

*Twentieth Anniversary of the  
adoption of the United Nations  
Convention on the Elimination of All Forms of  
Discrimination against Women  
1979-1999*

# **HUMAN RIGHTS OF WOMEN**

*A Collection of International and Regional  
Normative Instruments*

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In the autumn of 1998, UNESCO published *Droits des femmes: Recueil de textes normatifs internationaux* which was dedicated to the fiftieth anniversary of the Universal Declaration of Human Rights.

This book met with great interest and the Organization received many requests for an English edition.

The present volume, containing updated information, has been prepared in response to these demands. It is dedicated to the twentieth anniversary of the adoption of the Convention on the Elimination of All Forms of Discrimination against Women.

## INTRODUCTION

Women began struggling for their rights centuries ago; they have been trying for a very long time to gain the same rights and opportunities as men, in what has always been a fundamentally male-dominated society.

Though ideals of emancipation<sup>1</sup> can be traced back to the Renaissance<sup>2</sup>, women's fight for their rights gained considerable momentum from the eighteenth century onwards<sup>3</sup>. It was, above all, the nineteenth century that was particularly influenced by the rise of women's activism<sup>4</sup>. The most decisive and irreversible transformation in the status of women came with the Industrial Revolution. Feminists won a major victory when girls and women gained access to education at all levels. The creation of secondary schools for girls, equal in quality to boys' schools, was a turning-point, and the admission of young women into the world of higher education lent increasingly irresistible and irreversible force to the advancement of the human rights of women<sup>5</sup>. It was also in the nineteenth century that women were recognized in many fields, including literature and the sciences<sup>6</sup>.

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<sup>1</sup> From the Latin *emancipare*: free from restraint, esp. legal, social or political. *Concise Oxford Dictionary*, 9th edition.

<sup>2</sup> Christine de Pisan (1365-1430), a prolific and versatile French poet and author. Her *Epistre du dieu d'amours* (1399) was written in defence of women and she wrote of women for their heroism and virtue (*The New Encyclopaedia Britannica*, Vol. 3, p. 182).

<sup>3</sup> During the French Revolution, Olympe de Gouges (1755-1793) published in 1791 the famous *Declaration of the Rights of Women*, which strongly influenced Mary Wollstonecraft's *A Vindication of the Rights of Women*, published in England in 1792. De Gouges notes in Article 10 of her Declaration that "if women have the right to mount the scaffold; they should also have the right to mount the rostrum". (*The New Encyclopaedia Britannica*, Vol. 12, p. 733).

<sup>4</sup> The term "feminist movement" appeared in the nineteenth century to describe the social movement that sought equal rights for women, giving them equal status with men and freedom to decide their own careers and life patterns (*The New Encyclopaedia Britannica*, Vol. 12, p. 733).

<sup>5</sup> For example, *Encyclopaedia Universalis*, Corpus 7, p. 831. In 1872, Cornell University was the first school in the eastern United States to become co-educational.

<sup>6</sup> Georges Sand or Aurore Dupin (1804-1876) made a substantial contribution to literature (70 novels, 50 volumes of other works). She was also involved in politics and was an ardent democrat (*The New Encyclopaedia Britannica*, Vol. 10, p. 405). Sophie Germain (1776-



The International Council of Women was set up towards the end of the nineteenth century: 66 American and 8 European women attended its first and founding convention, held in Washington in 1888<sup>7</sup>. Some 5,000 women participated in the second meeting, which took place in London in 1899. Women workers were beginning to organize movements demanding better working conditions. The first women's strike broke out on 1 May 1893 in Vienna<sup>8</sup>. Other social movements organized by women were to follow.

Political rights for women, especially the right to vote, were a particularly important issue. Women carried out an intense voting rights campaign in the United Kingdom and the United States where, in 1869, two organizations were founded to win that right<sup>9</sup>. Nevertheless, it was New Zealand that first granted women the right to vote, in 1893, followed by Australia in 1902, Finland in 1906 and Norway in 1913<sup>10</sup>.

The first international convention relating to the protection of women was adopted at the beginning of the twentieth century: the International Convention for the Suppression of the White Slave Trade of 4 May 1910. Since 1919, the International Labour Organisation has adopted several conventions relating to the social and professional status of women<sup>11</sup>. Although the Covenant of the

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1831), French mathematician, took correspondence courses from the Ecole Polytechnique, which did not admit women. She did important work on acoustics, elasticity and number theory. In 1816 she won the mathematical science award of the Institut de France (*The New Encyclopaedia Britannica*, Vol. 5, p. 209). Sofia Kovalevskaja (1850-1891) was a woman of letters and, more importantly, a mathematician, whose name is associated with the theory of partial differential equations. In 1884, she became a lecturer at the University of Stockholm. In 1888, she was awarded the Borodin Prize by the Academy of Sciences (*The New Encyclopaedia Britannica*, vol. 6, p. 977). Caroline Herschel (1750-1848) discovered eight comets by telescope. In 1828, she received a gold medal from the Astronomy Society and in 1846 another gold medal for science from the King of Prussia (*The New Encyclopaedia Britannica*, Vol. 5, p. 887).

<sup>7</sup> The participants decided to implement a plan to put an end to the oppression of women.

<sup>8</sup> For 14 days, 700 female workers blocked the workshops, calling for a 10-hour working day, a minimum wage and a holiday on 1 May.

<sup>9</sup> The National Woman Suffrage Association and the American Woman Suffrage Association. *The New Encyclopaedia Britannica*, vol. 12, p. 73

<sup>10</sup> *The New Encyclopaedia Britannica*, vol. 12, p. 733.

<sup>11</sup> The International Labour Organisation has adopted many conventions and recommendations, including: Recommendation (N° 4) on the Protection of Women and Children against Lead Poisoning; Maternity Protection Convention, Revised (1952); ILO Night Work (Women), Revised 1948; Recommendation (N° 13) concerning Night Work of

League of Nations<sup>12</sup> did not make express reference to individual rights, among its objectives - inadequately developed - are a number of rights of the human person, such as that relating to humane and equal working conditions for men, women and children<sup>13</sup>. The League of Nations also adopted some instruments dealing with the protection of women<sup>14</sup>.

## I. THE UNITED NATIONS SYSTEM AND THE HUMAN RIGHTS OF WOMEN

From its inception, the United Nations and its specialized agencies have worked to ensure the rights of women. The **Charter of the United Nations**, which reaffirms "... faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women ...", was the first international instrument to define equal rights for men and women in precise terms. Articles 13, 55 and 76 of the Charter call for the realization of human rights and fundamental freedoms for all, without distinction as to sex. When the United Nations was founded in 1945, only 30 of its 51 Member States accorded women the same voting rights as men<sup>15</sup>. In this context, at its first session in 1946, the General Assembly adopted resolution 56(1) recommending that all Member States which had not already done so adopt measures necessary to fulfil the purposes and aims of the Charter by granting to women the same political rights as to men.

The **Universal Declaration of Human Rights**, adopted in 1948, enshrines the principle of equality between women and men and prohibits discrimination against women. Article 2 of the Declaration states that: "Everyone is entitled to all the rights and

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Women in Agriculture and Convention (N° 45) concerning the Employment of Women on Underground Work in Mines of all Kinds. The Organisation has also adopted many other, more general, conventions.

<sup>12</sup> The League of Nations, founded in 1919 and officially dissolved in 1946, did not really function after 1939.

<sup>13</sup> Edward Lawson, *Encyclopaedia of Human Rights*, Taylor and Francis Inc., New York, 1991, pp. 1025-1026; *The New Encyclopaedia Britannica*, vol. 20, p. 718.

<sup>14</sup> The International Convention for the Suppression of the Traffic in Women and Children, of 30 September 1921; the International Convention for the Suppression of the Traffic in Women of Full Age of 11 October 1933, as well as the International Slavery Convention of 25 September 1926 which, though it does not specifically concern women, is of course aimed at the protection of women.

<sup>15</sup> *The United Nations and Human Rights*. United Nations, New York, 1978, p. 115.

freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex ...". The Declaration also reaffirms the principle of equal political rights for men and women, stipulating in Article 21 that:

1. Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.
2. Everyone has the right to equal access to public service in his country.

In 1946, the Economic and Social Council set up the **Commission on the Status of Women** to report and make recommendations on the promotion of the human rights of women and to recommend measures to achieve equal rights for men and women. That same year, the United Nations created in its Secretariat the **Division for the Advancement of Women (DAW)**, the main objectives of which are to improve the status of women world-wide and ensure the effective achievement of equality between women and men.

### **1. United Nations standard-setting instruments relating to the human rights of women**

While the principle of non-discrimination against women is expressly affirmed in all United Nations human rights instruments, special instruments on the human rights of women have been adopted in order to ensure genuine equality. In 1952, the General Assembly, pursuant to the recommendations of the Commission on the Status of Women, adopted the **Convention on the Political Rights of Women**, the main purpose of which is to ensure equality of political rights between women and men in accordance with the provisions of the Charter of the United Nations and the Universal Declaration of Human Rights. The Convention sets forth important principles, stating that women, without any discrimination, (a) shall be entitled to vote in all elections; (b) shall be eligible for election to all publicly elected bodies, established by national law; and (c) shall be entitled to hold public office and to exercise all public functions established by national law.

The Convention entered into force on 7 July 1954. While limited in scope, since it dealt exclusively with discrimination against women in the exercise of their political rights, it was nonetheless the first instrument under which States Parties were bound to guarantee equal rights for women and it opened the way for the adoption by the United Nations of a series of instruments designed to eliminate discrimination against women in all areas of public and private life. By December 1998, the number of States

Parties to this Convention had reached 111. Nevertheless, that figure means that more than 40 per cent of States world-wide have still not ratified or acceded to it.

The **Declaration on the Elimination of Discrimination against Women**, adopted in 1967 by the General Assembly<sup>16</sup>, marked an important stage in the combat against all forms of discrimination against women. Article 1 of the Declaration states that discrimination with regard to women "is fundamentally unjust and constitutes an offence against human dignity". The Declaration also calls for the abolition of existing laws, customs, regulations and practices which are discriminatory against women and the establishment of adequate protection for equal rights of women by enshrining the principle of equality in constitutions and law. Recognizing the importance of ratifying or acceding to the international instruments of the United Nations, the Declaration emphasizes the need to eradicate prejudice and abolish practices based on the idea of the inferiority of women. The Declaration can thus be regarded as a first attempt to codify the norms governing the elimination of discrimination against women in all areas.

The Declaration's significance lies in its comprehensive presentation of various human rights of women already protected under other United Nations instruments. The Declaration deals with political and civil rights and also with economic, social and cultural rights. It calls for the repeal of discriminatory provisions in penal codes and the adoption of appropriate measures to combat all forms of traffic in women and exploitation of prostitution. Since 1968, the Economic and Social Council has been asking the governments, Specialized Agencies and non-governmental organizations concerned to report to the Secretary-General about efforts to disseminate the Declaration and steps they have taken in pursuance of its principles.

The **Convention on the Elimination of All Forms of Discrimination against Women**, adopted by the General Assembly in 1979<sup>17</sup>, undoubtedly marks an essential phase in the history of United Nations efforts to promote equality between women and men. The Convention is the most comprehensive of the binding instruments: it not only reaffirms standards already embodied in other conventions and declarations and summarizes the standard-setting action carried out by the United Nations system but adds dimensions and principles that are both significant and

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<sup>16</sup> Resolution 2263 (XXII) of 7 November 1967.

