



CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW) FOR YOUTH



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Planet 50-50 by 2030
Step It Up for Gender Equality

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WHAT IS THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN?

The Convention on the Elimination of All Forms of Discrimination against Women, or **CEDAW**, is an international legal instrument that requires countries to eliminate discrimination against women in all areas and promotes women's equal rights. **CEDAW is often described as the international bill of rights for women.**



The United Nations adopted CEDAW on 18 December 1979. As of 2016, **189¹ countries have ratified CEDAW**. This means that these countries have agreed to do everything they can to guarantee that women and girls can enjoy their rights on an equal basis with men and boys.

¹ https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg_no=IV-8&chapter=4&clang=_en

WHY IS CEDAW IMPORTANT?

CEDAW is a convention or treaty, which means that **it is part of international law and is legally binding** for countries that have ratified the convention.

Although other international human rights instruments, such as the International Covenant on Civil and Political Rights, prohibit discrimination on the basis of sex, CEDAW is important because **it comprehensively addresses women's human rights** and is focused on ending all forms of discrimination against women and girls, and guaranteeing their rights **in all areas of life**.

CEDAW requires countries to eliminate discrimination against women in the public as well as the private sphere, including in the family, and **recognizes that traditional gender roles and stereotypes must be eliminated in order to end all forms of discrimination** against women and girls.

CEDAW seeks to achieve 'substantive equality' or 'equality of results', which stresses that there should be **equal access, equal opportunities, and equal results for women and girls**. It entails that countries are obligated to take all necessary actions that may be required to make sure women and girls actually experience equality in their lives.

AS OF 2016, 189¹ COUNTRIES HAVE RATIFIED CEDAW.



"THE HUMAN RIGHTS OF WOMEN AND THE GIRL-CHILD ARE AN INALIENABLE, INTEGRAL AND INDIVISIBLE PART OF UNIVERSAL HUMAN RIGHTS."

— Vienna Declaration and Programme of Action, 1993, paragraph 18

CEDAW AND YOU(TH)

CEDAW is important for all the above reasons, and it is also important **for youth!** Although CEDAW mainly refers to 'women', the Convention reflects a life cycle approach and countries are obliged to promote the equal rights of women and girls. The different



CEDAW IS IMPORTANT BECAUSE IT COMPREHENSIVELY ADDRESSES WOMEN'S HUMAN RIGHTS...

forms and areas of discrimination that CEDAW focuses on are **important to women of all ages, including girls and young women.**

As activists and members of civil society organizations, as well as simply members of society, **young women and young men also have an extremely important role to play in holding their governments accountable** to implementing CEDAW.

Young women and young men are the eyes and ears for monitoring whether women's and girls' rights are being respected or if they are being violated. In countries that have not yet ratified CEDAW and/or its Optional Protocol, advocating for ratification is the first step!

For countries that have ratified CEDAW, local and/or national NGOs (including youth groups) can contribute to the country's official initial and periodic reports on the progress that has been made in implementing CEDAW and draw attention to challenges and suggest ways that government can advance women's and girls' rights in line with the Convention. The Committee on the Elimination of Discrimination against Women (the CEDAW Committee), which is composed of 23 independent experts from all regions, receives and considers the reports and monitors the implementation of CEDAW.

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YOUNG WOMEN AND YOUNG MEN CAN CONTRIBUTE TO GENDER EQUALITY BY LEARNING ABOUT WOMEN'S AND GIRL'S RIGHTS.

mentioned in their country's official report. **Young women and young men can use the recommendations issued by the CEDAW Committee following the consideration of a country's report, the concluding observations, to lobby the government to take action along the lines of the Committee's recommendations to initiate legal and policy reforms.**

Women and girls (alone or in a group) can also make a complaint to the CEDAW Committee if their rights have been violated, provided their country has ratified the Optional Protocol to the Convention.

Young women and young men can contribute to gender equality by learning about women's and girl's rights, being aware of stereotypes that contribute to women and girls being treated unequally, and **by addressing discrimination in all of its forms and promoting equality, inclusion and respect.**

CEDAW'S IMPACT

CEDAW has been a key tool for advancing women's rights and gender equality around the world, providing the basis for judicial decisions, and constitutional, legal and policy reforms at the country level.

In many countries, CEDAW has helped strengthen provisions in constitutions guaranteeing equality between women and men, and providing a constitutional basis for the protection of women's human rights. Legislation prohibiting discrimination in general, and in regard to specific areas such as employment, has become a standard component of legal frameworks. Countries have repealed discriminatory provisions in civil,

THE CEDAW PROCESS IS A ROADMAP FOR TRANSFORMING GENDER RELATIONS WITHIN COUNTRIES, COMMUNITIES AND FAMILIES SO THAT THERE IS EQUALITY IN REAL LIFE.

