

PASSPORT TO EQUALITY





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UNESCO – Section for Women and Gender Equality
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**The Global Coalition
on Women and AIDS**

CONTENTS

Foreword by the Director-General of UNESCO	1
Preface by the Special Adviser to the Secretary-General of the United Nations on Gender Issues and Advancement of Women	2
Introduction and Explanatory Notes by UNESCO - Section for Women and Gender Equality	4
Table of States Party to the Convention and the Optional Protocol	9
Table of Heading Titles for the Convention and the Optional Protocol	13
Convention on the Elimination of All Forms of Discrimination against Women	15
Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women	37

Foreword by the Director-General of UNESCO

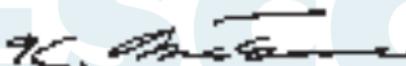
This Passport to Equality contains the most important international normative instrument concerning women, one that aims at achieving equal rights for women everywhere. The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) was adopted in 1979 by the United Nations, and came into force on 3 September 1981. To date, 180 states (or 178 of the 191 Member States of the United Nations) have become parties to the Convention, with the most recent accession taking place on 18 March 2005.

The effectiveness of CEDAW has increased since 1999, when the General Assembly of the United Nations adopted the Optional Protocol to this Convention, thus giving individuals the right to submit communications concerning violations of the Convention by their governments to the Committee responsible for CEDAW. The Protocol empowers the Committee to conduct inquiries into the violations, if these happen in States that have adhered to the Convention and the Protocol.

UNESCO helps promote the CEDAW, and is particularly committed to implementing its Article 10, which speaks of women's equal rights with men in the field of education, and the elimination of stereotyped concepts of the role of men and women at all levels and in all forms of education. UNESCO conceived this Passport to Equality as a tool to help promote the Convention. It is aimed especially at local opinion leaders at the community level: women's organizations, teachers, lawyers, medical practitioners, members of local and national governing bodies, union organisers, journalists, broadcasters and others. They are invited to help familiarize both women and men with the Convention and to use it when the rights of the former are threatened or violated.

Since its first edition in 1999, the Passport has been distributed in 19 languages: Arabic, Chinese, English, French, Hindi, Portuguese, Russian, Spanish, Swahili, Urdu and the nine languages of Guinea. We are grateful to all the partners who are assisting UNESCO in disseminating it worldwide, notably the United Nations Development Fund for Women (UNIFEM) and the Joint United Nations Programme on HIV/AIDS (UNAIDS), as well as other UN agencies and non-governmental organizations. May this Passport to Equality help you personally, and may it help you share the message it contains with as many people as possible.

Koïchiro Matsuura



Preface by Rachel Mayanja

Special Adviser on Gender Issues and Advancement of Women to the Secretary-General of the United Nations

The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) adopted in 1979 by the United Nations General Assembly is often described as an international bill of rights for women. To date, 180 States are party to this “Bill of rights for women”, and thus obliged under international law to realize equality between women and men in the civil, cultural, economic, political and social fields. In States parties, but also in countries that have not yet ratified it, the Convention is a powerful tool in the hands of activists and legislators, judges and educators, politicians and professionals. They use the Convention to influence legislative processes and Government policies. It is instrumental in shaping public opinion for women’s equality and in advocating for women’s rights. Courts in many countries refer to the Convention in domestic litigation to redress discrimination against women in many areas, including work, nationality, and violence against women. The Optional Protocol, which entered into force in December 2000, is a complaint procedure entitling women and groups of individual women to petition the Committee with respect to violations of the Convention. It also allows the Committee of its own initiative to inquire into grave or systematic violations of the Convention.

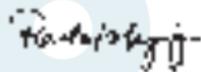
The Committee on the Elimination of Discrimination against Women monitors the implementation of the Convention. This Committee has been an agent for change for women both collectively and individually.

Its practical recommendations to States have ensured that the Convention is now an active part of domestic legal, political and social discourse. The Committee has assessed the influence of traditions and customs that relegate women to second-class status, and stereotypes that mould women's "proper place" in society and in the home. It has reviewed the compatibility of customary laws, and their application to women, with the requirements of the Convention. It has considered the strengths and weaknesses of educational policies and their impact on girls and women's right to quality education and training. It has debated how marriage and family relations should evolve and be transformed so as to ensure equality of rights between women and men.

At the 2005 World Summit, Governments and the international community once more affirmed their conviction that "progress for women is progress for all", resolving to promote gender equality and eliminate pervasive gender discrimination. They reaffirmed that the full and effective implementation of the goals and objectives of the Beijing Declaration and Platform for Action and the outcome of the Twenty-Third Special Session of the United Nations General Assembly is an essential contribution to achieving internationally agreed development goals, including those contained in the Millennium Declaration.

With the help of this Passport to Equality, these goals are moving within closer reach. And what could be more fitting than to continue the new millennium with a universal commitment to women's right to equality and non-discrimination as universal progress for all.

Rachel Mayanja



Introduction and Explanatory Notes by UNESCO Section for Women and Gender Equality

Introduction

A major step towards the attainment of the goal of equal rights for women was taken on 18 December 1979, when the General Assembly adopted the Convention on the Elimination of All Forms of Discrimination against Women. Its adoption concluded consultations over a five-year period by various working groups, the Commission on the Status of Women and the General Assembly.

The Passport to Equality is issued by virtue of the right of every human being, without distinction of sex, to enjoy the basic rights proclaimed in the Universal Declaration of Human Rights. The purpose of the Passport is to make women and men all over the world aware of the existence of the Convention.

