, 10:30 am  
Conference room 329, State Capitol

Members of the Committee on Human Services & Housing:  
Members of the Committee on International Affairs:

I would like to thank you very much in advance for the opportunity to testify.

My name is Amy French; I am a nursing student at Hawaii Pacific University. I am testifying in favor of HCR16.

As a woman, I found it rather shocking to know that the United States is one of eight countries to not have ratified the United Nations Convention on the Elimination of All Forms of Discrimination Against Women. It says in our very Declaration of Independence, "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness," but are we still excluding women from this definition of equality? As women, should we not have the right to choose what we do with and in our lives? As a Christian woman, I know that God created both man and woman, He made woman from man because man could not be whole without woman; so how is it that in our world we make women less important than men, when God thought they were equally important? I believe that all people, both men and women, are created equal and they should be treated with equality.

As the American Nurses Association Code of Ethics provision 1 states: "The nurse, in all professional relationships, practices with compassion and respect for the inherent dignity, worth, and uniqueness of every individual, unrestricted by considerations of social or economic status, personal attributes, or the nature of health problems." What this means to me is, as nurses, we provide healthcare for everyone, regardless of sex, race, ethnicity, religious beliefs, socioeconomic status, educational background, sexual orientation, or health problem. We truly act on the statement that all are created equal. If we can take on this attitude in the healthcare system, it should be taken on in every system of our country and world.

Therefore, I believe the United States should ratify this Convention, helping make a difference in the way women of today are treated, as well as for the future women of tomorrow. I believe that this conditional resolution will aid in this advancement and should be considered because it is of great importance. Thank you once again for the opportunity to support HCR16 with my testimony.

Regards,

Amy French  
Hawaii Pacific University Nursing Program  
808-927-6199

-----Original Message-----

From: Helene Hale [mailto:helenehale@mac.com]  
Sent: Wednesday, March 05, 2008 10:55 AM  
To: HSHtestimony  
Subject: Testimony

Dear Chair Cabanilla and Chair Karen Leinani Awana and Members  
International Affairs Committee  
and Chair Maile S.L. Shimabukuro and Vice Chair and Karl Rhoads and  
Members of Human Services & Housing Committee

re HCR 16 and HR 16

Thank you for this opportunity to submit my testimony on these two  
important Resolutions.

I first became aware of these United Nations Conventions status when  
I was attending the Non-Governmental Convention on Women in China  
in coordination with the United Nations Conference on Women also in  
China in 1995. I was appalled to learn that the United States was  
one of the few nations that had not ratified this Convention on the  
Elimination of all Forms of Discrimination against Women. I was so  
incensed at this affront that when I returned to the Big Island I  
organized the Island Chapter of the United Nations Association of the  
USA as the best way to help push this and other issues to get the  
United States of American to better support the United Nations. The  
UNAUSA Is a part of a world-wide movement to get citizens to support  
the work of the United Nations.

When I returned from the legislature I and a few other people who  
were still members of the National Organization found that our local  
chapter was inactive; so we reorganized it January 2007 and now we  
are busy trying to education our community about the work of the  
United Nations and to support this convention and other issues.

It is true that women have made great strides to become more equal,  
but the fact that our country will not put our equality in treaty  
form is distressing. Our state was one of the first governments to  
ratify the Equal Amendments to our constitution and it is fitting  
that we should continue to push this issue.

I urge these committees to pass these Resolutions.

Aloha,

Helene H. Hale

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**From:** Arvid Youngquist [mailto:thirr33@gmail.com]

**Sent:** Wednesday, March 05, 2008 12:15 PM

**To:** HSHtestimony

**Subject:** HR 16 & HCR 16 Testimony in Support

**Chairs, House HSH & International Affairs Committee  
Honorable Members of the Committee  
Hearing Held on March 6, 2008 at 10:30 AM, in Room 329**

**Aloha, Rep. Maile S. Shimabukuro, Esq. and Rep. (LTC) Rida T. R.  
(Arakawa) Cabanilla, and respective members of the Joint-Committees, my  
name is Arvid Tadao Youngquistl.**

**In joining the Hawaii State Democratic Party Women's Political Caucus, I  
am in support of the adoption of H.R. 16 and H.C.R. 16, relating to the UN  
Convention on behalf of an end to discrimination against women of the  
world, here, nationally, and internationally.**

**Please report out these two companion measures to the full House for a final  
decision making.**

**Your favorable consideration is appreciated.**

**Sincerely,**

**Arvid T. Youngquist, Spokesman  
The Mestizo Association  
P O Box 37542  
Honolulu, Hawaii 96837  
808-540-1910 voice mail/caller ID/unlisted**

**"1 of 14,664 voices"**

Jeanne Y. Ohta  
1016 A Hind Iuka Drive  
Honolulu, HI 96821

March 6, 2008

To: Committee on Human Services and Housing and  
Committee on International Affairs

Re: HCR 16 and HR 16  
Requesting the United States Congress to Ratify the United Nations Convention  
on the Elimination of all Forms of Discrimination Against Women

Hearing: Thursday, March 6, 2008, 10:30 a.m., Conference Room 329

Position: SUPPORT

Good morning members of the Committee on Human Services and Housing and members of the Committee on International Affairs. I am testifying today in support of HCR 16 and HR 16 Requesting the United States Congress to Ratify the United Nations Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW).

Currently 185 countries are parties to this convention. Over 90% of the member countries of the United Nations are parties to CEDAW. Unfortunately, the United States of American is not one of them. It is a shame that this great democracy did not take a leading role in ratifying CEDAW.

CEDAW was adopted in 1979 by the UN General Assembly and links women's rights to human rights. The Convention is the only human rights treaty which affirms the reproductive rights of women and targets culture and tradition as influential forces shaping gender roles and family relations.

The Convention provides the basis for realizing equality between women and men through ensuring women's equal access to, and equal opportunities in, political and public life -- including the right to vote and to stand for election -- as well as education, health and employment.

States parties agree to take all appropriate measures so that women can enjoy all their human rights and fundamental freedoms.

This is an important Convention for women and their families. Please urge Congress to ratify it.