<sup>17</sup> The Convention was adopted and opened for signature, accession and ratification by General Assembly resolution 34/180 of 18 December 1979 and entered into force on 3 September 1981.

new. It represents, therefore, a progressive development in human rights which prohibits discrimination against women. The preparatory work for the Convention began in 1974, when the Commission on the Status of Women set up a working group to assist it in that task.

Article 1 of the Convention defines “discrimination against women” 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”.

States Parties to the Convention agree to pursue, by all appropriate means and without delay, a policy of eliminating discrimination against women. To that end, they undertake to: embody the principle of the equality of men and women in their national constitutions or other appropriate legislation; adopt appropriate legislative and other measures, including sanctions, prohibiting all discrimination against women; establish legal protection of the rights of women; refrain from engaging in any act or practice of discrimination against women and ensure that public authorities and institutions shall act in conformity with this obligation; take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise; take all appropriate measures to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women; and repeal all national penal provisions which constitute discrimination against women.

The Convention provides for the possibility of affirmative action, explaining that the adoption by States Parties of special measures aimed at accelerating *de facto* equality between men and women shall not be regarded as discrimination. Such measures must be discontinued when the objectives of equality of opportunity and treatment have been achieved. The Convention defines in detail measures aimed at eliminating discrimination against women in public and private life, in the fields of education, employment and health, in other aspects of economic and social life, and everything relating to marriage and family life.

By December 1998, there were 163 States Parties to the Convention. For the purpose of assessing the progress made in the implementation of the Convention and eliminating discrimination against women, a Committee of 23 experts was established, pursuant to Article 17. The Committee considers reports submitted by the States Parties on the legislative, practical, administrative and

other measures they have adopted to give effect to the provisions of the Convention<sup>18</sup>. The Committee submits, through the Economic and Social Council, an annual report to the General Assembly. The Committee may make suggestions and general recommendations following consideration of the reports and information provided by States Parties.

General Recommendation N° 12 (1989) of the Committee for the Elimination of Discrimination against Women may be regarded as the starting-point for the drafting of the **Declaration on the Elimination of Violence against Women**. In this Recommendation, the Committee requested States Parties to the Convention to provide, in their periodic reports, information on existing legislation to protect women against violence of all kinds in daily life (including sexual violence, domestic violence, sexual harassment in the workplace, etc.), on steps taken to eradicate such violence and on the existence of support services for women who were victims of aggression or abuse.

In May 1991, the Economic and Social Council examined in depth the problem of violence against women in all its forms. It suggested that an international instrument on this question be drawn up, in co-operation with the Committee on the Elimination of Discrimination against Women (CEDAW)<sup>19</sup>. The World Conference on Human Rights, held in Vienna, Austria, from 14 to 25 June 1993, stressed the importance of efforts to eliminate violence against women in public and private life and to eliminate all forms of sexual harassment. The World Conference called on the General Assembly to adopt a draft declaration on violence against women and urged States to combat violence against women<sup>20</sup>.

The **Declaration on the Elimination of Violence against Women** was proclaimed by the General Assembly in its resolution 48/104 of 20 December 1993. The Declaration stresses that violence against women is an obstacle to the achievement of equality, development and peace, a violation of the rights and fundamental freedoms of women, and a manifestation of historically unequal power relations between men and women,

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<sup>18</sup> The Convention did not set up any mechanism for examining complaints brought by States or individuals. A proposal for the adoption of an optional protocol authorizing the Committee to receive communications from individuals was made by the World Conference on Human Rights, in 1993.

<sup>19</sup> The meeting of experts on violence against women, held in Vienna in November 1991, submitted to the Commission a draft United Nations declaration on violence against women.

<sup>20</sup> Vienna Declaration and Programme of Action, paragraph 38.

which have led to domination over and discrimination against women by men.

Article 1 defines the term “violence against women” as “any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life”.

The Declaration invites States to pursue, by all appropriate means and without delay, a policy of eliminating violence against women<sup>21</sup>. In March 1994, the Commission on Human Rights decided to appoint a Special Rapporteur on violence against women, its causes and its consequences<sup>22</sup>. In 1996, in its resolution 1996/49, the Commission condemned all acts of sexual violence against women. It then adopted resolutions 1997/44, 1998/52 and 1999/42 on the elimination of violence against women.

## **2. United Nations Plans of Action and Strategies to promote equality and combat discrimination against women**

To raise public awareness about the issue of equality between men and women and to encourage actions designed to eliminate discrimination against women, the United Nations has launched many initiatives and adopted a series of plans. In 1972, the General Assembly proclaimed the year 1975 the International Women’s Year, the primary objective of which was “... to promote equality between men and women”. The **World Conference of the International Women's Year**, held in 1975 in Mexico City, adopted the Declaration of Mexico on the Equality of Women and

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<sup>21</sup> Article 4 of the Declaration provides for seventeen concrete actions to be undertaken by States, beginning with the ratification of or accession to the Convention on the Elimination of All Forms of Discrimination against Women (if States have not yet done so) and continuing with a refusal to engage in violence against women, sanctions for acts of violence against women, the development of preventive approaches, raising the awareness of law enforcement officers and public officials and encouraging regional intergovernmental organizations to include the elimination of violence against women in their programmes.

<sup>22</sup> Resolution 1994/45 authorizes the Special Rapporteur to collect adequate information, analyse it and recommend ways to eliminate violence against women. The Special Rapporteur must collect such information from governments, treaty bodies, Specialized Agencies and intergovernmental and non-governmental organizations and respond effectively to it. The Special Rapporteur must also determine the measures to be implemented at the national, regional and international levels to eliminate the causes of the problem and remedy its consequences.

their Contribution to Development and Peace and the World Plan of Action for the Implementation of the Objectives of the International Women's Year. The Plan recommended that governments ensure the equality of women and men before the law, and also equality of opportunities in education, training and employment. It stressed that, in most regions of the world, women's lower status was essentially due to socio-economic underdevelopment. In 1974, in order to increase the funds available for the realization of the International Women's Year programme, the Economic and Social Council established a voluntary contribution fund<sup>23</sup>. Pursuant to the proposals made by the Mexico City Conference, the General Assembly proclaimed the United Nations Decade for Women: Equality, Development and Peace (1976-1985). The **World Conference of the United Nations Decade for Women: Equality, Development, Peace**, held in 1980 in Copenhagen, adopted a Programme of Action aimed at promoting the three objectives of the Decade.

The **World Conference charged to examine and evaluate the results of the United Nations Decade for Women: Equality, Development, Peace**, held in Nairobi in 1985, brought the Decade to a close. The Conference adopted the Nairobi Forward-Looking Strategies for the Advancement of Women, a basic tenet of which was that the elimination of all forms of inequality between men and women would be an essential contribution to strengthening peace and security. Governments were requested to muster adequate resources and to establish, if they had not already done so, or strengthen, as appropriate, the machinery for promoting the integration of women at all levels of civil and public life. The General Assembly adopted the Forward-Looking Strategies and entrusted their implementation to the Commission on the Status of Women. The Economic and Social Council set up a mechanism within the United Nations for the submission of reports in order to evaluate the implementation of the Forward-Looking Strategies.

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<sup>23</sup> A voluntary fund was set up in order to provide financial resources for development projects for women in the developing countries. In 1985, the Voluntary Fund for the United Nations Decade for Women became an independent and permanent body and was renamed the United Nations Development Fund for Women (UNIFEM), whose main tasks are to improve the economic capacities of women (as entrepreneurs and producers), increase the participation of women in decisions concerning them, and to promote women's rights. In addition, UNIFEM is mandated to create new opportunities for the economic and social development of women in the developing countries by helping those countries technically and financially to give due consideration to women's interests in development at all levels.



As part of its task of monitoring the implementation of the Strategies, the Commission on the Status of Women recommended that States do everything in their power to ensure that women become more aware of their rights and to eliminate from textbooks and the education system in general any negative connotations associated with women. The Commission set as a goal equal representation for women in the political decision-making process by the year 2000. It also stressed the need to focus more attention on acts of violence committed against women.

The main topic for discussion at the **Fourth World Conference on Women**, held in Beijing, China, from 4 to 15 September 1995, was action for equality, development and peace. In the Beijing Declaration, adopted on 15 September 1995, the participating governments affirmed their determination to advance the goals of equality, development and peace for women in the interest of all humanity. They recognized that, while the status of women had improved in the previous decade, progress had been uneven and inequalities between men and women persisted. The Conference also adopted a Platform for Action, the aim of which was to accelerate the implementation of the Nairobi Forward-Looking Strategies and eliminate any obstacles to the active and equal participation of women in the decision-making process in the economic, social, cultural and political spheres. The Platform for Action upholds the Convention on the Elimination of All Forms of Discrimination against Women and states that its implementation at the national level, in conformity with human rights and fundamental freedoms, is the sovereign responsibility of States. The Platform for Action is designed to be carried out at national level and also at regional and international levels.

The Platform's strategic objectives for the elimination of discrimination against women include access to education, equal development, measures aimed at preventing and eliminating violence and all forms of traffic to which women are subject, the advancement of women's economic rights, the elimination of job discrimination, access to and full participation in all levels of power, *de jure* and *de facto* equality and non-discrimination, the full implementation of all human rights instruments and, in particular, the implementation of the Convention on the Elimination of All Forms of Discrimination against Women. Lastly, the Platform for Action places special emphasis on the elimination of discrimination against girls.

The World Conferences on Women have not been the only forums devoted to women's issues. Other conferences sponsored by the United Nations have also dealt with these questions.

The **World Summit for Children** (New York, 1990), for example, issued the World Declaration on the Survival, Protection

and Development of Children, which states that “strengthening the role of women in general and ensuring their equal rights will be to the advantage of the world’s children”, stresses that “girls must be given equal treatment and opportunities from the very beginning”, and recalls the importance of safe motherhood and planning of family size as a fundamental right of women with a bearing on the well-being of the child. The **United Nations Conference on Environment and Development** (Rio de Janeiro, 1992) recognized women’s multiple role in development and environmental protection. The **World Conference on Human Rights** (Vienna, 1993) reaffirmed that all human rights are universal, indivisible, interdependent and interrelated and that the human rights of women are an inalienable, integral and indivisible part of universal human rights. The Conference called for the eradication of all forms of discrimination against women and for the elimination of violence against women. The **International Conference on Population and Development** (Cairo, 1994) stressed that reinforcing the capacity for action and the autonomy of women was a prerequisite for sustainable development. It reviewed the status of women worldwide and, in particular, their access to adequate health care, maternal health care and family planning. The final document of the Conference reaffirmed the right of women to control their own fertility. The **World Summit on Social Development** (Copenhagen, 1995) drew attention to the central role of women in development, women’s social issues and the discriminatory practices that prevented their full participation in society. The second **United Nations Conference on Human Settlements (Habitat II)** (Istanbul, 1996) adopted the Istanbul Declaration on Human Settlements, in which governments pledged to redouble their efforts to eradicate poverty and discrimination and to ensure the participation on the basis of equality of women and men in all spheres of society. The **Oslo Conference on Child Labour** (Oslo, 1997) recalled the role played by women in the eradication of child labour and deplored the continuing discrimination against girls.