CEDAW establishes the universality of the principle of equality of rights between men and women and makes provision for measures to ensure equality of rights for women throughout the world. It reflects the depth of the exclusion and restriction practised against women solely on the basis of their gender.

Very open in outlook, the Convention seeks to establish equality of rights for women, whatever their marital status, in all fields - political, economic, social, cultural and civil. It provides for the adoption at the national level of legislation prohibiting discrimination and for the adoption of special temporary measures to accelerate the establishment of de facto equality between women and men, including changing the paradigms and models of sociocultural behaviour that perpetuate discrimination.

Explanatory Notes

1. Overview

CEDAW sets out, in legally binding form, internationally accepted principles and measures to achieve equal rights for women everywhere. The wide ranging Convention calls for equal rights for women in the political, economic, social, cultural and civil fields.

The Convention is divided into six Parts containing 30 Articles, with a Preamble that (i) lays out the legal basis for equal rights of women and men; (ii) recounts, and describes the effects of, the continuing discrimination against women; (iii) delineates the essential areas of concern that need to be addressed for the attainment of full equality between men and women; and (iv) describes the necessary and unique contributions of women.

Part I defines discrimination against women and identifies means to eliminate it. The Convention calls for national legislation to prohibit discrimination, and to put in place measures to guarantee human rights. It further recommends temporary special measures to accelerate equality between women and men, as well as actions to modify social and cultural patterns that perpetuate discrimination.

The political rights of women are treated in Part II, which provides for equal rights in political and public life, at the national and international levels. Part II also addresses issues pertaining to nationality and calls for equal rights to acquire, change or retain nationality.

Part III sets out social and economic rights, enumerating equal rights for women in the areas of education (Article 10), employment, health care, economic and social life, with special attention given to the problems of rural women.

The civil rights of women are addressed in Part IV which contains provisions that advance women's equality before the law and that advocate equality in all matters relating to marriage and family relations, with special focus on child marriage.

Part V sets out the objectives, composition and functions of the Committee on the Elimination of Discrimination against Women. It also describes the reporting requirements from State Parties.

Part VI deals with the implementation of the Convention and its legal effects at the national and international level, including reservations that State Parties may make in adopting the Convention.

Throughout the Convention, certain areas particularly pertinent to women are highlighted for equal protection. Maternity, procreation, reproduction and family planning are addressed in several Articles. Article 6 calls for the suppression of the trafficking in, and the prostitution of, women.

Find out more about the Convention and its history at <http://www.un.org/womenwatch/daw/cedaw/>

2. Implementation and Reservations

In practice, the implementation of the Convention rests largely on the willingness of governments to incorporate the terms of the Convention into their national legislation.

A State Party thus agrees to include these universal standards in its national laws and to transpose them into administrative and social policies and practices in order to achieve a de facto eradication of discrimination.

A State's adoption of this international treaty may, however, sometimes be accompanied by reservations. Reservations allow a State to waive certain provisions by which it cannot or does not wish to be bound, while being a party to the treaty. Various reasons, such as the national legislation in force,

customary law or religious freedom, are given by States to justify their reservations. A reservation is not, however, acceptable if it is incompatible with the object and purpose of the treaty.

In the case of CEDAW, the number and nature of reservations expressed by States in their instruments of ratification now constitute a disturbing obstacle to the recognition and universal implementation of the Convention. Some reservations question the very principle of the Convention, namely, the elimination of discrimination against women, and are major obstacles to the improvement of the status of women.

Find out more about State reservations at <http://www.un.org/womenwatch/daw/cedaw/>

3. Optional Protocol

In the event of a violation by a State Party of any of the rights in the Convention, victims hitherto had no means of voicing their grievances and seeking remedies within the framework of the Convention. For that reason, an Optional Protocol to CEDAW was adopted by the United Nations General Assembly in December 1999, and entered into force on 22 December 2000.

The Optional Protocol gives individuals and groups of individuals the right to submit communications to the Committee on the Elimination of Discrimination against Women (Committee) concerning all violations of the Convention by their governments. The Optional Protocol also creates an inquiry procedure enabling the Committee to initiate inquiries on its own into situations of grave or systematic violations by a State Party of the rights provided in the Convention.

Find out more about the Protocol and the rules of procedure at <http://www.un.org/womenwatch/daw/cedaw/>

4. The Committee on the Elimination of Discrimination against Women

The Committee is established under Part V of the Convention, which sets up the machinery for the international supervision of the obligations accepted by States under the Convention. The Committee, composed of 23 experts elected by State Parties and serving in their personal capacity, convened for the first time in 1982, after the Convention entered into force.

The main task of the Committee is to consider the progress made by States, through their periodical reports submitted to the Committee, concerning the legislative, judicial, administrative and other measures adopted to give effect to the Convention and to make recommendations to the States on steps to be taken to implement the Convention, in particular, by transposing it into national legislation.

The Committee's scope of authority expanded under the Optional Protocol, permitting it to consider State violations of the Convention and to make recommendations to the States. With respect to third party communications, the Committee can consider only those that are not anonymous, that concern a State Party to the Convention and to the Optional Protocol, and that normally follow the exhaustion of all available domestic remedies. Regarding the Committee's independent authority to consider grave or systematic State violations, a State could choose not to recognize this competence.

Find out more about the Committee, its working methods, the country reports, as well as a model form for submitting a communication to the Committee, at <http://www.un.org/womenwatch/daw/cedaw/>

We are happy to share this new edition of the Passport with you and we hope that you will take every opportunity to read, discuss and spread the word on the CEDAW and the Optional Protocol.