**BECAUSE OF CEDAW,
WOMEN AND GIRLS
AROUND THE WORLD
HAVE BEEN EMPOWERED
TO CLAIM THEIR HUMAN
RIGHTS.**

penal and family laws to bring them into conformity with CEDAW. Countries have adopted equal opportunity acts aimed at improving women's position, established quotas to increase the number of women in elected office, and enacted new legislation and action plans to prevent and address violence against women. All over the world, courts are increasingly developing case law on gender equality informed and guided by CEDAW.

Because of CEDAW, women and girls around the world have been empowered to claim their human rights.

CEDAW AND THE SUSTAINABLE DEVELOPMENT GOALS

At the United Nations in 2015, world leaders formally adopted a new agenda for sustainable development with goals and targets for the next 15 years with the 2030 Agenda for Sustainable Development and the 17 Sustainable Development Goals (SDGs). The standalone goal for gender equality, SDG 5, focuses on achieving gender equality and empowering all women and girls, and includes ending all forms of discrimination against all women and girls everywhere as its first target.

Gender equality has been recognized as a prerequisite for achieving sustainable development and is connected to all the other SDGs. **With the SDGs and CEDAW, world leaders have the human rights foundation, the commitments and the mechanisms for implementation and accountability, and the timeline for achieving gender equality, empowering all women and girls, and ending all forms of discrimination.**



**THE CONVENTION INCLUDES,
IN A SINGLE LEGALLY BINDING
INSTRUMENT, PROVISIONS
REQUIRING THE ELIMINATION
OF DISCRIMINATION ON
THE BASIS OF SEX IN THE
ENJOYMENT OF CIVIL,
POLITICAL, ECONOMIC, SOCIAL
AND CULTURAL RIGHTS.**

CEDAW includes 30 articles which ratifying countries are obliged to undertake. Articles 1 to 4 outline the nature and scope of what countries commit to do to promote equal rights and end discrimination against women and girls. Articles 5 to 16 outline specific forms of discrimination that must be ended, such as discrimination in education and employment, health care, and political and public life. Articles 17 to 30 describe the processes through which CEDAW is implemented and how this is monitored, such as how countries are required to report on their progress every four years.

CEDAW IN BRIEF

The Convention includes, in a single legally binding instrument, provisions requiring the elimination of discrimination on the basis of sex in the enjoyment of civil, political, economic, social and cultural rights. It covers the spectrum of human rights across the lifespan of women and girls, from education to employment to health, from political participation to family life, from issues such as trafficking to the situation of rural women, and from laws to policy measures. It identifies areas of discrimination that are of particular concern to women and girls and establishes the means to eliminate discrimination in these areas. The CEDAW process is a roadmap for transforming gender relations within countries, communities and families so that there is equality in real life.



ARTICLES OF THE CONVENTION

ARTICLE 1

Definition of Discrimination against Women and Girls

Discrimination against women and girls means different treatment from men and boys that prevents them from enjoying their human rights. CEDAW explains that discrimination can take place in all areas of public and private life, including political, economic, civil, social, and cultural areas. An example of “direct discrimination” is when the laws of a country do not allow women to vote, go to school or own property. An example of “indirect discrimination” is when a job, such as police officer, has minimum height and/or weight criteria that many women may not be able to meet. ‘Substantive equality’ or ‘equality of results’ cannot be achieved when either direct or indirect discrimination exist.



ARTICLE 3

Appropriate Measures

By ratifying CEDAW, countries must take all appropriate measures to guarantee that women and girls can enjoy their human rights and fundamental freedoms in every aspect of society, including in the political, economic, social, and cultural fields.

ARTICLE 2

Obligations to Eliminate Discrimination

Countries that have ratified CEDAW are obligated to take action to end discrimination against women and girls in all its forms. This includes establishing laws and policies to protect women and girls against discrimination and abolishing all existing laws, policies, customs, and practices which are discriminatory. CEDAW also states that constitutions or other national laws must include the principle of equality of women and girls and men and boys.

ARTICLE 4

Temporary Special Measures

In fields where women and girls are disadvantaged by long-standing inequalities, countries should adopt temporary special measures to bring about substantive equality faster. An example of a temporary special measure could be setting quotas for women in politics. These are temporary measures used to accelerate progress towards gender equality and used only until gender equality is achieved. These measures are not considered discriminatory against men and boys and should last for as long as inequalities exist.



