

Summaries

Patricia Flor, *The Effectivity of UN Instruments for the Human Rights of Women*

The author describes the actual situation of women in the world against the backdrop of the UN Declaration of Human Rights and asks whether these discrepancies must lead to the conclusion that the UN has failed. She discusses the limits of UN instruments in their effectiveness for advancing the cause of women's rights: first, real equality cannot be ordered from above and demands thorough social change. As such, it is the result of long-term processes in which all must participate. Second, civil and women's rights conventions are not binding for the countries which have ratified them. Third, UN documents such as the action programmes of the Fourth World Women's Conference in Peking are political expressions of will without built-in liabilities. Flor goes on to delineate four phases in which women's rights have been advanced and where the UN and its instruments have played an important role. The first phase was the ratification of the Declaration of Human Rights itself where gender equality was established as a universal norm. The second phase has dealt with an assessment of the situation of women, whereby the UN has played an important role as a forum for breaking the silence on certain taboos, particularly in the area of violence against women. The third phase involves the political change necessary for breaking traditionally entrenched structures of inequality. The fourth phase is equality in all areas of the daily lives of women. Five years after Peking, from the 5th to the 9th of June in 2000, a Special General Assembly will be convened in New York to assess the situation and to discuss new initiatives forwarding a vision for a more just society for all.

Kalpna Chakravarthy, *The View from Asia: Violence Against Women*

Particular forms of violence against women in Asia are seen here to be imbedded in the individualistic and masculine view of development, which bans women from taking their place in the public political sphere and relegates them to the private sphere of the home. The founding of the Asian Women Human Rights Council is based on a critique of the human rights debate, where

war crimes but not politically-motivated sexual war crimes are condemned, where poverty but not the female side of poverty is discussed, where the rights of refugees but not the fact that the majority of refugees are women are spoken of. The author examines the plight of the comfort women during the Second World War who were part of the Japanese war strategy, the ongoing horror of jelly babies in the Pacific Island as a result of nuclear testing, and the sexual crimes in India against women seeking to defend their homes from misguided development efforts as in the case of huge dam construction projects. She describes the setting up of courts of justice to hear the testimonies of the women in order to call world attention to their situation.

Roberta Bacic, *Glimpses of a Monstrous Tale*

The situation of several women whose male family members disappeared during the military dictatorship in Chile is movingly described here in narrative style.

Marissa Pablo, *Immigration, Human and Women's Rights in Europe*

The author focuses on the Schengen Agreement controlling immigration into Europe, particularly on the rules governing immigrating family members and prospective spouses. She contrasts the restrictiveness of these passages of the agreement with the liberality of the Recommendations of the European Parliament to its Member States with regards to immigration, refugees, and anti-discriminatory information campaigns. The German laws governing foreigners are then examined in the light of the structural resistance they represent to the recommendations of the European Parliament. The author presents two cases that serve to illustrate injustices committed in the name of the law. The conclusion is that the discrepancy between the existing laws on the one hand and expressions of political will on the other present a challenge as well as an opportunity to social workers working with migrants. A discussion of the dynamics of ethnicity and its effect on integration as well as on the reconstruction of *Lebenswelt* in social work with migrants end this contribution.

Renate Augstein, *Trafficking in Women from the Viewpoint of Politics*

Trafficking in women in this article is analysed from the viewpoint of the different political actors taking part in the present discussion as to how the problem should be dealt with. Depending on standpoint, trafficking in women can be defined as one of five phenomena: as a moral problem that has to do with how prostitution is viewed and acted upon, as a part of the problem of organised crime, as a problem of migration and therefore of how it must be restricted, as a problem of labor protection, and as a human rights violation. With an objective and impartial tone, the author forwards the arguments taken by the different ministries and organisations represented within the Round Table being chaired by the Ministry of Women, and concludes that the theme is such a complex one, that various strategies may sometimes conflict with one another.

Birgit Schweikert, *The Berlin Intervention Project against Domestic Violence*

This state-financed model project in Berlin is the largest of its kind in the area of intervention against domestic violence on women. It is based on the thesis that domestic violence is a social as well as legal problem and not merely an individual-psychological one. The project parallels the Domestic Abuse Intervention Project in the USA in its emphasis on community response and coordinated action of all involved groups and institutions. The author describes the project development process in-depth and delineates its goals and strategies, as well as the composition of the different working groups within the project, i.e. police, civil and criminal lawyers, women's shelters, counselling centers, etc. She delves into the details of how each of the seven areas of concern have tried to agree on concrete steps to improve the legal situation of the women as well as that of their supporting social networks.

Lilli Kurowski, *Judicial Practice - Women's Rights are Human Rights*

The main concern in this article centers around the question of whether women's rights are seen to be human rights in the area

of domestic concerns as well as in the courts of justice. The author cites instances where this apparently does not hold true and where even "progressive" judges as well as lawyers hesitate to use the human rights argument to defend the rights of battered women. There is an all too ready willingness on the men's part to use their human right to individual freedom in a plea to remain within the conjugal home, whereas the women's human right to physical as well as emotional integrity is often overlooked in dissenting pleas. Certain practices in Austria and Switzerland are mentioned as models for improvements that could be made within the existing judicial structures.

Marissa Pablo