S. Gülser Corat
Chief

Section for Women and Gender Equality
Bureau of Strategic Planning
<http://www.unesco.org/women>

Table of States Party to the Convention and the Option Protocol

As of 18 March 2005, 180 States have ratified or approved the Convention, among which 60 States have made reservations to, or declarations regarding, the Convention.

As of 20 January 2006, 76 States have ratified or approved the Optional Protocol, among which 4 States have made reservations to, or declarations regarding, the Optional Protocol.

For regular updates and further information on States party to the Convention and the Optional Protocol, please consult <http://www.un.org/womenwatch/daw/cedaw/states.htm>

It should be noted that some States have signed but not yet ratified or approved the relevant instrument. A simple signature does not establish the consent of the State to be bound. However, it expresses the willingness of the signatory State to continue the treaty-making process. The signature qualifies the State to proceed to ratification, acceptance or approval. It also creates an obligation to refrain, in good faith, from acts that would defeat the object and the purpose of the treaty. In this context, 1 State has signed but not yet ratified or approved the Convention; 21 States have signed but not yet ratified or approved the Optional Protocol.

The chart that follows summarizes all States party to the Convention and/or the Optional Protocol:

" √ " - indicates that the State has ratified or approved the relevant instrument;

" S " - indicates that the State has signed, but not yet ratified or approved, the relevant instrument;

" * " - indicates that the State has made reservations to, or declarations regarding, the relevant instrument.

State	CEDAW	Protocol
Afghanistan	√	
Albania	√	√
Algeria	√*	
Andorra	√	√
Angola	√	
Antigua and Barbuda	√	
Argentina	√*	S
Armenia	√	
Australia	√*	
Austria	√*	√
Azerbaijan	√	√
Bahamas	√*	
Bahrain	√*	
Bangladesh	√*	√*
Barbados	√	
Belarus	√	√
Belgium	√	√*
Belize	√	√*
Benin	√	S
Bhutan	√	
Bolivia	√	√
Bosnia and Herzegovina	√	√
Botswana	√	
Brazil	√*	√
Bulgaria	√	S
Burkina Faso	√	√
Burundi	√	S
Cambodia	√	S
Cameroon	√	√
Canada	√	√
Cape Verde	√	
Central African Republic	√	
Chad	√	
Chile	√*	S
China	√*	
Colombia	√	S
Comoros	√	
Congo	√	
Costa Rica	√	√
Côte d'Ivoire	√	

State	CEDAW	Protocol
Croatia	√	√
Cuba	√*	S*
Cyprus	√	√
Czech Republic	√	√
Democratic People's Republic of Korea	√*	
Democratic Republic of the Congo	√	
Denmark	√	√
Djibouti	√	
Dominica	√	
Dominican Republic	√	√
Ecuador	√	√
Egypt	√*	
El Salvador	√*	S
Equatorial Guinea	√	
Eritrea	√	
Estonia	√	
Ethiopia	√*	
Fiji	√	
Finland	√	√
France	√*	√
Gabon	√	√
Gambia	√	
Georgia	√	√
Germany	√*	√
Ghana	√	S
Greece	√	√
Grenada	√	
Guatemala	√	√
Guinea	√	
Guinea-Bissau	√	S
Guyana	√	
Haiti	√	
Honduras	√	
Hungary	√	√
Iceland	√	√
India	√*	
Indonesia	√*	S
Iraq	√*	

State	CEDAW	Protocol
Ireland	√*	√
Israel	√*	
Italy	√*	√
Jamaica	√*	
Japan	√	
Jordan	√*	
Kazakhstan	√	√
Kenya	√	
Kiribati	√	
Kuwait	√*	
Kyrgyzstan	√	√
Lao People's Democratic Republic	√	
Latvia	√	
Lebanon	√*	
Lesotho	√*	√
Liberia	√	S
Libyan Arab Jamahiriya	√*	√
Liechtenstein	√*	√
Lithuania	√	√
Luxembourg	√*	√
Madagascar	√	S
Malawi	√	S
Malaysia	√*	
Maldives	√*	
Mali	√	√
Malta	√*	
Mauritania	√*	
Mauritius	√*	S
Mexico	√*	√
Micronesia (Federated States of)	√*	
Monaco	√*	
Mongolia	√	√
Morocco	√*	
Mozambique	√	
Myanmar	√*	
Namibia	√	√
Nepal	√	S
Netherlands	√*	√
New Zealand	√*	√

State	CEDAW	Protocol
Nicaragua	√	
Niger	√*	√
Nigeria	√	√
Norway	√	√
Pakistan	√*	
Panama	√	√
Papua New Guinea	√	
Paraguay	√	√
Peru	√	√
Philippines	√	√
Poland	√	√
Portugal	√	√
Republic of Korea	√*	
Republic of Moldova	√	
Romania	√	√
Russian Federation	√	√
Rwanda	√	
Saint Kitts and Nevis	√	√
Saint Lucia	√	
Saint Vincent and the Grenadines	√	
Samoa	√	
San Marino	√	√

State	CEDAW	Protocol
Sao Tome and Principe	√	S
Saudi Arabia	√*	
Senegal	√	√
Serbia and Montenegro	√	√
Seychelles	√	S
Sierra Leone	√	S
Singapore	√*	
Slovakia	√	√
Slovenia	√	√
Solomon Islands	√	√
South Africa	√	√
Spain	√*	√
Sri Lanka	√	√
Suriname	√	
Swaziland	√	
Sweden	√	√
Switzerland	√*	
Syrian Arab Republic	√*	
Tajikistan	√	S
Thailand	√*	√
The Former Yugoslav Republic of Macedonia	√	√
Timor-Leste	√	√