### 3. United Nations specialized agencies and bodies and the protection of women

Since its inception, the **International Labour Organisation (ILO)** has actively fostered policies promoting equality for women. In addition to the adoption of many standard-setting instruments<sup>24</sup>, ILO provides practical assistance to countries, helping them in their

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<sup>24</sup> These standard-setting instruments are reproduced in Part I, Section B of this volume.

efforts to end discrimination against women in the employment market and to ensure equality of treatment for women in employment. The Organisation's **Adviser on Women Workers' Questions** has two main tasks: to advise at the policy level on ILO priorities and objectives concerning women workers, and to help implement a programme to improve the status of working women. The Office of the Special Adviser is part of the Office of the Deputy Director-General responsible for Development and Technical Cooperation and Field Programme.

The **World Health Organization (WHO)**, the **United Nations Children's Fund (UNICEF)** and the **High Commissioner for Refugees (HCR)** are working to improve the status of women. The right of all women to better living conditions and access to adequate health services are among WHO's concerns. UNICEF fights for the rights of all children, girls and boys alike, and recognizes that the advancement of the girls' rights is inextricably linked to the rights and the status of women. The High Commissioner for Refugees is directly involved in protecting the rights of refugee women and girls, who make up the majority of refugees.

For many years, the **United Nations Educational, Scientific and Cultural Organization (UNESCO)** has been carrying out activities aimed at improving access to education for girls and women. In addition to education, UNESCO has set itself other priorities, including strengthening women's role in decision-making, in peace processes and the promotion of peace, teaching the human rights of women as an integral part of human rights, improving women's access to the sciences and to technology, and studying the structure of the media in society and how they relate to the status of women.

At its 19th session, in 1976, the UNESCO General Conference adopted 19 C/Resolution 16.1, in which it invited the Director-General to present every two years to the Executive Board and at future sessions of the General Conference a special report describing the efforts made by UNESCO in its spheres of competence to help improve the status of women. The Organization's recent activities in that domain have focused essentially on the promotion of equality between men and women in various communities, in education, in cultural life and in the field of communication.

While UNESCO has not adopted any specific instruments relating to women, many of the standard-setting instruments adopted by the Organization contain provisions on the prevention of discrimination against women. For example: the

**Recommendation concerning the Status of Teachers<sup>25</sup>, the Revised Recommendation concerning Technical and Vocational Education<sup>26</sup>, the Convention on Technical and Vocational Education<sup>27</sup>, the Recommendation on the Development of Adult Education<sup>28</sup>, the Recommendation on Participation by the People at Large in Cultural Life and their Contribution to it<sup>29</sup>, and the Recommendation concerning the Status of the Artist<sup>30</sup>.**

The **Convention against Discrimination in Education<sup>31</sup>** is particularly noteworthy for its promotion of the human rights of women. Its Preamble states that discrimination in education is a violation of the rights set forth in the Universal Declaration of Human Rights. Article 1 of the Convention defines the term “discrimination” as “any distinction, exclusion, limitation or preference which, being based on race, colour, sex, language, religion, political or other opinion, national or social origin, economic condition or birth, has the purpose or effect of nullifying or impairing equality of treatment in education”. According to the Convention, discrimination may take various forms: “depriving any person or group of persons of access to education of any type or at any level; limiting any person or group of persons to education of an inferior standard; establishing or maintaining separate educational systems or institutions for persons or groups of persons<sup>32</sup>; or inflicting on any person or group of persons conditions which are incompatible with the dignity of man”. Article 1 explains the term “education” as referring to “all types and levels of

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<sup>25</sup> Adopted on 5 October 1966.

<sup>26</sup> Adopted on 19 November 1974.

<sup>27</sup> Adopted on 10 November 1989. Entered into force on 29 August 1991.

<sup>28</sup> Adopted on 26 November 1976.

<sup>29</sup> Adopted on 26 November 1976.

<sup>30</sup> Adopted on 27 October 1980.

<sup>31</sup> Adopted on 14 December 1960 by the General Conference at its 11th session and entered into force on 22 May 1962; the Protocol Instituting a Conciliation and Good Offices Commission to be Responsible for Seeking a Settlement of Any Disputes Which May Arise Between States Parties to the Convention against Discrimination In Education entered into force on 24 October 1968.

<sup>32</sup> Subject to the provisions of Article 2 of the Convention, which reads: “When permitted in a State, the following situations shall not be deemed to constitute discrimination, within the meaning of Article 1 of this Convention” such as, for example, “... the establishment or maintenance of separate educational systems or institutions for pupils of the two sexes, if these systems or institutions offer equivalent access to education, provide a teaching staff with qualifications of the same standard as well as school premises and equipment of the same quality, and afford the opportunity to take the same or equivalent courses of study”.

education” and including “access to education, the standard and quality of education, and the conditions under which it is given”. In addition, Article 3 stipulates that States Parties must “ensure, by legislation where necessary, that there is no discrimination in the admission of pupils to educational institutions”.

Final documents relating to the advancement of women have been drawn up for various meetings and conferences under the aegis of UNESCO. For example, at the **International Congress on Education for Human Rights and Democracy**, held in Montreal in March 1993, the participants at the round table on “Gender equality and democracy” affirmed that “all education should be based on the principle of gender equality. Equality of educational opportunity, particularly between the sexes [is] a *sine qua non* of genuine democracy”. Moreover, the World Plan of Action on Education for Human Rights and Democracy adopted by the Congress stated that attention should be paid to vulnerable groups, including women, and to potential or actual perpetrators of violations, with a view to preventing abuse and protecting the victims.

One month later, on 1 April 1993, the **Ouagadougou Declaration and Framework for Action on the Education of Girls** was adopted by the Pan-African Conference on the Education of Girls, organized in the framework of UNESCO’s Priority Africa programme and the UNESCO/UNICEF Joint Committee on Education, in cooperation with the Government of Burkina Faso. The Declaration identified priorities for a regional framework for action and for national plans aimed at improving access to education for girls and envisaging strategies for mustering resources nationally, in particular through new partnerships.

UNESCO’s activities to improve the status of women are regarded by the Organization as a priority. They are based on a three-part approach set forth in the Organization’s Medium-Term Strategy, adopted by the General Conference at its 28th session, in 1995: (a) mainstreaming a gender perspective in all policy-planning, programming, implementation and evaluation activities; (b) encouraging the broad and active participation of women at all levels and in all fields of activity at UNESCO, paying particular attention to women’s priorities, perspectives and contributions to the rethinking of both the goals and means of development; and (c) developing specific programmes, projects and activities for the benefit of girls and women, geared towards promoting equality, endogenous capacity-building, and women’s full citizenship<sup>33</sup>. At

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<sup>33</sup> *Medium-Term Strategy 1996-2001 (28 C/4 Approved)*, UNESCO, Paris, 1996, p. 57.

that same session, the General Conference identified five priority areas: equal access to education; peace; the media; women's contribution to the management of natural resources and environmental protection; and girls in relation to access to education and literacy<sup>34</sup>.

In a series of regional conferences on human rights education, organized by UNESCO for Europe (1997), Africa (1998), Asia and the Pacific (1999) and Arab States (1999), it was stressed that the promotion and protection of the human rights of women by means of education are a priority

At UNESCO, as in the United Nations system, the promotion of the status of women is entrusted to several bodies, the most important of which is the **Unit for the Promotion of the Status of Women and Gender Equality** which, with the assistance of Gender Focal Points in each sector and field office, coordinates the overall integration of a gender perspective in UNESCO's programmes. The Unit works with all of UNESCO's sectors and with the Directors of two programmes: Women and a Culture of Peace and the Promotion of the Status of Women in the Mediterranean Region.

The mission of the **Women and a Culture of Peace** programme is threefold: supporting women's initiatives for peace, fostering the participation of women in the democratic process at the decision-making level (political and economic decisions) and encouraging the participation of men in efforts to improve the status of women. Also noteworthy is the fact that a Statement on Women's Contribution to a Culture of Peace, prepared by UNESCO, was adopted at Beijing during the Fourth World Conference on Women (4 to 15 September 1995).

This programme is also seeking to incorporate a gender perspective into the analysis of factors that hamper or favour the development of a culture of peace, by promoting better knowledge of persisting gender inequalities and by strengthening networks of women's peace initiatives - including through modern communication technologies - for reciprocal support and early warning action.

The principal objective of the current programme **Women in the Mediterranean Region** is to promote the status of women in the region and encourage trans-Mediterranean co-operation, as a precondition for the re-establishment of peace and security in the countries concerned.

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<sup>34</sup> UNESCO Executive Board, Document 152 EX/INF.3, p. 2.

## II. CONTRIBUTION OF REGIONAL ORGANIZATIONS TO THE PROTECTION OF WOMEN

The sole purpose of this volume is to present the existing standard-setting instruments on the human rights of women. Consequently, no reference is made to the numerous activities of non-governmental organizations which play a major role in the promotion of the human rights of women and in raising public awareness about this issue<sup>35</sup>. Nor is reference made to all the regional intergovernmental organizations which are working for the advancement of women. Only those organizations which have adopted standard-setting instruments in this sphere are included here.

The **Organization of American States (OAS)** has made an important contribution to the safeguarding of the human rights of women. In addition to instruments of a general nature on individual rights<sup>36</sup>, it has adopted four conventions concerned with the protection of the human rights of women: the **Convention on the Nationality of Women** (1933), which entered into force on 29 August 1934; the **Inter-American Convention on the Granting of Political Rights to Women** (1948), which entered into force on 17 March 1949, the **Inter-American Convention on the Granting of Civil Rights to Women** (1948), which also entered into force on 17 March 1949; and the **Inter-American Convention on the Prevention, Punishment and Eradication of Violence against**

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<sup>35</sup> For example, the Inter-Parliamentary Union has in recent years adopted several resolutions on women's rights: participation of women in political life; the contribution of women to development; women in economic life; the role of women in environmental protection; education for women; violence against women. It has also organized meetings on the theme of improving the status of women, including, the specialized Inter-Parliamentary Conference "Towards partnership between men and women in politics", held in February 1997. In addition, in March 1994, the Union adopted an Action Plan the principal objective of which was to ensure the active participation of women in political life. Worthy of mention among the Union's numerous publications are: *Women in Parliaments: 1945-1995* (1995) and *Women - What the IPU is doing* (1997).

<sup>36</sup> The American Convention on Human Rights (1969), which entered into force on 18 July 1978, the Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights "Protocol de San Salvador" (1988), not yet entered into force as at 31 May 1998, and the Protocol to the American Convention on Human Rights to Abolish the Death Penalty (1990), not yet entered into force as at 31 December 1998.

**Women, “Convention of Belém do Para”** (1994), which entered into force on 3 March 1995<sup>37</sup>.

The **Council of Europe** has acted at various levels to establish genuine equality between the sexes. Although it does not state a general principle on equality between women and men, the European Convention on Human Rights of 4 November 1950<sup>38</sup> prohibits under its Article 14 any “discrimination”, including discrimination on grounds of sex, with regard to the rights protected in it. Moreover, the principle of equality of rights and responsibilities between spouses is set forth in Protocol N° 7 to the 1984 Convention for the Protection of Human Rights and Fundamental Freedoms<sup>39</sup>. The Council of Europe is at present working on the inclusion of a fundamental right of women and men to equality in a protocol to the European Convention on Human Rights.

The European Social Charter<sup>40</sup> contains several provisions in women’s interest: equality of remuneration between male and female workers, protection of pregnant and working women, and social and economic protection of mothers and children. The Additional Protocol of 1988<sup>41</sup> affirms the right to equality of opportunity and equal treatment in matters of employment and occupation.