ARTICLE 5

Gender Stereotypes

Countries must work to change harmful gender stereotypes about women and girls and men and boys that perpetuate discrimination and limit opportunities for women and girls to achieve their full potential. Such stereotypes may include a belief that women and girls should not play sports or that men and boys should not do household work. Countries must also ensure that family education includes a proper understanding of maternity as a social function and the shared responsibility of both men and women in bringing up children.

ARTICLE 6

Trafficking and Exploitation of Prostitution

Countries must end the exploitation of prostitution and trafficking in women and girls. Around the world, women and girls continue to be trafficked and exploited for low-paid work or sex.

ARTICLE 7

Political and Public Life

Countries must eliminate discrimination against women and girls in political and public life. This includes equal rights to vote, to run for and hold public office, to participate in political parties and processes, and to participate in non-governmental organizations and political and public associations such as trade unions.

ARTICLE 8

Participation at International Level

Countries must ensure that women and girls have equal rights to represent their country at the international level and to participate in the work of international organizations, such as the United Nations.

ARTICLE 9

Nationality

Countries must guarantee that women have equal rights with men to acquire, retain or change their nationality, and the nationality of their children. Countries must allow women to pass their nationality to their foreign spouses on an equal basis with men.

ARTICLE 10

Education

Countries must end discrimination against women and girls and ensure equal rights in education. This includes equal access to education and vocational training at all levels. Women and girls must be provided with the same curricula, examinations, standards for teaching, access to scholarships, and equipment. Ending discrimination against women and girls in education includes the right to participate in sports and physical education and the right to access health education and family planning information. Countries should address factors that contribute to school drop-out for women and girls, and should help women and girls who have left school early to return and complete their education. Lastly, countries should eliminate gender stereotypes and discrimination in schools, including by revising textbooks, curricula, and teaching methods.



ARTICLE 11

Employment

Countries must eliminate discrimination against women in employment. This includes ensuring equal opportunities to choose one's profession and receive equal pay for work of equal value. Women should have equal access to healthy and safe working conditions and social security for retirement, unemployment, sickness and old age, and should not be discriminated against because they are married, pregnant, just had a child or are looking after children. Women should be provided with maternity leave and countries should encourage the provision of support to enable parents to combine work and family responsibilities. Special protection needs to be provided to women during pregnancy in types of work proved to be harmful to them.

ARTICLE 12

Health Care and Family Planning

Countries must guarantee equal access to health care and ensure women and girls are not discriminated against in health care. Women and girls must have access to health care services for family planning. Countries should also provide appropriate, and where necessary, free services with regard to pregnancy, confinement and the post-natal period. They should also be provided with adequate nutrition during pregnancy and lactation.





ARTICLE 13

Economic and Social Life

Countries must eliminate discrimination against women and girls in all areas of economic and social life. Women and girls should be granted the same rights as men and boys to family benefits, bank loans, credit and mortgages, and should have equal opportunities to take part in sports and other cultural activities.

ARTICLE 14

Rural Women and Girls

Countries must take account of the specific problems faced by and important role that rural women and girls play in the survival of their families. All the obligations in the Convention should be applied to rural women and girls, and countries should ensure that they benefit from rural development on an equal footing as men and boys. The particular needs of women and girls in rural communities must be met in relation to access to services, training, and employment opportunities and social equity schemes, and countries need to eliminate the discriminatory barriers against rural women and girls. This is a unique provision dedicated to rural women in an international treaty.

ARTICLE 15

Equality before the Law

Countries must guarantee women and girls equality with men and boys before the law. This includes equal access to legal counsel, services, and resources. This includes that women (and girls when they reach a certain age in their country) should have the same rights as men and boys to speak for themselves in courts or tribunals, get a loan, rent and inherit property, or sign a contract. Countries must also guarantee the same rights to freedom of movement and choice of residence to women and men.

ARTICLE 16

Marriage and Family Life

In terms of marriage and family relations, countries must ensure that women have equal rights as men in their choice of whom to marry and whether to marry, and any matters relating to the birth, adoption, and raising of children, such as the spacing and number of children. They also have the same rights and responsibilities within marriage and in the case of divorce. Women have the same personal rights as spouses, including with regard to choice of family name, profession and occupation and with respect to their property. The marriage of a child has no legal effect and countries should take steps to set a minimum age for marriage. Additionally, all marriages must be registered.