State	CEDAW	Protocol
Togo	√	
Trinidad and Tobago	√*	
Tunisia	√*	
Turkey	√*	√
Turkmenistan	√	
Tuvalu	√	
Uganda	√	
Ukraine	√	√
United Arab Emirates	√*	
United Kingdom of Great Britain and Northern Ireland	√*	√
United Republic of Tanzania	√	√
United States of America	S	
Uruguay	√	√
Uzbekistan	√	
Vanuatu	√	
Venezuela (Bolivarian Republic of)	√*	√
Viet Nam	√*	
Yemen	√*	
Zambia	√	
Zimbabwe	√	

Table of Heading Titles for the Convention and the Optional Protocol

The full texts of the Convention and the Optional Protocol are set out in the pages that follow. We provide the following tables of contents for your ease of reference. The heading titles are summaries, not part of the official text, which we furnish to assist you in navigating through the instruments. Your reading and understanding of the Convention and the Optional Protocol should not be limited in anyway by these heading titles.

Convention

Preamble

Part I – Definition and Appropriate Measures

- Art. 1 Definition of Discrimination
- Art. 2 Eliminating Discrimination
- Art. 3 Guaranteeing Human Rights
- Art. 4 Accelerating Equality
- Art. 5 Eliminating Stereotyped Roles
- Art. 6 Suppressing Trafficking and Prostitution

Part II – Political Rights

- Art. 7 Political and Public Life
- Art. 8 International Participation
- Art. 9 Nationality

Part III – Social and Economic Rights

- Art. 10 Education
- Art. 11 Employment
- Art. 12 Health Care
- Art. 13 Economic and Social Life
- Art. 14 Rural Women

Part IV – Civil Rights

- Art. 15 Equality Before the Law / Legal Capacity
- Art. 16 Marriage and Family Relations

Part V – Committee on the Elimination of Discrimination against Women

- Art. 17 Purpose, Composition and Election
- Art. 18 Periodic Reports by States
- Art. 19 Rules of Procedure
- Art. 20 Annual Meetings
- Art. 21 Annual Reports of the Committee
- Art. 22 Role of Specialized Agencies

Part VI – Effect of Convention

- Art. 23 Effect on Legislation and Other Treaties
- Art. 24 Achieving Full Realization of Rights
- Art. 25 Signature, Ratification, Accession
- Art. 26 Revision
- Art. 27 Entry into Force
- Art. 28 Reservations
- Art. 29 Negotiation, Arbitration, International Court of Justice
- Art. 30 Official Languages

Optional Protocol

Preamble

- Art. 1 Competence of the Committee
- Art. 2 Communications Claiming Violations
- Art. 3 In Writing and Not Anonymous
- Art. 4 Domestic Remedies / Other International Procedures
- Art. 5 Interim Measures by State Party
- Art. 6 Confidentiality of State Party
- Art. 7 Recommendations by Committee
- Art. 8 Grave and Systematic Violations
- Art. 9 Reports by State Party
- Art. 10 Recognition by State Party
- Art. 11 Ill Treatment or Intimidation
- Art. 12 Annual Report by Committee
- Art. 13 Publicity
- Art. 14 Rules of Procedure
- Art. 15 Signature, Ratification, Accession
- Art. 16 Entry into Force
- Art. 17 No Reservations
- Art. 18 Amendments
- Art. 19 Denunciations
- Art. 20 Information on Status of Protocol
- Art. 21 Official Languages

Convention on the Elimination of All Forms of Discrimination against Women

The States Parties to the present Convention,

Noting that the Charter of the United Nations reaffirms faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women,

Noting that the Universal Declaration of Human Rights affirms the principle of the inadmissibility of discrimination and proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind, including distinction based on sex,

Noting that the States Parties to the International Covenants on Human Rights have the obligation to ensure the equal right of men and women to enjoy all economic, social, cultural, civil and political rights,

Considering the international conventions concluded under the auspices of the United Nations and the specialized agencies promoting equality of rights of men and women,

Noting also the resolutions, declarations and recommendations adopted by the United Nations and the specialized agencies promoting equality of rights of men and women,

Concerned, however, that despite these various instruments extensive discrimination against women continues to exist,

Recalling that discrimination against women violates the principles of equality of rights and respect for human dignity, is an obstacle to the participation of women, on equal terms with men, in the political, social, economic and cultural life of their countries, hampers the growth of the prosperity of society and the family and makes more difficult the full development of the potentialities of women in the service of their countries and of humanity,

Concerned that in situations of poverty women have the least access to food, health, education, training and opportunities for employment and other needs,

Convinced that the establishment of the new international economic order based on equity and justice will contribute significantly towards the promotion of equality between men and women,

Emphasizing that the eradication of *apartheid*, of all forms of racism, racial discrimination, colonialism, neo-colonialism, aggression, foreign occupation and domination and interference in the internal affairs of States is essential to the full enjoyment of the rights of men and women,

Affirming that the strengthening of international peace and security, relaxation of international tension, mutual co-operation among all States irrespective of their social and economic systems, general and complete disarmament, and in particular nuclear disarmament under strict and effective international control, the affirmation of the principles of justice, equality and mutual benefit in relations among countries and the realization of the right of peoples under alien and colonial domination and foreign occupation to self-

determination and independence, as well as respect for national sovereignty and territorial integrity, will promote social progress and development and as a consequence will contribute to the attainment of full equality between men and women,

