



PEACE & JUSTICE COMMISSION

CONSENT CALENDAR

November 16, 2010

To: Honorable Mayor and Members of the City Council
 From: Peace and Justice Commission
 Submitted By: Eric Brenman, Secretary, Peace and Justice Commission
 Subject: Convention on the Elimination of All Forms of Discrimination Against Women

RECOMMENDATION

Adopt a Resolution directing the City Manager to prepare an ordinance for Council consideration, adopting the operative articles of the Convention Eliminating Discrimination of all forms Against Women into the Berkeley Municipal Code.

BACKGROUND

At its regular meeting on September 13, 2010, the Peace and Justice Commission adopted the following recommendation:

According to Resolution No. 62,617 adopted on July 20, 2004, the City Council resolved that the "City Manager shall prepare an ordinance for Council consideration, adopting the operative articles of the Convention [Eliminating Discrimination of all forms Against Women] into [the] Berkeley Municipal Code."

Please direct the City Manager to implement this Resolution.

M/S/C: (Litman/Rabkin)

Ayes: Bohn, D.; Kenin, W.; Lee, Y. (temporary appointee); Lippman, G.; Litman, J.; Maran, R.; Marley, J.; Meola, B.; Nicely, M.; Rabkin, A.; Sherman, M.

Noes: None.

Abstain: Siegel, T. (*Basis for abstention: "Not familiar with CEDAW."*)

Absent: Sorgen, P. (excused)

FISCAL IMPACTS OF RECOMMENDATION

Unknown at this time. If the Commission's recommendation to proceed with the drafting of an Ordinance for Council review is approved, an analysis detailing fiscal impacts, if any, will be provided at that time.

RATIONALE FOR RECOMMENDATION

The Peace and Justice Commission, consistent with its mandate (B.M.C. Section 3.68) to promote peace and justice, locally, nationally and internationally, recommends Council approval of this recommendation consistent with past actions on this matter including approval of Resolution No. 62,617 on July 20, 2004. (Attachment 2)

ALTERNATIVE ACTIONS CONSIDERED

None.

CITY MANAGER

While the City Manager takes no position on the contents of the Peace & Justice Commission's report or recommendation, preparation of an ordinance will consume staff time and due to reduced staffing, may not be prioritized at this time.

CONTACT PERSON

Wendy, Kenin, Chairperson, Peace and Justice Commission	510-504-4937
Rita Maran, Commissioner, Peace & Justice Commission	510-540-8017
Eric Brenman, Secretary, Peace and Justice Commission	510-981-5114

Attachments:

- 1) Resolution
- 2) Background Material:
 - a. Resolution No. 62,617 (July 20, 2004)
 - b. San Francisco Resolution (November 17, 1997)

RESOLUTION NO. -N.S.

ADOPTING THE OPERATIVE ARTICLES OF THE CONVENTION ON THE
ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

WHEREAS, Berkeley Municipal Code Section 3.68.030, establishing the Peace and Justice Commission, indicates that “peace and justice shall refer to the goal of creating a world community in which the relations between people are based on equality, respect for human rights, and the abhorrence of exploitation and all forms of oppression (Ord. 5705--N.S. #3, 1986)”; and

WHEREAS, consistent with this mandate, the City Council adopted Resolution No. 62,617 on July 20, 2004 directing the then-City Manager to prepare an ordinance for Council consideration adopting the operative articles of the Convention into the Berkeley Municipal Code.

NOW THEREFORE, BE IT RESOLVED that the Berkeley City Council hereby directs the City Manager to prepare an ordinance for Council consideration that adopts the operative principles of the Convention on the Elimination of all forms of Discrimination Against Women into the Berkeley Municipal Code. A record signature copy of said Resolution and any subsequently adopted Ordinance to be on file in the Office of the City Clerk.

RESOLUTION NO. 62,617-N.S.

SUPPORTING RATIFICATION OF UNITED NATIONS CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN, AND REFER TO THE CITY MANAGER TO CONSIDER PREPARING FOR CITY COUNCIL ACTION AN ORDINANCE ADOPTING THE OPERATIVE ARTICLES OF THE CONVENTION INTO THE BERKELEY MUNICIPAL CODE

WHEREAS, the Convention on the Elimination of All Forms of Discrimination against Women was adopted by the United Nations General Assembly on 18 December 1979, became an international treaty on 3 September 1981, and by 2004, well over three-quarters of the world's governments, 177 nations, have agreed to be bound by the Convention's provisions; and

WHEREAS, the United States supports and has a position of leadership in the United Nations, and was an active participant in the drafting and is a signatory to the Convention; and

WHEREAS, the spirit of the Convention is rooted in the goals of the United Nations and the United States to affirm faith in fundamental human rights, in the dignity and worth of the human person, and in the equal rights of men and women; and

WHEREAS, the Convention provides a comprehensive framework for challenging the various forces that have created and sustained discrimination based on sex against half of the world's population, and the nations in support of the present Convention have agreed to follow Convention prescriptions; and

