

**32 Years of**  
**CEDAW**  
**1979-2011**

**I. What is CEDAW?**

- The Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) was adopted by the United Nations General Assembly in 1979 and entered into force in 1981;
- It consists of a preamble and 30 articles, 16 of which are substantive;
- Article 1 defines discrimination as “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”;
- CEDAW not only defines discrimination, but also provides a detailed description of the various obligations to which States parties are subject in implementing the Convention. The Convention guarantees the civil, political, social, economic and cultural rights of women and is the only human rights treaty which affirms the right of women to control their own fertility and calls for the modification of cultural patterns and traditions that discriminate against women. It also requires States parties to combat all forms of trafficking and exploitation of women;
- CEDAW comprises four substantive (I-IV) and two procedural (V-VI) parts. The substantive parts relate to the following areas :

***PART I***

- Discrimination (Article 1)
- Policy measures (Article 2)
- Guarantee of basic human rights and fundamental freedoms (Article 3)
- Special measures (Article 4)
- Modifying cultural patterns (Article 5)
- Combating trafficking of women (Article 6)

***PART II***

- Political and public life (Article 7)
- Representation (Article 8)
- Nationality (Article 9)

***PART III***

- Education (Article 10)
- Employment (Article 11)
- Health (Article 12)
- Economic and social benefits (Article 13)
- Rural women (Article 14)

## ***PART IV***

Law (Article 15)

Marriage and family life (Article 16)

### **II. What are the obligations on States parties for the implementation of the Convention?**

In becoming signatories to the Convention, States are legally bound to put its provisions into practice. They commit themselves to undertake a series of measures to end discrimination against women in all forms, including the following:

- To incorporate the principle of equality of men and women into their legal system, repeal all discriminatory legislation and adopt new legislation in compliance with the Convention, prohibiting discrimination against women;
- To establish tribunals and other public institutions to ensure the effective protection of women against discrimination;
- To ensure the elimination of all acts of discrimination against women by persons, organizations or enterprises.<sup>1</sup>

States parties are also required to submit national reports to the CEDAW Committee on the status of the implementation of the Convention at intervals prescribed by the Convention.

### **III. What is the CEDAW Committee and what are its mechanisms?**

- Established in 1982, the CEDAW Committee comprises 23 international experts on women's issues, elected by States parties for a four year term;
- The Committee is empowered with three mechanisms: review of State reports and issuance of concluding observations; review of individual complaints in accordance with the Optional Protocol; and conduct of inquiry missions, also in accordance with the Optional Protocol.

#### *1. State reports*

- States parties are required to submit an initial report within one year following the entry into force and thereafter at least every four years and whenever the Committee so requests. The report should contain detailed information about de jure and de facto legislation, statistics on plans of action and an explanation as to how the State plans to implement its obligations under the Convention;
- Following initial submission of the report, the Committee reviews information from such other sources as non-governmental organizations and specialized agencies as part of its consideration process;
- At the next Committee session, the national report is formally presented to the Committee by Government representatives of the States concerned. Following discussion and elaboration with the representatives, scrutiny of the report and, where appropriate, the raising of concerns, the Committee issues concluding observations. These observations, which are non-binding, cover both positive and negative aspects, difficulties experienced and issues of concern. They conclude with suggestions and recommendations that should be followed up by the Member State.

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<sup>1</sup> See: <http://www.un.org/womenwatch/daw/cedaw/cedaw.htm>.

## 2. *Individual complaints (Optional Protocol)*

- In accordance with the Optional Protocol to the Convention, individuals whose rights are being violated may submit an individual complaint;
- After meeting certain conditions and once accepted for review, the complaint is examined confidentially by the Committee. The State party then has six months in which to submit a written reply, clarify the matter, propose a remedy or resolve the issue;
- If the matter is not resolved within the stipulated time frame, the Committee will issue its views on the matter, and include them in its annual report to the General Assembly.