Convinced that the full and complete development of a country, the welfare of the world and the cause of peace require the maximum participation of women on equal terms with men in all fields,

Bearing in mind the great contribution of women to the welfare of the family and to the development of society, so far not fully recognized, the social significance of maternity and the role of both parents in the family and in the upbringing of children, and aware that the role of women in procreation should not be a basis for discrimination but that the upbringing of children requires a sharing of responsibility between men and women and society as a whole,

Aware that a change in the traditional role of men as well as the role of women in society and in the family is needed to achieve full equality between men and women,

Determined to implement the principles set forth in the Declaration on the Elimination of Discrimination against Women and, for that purpose, to adopt the measures required for the elimination of such discrimination in all its forms and manifestations,

Have agreed on the following:

PART I

Article 1

For the purposes of the present Convention, the term “discrimination against women” shall mean 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, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.

Article 2

States Parties condemn discrimination against women in all its forms, agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women and, to this end, undertake:

- (a) To embody the principle of the equality of men and women in their national constitutions or other appropriate legislation if not yet incorporated therein and to ensure, through law and other appropriate means, the practical realization of this principle;
- (b) To adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women;
- (c) To establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination;

- (d) To refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation;
- (e) To take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise;
- (f) To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women;
- (g) To repeal all national penal provisions which constitute discrimination against women.

Article 3

States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.

Article 4

1. Adoption by States Parties of temporary special measures aimed at accelerating *de facto* equality between men and women shall not be considered discrimination as defined in the present Convention, but shall in no way entail as a consequence the maintenance of unequal or separate standards; these measures shall be discontinued when the objectives of equality of opportunity and treatment have been achieved.

2. Adoption by States Parties of special measures, including those measures contained in the present Convention, aimed at protecting maternity shall not be considered discriminatory.

Article 5

States Parties shall take all appropriate measures:

- (a) To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women;
- (b) To ensure that family education includes a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children, it being understood that the interest of the children is the primordial consideration in all cases.

Article 6

States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women.

PART II

Article 7

States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right:

- (a) To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;
- (b) To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;
- (c) To participate in non-governmental organizations and associations concerned with the public and political life of the country.

Article 8

States Parties shall take all appropriate measures to ensure to women, on equal terms with men and without any discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organizations.

Article 9

1. States Parties shall grant women equal rights with men to acquire, change or retain their nationality. They shall ensure in particular that neither marriage to an alien nor change of nationality by the husband during marriage shall automatically change the nationality of the wife, render her stateless or force upon her the nationality of the husband.

2. States Parties shall grant women equal rights with men with respect to the nationality of their children.

PART III

Article 10

States Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure, on a basis of equality of men and women:

- (a) The same conditions for career and vocational guidance, for access to studies and for the achievement of diplomas in educational establishments of all categories in rural as well as in urban areas; this equality shall be ensured in pre-school, general, technical, professional and higher technical education, as well as in all types of vocational training;
- (b) Access to the same curricula, the same examinations, teaching staff with qualifications of the same standard and school premises and equipment of the same quality;
- (c) The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging coeducation and other types of education which will help to achieve this aim and, in particular, by the revision of textbooks and school programmes and the adaptation of teaching methods;
- (d) The same opportunities to benefit from scholarships and other study grants;

- (e) The same opportunities for access to programmes of continuing education, including adult and functional literacy programmes, particularly those aimed at reducing, at the earliest possible time, any gap in education existing between men and women;
- (f) The reduction of female student drop-out rates and the organization of programmes for girls and women who have left school prematurely;
- (g) The same opportunities to participate actively in sports and physical education;
- (h) Access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning.

Article 11

1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights, in particular:

- (a) The right to work as an inalienable right of all human beings;
- (b) The right to the same employment opportunities, including the application of the same criteria for selection in matters of employment;
- (c) The right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to receive vocational training and retraining, including apprenticeships, advanced vocational training and recurrent training;

(d) The right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work;

(e) The right to social security, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as the right to paid leave;

(f) The right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction.

2. In order to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work, States Parties shall take appropriate measures:

(a) To prohibit, subject to the imposition of sanctions, dismissal on the grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital status;

(b) To introduce maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances;

(c) To encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child-care facilities;

(d) To provide special protection to women during pregnancy in types of work proved to be harmful to them.

3. Protective legislation relating to matters covered in this article shall be reviewed periodically in the light of scientific and technological knowledge and shall be revised, repealed or extended as necessary.

Article 12

1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health care services, including those related to family planning.

2. Notwithstanding the provisions of paragraph 1 of this article, States Parties shall ensure to women appropriate services in connexion with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation.

Article 13

States Parties shall take all appropriate measures to eliminate discrimination against women in other areas of economic and social life in order to ensure, on a basis of equality of men and women, the same rights, in particular:

(a) The right to family benefits;

(b) The right to bank loans, mortgages and other forms of financial credit;

- (c) The right to participate in recreational activities, sports and all aspects of cultural life.

Article 14

1. States Parties shall take into account the particular problems faced by rural women and the significant roles which rural women play in the economic survival of their families, including their work in the non-monetized sectors of the economy, and shall take all appropriate measures to ensure the application of the provisions of this Convention to women in rural areas.