With regard to specific human rights of women, the Council of Europe has adopted a number of recommendations and declarations: **Recommendation N° 10 concerning Women Migrants** (1979), **Recommendation N° 17 on Equality Between Women and Men in the Media** (1984), **Recommendation N° 2 on Legal Protection against Sex Discrimination** (1985), the **Declaration on Equality of Women and Men** (1988), **Recommendation N° 4 on the Elimination of Sexism from Language** (1990), the **Declaration on the Rape of Women and Children in the Territory of the Former Yugoslavia** (1993), **Recommendation N° 741 on the Legal Position of Women** (1974), **Recommendation N° 1146 on Equal Opportunities and Equal Treatment for Women and Men on the Labour Market** (1991), **Recommendation N° 1229 on Equality of Rights between Women and Men** (1994), **Recommendation N° 1261 on**

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<sup>37</sup> These conventions are included in this volume.

<sup>38</sup> Entered into force on 3 September 1953.

<sup>39</sup> Entered into force on 1 November 1988.

<sup>40</sup> Adopted in 1961 and entered into force on 26 February 1965, the European Social Charter was revised in 1996, but as at 31 May 1998 had not entered into force.

<sup>41</sup> The Additional Protocol to the European Social Charter entered into force on 4 September 1992.



**the Situation of Immigrant Women in Europe (1995), Recommendation N° 1269 on Achieving Real Progress in Women's Rights as from 1995 (1995), Recommendation N° 1271 on Discrimination between Women and Men in the Choice of a Surname and in the Passing on of Parents' Surnames to Children (1995), Recommendation N° 1321 on Improving the Situation of Women in Rural Society (1997) and Recommendation N° 1325 on Traffic in Women and Forced Prostitution in Council of Europe Member States (1997).**

Besides adopting these texts, the Council of Europe has organized numerous conferences on the subject of equality<sup>42</sup>.

### III. CONCLUSION

Women's struggle for their rights has led to substantial progress in the twentieth century, especially during its second half. They now play a very important role in all areas of social, political, economic and cultural life. The Nobel prizes awarded to them in the fields of peace, chemistry, physics and literature - to name a few - are indisputable proof of their remarkable contribution to social progress<sup>43</sup>. They occupy important posts in a growing number of

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<sup>42</sup> European Ministerial Conference on Equality between Women and Men (Strasbourg, 1986), Conference on Women in Local and Regional Life: Equal Participation by Women in Policy-Making at Local and Regional Level (Athens, 1986), 2nd European Ministerial Conference on Equality between Women and Men: Political Strategies for the Achievement of Real Equality between Women and Men (Vienna, 1989), Conference on Equality between Women and Men in a Changing Europe (Poznan, 1992), 3rd European Ministerial Conference on Equality between Women and Men: Strategies for the Elimination of Violence against Women in Society: the Media and other Means (Rome, 1993), Equality and Democracy: Utopia or Challenge? (Strasbourg, 1995), 4th European Ministerial Conference on Equality between Women and Men (Istanbul, 1997). The 5<sup>th</sup> Conference is foreseen for 2001.

<sup>43</sup> The following women have won the Nobel Prize for Peace: Bertha von Suttner (1843-1914) in 1905, Jane Addams (1860-1935) in 1931, Mairead Corrigan (1944-) and Betty Williams (1943-) in 1976, Mother Teresa (1910-1997) in 1979, Alva Myrdal (1902-1986) in 1982, Aung San Suu Kyi (1945-) in 1991 and Rigoberta Menchu Tum (1959-) in 1992. The following women have won the Nobel Prize for Literature: Selma Lagerlöf (1858-1940) in 1909, Grazia Deledda (1871-1936) in 1926, Sigrid Undset (1892-1949) in 1928, Gabriela Mistral (1889-1957) in 1945, Nelly Sachs (1891-1970) in 1966, Nadine Gordimer (1923-) in 1991, Toni Morrison (1931-) in 1993 and Wislawa Szymborski (1923-) in 1996. The following women have won the Nobel Prize in Physiology or Medicine: Gerty Cori (1896-1957) and Carl Cori in 1947, Barbara McClintock (1902-1992) in 1983, Rita Levi-Montalcini (1909-) and Stanley Cohen in 1986, Gertrude Belle Elion (1918-) in 1988 and

firms, universities and research institutes, in the media and in other fields which were formerly the unassailable bastions of men. Women have the right to vote in nearly every country in the world. They have shown that they are not only responsible voters but also highly talented leaders. Many women have become heads of state<sup>44</sup> or prime ministers<sup>45</sup> of their countries, demonstrating that politics at the highest level is no longer the exclusive privilege of men. Women also occupy high-ranking posts in international organizations<sup>46</sup>. In fact, today there are almost no professions or fields that can be regarded as exclusively male or female.

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Christiane Nusslein-Volhard (1942-), Edward B. Lewis and Eric F. Wieschaus in 1995. The Nobel Prize in Physics was awarded to Marie Curie (1867-1934), Pierre Curie and Antoine-Henri Becquerel in 1903 and Maria Goeppert-Mayer (1906-1972) and J. Harris D. Jensen in 1963. The Nobel Prize in Chemistry was awarded to Marie Curie in 1911 and Irene Joliot-Curie (1897-1996) and Frédéric Joliot-Curie in 1935.

<sup>44</sup> The following women have been presidents of their countries: Corazon Aquino, President of the Philippines from 1986 to 1992 and the first woman president of an Asian country; Ertha Pascal-Trouillot, Haiti, from 1990 to 1991; Isabel Perón, Argentina, from 1974 to 1976; Lidia Geiler Tejada, Bolivia, from 1979 to 1980; Agatha Barbara, Malta, from 1982 to 1987; Violeta Barrios Chamorro, Nicaragua, from 1990 to 1997; Vigdis Finnbogadóttir, Iceland, from 1980 to 1996; Mary Robinson, Ireland, from 1990 to 1997; and Chandrika Kumaratunge, Sri Lanka, since 1994.

<sup>45</sup> The following women have been prime ministers of their countries: Golda Meir, Prime Minister of Israel from 1969 to 1974; Indira Gandhi, India, from 1966 to 1977 and from 1980 to 1984; Elizabeth Domitie, Central African Republic, from 1975 to 1976; Hanna Suchocka, Poland, from 1992 to 1993; Edith Cresson, France, from 1991 to 1992; Margaret Thatcher, United Kingdom, from 1979 to 1990; Maria de Lourdes Pintasilgo, Portugal, from 1979 to 1980; Agathe Uwilingiyimana, Rwanda, from 1993 to 1994; Milka Planinc, Yugoslavia, from 1982 to 1986; Kim Campbell, Canada, 1993; Gro Harlem Brundtland, Norway, 1981, from 1986 to 1989, and from 1990 to 1996; Mary Eugenia Charles, Dominica, from 1980 to 1995; Sylvie Kinigi, Burundi, from 1993 to 1994; Reneta Indzhova, Bulgaria, from 1994 to 1995; Kazimiera Prunskiene, Lithuania, from 1990 to 1991; Tansu Ciller, Turkey, from 1993 to 1996; Claudette Werleigh, Haiti, from 1995 to 1996; Benazir Bhutto, Pakistan, from 1988 to 1990 and from 1993 to 1996; Khaleda Ziaur, Bangladesh, from 1991 to 1996 and Sheikh Hasina Wajed, Bangladesh, since 23 June 1996; and Sirimavo Bandaranaike, Sri Lanka, from 1960 to 1965, from 1970 to 1977, and since 1994.

<sup>46</sup> For example, Sadako Ogata, the United Nations High Commissioner for Refugees since 18 February 1991; Carol Bellamy, Executive Director of UNICEF since 10 April 1995; Mary Robinson, United Nations High Commissioner for Human Rights since 15 September 1997; Gro Harlem Brundtland, Director-General of the World Health Organization since 21 July 1998; Catherine Lalumière, Secretary-General of the Council of Europe from 1989 to 1994.

Despite the undeniable progress in the advancement of the human rights of women during recent decades, there are still many obstacles to full success. In many countries, women have not yet achieved equality of rights with men, especially in daily life. In some countries, the situation of women has not improved in recent years, and in some cases it has even worsened. In the field of education, genuine equality between girls and boys is not yet a reality<sup>47</sup>. We are also far from achieving true parity between men and women in the political sphere: in 1994, world-wide, only 10.5 per cent of legislators and 6.1 per cent of decision-makers at ministerial level were women<sup>48</sup>. As of 1 January 1997, according to data from the Inter-Parliamentary Union, women occupied only 11.7 per cent of parliamentary seats around the world<sup>49</sup>.

Women and men are still not equal in terms of employment and salary. According to the most recent data, women world-wide are paid an average of 30 to 40 per cent less than men for equal work<sup>50</sup>. They are also the primary victims of economic crisis and unemployment and are too often victims of violence, armed conflict, acts of terrorism and cruel traditional practices which endanger their health and lives.

Sometimes the pretext of cultural diversity is used to justify inequality between women and men. It should be recalled here that the World Conference on Human Rights affirmed that “while the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect *all* human rights and fundamental freedoms”<sup>51</sup>.

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<sup>47</sup> In accordance with UN data, of an estimated 130 million children aged from six to eleven in the developing world who do not have access to primary education, 73 million are girls. UNICEF, *Facts and Figures*, 1998.

<sup>48</sup> Women everywhere constitute less than one-third of administrators and managers and occupy only 12% of parliamentary seats and 7% of cabinet positions. *UNDP Human Development Report*, Oxford University Press, New York, 1998.

<sup>49</sup> *Ibid.*, and *Men and Women in Politics - Democracy Still in the Making - a World Comparative Study*. Series “Reports and Documents”, N° 28, Inter-Parliamentary Union, Geneva, 1997, p. 82.

<sup>50</sup> According to the *ILO Year Book of Labour Statistics* for various years up to 1996, women’s wages in manufacturing as a percentage of men’s in Brazil represent 54% of men’s wages, in Egypt 75%, in Malaysia 57%, in the Philippines 76%, in the Republic of Korea 54%, in the United Kingdom 71%, and in Zambia 73%.

<sup>51</sup> World Conference on Human Rights, *Vienna Declaration and Programme of Action*, adopted on 25 June 1993, I, N° 5.

Legislation by governments and parliaments is needed to ensure the success of the drive to eradicate discrimination against women and win genuine equality for them. Inequality between women and men and discrimination against women must not only be redressed through legislative measures but also by raising public awareness, in order to overcome traditional attitudes and prejudices inherited from the past. That is why human rights education plays a leading role in promoting universal respect for the rights of all - women and men. Knowledge of the international instruments relating to the human rights of women must therefore be regarded as an integral and very important part of human rights education.

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This publication contains conventions, declaration and recommendations adopted by the United Nations and its Specialized Agencies and by two regional organizations: the Council of Europe and the Organization of American States. A list of countries that have ratified or acceded to the conventions contained in this volume may be found in Part IV. Although the present collection is restricted to instruments dealing specifically with the human rights of women, there are many other standard-setting instruments which include provisions prohibiting discrimination against women, such as the **International Covenant on Economic, Social and Cultural Rights**<sup>52</sup> and the **International Covenant on Civil and Political Rights**<sup>53</sup>. Women are protected under the **Geneva Convention relative to the Protection of Civilian Persons in Time of War**, of 12 August 1949<sup>54</sup> and the **Protocol Additional to the Geneva Conventions of 12 August 1949 and relating to the Protection of Victims of International Armed Conflicts (Protocol I)**<sup>55</sup>. The **Supplementary Convention of 1956 on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery**<sup>56</sup> contains some provisions on the protection of women.