WHEREAS, although women have made major gains in the struggle for equality in social, business, political, legal, educational, and other fields in this century, there is much yet to be accomplished and, through its support, leadership and prestige, the United States can help create a world where women are no longer discriminated against and have achieved one of the most fundamental of human rights - equality; and

WHEREAS, President George W. Bush and Secretary of State Colin Powell have put this treaty, the United Nations Convention on the Elimination of All Forms of Discrimination against Women, in Category III of priority in order to accelerate the Treaty's passage through the United States Senate Foreign Relations Committee and the full United States Senate with the goal of United States ratification; and

WHEREAS, on 17 November 1997, the City and County of San Francisco adopted Resolution No. 1021-97 and Ordinance No. 128-98 supporting local implementation of the underlying principles of the Convention on the Elimination of All Forms of Discrimination Against Women and urging the United States Senate to ratify the Convention on the Elimination of All Forms of Discrimination Against Women.

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Berkeley urges the Senate Foreign Relations Committee to again pass this Treaty favorably out of Committee, as it did after Hearings in 2002, and send the Treaty to the Senate Floor.

BE IT FURTHER RESOLVED, that the Council of the City of Berkeley strongly urges the Senate of the United States to vote favorably to ratify the United Nations Convention on the Elimination of All Forms of Discrimination against Women, and support the Convention's continuing goals.

BE IT FURTHER RESOLVED, that the City Manager shall prepare an ordinance for Council consideration, adopting the operative Articles of the Convention into Berkeley Municipal Code.

BE IT FURTHER RESOLVED, that the City Clerk shall send copies of this Resolution to the President of the United States, Secretary of State of the United States, President of the United States Senate, Chair and members of the Senate Foreign Relations Committee, California Senators Barbara Boxer and Dianne Feinstein, and Congresswoman Barbara Lee (9th C.D.).

The foregoing Resolution was adopted by the Berkeley City Council on July 20, 2004 by the following vote:

Ayes: Councilmembers Breland, Hawley, Maio, Olds, Shirek, Spring, Worthington, and Mayor Bates.

Noes: None.

Abstain: Councilmember Wozniak.

Absent: None.

Attest: 
Sherry M. Kelly, City Clerk


Tom Bates, Mayor

FILE NO. 13-97-35

RESOLUTION NO. 1021-97

1 SUPPORTING LOCAL IMPLEMENTATION OF THE UNDERLYING PRINCIPLES
2 OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF
3 DISCRIMINATION AGAINST WOMEN AND URGING THE UNITED STATES
4 SENATE TO RATIFY THE CONVENTION ON THE ELIMINATION OF ALL
5 FORMS OF DISCRIMINATION AGAINST WOMEN.
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8 WHEREAS, The Convention on the Elimination of All Forms of Discrimination
9 Against Women (CEDAW), an international human rights treaty, provides a universal
10 definition of discrimination against women and brings attention to a whole range of
11 issues concerning women's lives; and
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13 WHEREAS, Countries which ratify CEDAW are mandated to condemn all forms
14 of discrimination against women and to ensure equality for women in the civil,
15 political, economic, social and cultural arenas; and
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17 WHEREAS, The United Nations General Assembly adopted CEDAW in 1979
18 and President Carter signed the treaty on behalf of the United States in 1980, but the
19 United States Senate has not yet ratified CEDAW; and
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21 WHEREAS, On the local level, adherence to the principles of CEDAW would
22 especially promote equal access to health care, employment, economic development,
23 and educational opportunities for women and would also address the continuing and
24 critical problem of violence against women; and
25

SUPERVISOR KAUFMAN, KATZ, TENG, BIERMAN, BROWN, MEDINA

BOARD OF SUPERVISORS

1
2 **WHEREAS**, San Francisco, through its Commission on the Status of Women and
3 Human Rights Commission, is the first city to study implementing the standards of
4 CEDAW locally; now, therefore, be it

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6 **RESOLVED**, That the Board of Supervisors hereby supports local
7 implementation of the underlying principles of the Convention on the Elimination of
8 All Forms of Discrimination Against Women; and be it

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10 **FURTHER RESOLVED**, That the Board of Supervisors hereby urges the United
11 States Senate to ratify the Convention on the Elimination of All Forms of Discrimination
12 Against Women; and be it

13 **FURTHER RESOLVED**, That the Clerk of the Board of Supervisors is requested
14 to transmit a copy of this resolution to the members of the San Francisco delegation of
15 the United States Senate with a request that they take all action necessary to carry out
16 the intent of this resolution.
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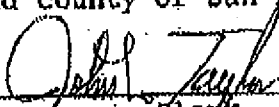
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24 **SUPERVISOR KAUFMAN**
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Adopted - Board of Supervisors, San Francisco November 10, 1997

Ayes: Supervisors Amiano Bierman Brown Katz Kaufman Leal
Medina Teng Yaki Yee

Absent: Supervisor Newsom


I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco



Clerk

File No.
13-97-35

NOV 17 1997
Date Approved



Mayor