2. States Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development and, in particular, shall ensure to such women the right:

- (a) To participate in the elaboration and implementation of development planning at all levels;
- (b) To have access to adequate health care facilities, including information, counselling and services in family planning;
- (c) To benefit directly from social security programmes;
- (d) To obtain all types of training and education, formal and non-formal, including that relating to functional literacy, as well as, *inter alia*, the benefit of all community and extension services, in order to increase their technical proficiency;
- (e) To organize self-help groups and co-operatives in order to obtain equal access to economic opportunities through employment or self-employment;

- (f) To participate in all community activities;
- (g) To have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes;
- (h) To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.

PART IV

Article 15

1. States Parties shall accord to women equality with men before the law.
2. States Parties shall accord to women, in civil matters, a legal capacity identical to that of men and the same opportunities to exercise that capacity. In particular, they shall give women equal rights to conclude contracts and to administer property and shall treat them equally in all stages of procedure in courts and tribunals.
3. States Parties agree that all contracts and all other private instruments of any kind with a legal effect which is directed at restricting the legal capacity of women shall be deemed null and void.
4. States Parties shall accord to men and women the same rights with regard to the law relating to the movement of persons and the freedom to choose their residence and domicile.

Article 16

1. States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women:

- (a) The same right to enter into marriage;
- (b) The same right freely to choose a spouse and to enter into marriage only with their free and full consent;
- (c) The same rights and responsibilities during marriage and at its dissolution;
- (d) The same rights and responsibilities as parents, irrespective of their marital status, in matters relating to their children; in all cases the interests of the children shall be paramount;
- (e) The same rights to decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable them to exercise these rights;
- (f) The same rights and responsibilities with regard to guardianship, wardship, trusteeship and adoption of children, or similar institutions where these concepts exist in national legislation; in all cases the interests of the children shall be paramount;
- (g) The same personal rights as husband and wife, including the right to choose a family name, a profession and an occupation;

(h) The same rights for both spouses in respect of the ownership, acquisition, management, administration, enjoyment and disposition of property, whether free of charge or for a valuable consideration.

2. The betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory.

PART V

Article 17

1. For the purpose of considering the progress made in the implementation of the present Convention, there shall be established a Committee on the Elimination of Discrimination against Women (hereinafter referred to as the Committee) consisting, at the time of entry into force of the Convention, of eighteen and, after ratification of or accession to the Convention by the thirty-fifth State Party, of twenty-three experts of high moral standing and competence in the field covered by the Convention. The experts shall be elected by States Parties from among their nationals and shall serve in their personal capacity, consideration being given to equitable geographical distribution and to the representation of the different forms of civilization as well as the principal legal systems.

2. The members of the Committee shall be elected by secret ballot from a list of persons nominated by States Parties. Each State Party may nominate one person from among its own nationals.

3. The initial election shall be held six months after the date of the entry into force of the present Convention. At least three months before the date of each election the Secretary-General of the United Nations shall address a letter to the States Parties inviting them to submit their nominations within two months. The Secretary-General shall prepare a list in alphabetical order of all persons thus nominated, indicating the States Parties which have nominated them, and shall submit it to the States Parties.

4. Elections of the members of the Committee shall be held at a meeting of States Parties convened by the Secretary-General at United Nations Headquarters. At that meeting, for which two thirds of the States Parties shall constitute a quorum, the persons elected to the Committee shall be those nominees who obtain the largest number of votes and an absolute majority of the votes of the representatives of States Parties present and voting.

5. The members of the Committee shall be elected for a term of four years. However, the terms of nine of the members elected at the first election shall expire at the end of two years; immediately after the first election the names of these nine members shall be chosen by lot by the Chairman of the Committee.

6. The election of the five additional members of the Committee shall be held in accordance with the provisions of paragraphs 2, 3 and 4 of this article, following the thirty-fifth ratification or accession. The terms of two of the additional members elected on this occasion shall expire at the end of two years, the names of these two members having been chosen by lot by the Chairman of the Committee.

7. For the filling of casual vacancies, the State Party whose expert has ceased to function as a member of the Committee shall appoint another expert from among its nationals, subject to the approval of the Committee.

8. The members of the Committee shall, with the approval of the General Assembly, receive emoluments from United Nations resources on such terms and conditions as the Assembly may decide, having regard to the importance of the Committee's responsibilities.

9. The Secretary-General of the United Nations shall provide the necessary staff and facilities for the effective performance of the functions of the Committee under the present Convention.

Article 18

1. States Parties undertake to submit to the Secretary-General of the United Nations, for consideration by the Committee, a report on the legislative, judicial, administrative or other measures which they have adopted to give effect to the provisions of the present Convention and on the progress made in this respect:

(a) Within one year after the entry into force for the State concerned; and

(b) Thereafter at least every four years and further whenever the Committee so requests.

2. Reports may indicate factors and difficulties affecting the degree of fulfilment of obligations under the present Convention.

Article 19

1. The Committee shall adopt its own rules of procedure.
2. The Committee shall elect its officers for a term of two years.

Article 20

1. The Committee shall normally meet for a period of not more than two weeks annually in order to consider the reports submitted in accordance with article 18 of the present Convention.
2. The meetings of the Committee shall normally be held at United Nations Headquarters or at any other convenient place as determined by the Committee.

Article 21

1. The Committee shall, through the Economic and Social Council, report annually to the General Assembly of the United Nations on its activities and may make suggestions and general recommendations based on the examination of reports and information received from the States Parties. Such suggestions and general recommendations shall be included in the report of the Committee together with comments, if any, from States Parties.
2. The Secretary-General shall transmit the reports of the Committee to the Commission on the Status of Women for its information.

