

The Impact of International Human Rights Law on Local Efforts to Address Women's Realities of Violence: Lessons from Jamaica

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Abstract : Gender-based violence against women plagues societies around the world. The work to eliminate it is an ongoing battle. At the international level, Article 5 (a) CEDAW establishes an agenda for social and cultural transformation: it imposes on States parties to CEDAW an obligation to modify sex roles and stereotypical social and cultural patterns of conduct. Also, it provides for the protection of women from violence stemming from such gender norms. Yet, the lived realities of women are frequently disconnected from this agenda. Nonetheless, it is the reality of the local that is crucial for the articulation, implementation and realization of women's rights in general, and for the elimination of gender-based violence against women in particular. In this paper we discuss the transformation of sex roles and gender stereotyping with a view to realize women's right to be free from gender-based violence. This paper is anchored in qualitative data collection undertaken in Jamaica and socio-legal research. Based on this research, 1) We explain the process of vernacularisation as a strategy that enables women's human rights to hit the ground and benefit rights holders, and 2) We present a synergistic model for the implementation of Article 5 (a) CEDAW so that women's right to be free from gender-based violence can be realized in a concrete national jurisdiction. This model is grounded in context-based demands and recommendations for social and cultural transformation as a remedy for the incidence of gender-based violence against women. Moreover, the synergistic model offers directions that have a general application for the implementation of CEDAW and Article 5 (a) CEDAW in particular, with a view to realize women's right to be free from gender-based violence. The model is thus not only a conceptual tool of analysis, but also a prescriptive tool for action. It contributes to the work of both academics and practitioners, such as Governmental officials, and national and local civil society representatives. Overall, this paper contributes to understanding the process necessary to bridge that gap between women's human rights norms and women's life realities of discrimination and violence.

Keywords : CEDAW, gender-based violence against women, international human rights law, women's rights implementation, the Caribbean

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