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<sup>52</sup> Adopted on 16 December 1966; entered into force on 3 January 1976.

<sup>53</sup> Adopted on 16 December 1966; entered into force on 23 March 1976.

<sup>54</sup> The Convention was drawn up by the Diplomatic Conference of 1949 convened by the "Conseil fédéral suisse" in Geneva from 21 April to 12 August. Article 27 of the Convention concerns the protection of pregnant women and women in confinement.

<sup>55</sup> Protocol I was adopted at the fourth session of the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, convened in Geneva from 17 March to 10 June 1977 by the International Committee of the Red Cross. The Protocol was opened for signatures in Berne on 12 December 1977.

<sup>56</sup> Adopted on 7 September 1956 by the Plenipotentiary Conference; entered into force on 12 December 1975.

Unfortunately, due to obvious limitations, it was not possible to reproduce the final documents of the first three world conferences on the human rights of women which took place, respectively, in Mexico City from 19 June to 2 July 1975, in Copenhagen from 14 to 30 July 1980 and in Nairobi from 15 to 26 July 1985. Only the resolutions of the United Nations General Assembly relating to those conferences are presented here. The Beijing Declaration and Platform of Action, adopted at the Fourth World Conference on Women, are reproduced here in full.

We wish to express our appreciation to Sheila Bennett for her contribution to the preparation of this publication and to Daniela Gotzel and Clarisse Magnékou for their help in the relevant research.

This collection has been compiled in the hope that it will be of interest to all those women and men who are working for the cause of the human rights of women and who are willing to participate actively in efforts to that end.

Janusz Symonides, Director  
and  
Vladimir Volodin, Chief, Human Rights Unit  
Department of Peace, Human Rights,  
Democracy and Tolerance

## **PART I**

### **UNIVERSAL NORMATIVE INSTRUMENTS**

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**A. UNITED NATIONS ORGANIZATION**

# **Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others**

*Approved by General Assembly resolution 317(IV) of 2 December 1949*

*Entry into force: 25 July 1951, in accordance with Article 24*

*Whereas* prostitution and the accompanying evil of the traffic in persons for the purpose of prostitution are incompatible with the dignity and worth of the human person and endanger the welfare of the individual, the family and the community, *Whereas*, with respect to the suppression of the traffic in women and children, the following international instruments are in force:

1. International Agreement of 18 May 1904 for the Suppression of the White Slave Traffic, as amended by the Protocol approved by the General Assembly of the United Nations on 3 December 1948,
2. International Convention of 4 May 1910 for the Suppression of the White Slave Traffic, as amended by the above-mentioned Protocol,
3. International Convention of 30 September 1921 for the Suppression of the Traffic in Women and Children, as amended by the Protocol approved by the General Assembly of the United Nations on 20 October 1947,
4. International Convention of 11 October 1933 for the Suppression of the Traffic in Women of Full Age, as amended by the aforesaid Protocol,

*Whereas* the League of Nations in 1937 prepared a draft Convention extending the scope of the above-mentioned instruments, and

*Whereas* developments since 1937 make feasible the conclusion of a convention consolidating the above-mentioned instruments and embodying the substance of the 1937 draft Convention as well as desirable alterations therein:

*Now therefore*, the Contracting Parties hereby agree as hereinafter provided:

## **Article 1**

The Parties to the present Convention agree to punish any person who, to gratify the passions of another:

1. Procures, entices or leads away, for purposes of prostitution, another person, even with the consent of that person;



2. Exploits the prostitution of another person, even with the consent of that person.

#### **Article 2**

The Parties to the present Convention further agree to punish any person who:

1. Keeps or manages, or knowingly finances or takes part in the financing of a brothel;
2. Knowingly lets or rents a building or other place or any part thereof for the purpose of the prostitution of others.

#### **Article 3**

To the extent permitted by domestic law, attempts to commit any of the offences referred to in Articles 1 and 2, and acts preparatory to the commission thereof, shall also be punished.

#### **Article 4**

To the extent permitted by domestic law, intentional participation in the acts referred to in Articles 1 and 2 above shall also be punishable.

To the extent permitted by domestic law, acts of participation shall be treated as separate offences whenever this is necessary to prevent impunity.

#### **Article 5**

In cases where injured persons are entitled under domestic law to be parties to proceedings in respect of any of the offences referred to in the present Convention, aliens shall be so entitled upon the same terms as nationals.

#### **Article 6**

Each Party to the present Convention agrees to take all the necessary measures to repeal or abolish any existing law, regulation or administrative provision by virtue of which persons who engage in or are suspected of engaging in prostitution are subject either to special registration or to the possession of a special document or to any exceptional requirements for supervision or notification.

### **Article 7**

Previous convictions pronounced in foreign States for offences referred to in the present Convention shall, to the extent permitted by domestic law, be taken into account for the purposes of:

1. Establishing recidivism;
2. Disqualifying the offender from the exercise of civil rights.

### **Article 8**

The offences referred to in Articles 1 and 2 of the present Convention shall be regarded as extraditable offences in any extradition treaty which has been or may hereafter be concluded between any of the Parties to this Convention.

The Parties to the present Convention which do not make extradition conditional on the existence of a treaty shall henceforward recognize the offences referred to in Articles 1 and 2 of the present Convention as cases for extradition between themselves.

Extradition shall be granted in accordance with the law of the State to which the request is made.

### **Article 9**

In States where the extradition of nationals is not permitted by law, nationals who have returned to their own State after the commission abroad of any of the offences referred to in Articles 1 and 2 of the present Convention shall be prosecuted in and punished by the courts of their own State.

This provision shall not apply if, in a similar case between the Parties to the present Convention, the extradition of an alien cannot be granted.

### **Article 10**

The provisions of Article 9 shall not apply when the person charged with the offence has been tried in a foreign State and, if convicted, has served his sentence or had it remitted or reduced in conformity with the laws of that foreign State.

### **Article 11**

Nothing in the present Convention shall be interpreted as determining the attitude of a Party towards the general question of the limits of criminal jurisdiction under international law.

### **Article 12**

The present Convention does not affect the principle that the offences to which it refers shall in each State be defined, prosecuted and punished in conformity with its domestic law.

### **Article 13**

The Parties to the present Convention shall be bound to execute letters of request relating to offences referred to in the Convention in accordance with their domestic law and practice.

The transmission of letters of request shall be effected:

1. By direct communication between the judicial authorities;  
or
2. By direct communication between the Ministers of Justice of the two States, or by direct communication from another competent authority of the State making the request to the Minister of Justice of the State to which the request is made; or
3. Through the diplomatic or consular representative of the State making the request in the State to which the request is made; this representative shall send the letters of request direct to the competent judicial authority or to the authority indicated by the Government of the State to which the request is made, and shall receive direct from such authority the papers constituting the execution of the letters of request.

In cases 1 and 3 a copy of the letters of request shall always be sent to the superior authority of the State to which application is made.

Unless otherwise agreed, the letters of request shall be drawn up in the language of the authority making the request, provided always that the State to which the request is made may require a translation in its own language, certified correct by the authority making the request.

Each Party to the present Convention shall notify to each of the other Parties to the Convention the method or methods of transmission mentioned above which it will recognize for the letters of request of the latter State.

Until such notification is made by a State, its existing procedure in regard to letters of request shall remain in force.

Execution of letters of request shall not give rise to a claim for reimbursement of charges or expenses of any nature whatever other than expenses of experts.

Nothing in the present Article shall be construed as an undertaking on the part of the Parties to the present Convention to adopt in criminal matters any form or methods of proof contrary to their own domestic laws.

#### **Article 14**

Each Party to the present Convention shall establish or maintain a service charged with the co-ordination and centralization of the results of the investigation of offences referred to in the present Convention.

Such services should compile all information calculated to facilitate the prevention and punishment of the offences referred to in the present Convention and should be in close contact with the corresponding services in other States.

#### **Article 15**

To the extent permitted by domestic law and to the extent to which the authorities responsible for the services referred to in Article 14 may judge desirable, they shall furnish to the authorities responsible for the corresponding services in other States the following information:

1. Particulars of any offence referred to in the present Convention or any attempt to commit such offence;
2. Particulars of any search for any prosecution, arrest, conviction, refusal of admission or expulsion of persons guilty of any of the offences referred to in the present Convention, the movements of such persons and any other useful information with regard to them.

The information so furnished shall include descriptions of the offenders, their fingerprints, photographs, methods of operation, police records and records of conviction.

#### **Article 16**

The Parties to the present Convention agree to take or to encourage, through their public and private educational, health, social, economic and other related services, measures for the prevention of prostitution and for the rehabilitation and social

adjustment of the victims of prostitution and of the offences referred to in the present Convention.

#### **Article 17**

The Parties to the present Convention undertake, in connection with immigration and emigration, to adopt or maintain such measures as are required, in terms of their obligations under the present Convention, to check the traffic in persons of either sex for the purpose of prostitution. In particular they undertake:

1. To make such regulations as are necessary for the protection of immigrants or emigrants, and in particular, women and children, both at the place of arrival and departure and while en route;
2. To arrange for appropriate publicity warning the public of the dangers of the aforesaid traffic;
3. To take appropriate measures to ensure supervision of railway stations, airports, seaports and en route, and of other public places, in order to prevent international traffic in persons for the purpose of prostitution;
4. To take appropriate measures in order that the appropriate authorities be informed of the arrival of persons who appear, *prima facie*, to be the principals and accomplices in or victims of such traffic.

#### **Article 18**

The Parties to the present Convention undertake, in accordance with the conditions laid down by domestic law, to have declarations taken from aliens who are prostitutes, in order to establish their identity and civil status and to discover who has caused them to leave their State. The information obtained shall be communicated to the authorities of the State of origin of the said persons with a view to their eventual repatriation.

#### **Article 19**

The Parties to the present Convention undertake, in accordance with the conditions laid down by domestic law and without prejudice to prosecution or other action for violations thereunder and so far as possible:

1. Pending the completion of arrangements for the repatriation of destitute victims of international traffic in persons for the purpose of prostitution, to make suitable provisions for their temporary care and maintenance;

2. To repatriate persons referred to in Article 18 who desire to be repatriated or who may be claimed by persons exercising authority over them or whose expulsion is ordered in conformity with the law. Repatriation shall take place only after agreement is reached with the State of destination as to identity and nationality as well as to the place and date of arrival at frontiers. Each Party to the present Convention shall facilitate the passage of such persons through its territory.

Where the persons referred to in the preceding paragraph cannot themselves repay the cost of repatriation and have neither spouse, relatives nor guardian to pay for them, the cost of repatriation as far as the nearest frontier or port of embarkation or airport in the direction of the State of origin shall be borne by the State where they are in residence, and the cost of the remainder of the journey shall be borne by the State of origin.

#### **Article 20**

The Parties to the present Convention shall, if they have not already done so, take the necessary measures for the supervision of employment agencies in order to prevent persons seeking employment, in particular women and children, from being exposed to the danger of prostitution.