Article 22

The specialized agencies shall be entitled to be represented at the consideration of the implementation of such provisions of the present Convention as fall within the scope of their activities. The Committee may invite the specialized agencies to submit reports on the implementation of the Convention in areas falling within the scope of their activities.

PART VI

Article 23

Nothing in this Convention shall affect any provisions that are more conducive to the achievement of equality between men and women which may be contained:

- (a) In the legislation of a State Party; or
- (b) In any other international convention, treaty or agreement in force for that State.

Article 24

States Parties undertake to adopt all necessary measures at the national level aimed at achieving the full realization of the rights recognized in the present Convention.

Article 25

1. The present Convention shall be open for signature by all States.
2. The Secretary-General of the United Nations is designated as the depositary of the present Convention.

3. The present Convention is subject to ratification. Instruments of ratification shall be deposited with the Secretary-General of the United Nations.

4. The present Convention shall be open to accession by all States. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

Article 26

1. A request for the revision of the present Convention may be made at any time by any State Party by means of a notification in writing addressed to the Secretary-General of the United Nations.

2. The General Assembly of the United Nations shall decide upon the steps, if any, to be taken in respect of such a request.

Article 27

1. The present Convention shall enter into force on the thirtieth day after the date of deposit with the Secretary-General of the United Nations of the twentieth instrument of ratification or accession.

2. For each State ratifying the present Convention or acceding to it after the deposit of the twentieth instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after the date of the deposit of its own instrument of ratification or accession.

Article 28

1. The Secretary-General of the United Nations shall receive and circulate to all States the text of reservations made by States at the time of ratification or accession.

2. A reservation incompatible with the object and purpose of the present Convention shall not be permitted.

3. Reservations may be withdrawn at any time by notification to this effect addressed to the Secretary-General of the United Nations, who shall then inform all States thereof. Such notification shall take effect on the date on which it is received.

Article 29

1. Any dispute between two or more States Parties concerning the interpretation or application of the present Convention which is not settled by negotiation shall, at the request of one of them, be submitted to arbitration. If within six months from the date of the request for arbitration the parties are unable to agree on the organization of the arbitration, any one of those parties may refer the dispute to the International Court of Justice by request in conformity with the Statute of the Court.

2. Each State Party may at the time of signature or ratification of this Convention or accession thereto declare that it does not consider itself bound by paragraph 1 of this article. The other States Parties shall not be bound by that paragraph with respect to any State Party which has made such a reservation.

3. Any State Party which has made a reservation in accordance with paragraph 2 of this article may at any time withdraw that reservation by notification to the Secretary-General of the United Nations.

Article 30

The present Convention, the Arabic, Chinese, English, French, Russian and Spanish texts of which are equally authentic, shall be deposited with the Secretary-General of the United Nations.

IN WITNESS WHEREOF the undersigned, duly authorized, have signed the present Convention.

Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women

The States Parties to the present Protocol,

Noting that the Charter of the United Nations reaffirms faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women,

Also noting that the Universal Declaration of Human Rights proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind, including distinction based on sex,

Recalling that the International Covenants on Human Rights and other international human rights instruments prohibit discrimination on the basis of sex,

Also recalling the Convention on the Elimination of All Forms of Discrimination against Women (“the Convention”), in which the States Parties thereto condemn discrimination against women in all its forms and agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women,

Reaffirming their determination to ensure the full and equal enjoyment by women of all human rights and fundamental freedoms and to take effective action to prevent violations of these rights and freedoms,

Have agreed as follows:

Article 1

A State Party to the present Protocol ("State Party") recognizes the competence of the Committee on the Elimination of Discrimination against Women ("the Committee") to receive and consider communications submitted in accordance with article 2.

Article 2

Communications may be submitted by or on behalf of individuals or groups of individuals, under the jurisdiction of a State Party, claiming to be victims of a violation of any of the rights set forth in the Convention by that State Party. Where a communication is submitted on behalf of individuals or groups of individuals, this shall be with their consent unless the author can justify acting on their behalf without such consent.

Article 3

Communications shall be in writing and shall not be anonymous. No communication shall be received by the Committee if it concerns a State Party to the Convention that is not a party to the present Protocol.

Article 4

1. The Committee shall not consider a communication unless it has ascertained that all available domestic remedies have been exhausted unless the application of such remedies is unreasonably prolonged or unlikely to bring effective relief.

2. The Committee shall declare a communication inadmissible where:

- (a) The same matter has already been examined by the Committee or has been or is being examined under another procedure of international investigation or settlement;
- (b) It is incompatible with the provisions of the Convention;
- (c) It is manifestly ill-founded or not sufficiently substantiated;
- (d) It is an abuse of the right to submit a communication;
- (e) The facts that are the subject of the communication occurred prior to the entry into force of the present Protocol for the State Party concerned unless those facts continued after that date.

Article 5

1. At any time after the receipt of a communication and before a determination on the merits has been reached, the Committee may transmit to the State Party concerned for its urgent consideration a request that the State Party take such interim measures as may be necessary to avoid possible irreparable damage to the victim or victims of the alleged violation.

2. Where the Committee exercises its discretion under paragraph 1 of the present article, this does not imply a determination on admissibility or on the merits of the communication.

Article 6

1. Unless the Committee considers a communication inadmissible without reference to the State Party concerned, and provided that the individual or individuals consent to the disclosure of their identity to that State Party, the Committee shall bring any communication submitted to it under the present Protocol confidentially to the attention of the State Party concerned.