ARTICLES 17 TO 22

These articles detail how the CEDAW Committee works. Countries submit an initial report within one year of the country's ratification of the Convention and its entry into force, and thereafter a periodic report every four years. The Committee holds a constructive dialogue with a country's delegation based on the report and other information received, including from NGOs. NGO representatives, including from youth organizations, can also travel to Geneva, where the Committee holds its sessions three times a year, and interact with the Committee members directly. The CEDAW Committee will raise concerns and make recommendations to speed up progress based on the report and the dialogue in the concluding observations. The Committee can also adopt general recommendations on thematic or other issues.



ARTICLES 23 TO 30

These articles deal with the administration of CEDAW, including the possibility to accept CEDAW subject to reservations and how to resolve any disputes between countries concerning the interpretation or application of CEDAW.

OPTIONAL PROTOCOL

Lastly, CEDAW has an Optional Protocol that came into force in 2000. As of 2016, **108² countries have signed on to the Optional Protocol.**

The Optional Protocol is a procedural protocol which introduces additional mechanisms for the implementation of CEDAW. **The Optional Protocol allows women and girls (alone or in a group) to submit complaints directly to the CEDAW Committee if they consider their human rights protected by CEDAW are violated,** and the CEDAW Committee can provide redress. The Optional Protocol also establishes an inquiry procedure enabling the CEDAW Committee to address systematic and widespread violations, which may be instigated on the basis of information received from any source.

² https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-8-b&chapter=4&clang=_en

CEDAW IN BRIEF

The Convention on the Elimination of All Forms of Discrimination against Women, or CEDAW, is an international legal instrument that requires countries to eliminate discrimination against women in all areas and promotes women's equal rights. **CEDAW is often described as the international bill of rights for women.** The United Nations adopted CEDAW on 18 December 1979. As of 2016, **189 countries have ratified CEDAW.**

Article 1 Definition of Discrimination against Women and Girls:

Discrimination against women and girls means different treatment from men and boys that prevents them from enjoying their human rights. It includes both direct and indirect discrimination.

Article 2 Obligations to Eliminate Discrimination: Countries are obligated to take action to end discrimination against women and girls in all its forms, by establishing laws and policies to protect women and girls from discrimination and including the principle of equality in constitutions and other national laws.

Article 3 Appropriate Measures: Countries must take all appropriate measures to guarantee that women and girls can enjoy their human rights and fundamental freedoms in every aspect of society.

Article 4 Temporary Special Measures: Countries should adopt temporary special measures to accelerate progress towards gender equality and end discrimination and women and girls.

Article 5 Gender Stereotypes: Countries must work to change harmful gender stereotypes about women and girls and men and boys that perpetuate discrimination and limit opportunities for women and girls to achieve their full potential.

Article 6 Trafficking and Exploitation of Prostitution: Countries must end the exploitation of prostitution and trafficking in women and girls.

Article 7 Political and Public Life: Countries must eliminate discrimination against women and girls in political and public life.

Article 8 Participation at International Level: Countries must ensure that women and girls have equal rights to represent their country at the international level and to participate in the work of international organizations.

Article 9 Nationality: Countries must guarantee that women have equal rights with men to acquire, retain or change their nationality, and the nationality of their children. Countries must allow women to pass their nationality to their foreign spouses on an equal basis with men.

Article 10 Education: Countries must end discrimination against women and girls and ensure equal rights in education.

Article 11 Employment: Countries must eliminate discrimination against women in employment, including ensuring equal opportunities to choose one's profession and receive equal pay for work of equal value.

Article 12 Health Care and Family Planning: Countries must guarantee equal access to health care and ensure women and girls are not discriminated against in health care and have access to services for family planning and reproductive health.

Article 13 Economic and Social Life: Countries must eliminate discrimination against women and girls in economic and social life.

Article 14 Rural Women and Girls: Countries must take account of the specific problems and important role that rural women and girls play in the survival of their families.

Article 15 Equality before the Law: Countries must guarantee women and girls equality with men and boys before the law, including equal access to legal counsel, services, and resources.

Article 16 Marriage and Family Life: Countries must eliminate discrimination against women in marriage and family relations. Countries must ensure that women have equal rights as men in their choice of whom to marry and whether to marry, and any matters relating to the birth, adoption, and raising of children. The marriage of a child has no legal effect and countries should take steps to set a minimum age for marriage.

Articles 17 to 22 These articles detail how the CEDAW Committee works, including its role in monitoring the implementation of CEDAW in countries that have ratified CEDAW.

Articles 23 to 30 These articles deal with the administration of CEDAW.

Optional Protocol The Optional Protocol introduces additional mechanisms for the implementation of CEDAW, including an inquiry procedure for the CEDAW Committee to address systematic violations and a way for women and girls to submit complaints directly to the CEDAW Committee if they consider their human rights protected by CEDAW are violated.



SOURCES

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