

Statement from the Working Group on Gender Discrimination

Reproductive Rights [Contact Katrina Anderson, kanderson@reprorights.org; Karla Torres, ktorres@reprorights.org]

Federal laws restrict low-income immigrants—even those lawfully present in the U.S.—from eligibility for health insurance coverage under Medicaid and now the Affordable Care Act. Women are disproportionately impacted by this lack of coverage. They must rely on family planning clinics for preventable reproductive health care, but these clinics are under attack by ideological policies opposing reproductive rights. For example, Texas created a reproductive health crisis when it eliminated most of its family planning budget in 2011 as part of a symbolic stand against Planned Parenthood for its abortion care. Poor, rural, and immigrant women were most affected by the funding cuts, especially those living in the Rio Grande Valley on the U.S. border of Mexico. In 2013, the state then restricted access to abortion with draconian restrictions. By March 2014, the number of clinics statewide decreased from 44 to 24. The last two abortion clinics in the underserved Rio Grande Valley were forced to close in the first week of March 2014. All but six of the state's remaining clinics are expected to close by September.

We respectfully urge the Committee to ask the U.S. government to:

- **Remove eligibility barriers for Medicaid** and other publicly subsidized insurance coverage that prevent immigrant women from accessing essential reproductive health care. This includes the five-year waiting period for lawfully present immigrants as well as total exclusions on benefits for undocumented immigrants.
- **Equitably fund reproductive health care** so that women most in need—low-income, rural, and immigrant women—are able to access affordable preventive care.
- **Enact The Women's Health Protection Act**, legislation introduced in November 2013 that would create federal protections against state restrictions targeting abortion.

Gender Discrimination in the Workplace [Contact Elizabeth Finnigan Laferriere, elizabeth.laferriere@sfgov.org]

In 2006, this Committee recognized that existing federal laws to address sex discrimination in the workplace were “limited in scope and restricted in implementation.” While the United States did act on some of this Committee's recommendations, large gaps in policy and enforcement persist. Federal law fails to adequately address barriers created by implicit bias and institutionalized discrimination and protections do not account for how existing policies and

labor standards have a disproportionately negative impact on women, particularly low-wage women and women of color. We urge the Committee to recommend that the U.S.:

- **Develop standards to support and encourage state and local governments to eliminate sex-based discrimination in the workplace.** Several cities across the United States, such as San Francisco, have adopted CEDAW as a municipal ordinance and provide strong models for local implementation of international human rights mechanisms;
- **Alleviate gender inequities** through the creation and implementation of laws, programs, and public-private partnerships that extend stronger protections to working women; and
- **Provide detailed information on actions to foster equality in the workplace,** particularly in respect to **equal pay, a living wage, pregnancy discrimination,** and a woman's right to **paid maternity** or family leave.

Discrimination against Survivors of Domestic Violence [Contact Caroline Bettinger-Lopez, clopez@law.miami.edu; Charlotte Joseph Cassel, ccassel-clinic@law.miami.edu]

The United States' criminal justice and judicial systems discriminate against women – especially women of color, immigrant women, and poor women – based on their race, gender, and stereotypes about survivors of domestic violence.

The case of Marissa Alexander, an African American victim of domestic violence, is indicative of systemic discrimination in the United States. Marissa tried to defend herself against an abusive husband who was actively threatening her by firing a warning shot into the ceiling during a domestic dispute. The State Attorney charged Marissa with three counts of aggravated assault with a deadly weapon and a judge denied her protection under Florida's "stand your ground" law—which has been repeatedly and successfully invoked by white male defendants. Marissa was originally sentenced to 20 years in prison but her conviction was overturned and she was released on bail. However, the State Attorney is now retrying the case and seeking to imprison Marissa for up to 60 years. We respectfully request that the Committee ask the U.S. government and the state of Florida to drop all charges against Marissa Alexander. Further, we request the U.S. government to:

- Take all steps to **protect the human rights of domestic violence survivors**, including taking steps to **prevent police discrimination** against them; and
- Urge states to **reexamine mandatory minimum sentencing laws** that disproportionately affect minority women.