2. Within six months, the receiving State Party shall submit to the Committee written explanations or statements clarifying the matter and the remedy, if any, that may have been provided by that State Party.

Article 7

1. The Committee shall consider communications received under the present Protocol in the light of all information made available to it by or on behalf of individuals or groups of individuals and by the State Party concerned, provided that this information is transmitted to the parties concerned.

2. The Committee shall hold closed meetings when examining communications under the present Protocol.

3. After examining a communication, the Committee shall transmit its views on the communication, together with its recommendations, if any, to the parties concerned.

4. The State Party shall give due consideration to the views of the Committee, together with its recommendations, if any, and shall submit to the Committee, within six months, a written response, including information on any action taken in the light of the views and recommendations of the Committee.

5. The Committee may invite the State Party to submit further information about any measures the State Party has taken in response to its views or recommendations, if any, including as deemed appropriate by the Committee, in the State Party's subsequent reports under article 18 of the Convention.

Article 8

1. If the Committee receives reliable information indicating grave or systematic violations by a State Party of rights set forth in the Convention, the Committee shall invite that State Party to cooperate in the examination of the information and to this end to submit observations with regard to the information concerned.

2. Taking into account any observations that may have been submitted by the State Party concerned as well as any other reliable information available to it, the Committee may designate one or more of its members to conduct an inquiry and to report urgently to the Committee. Where warranted and with the consent of the State Party, the inquiry may include a visit to its territory.

3. After examining the findings of such an inquiry, the Committee shall transmit these findings to the State Party concerned together with any comments and recommendations.

4. The State Party concerned shall, within six months of receiving the findings, comments and recommendations transmitted by the Committee, submit its observations to the Committee.

5. Such an inquiry shall be conducted confidentially and the cooperation of the State Party shall be sought at all stages of the proceedings.

Article 9

1. The Committee may invite the State Party concerned to include in its report under article 18 of the Convention details of any measures taken in response to an inquiry conducted under article 8 of the present Protocol.

2. The Committee may, if necessary, after the end of the period of six months referred to in article 8.4, invite the State Party concerned to inform it of the measures taken in response to such an inquiry.

Article 10

1. Each State Party may, at the time of signature or ratification of the present Protocol or accession thereto, declare that it does not recognize the competence of the Committee provided for in articles 8 and 9.

2. Any State Party having made a declaration in accordance with paragraph 1 of the present article may, at any time, withdraw this declaration by notification to the Secretary-General.

Article 11

A State Party shall take all appropriate steps to ensure that individuals under its jurisdiction are not subjected to ill treatment or intimidation as a consequence of communicating with the Committee pursuant to the present Protocol.

Article 12

The Committee shall include in its annual report under article 21 of the Convention a summary of its activities under the present Protocol.

Article 13

Each State Party undertakes to make widely known and to give publicity to the Convention and the present Protocol and to facilitate access to information about the views and recommendations of the Committee, in particular, on matters involving that State Party.

Article 14

The Committee shall develop its own rules of procedure to be followed when exercising the functions conferred on it by the present Protocol.

Article 15

1. The present Protocol shall be open for signature by any State that has signed, ratified or acceded to the Convention.
2. The present Protocol shall be subject to ratification by any State that has ratified or acceded to the Convention. Instruments of ratification shall be deposited with the Secretary-General of the United Nations.
3. The present Protocol shall be open to accession by any State that has ratified or acceded to the Convention.
4. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

Article 16

1. The present Protocol shall enter into force three months after the date of the deposit with the Secretary-General of the United Nations of the tenth instrument of ratification or accession.

2. For each State ratifying the present Protocol or acceding to it after its entry into force, the present Protocol shall enter into force three months after the date of the deposit of its own instrument of ratification or accession.

Article 17

No reservations to the present Protocol shall be permitted.

Article 18

1. Any State Party may propose an amendment to the present Protocol and file it with the Secretary-General of the United Nations. The Secretary-General shall thereupon communicate any proposed amendments to the States Parties with a request that they notify her or him whether they favour a conference of States Parties for the purpose of considering and voting on the proposal. In the event that at least one third of the States Parties favour such a conference, the Secretary-General shall convene the conference under the auspices of the United Nations. Any amendment adopted by a majority of the States Parties present and voting at the conference shall be submitted to the General Assembly of the United Nations for approval.

2. Amendments shall come into force when they have been approved by the General Assembly of the United Nations and accepted by a two-thirds majority of the States Parties to the present Protocol in accordance with their respective constitutional processes.

3. When amendments come into force, they shall be binding on those States Parties that have accepted them, other States Parties still being bound by the provisions of the present Protocol and any earlier amendments that they have accepted.

Article 19

1. Any State Party may denounce the present Protocol at any time by written notification addressed to the Secretary-General of the United Nations. Denunciation shall take effect six months after the date of receipt of the notification by the Secretary-General.

2. Denunciation shall be without prejudice to the continued application of the provisions of the present Protocol to any communication submitted under article 2 or any inquiry initiated under article 8 before the effective date of denunciation.

Article 20

The Secretary-General of the United Nations shall inform all States of:

- (a) Signatures, ratifications and accessions under the present Protocol;
- (b) The date of entry into force of the present Protocol and of any amendment under article 18;
- (c) Any denunciation under article 19.

Article 21

1. The present Protocol, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited in the archives of the United Nations.

2. The Secretary-General of the United Nations shall transmit certified copies of the present Protocol to all States referred to in article 25 of the Convention.



SECTION FOR WOMEN AND GENDER EQUALITY
BUREAU OF STRATEGIC PLANNING

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