#### **Article 21**

The Parties to the present Convention shall communicate to the Secretary-General of the United Nations such laws and regulations as have already been promulgated in their States, and thereafter annually such laws and regulations as may be promulgated, relating to the subjects of the present Convention, as well as all measures taken by them concerning the application of the Convention. The information received shall be published periodically by the Secretary-General and sent to all Members of the United Nations and to non-member States to which the present Convention is officially communicated in accordance with Article 23.

#### **Article 22**

If any dispute shall arise between the Parties to the present Convention relating to its interpretation or application and if such dispute cannot be settled by other means, the dispute shall,

at the request of any one of the Parties to the dispute, be referred to the International Court of Justice.

### **Article 23**

The present Convention shall be open for signature on behalf of any Member of the United Nations and also on behalf of any other State to which an invitation has been addressed by the Economic and Social Council.

The present Convention shall be ratified and the instruments of ratification shall be deposited with the Secretary-General of the United Nations.

The States mentioned in the first paragraph which have not signed the Convention may accede to it.

Accession shall be effected by deposit of an instrument of accession with the Secretary-General of the United Nations.

For the purposes of the present Convention the word "State" shall include all the colonies and Trust Territories of a State signatory or acceding to the Convention and all territories for which such State is internationally responsible.

### **Article 24**

The present Convention shall come into force on the ninetieth day following the date of deposit of the second instrument of ratification or accession.

For each State ratifying or acceding to the Convention after the deposit of the second instrument of ratification or accession, the Convention shall enter into force ninety days after the deposit by such State of its instrument of ratification or accession.

### **Article 25**

After the expiration of five years from the entry into force of the present Convention, any Party to the Convention may denounce it by a written notification addressed to the Secretary-General of the United Nations.

Such denunciation shall take effect for the Party making it one year from the date upon which it is received by the Secretary-General of the United Nations.

### **Article 26**

The Secretary-General of the United Nations shall inform all Members of the United Nations and non-member States referred to in Article 23:

- (a) of signatures, ratifications and accessions received in accordance with Article 23;
- (b) of the date on which the present Convention will come into force in accordance with Article 24;
- (c) of denunciations received in accordance with Article 25.

#### **Article 27**

Each Party to the present Convention undertakes to adopt, in accordance with its Constitution, the legislative or other measures necessary to ensure the application of the Convention.

#### **Article 28**

The provisions of the present Convention shall supersede in the relations between the Parties thereto the provisions of the international instruments referred to in subparagraphs 1, 2, 3 and 4 of the second paragraph of the Preamble, each of which shall be deemed to be terminated when all the Parties thereto shall have become Parties to the present Convention.

#### **Final Protocol**

Nothing in the present Convention shall be deemed to prejudice any legislation which ensures, for the enforcement of the provisions for securing the suppression of the traffic in persons and of the exploitation of others for purposes of prostitution, stricter conditions than those provided by the present Convention.

The provisions of Articles 23 to 26 inclusive of the Convention shall apply to the present Protocol.



# **Convention on the Political Rights of Women**

*Opened for signature and ratification by General Assembly resolution  
640(VII) of 20 December 1952*

*Entry into force: 7 July 1954, in accordance with Article VI*

*The Contracting Parties,*

*Desiring to implement the principle of equality of rights for men and women contained in the Charter of the United Nations,*

*Recognizing that everyone has the right to take part in the government of his country directly or indirectly through freely chosen representatives, and has the right to equal access to public service in his country, and desiring to equalize the status of men and women in the enjoyment and exercise of political rights, in accordance with the provisions of the Charter of the United Nations and of the Universal Declaration of Human Rights,*

*Having resolved to conclude a Convention for this purpose,*

*Hereby agree as hereinafter provided:*

## **Article I**

Women shall be entitled to vote in all elections on equal terms with men, without any discrimination.

## **Article II**

Women shall be eligible for election to all publicly elected bodies, established by national law, on equal terms with men, without any discrimination.

## **Article III**

Women shall be entitled to hold public office and to exercise all public functions, established by national law, on equal terms with men, without any discrimination.

## **Article IV**

1. This Convention shall be open for signature on behalf of any Member of the United Nations and also on behalf of any other State

to which an invitation has been addressed by the General Assembly.

2. This Convention shall be ratified and the instruments of ratification shall be deposited with the Secretary-General of the United Nations.

#### **Article V**

1. This Convention shall be open for accession to all States referred to in paragraph 1 of Article IV.

2. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

#### **Article VI**

1. This Convention shall come into force on the ninetieth day following the date of deposit of the sixth instrument of ratification or accession.

2. For each State ratifying or acceding to the Convention after the deposit of the sixth instrument of ratification or accession the Convention shall enter into force on the ninetieth day after deposit by such State of its instrument of ratification or accession.

#### **Article VII**

In the event that any State submits a reservation to any of the Articles of this Convention at the time of signature, ratification or accession, the Secretary-General shall communicate the text of the reservation to all States which are or may become Parties to this Convention. Any State which objects to the reservation may, within a period of ninety days from the date of the said communication (or upon the date of its becoming a Party to the Convention), notify the Secretary-General that it does not accept it. In such case, the Convention shall not enter into force as between such State and the State making the reservation.

#### **Article VIII**

1. Any State may denounce this Convention by written notification to the Secretary-General of the United Nations. Denunciation shall take effect one year after the date of receipt of the notification by the Secretary-General.

2. This Convention shall cease to be in force as from the date when the denunciation which reduces the number of Parties to less than six becomes effective.

#### **Article IX**

Any dispute which may arise between any two or more Contracting States concerning the interpretation or application of this Convention, which is not settled by negotiation, shall at the request of any one of the parties to the dispute be referred to the International Court of Justice for decision, unless they agree to another mode of settlement.

#### **Article X**

The Secretary-General of the United Nations shall notify all Members of the United Nations and the non-Member States contemplated in paragraph 1 of Article IV of this Convention of the following:

- (a) Signatures and instruments of ratification received in accordance with Article IV;
- (b) Instruments of accession received in accordance with Article V;
- (c) The date upon which this Convention enters into force in accordance with Article VI;
- (d) Communications and notifications received in accordance with Article VII;
- (e) Notifications of denunciation received in accordance with paragraph 1 of Article VIII;
- (f) Abrogation in accordance with paragraph 2 of Article VIII.

#### **Article XI**

1. This Convention, of which the Chinese, English, French, Russian and Spanish texts shall be equally authentic, shall be deposited in the archives of the United Nations.

2. The Secretary-General of the United Nations shall transmit a certified copy to all Members of the United Nations and to the non-Member States contemplated in paragraph 1 of Article IV.

## **Convention on the Nationality of Married Women**

*Opened for signature and ratification by General Assembly resolution 1040 (XI)  
of 29 January 1957*

*Entry into force: 11 August 1958, in accordance with Article 6*

*The Contracting States,*

*Recognizing* that, conflicts in law in practice with reference to nationality arise as a result of provisions concerning the loss or acquisition of nationality by women as a result of marriage, of its dissolution or of the change of nationality by the husband during marriage,

*Recognizing* that, in Article 15 of the Universal Declaration of Human Rights, the General Assembly of the United Nations has proclaimed that "everyone has the right to a nationality" and that "no one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality",

*Desiring* to co-operate with the United Nations in promoting universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to sex,

*Hereby agree as hereinafter provided:*

### **Article 1**

Each Contracting State agrees that neither the celebration nor the dissolution of a marriage between one of its nationals and an alien, nor the change of nationality by the husband during marriage, shall automatically affect the nationality of the wife.

### **Article 2**

Each Contracting State agrees that neither the voluntary acquisition of the nationality of another State nor the renunciation of its nationality by one of its nationals shall prevent the retention of its nationality by the wife of such national.

### **Article 3**

1. Each Contracting State agrees that the alien wife of one of its nationals may, at her request, acquire the nationality of her husband through specially privileged naturalization procedures; the grant of such nationality may be subject to such limitations as may be imposed in the interests of national security or public policy.

2. Each Contracting State agrees that the present Convention shall not be construed as affecting any legislation or judicial practice by which the alien wife of one of its nationals may, at her request, acquire her husband's nationality as a matter of right.

#### **Article 4**

1. The present Convention shall be open for signature and ratification on behalf of any State Member of the United Nations and also on behalf of any other State which is or hereafter becomes a member of any specialized agency of the United Nations, or which is or hereafter becomes a Party to the Statute of the International Court of Justice, or any other State to which an invitation has been addressed by the General Assembly of the United Nations.

2. The present Convention shall be ratified and the instruments of ratification shall be deposited with the Secretary-General of the United Nations.

#### **Article 5**

1. The present Convention shall be open for accession to all States referred to in paragraph I of Article 4.

2. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

#### **Article 6**

1. The present Convention shall come into force on the ninetieth day following the date of deposit of the sixth instrument of ratification or accession.

2. For each State ratifying or acceding to the Convention after the deposit of the sixth instrument of ratification or accession, the Convention shall enter into force on the ninetieth day after deposit by such State of its instrument of ratification or accession.

#### **Article 7**

1. The present Convention shall apply to all non-self-governing, trust, colonial and other non-metropolitan territories for the international relations of which any Contracting State is responsible; the Contracting State concerned shall, subject to the

provisions of paragraph 2 of the present Article, at the time of signature, ratification or accession declare the non-metropolitan territory or territories to which the Convention shall apply *ipso facto* as a result of such signature, ratification or accession.

2. In any case in which, for the purpose of nationality, a non-metropolitan territory is not treated as one with the metropolitan territory, or in any case in which the previous consent of a non-metropolitan territory is required by the constitutional laws or practices of the Contracting State or of the non-metropolitan territory for the application of the Convention to that territory, that Contracting State shall endeavour to secure the needed consent of the non-metropolitan territory within the period of twelve months from the date of signature of the Convention by that Contracting State, and when such consent has been obtained the Contracting State shall notify the Secretary-General of the United Nations. The present Convention shall apply to the territory or territories named in such notification from the date of its receipt by the Secretary-General.

3. After the expiry of the twelve-month period mentioned in paragraph 2 of the present Article, the Contracting States concerned shall inform the Secretary-General of the results of the consultations with those non-metropolitan territories for whose international relations they are responsible and whose consent to the application of the present Convention may have been withheld.

#### **Article 8**

1. At the time of signature, ratification or accession, any State may make reservations to any Article of the present Convention other than Articles 1 and 2.

2. If any State makes a reservation in accordance with paragraph 1 of the present Article, the Convention, with the exception of those provisions to which the reservation relates, shall have effect as between the reserving State and the other Parties. The Secretary-General of the United Nations shall communicate the text of the reservation to all States which are or may become Parties to the Convention. Any State Party to the Convention or which thereafter becomes a Party may notify the Secretary-General that it does not agree to consider itself bound by the Convention with respect to the State making the reservation. This notification must be made, in the case of a State already a Party, within ninety days from the date of the communication by the Secretary-General; and, in the case of a State subsequently becoming a Party, within ninety days from the

date when the instrument of ratification or accession is deposited. In the event that such a notification is made, the Convention shall not be deemed to be in effect as between the State making the notification and the State making the reservation.

3. Any State making a reservation in accordance with paragraph I of the present Article may at any time withdraw the reservation, in whole or in part, after it has been accepted, by a notification to this effect addressed to the Secretary-General of the United Nations. Such notification shall take effect on the date on which it is received.