## 3. *Inquiry (Optional Protocol)*<sup>2</sup>

- In accordance with the Optional Protocol, the CEDAW Committee may elect to initiate inquiries if it has received reliable information regarding grave or systematic violations of the Convention by a State party. Such information must be in writing and shall not be anonymous;
- The Committee shall not consider such a communication unless it has ascertained that all available domestic remedies have been exhausted, or that the application of such remedies is unreasonably prolonged or unlikely to bring effective relief;
- Inquiries may only be undertaken with respect to States parties that have ratified the Optional Protocol and thereby recognized the competence of the Committee in this regard;
- If the Committee is informed that a State party is systematically violating the Convention, it will invite the State party concerned to submit information and observations on the matter;
- The Committee may designate one or more of its members to conduct an inquiry, including, where warranted, a visit to the State concerned (with its consent) in order to compile a report on the allegations. The findings will then be examined by the Committee and transmitted to the State party, together with comments and recommendations;
- The State concerned must then submit its observations to the Committee within six months of receipt. At the end of this period, the Committee may, if necessary, invite the State party concerned to inform it of the measures taken in response to the inquiry;
- At the end of the procedure, the Committee may decide, in consultation with the State party, to include a summary account of the results of the proceedings in its annual report, submitted through the Economic and Social Council to the General Assembly.

## IV. **How many States have ratified<sup>3</sup> CEDAW?**

- As at September 2011, there were 187 States parties to CEDAW (over 90 per cent of the States Members of the United Nations);
- As at September 2011, 19 of the 22 Arab countries were parties to CEDAW, although of these, 17 signed with reservations.

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<sup>2</sup> See: <http://www.ohchr.org/english/bodies/petitions/index.htm#inquiry>.

<sup>3</sup> "Ratification" in this context includes accession, succession or ratification.

## V. What are the reservations of Arab States vis-à-vis the Convention?

The reservations made by Arab States relate principally to the following articles:

- Article 2 on national legislation;
- Article 9 on citizenship law;
- Article 15 on equality before the law;
- Article 16 on family law (marriage and family relations, including divorce, child custody and inheritance);
- Article 29 on reference to the International Court of Justice to settle disputes between States parties concerning the interpretation or application of the Convention.

TABLE 1. RATIFICATION STATUS  
(AS AT SEPTEMBER 2011)

Country	Ratification <sup>a/</sup>	Entry into force	Amendment to Article 20(1) <sup>b/</sup>	Ratification of Optional Protocol
Jordan	1 July 1992	31 July 1992	11 January 2002	
United Arab Emirates	6 October 2004	6 November 2004		
Bahrain	18 June 2002	18 July 2002		
Tunisia	20 September 1985	20 October 1985		23 September 2008
Algeria	22 May 1996	21 June 1996		
Comoros	31 October 1994	30 November 1994		
Libya	16 May 1989	15 June 1989		18 June 2004
Syrian Arab Republic	28 March 2003	27 April 2003		
Djibouti	2 December 1998	1 January 1999		
Iraq	13 August 1986	12 September 1986		
Oman	7 February 2006	7 March 2006		
Qatar	29 April 2009	29 May 2009		
Kuwait	2 September 1994	2 October 1994	23 May 2011	
Lebanon	16 April 1997	16 May 1997		
Egypt	18 September 1981	18 October 1981	2 August 2001	
Morocco	21 June 1993	21 July 1993	31 March 2010	
Saudi Arabia	7 September 2000	7 October 2000		
Mauritania	10 May 2001	9 June 2001		
Yemen	30 May 1984	29 June 1984		

Source: <http://www2.ohchr.org/english/bodies/cedaw/convention.htm>.

a/ "Ratification" in this context includes accession, succession or ratification.

b/ The amendment to article 20 (1) of CEDAW extends the annual meeting time available to the Committee. Dates cited are those of acceptance to the amendments.