#### **Article 9**

1. Any Contracting State may denounce the present Convention by written notification to the Secretary-General of the United Nations. Denunciation shall take effect one year after the date of receipt of the notification by the Secretary-General.

2. The present Convention shall cease to be in force as from the date when the denunciation which reduces the number of Parties to less than six becomes effective.

#### **Article 10**

Any dispute which may arise between any two or more Contracting States concerning the interpretation or application of the present Convention which is not settled by negotiation, shall, at the request of any one of the parties to the dispute, be referred to the International Court of Justice for decision, unless the parties agree to another mode of settlement.

#### **Article 11**

The Secretary-General of the United Nations shall notify all States Members of the United Nations and the non-member States contemplated in paragraph I of Article 4 of the present Convention of the following:

- (a) Signatures and instruments of ratification received in accordance with Article 4;
- (b) Instruments of accession received in accordance with Article 5;
- (c) The date upon which the present Convention enters into force in accordance with Article 6;
- (d) Communications and notifications received in accordance with Article 8;

- (e) Notifications of denunciation received in accordance with paragraph I of Article 9;
- (f) Abrogation in accordance with paragraph 2 of Article 9.

#### **Article 12**

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

2. The Secretary-General of the United Nations shall transmit a certified copy of the Convention to all States Members of the United Nations and to the non-member States contemplated in paragraph 1 of Article 4.



## **Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages**

*Opened for signature and ratification by General Assembly resolution 1763 A (XVII) of 7 November 1962*

*Entry into force: 9 December 1964, in accordance with Article 6*

*The Contracting States,*

*Desiring*, in conformity with the Charter of the United Nations, to promote universal respect for, and observance of, human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion,

*Recalling* that Article 16 of the Universal Declaration of Human Rights states that:

1. Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.
2. Marriage shall be entered into only with the free and full consent of the intending spouses,

*Recalling further* that the General Assembly of the United Nations declared, by resolution 843 (IX) of 17 December 1954, that certain customs, ancient laws and practices relating to marriage and the family were inconsistent with the principles set forth in the Charter of the United Nations and in the Universal Declaration of Human Rights,

*Reaffirming* that all States, including those which have or assume responsibility for the administration of Non-Self-Governing and Trust Territories until their achievement of independence, should take all appropriate measures with a view to abolishing such customs, ancient laws and practices by ensuring, inter alia, complete freedom in the choice of a spouse, eliminating completely child marriages and the betrothal of young girls before the age of puberty, establishing appropriate penalties where necessary and establishing a civil or other register in which all marriages will be recorded,

*Hereby agree* as hereinafter provided:

### **Article 1**

1. No marriage shall be legally entered into without the full and free consent of both parties, such consent to be expressed

by them in person after due publicity and in the presence of the authority competent to solemnize the marriage and of witnesses, as prescribed by law.

2. Notwithstanding anything in paragraph 1 above, it shall not be necessary for one of the parties to be present when the competent authority is satisfied that the circumstances are exceptional and that the party has, before a competent authority and in such manner as may be prescribed by law, expressed and not withdrawn consent.

### **Article 2**

States Parties to the present Convention shall take legislative action to specify a minimum age for marriage. No marriage shall be legally entered into by any person under this age, except where a competent authority has granted a dispensation as to age, for serious reasons, in the interest of the intending spouses.

### **Article 3**

All marriages shall be registered in an appropriate official register by the competent authority.

### **Article 4**

1. The present Convention shall, until 31 December 1963, be open for signature on behalf of all States Members of the United Nations or members of any of the specialized agencies, and of any other State invited by the General Assembly of the United Nations to become a Party to the Convention.

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

### **Article 5**

1. The present Convention shall be open for accession to all States referred to in Article 4, paragraph 1.

2. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

## **Article 6**

1. The present Convention shall come into force on the ninetieth day following the date of deposit of the eighth instrument of ratification or accession.
2. For each State ratifying or acceding to the Convention after the deposit of the eighth instrument of ratification or accession, the Convention shall enter into force on the ninetieth day after deposit by such State of its instrument of ratification or accession.

## **Article 7**

1. Any Contracting State may denounce the present Convention by written notification to the Secretary-General of the United Nations. Denunciation shall take effect one year after the date of receipt of the notification by the Secretary-General.
2. The present Convention shall cease to be in force as from the date when the denunciation which reduces the number of Parties to less than eight becomes effective.

## **Article 8**

Any dispute which may arise between any two or more Contracting States concerning the interpretation or application of the present Convention which is not settled by negotiation shall, at the request of all the parties to the dispute, be referred to the International Court of Justice for decision, unless the parties agree to another mode of settlement.

## **Article 9**

The Secretary-General of the United Nations shall notify all States Members of the United Nations and the non-member States contemplated in Article 4, paragraph 1, of the present Convention of the following:

- (a) Signatures and instruments of ratification received in accordance with Article 4;
- (b) Instruments of accession received in accordance with Article 5;
- (c) The date upon which the Convention enters into force in accordance with Article 6;
- (d) Notifications of denunciation received in accordance with Article 7, paragraph 1;

(e) Abrogation in accordance with Article 7, paragraph 2.

#### **Article 10**

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

2. The Secretary-General of the United Nations shall transmit a certified copy of the Convention to all States Members of the United Nations and to the non-member States contemplated in Article 4, paragraph 1.

## **Recommendation on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages**

*Adopted by resolution 2018 (XX) of the General Assembly  
of the United Nations on 1 November 1965*

*The General Assembly,*

*Recognizing* that the family group should be strengthened because it is the basic unit of every society, and that men and women of full age have the right to marry and to found a family, that they are entitled to equal rights as to marriage and that marriage shall be entered into only with the free and full consent of the intending spouses, in accordance with the provisions of Article 16 of the Universal Declaration of Human Rights,

*Recalling* its resolution 843 (IX) of 17 December 1954,

*Recalling* further Article 2 of the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery of 1956, which makes certain provisions concerning the age of marriage, consent to marriage and registration of marriages,

*Recalling also* that Article 13, paragraph 1.b. of the Charter of the United Nations provides that the General Assembly shall make recommendations for the purpose of assisting in the realization of human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

*Recalling likewise* that, under Article 64 of the Charter the Economic and Social Council may make arrangements with the Members of the United Nations to obtain reports on the steps taken to give effect to its own recommendations and to recommendations on matters falling within its competence made by the General Assembly,

1. *Recommends* that, where not already provided by existing legislative or other measures, each Member State should take the necessary steps, in accordance with its constitutional processes and its traditional and religious practices, to adopt such legislative or other measures as may be appropriate to give effect to the following principles:

### *Principle I*

(a) No marriage shall be legally entered into without the full and free consent of both parties, such consent to be expressed by

- them in person, after due publicity and in the presence of the authority competent to solemnize the marriage and of witnesses, as prescribed by law
- (b) Marriage by proxy shall be permitted only when the competent authorities are satisfied that each party has, before a competent authority and in such manner as may be prescribed by law, fully and freely expressed consent before witnesses and not withdrawn such consent

*Principle II*

Member States shall take legislative action to specify a minimum age for marriage, which in any case shall not be less than fifteen years of age; no marriage shall be legally entered into by any person under this age, except where a competent authority has granted a dispensation as to age, for serious reasons, in the interest of the intending spouses

*Principle III*

All marriages shall be registered in an appropriate official register by the competent authority.

2. *Recommends* that each Member State should bring the Recommendation on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages contained in the present resolution before the authorities competent to enact legislation or to take other action at the earliest practicable moment and, if possible, no later than eighteen months after the adoption of the Recommendation;

3. *Recommends* that Member States should inform the Secretary-General, as soon as possible after the action referred to in paragraph 2 above, of the measures taken under the present Recommendation to bring it before the competent authority or authorities, with particulars regarding the authority or authorities considered as competent;

4. *Recommends* further that Member States should report to the Secretary-General at the end of three years, and thereafter at intervals of five years, on their law and practice with regard to the matters dealt with in the present Recommendation, showing the extent to which effect has been given or is proposed to be given to the provisions of the Recommendation and such modifications as have been found or may be found necessary in adapting or applying it;

5. *Requests* the Secretary-General to prepare for the Commission on the Status of Women a document containing the reports received from Governments concerning methods of implementing the three basic principles of the present Recommendation;

6. *Invites* the Commission on the Status of Women to examine the reports received from Member States pursuant to the present Recommendation and to report thereon to the Economic and Social Council with such recommendations as it may deem fitting.

## **Declaration on the Elimination of Discrimination against Women**

*Proclaimed by General Assembly resolution 2263(XXII) of  
7 November 1967*

*The General Assembly,*

*Considering* that the peoples of the United Nations have, in the Charter, reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women, *Considering* that the Universal Declaration of Human Rights asserts the principle of non-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 any distinction as to sex,

*Taking into account* the resolutions, declarations, conventions and recommendations of the United Nations and the specialized agencies designed to eliminate all forms of discrimination and to promote equal rights for men and women,

*Concerned* that, despite the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights and other instruments of the United Nations and the specialized agencies and despite the progress made in the matter of equality of rights, there continues to exist considerable discrimination against women,

*Considering* that discrimination against women is incompatible with human dignity and with the welfare of the family and of society, prevents their participation, on equal terms with men, in the political, social, economic and cultural life of their countries and is an obstacle to the full development of the potentialities of women in the service of their countries and of humanity,

*Bearing in mind* the great contribution made by women to social, political, economic and cultural life and the part they play in the family and particularly in the rearing of children,

*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 as well as men in all fields,  
*Considering* that it is necessary to ensure the universal recognition in law and in fact of the principle of equality of men and women,  
*Solemnly proclaims* this Declaration:

#### **Article 1**

Discrimination against women, denying or limiting as it does their equality of rights with men, is fundamentally unjust and constitutes an offence against human dignity.

#### **Article 2**

All appropriate measures shall be taken to abolish existing laws, customs, regulations and practices which are discriminatory against women, and to establish adequate legal protection for equal rights of men and women, in particular:

- (a) The principle of equality of rights shall be embodied in the constitution or otherwise guaranteed by law;
- (b) The international instruments of the United Nations and the specialized agencies relating to the elimination of discrimination against women shall be ratified or acceded to and fully implemented as soon as practicable.

#### **Article 3**

All appropriate measures shall be taken to educate public opinion and to direct national aspirations towards the eradication of prejudice and the abolition of customary and all other practices which are based on the idea of the inferiority of women.

#### **Article 4**

All appropriate measures shall be taken to ensure to women on equal terms with men, without any discrimination:

- (a) The right to vote in all elections and be eligible for election to all publicly elected bodies;
- (b) The right to vote in all public referenda;
- (c) The right to hold public office and to exercise all public functions.

Such rights shall be guaranteed by legislation.

## Article 5

Women shall have the same rights as men to acquire, change or retain their nationality. Marriage to an alien shall not automatically affect the nationality of the wife either by rendering her stateless or by forcing upon her the nationality of her husband.

## Article 6

1. Without prejudice to the safeguarding of the unity and the harmony of the family, which remains the basic unit of any society, all appropriate measures, particularly legislative measures, shall be taken to ensure to women, married or unmarried, equal rights with men in the field of civil law, and in particular:

- (a) The right to acquire, administer, enjoy, dispose of and inherit property, including property acquired during marriage;
- (b) The right to equality in legal capacity and the exercise thereof;
- (c) The same rights as men with regard to the law on the movement of persons.