TABLE 2. SUBMISSION OF ARAB STATES REPORTS  
(AS AT SEPTEMBER 2011)

Country	Initial report	Other reports
Jordan	10 November 1997	Second report: 26 October 1999 Third and fourth reports combined: 22 February 2006 Fifth report: 16 September 2010
United Arab Emirates	17 September 2008	
Bahrain	12 November 2007 <sup>a/</sup> , <sup>b/</sup>	
Tunisia	12 April 1994 <sup>b/</sup>	Third and fourth reports combined: 2 August 2000 Fifth and sixth reports combined: 20 May 2009
Algeria	1 September 1998	Second report: 5 February 2003 Third and fourth reports combined: 24 March 2010
Comoros	No reports submitted <sup>c/</sup>	
Libya	18 February 1991	Second report: 15 March 1999 Second, third, fourth and fifth reports combined: 4 December 2008
Syrian Arab Republic	15 September 2005	
Djibouti	16 April 2010 <sup>d/</sup>	
Iraq	16 May 1990	Second and third reports combined: 19 October 1998
Oman	20 July 2010	
Qatar	No reports submitted	
Kuwait	1 May 2003 <sup>b/</sup>	Third and fourth reports combined: 12 August 2010
Lebanon	2 September 2004	Second report: 11 February 2005 Third report: 14 July 2006
Egypt	2 February 1983	Second report: 19 December 1986 Third report: 25 July 1996 Fourth and fifth reports combined: 30 March 2000 Sixth and seventh reports combined: 5 September 2008
Morocco	3 November 1994	Second report: 29 February 2000 Third and fourth reports combined: 18 September 2006 <sup>e/</sup>
Saudi Arabia	29 March 2007 <sup>b/</sup>	
Mauritania	2 August 2005	
Yemen	23 January 1989	Second report: 8 June 1989 Third report: 13 November 1992 Fourth report: 15 March 2000 Fifth report: 15 February 2002 Sixth report: 13 March 2007

Source: <http://www2.ohchr.org/english/bodies/cedaw/convention.htm>.

<sup>a/</sup> Submitted a complimentary report that includes updating of some of the data contained in the original report in 6 June 2008.

<sup>b/</sup> The initial and second periodic reports were submitted together as one document.

<sup>c/</sup> The Committee on the Elimination of Discrimination against Women will discuss the progress that was made in implementing the Convention in Comoros in the absence of the initial report and periodic reports at its fifty-first session scheduled in 13 February-2 March 2012.

<sup>d/</sup> The initial, second and third periodic reports were submitted together as one document.

<sup>e/</sup> Submitted in combined format pursuant to the request of the CEDAW Committee.

TABLE 3. RESERVATIONS OF ARAB STATES  
(AS AT SEPTEMBER 2011)

Country	Article 2	Article 9	Article 15	Article 16	Article 29	Declaration
Jordan		x		x		
United Arab Emirates	x	x	x	x	x	
Bahrain	x	x	x	x	x	
Tunisia <sup>a/</sup>		x	x	x	x	x
Algeria	x		x	x	x	
Comoros						
Libya	x			x		x
Syrian Arab Republic	x	x	x	x	x	
Djibouti						
Iraq	x	x		x	x	
Oman		x	x	x	x	x
Qatar	x	x	x	x	x	x
Kuwait		x		x	x	
Lebanon		x		x	x	
Egypt	x			x	x	
Morocco <sup>b/</sup>	x		x		x	
Saudi Arabia		x			x	x
Mauritania						x
Yemen					x	

Source: <http://www2.ohchr.org/english/bodies/cedaw/convention.htm>.

a/ The official spokesperson of the interim Tunisian Government Al Tayyeb Bakouche declared on 16 August 2011 that the transitional Tunisian Council of Ministers has approved the withdrawal of all reservations, placed by Tunisia on CEDAW. The United Nations Secretary-General however has not been officially informed of that decision.

b/ On the Occasion of the 60 years anniversary of the Universal Declaration of Human Rights in 2008, King Mohammed VI of Morocco has declared that his country withdrew all reservations on CEDAW. The United Nations Secretary-General however has not been officially informed of that decision.