2. All appropriate measures shall be taken to ensure the principle of equality of status of the husband and wife, and in particular:

- (a) Women shall have the same right as men to free choice of a spouse and to enter into marriage only with their free and full consent;
- (b) Women shall have equal rights with men during marriage and at its dissolution. In all cases the interest of the children shall be paramount;
- (c) Parents shall have equal rights and duties in matters relating to their children. In all cases the interest of the children shall be paramount.

3. Child marriage and the betrothal of young girls before puberty shall be prohibited, and effective 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.

### **Article 7**

All provisions of penal codes which constitute discrimination against women shall be repealed.

### **Article 8**

All appropriate measures, including legislation, shall be taken to combat all forms of traffic in women and exploitation of prostitution of women.

### **Article 9**

All appropriate measures shall be taken to ensure to girls and women, married or unmarried, equal rights with men in education at all levels, and in particular:

- (a) Equal conditions of access to, and study in, educational institutions of all types, including universities and vocational, technical and professional schools;
- (b) The same choice of curricula, the same examinations, teaching staff with qualifications of the same standard, and school premises and equipment of the same quality, whether the institutions are co-educational or not;
- (c) Equal opportunities to benefit from scholarships and other study grants;
- (d) Equal opportunities for access to programmes of continuing education, including adult literacy programmes;
- (e) Access to educational information to help in ensuring the health and well-being of families.

### **Article 10**

1. All appropriate measures shall be taken to ensure to women, married or unmarried, equal rights with men in the field of economic and social life, and in particular:

- (a) The right, without discrimination on grounds of marital status or any other grounds, to receive vocational training, to work, to free choice of profession and employment, and to professional and vocational advancement;
- (b) The right to equal remuneration with men and to equality of treatment in respect of work of equal value;
- (c) The right to leave with pay, retirement privileges and provision for security in respect of unemployment, sickness, old age or other incapacity to work;
- (d) The right to receive family allowances on equal terms with men.

2. In order to prevent discrimination against women on account of marriage or maternity and to ensure their effective right to work, measures shall be taken to prevent their dismissal in the event of marriage or maternity and to provide paid maternity leave, with the guarantee of returning to former employment, and to provide the necessary social services, including child-care facilities.

3. Measures taken to protect women in certain types of work, for reasons inherent in their physical nature, shall not be regarded as discriminatory.

#### **Article 11**

1. The principle of equality of rights of men and women demands implementation in all States in accordance with the principles of the Charter of the United Nations and of the Universal Declaration of Human Rights.

2. Governments, non-governmental organizations and individuals are urged, therefore, to do all in their power to promote the implementation of the principles contained in this Declaration.

**Declaration on the Protection of Women and Children  
in Emergency and Armed Conflict**

*Proclaimed by General Assembly resolution 3318(XXIX)  
of 14 December 1974*

*The General Assembly,*

*Having considered* the recommendation of the Economic and Social Council contained in its resolution 1861 (LVI) of 16 May 1974,

*Expressing its deep concern* over the sufferings of women and children belonging to the civilian population who in periods of emergency and armed conflict in the struggle for peace, self-determination, national liberation and independence are too often the victims of inhuman acts and consequently suffer serious harm,

*Aware* of the suffering of women and children in many areas of the world, especially in those areas subject to suppression, aggression, colonialism, racism, alien domination and foreign subjugation,

*Deeply concerned* by the fact that, despite general and unequivocal condemnation, colonialism, racism and alien and foreign domination continue to subject many peoples under their yoke, cruelly suppressing the national liberation movements and inflicting heavy losses and incalculable sufferings on the populations under their domination, including women and children,

*Deploring* the fact that grave attacks are still being made on fundamental freedoms and the dignity of the human person and that colonial and racist foreign domination Powers continue to violate international humanitarian law,

*Recalling* the relevant provisions contained in the instruments of international humanitarian law relative to the protection of women and children in time of peace and war,

*Recalling*, among other important documents, its resolutions 2444 (XXIII) of 19 December 1968, 2597 (XXIV) of 16 December 1969 and 2674 (XXV) and 2675 (XXV) of 9 December 1970, on respect for human rights and on basic principles for the protection of civilian populations in armed conflicts, as well as Economic and Social Council resolution 1515 (XLVIII) of 28 May 1970 in which the Council requested the General Assembly to consider the

possibility of drafting a declaration on the protection of women and children in emergency or wartime,  
*Conscious* of its responsibility for the destiny of the rising generation and for the destiny of mothers, who play an important role in society, in the family and particularly in the upbringing of children,  
*Bearing in mind* the need to provide special protection of women and children belonging to the civilian population,  
*Solemnly proclaims* this Declaration on the Protection of Women and Children in Emergency and Armed Conflict and calls for the strict observance of the Declaration by all Member States:

1. Attacks and bombings on the civilian population, inflicting incalculable suffering, especially on women and children, who are the most vulnerable members of the population, shall be prohibited, and such acts shall be condemned.
2. The use of chemical and bacteriological weapons in the course of military operations constitutes one of the most flagrant violations of the Geneva Protocol of 1925, the Geneva Conventions of 1949 and the principles of international humanitarian law and inflicts heavy losses on civilian populations, including defenceless women and children, and shall be severely condemned.
3. All States shall abide fully by their obligations under the Geneva Protocol of 1925 and the Geneva Conventions of 1949, as well as other instruments of international law relative to respect for human rights in armed conflicts, which offer important guarantees for the protection of women and children.
4. All efforts shall be made by States involved in armed conflicts, military operations in foreign territories or military operations in territories still under colonial domination to spare women and children from the ravages of war. All the necessary steps shall be taken to ensure the prohibition of measures such as persecution, torture, punitive measures, degrading treatment and violence, particularly against that part of the civilian population that consists of women and children.
5. All forms of repression and cruel and inhuman treatment of women and children, including imprisonment, torture, shooting, mass arrests, collective punishment, destruction of dwellings and forcible eviction, committed by belligerents in the course of

military operations or in occupied territories shall be considered criminal.

6. Women and children belonging to the civilian population and finding themselves in circumstances of emergency and armed conflict in the struggle for peace, self-determination, national liberation and independence, or who live in occupied territories, shall not be deprived of shelter, food, medical aid or other inalienable rights, in accordance with the provisions of the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Declaration of the Rights of the Child or other instruments of international law.

## **Convention on the Elimination of All Forms of Discrimination against Women**

*Adopted and opened for signature, ratification and accession by General  
Assembly resolution 34/180 of 18 December 1979  
Entry into force: 3 September 1981, in accordance with Article 27(1)*

*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 a 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 rights 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 woman,

*Noting also* the resolution, declarations and recommendations adopted by the United Nations and the specialized agencies promoting equality and rights of men and woman,

*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*, 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 rights of men and woman,

*Affirming* that the strengthening of international peace and security, the relaxation of international tension, mutual cooperation among all States irrespective of their social and economic systems, general and complete disarmament, 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 woman,

*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 woman 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 I**

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 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 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 relating to family planning.

2. Notwithstanding the provisions of paragraph 1 of this Article, States Parties shall ensure to women appropriate services in connection 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 the present 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 woman 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 woman 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;
- (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 of the United Nations 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 the present 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 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 the 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 the present 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.

## **Declaration on the Elimination of Violence against Women**

*Proclaimed by the General Assembly of the United Nations on  
20 December 1993 - resolution 48/104*

*The General Assembly,*

*Recognizing* the urgent need for the universal application to women of the rights and principles with regard to equality, security, liberty, integrity and dignity of all human beings,

*Noting* that those rights and principles are enshrined in international instruments, including the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,

*Recognizing* that effective implementation of the Convention on the Elimination of All Forms of Discrimination against Women would contribute to the elimination of violence against women and that the Declaration on the Elimination of Violence against Women, set forth in the present resolution, will strengthen and complement that process,

*Concerned* that violence against women is an obstacle to the achievement of equality, development and peace, as recognized in the Nairobi Forward-looking Strategies for the Advancement of Women, in which a set of measures to combat violence against women was recommended, and to the full implementation of the Convention on the Elimination of All Forms of Discrimination against Women,

*Affirming* that violence against women constitutes a violation of the rights and fundamental freedoms of women and impairs or nullifies their enjoyment of those rights and freedoms, and concerned about the long-standing failure to protect and promote those rights and freedoms in the case of violence against women,

*Recognizing* that violence against women is a manifestation of historically unequal power relations between men and women, which have led to domination over and discrimination against women by men and to the prevention of the full advancement of women, and that violence against women is one of the crucial social mechanisms by which women are forced into a subordinate position compared with men,

*Concerned* that some groups of women, such as women belonging to minority groups, indigenous women, refugee women, migrant women, women living in rurally remote communities, destitute women, women in institutions or in detention, female children, women with disabilities, elderly women and women in situations of armed conflict, are especially vulnerable to violence,

*Recalling* the conclusion in paragraph 23 of the annex to Economic and Social Council resolution 1990/15 of 24 May 1990 that the recognition that violence against women in the family and society was pervasive and cut across lines of income, class and culture had to be matched by urgent and effective steps to eliminate its incidence,

*Recalling also* Economic and Social Council resolution 1991/18 of 30 May 1991, in which the Council recommended the development of a framework for an international instrument that would address explicitly the issue of violence against women,

*Welcoming* the role that women's movements are playing in drawing increasing attention to the nature, severity and magnitude of the problem of violence against women,

*Alarmed* that opportunities for women to achieve legal, social, political and economic equality in society are limited, *inter alia*, by continuing and endemic violence,

*Convinced* that in the light of the above there is a need for a clear and comprehensive definition of violence against women, a clear statement of the rights to be applied to ensure the elimination of violence against women in all its forms, a commitment by States in respect of their responsibilities, and a commitment by the international community at large to the elimination of violence against women,

*Solemnly proclaims* the following Declaration on the Elimination of Violence against Women and urges that every effort be made so that it becomes generally known and respected:

## **Article 1**

For the purposes of this Declaration, the term "violence against women" means any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.

## **Article 2**

Violence against women shall be understood to encompass, but not be limited to, the following:

- (a) Physical, sexual and psychological violence occurring in the family, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation;
- (b) Physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution;
- (c) Physical, sexual and psychological violence perpetrated or condoned by the State, wherever it occurs.

## **Article 3**

Women are entitled to the equal enjoyment and protection of all human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. These rights include, *inter alia*:

- (a) The right to life;
- (b) The right to equality;
- (c) The right to liberty and security of person;
- (d) The right to equal protection under the law;
- (e) The right to be free from all forms of discrimination;
- (f) The right to the highest standard attainable of physical and mental health;



- (g) The right to just and favourable conditions of work;
- (h) The right not to be subjected to torture, or other cruel, inhuman or degrading treatment or punishment.

#### **Article 4**

States should condemn violence against women and should not invoke any custom, tradition or religious consideration to avoid their obligations with respect to its elimination. States should pursue by all appropriate means and without delay a policy of eliminating violence against women and, to this end, should:

- (a) Consider, where they have not yet done so, ratifying or acceding to the Convention on the Elimination of All Forms of Discrimination against Women or withdrawing reservations to that Convention;
- (b) Refrain from engaging in violence against women;
- (c) Exercise due diligence to prevent, investigate and, in accordance with national legislation, punish acts of violence against women, whether those acts are perpetrated by the State or by private persons;
- (d) Develop penal, civil, labour and administrative sanctions in domestic legislation to punish and redress the wrongs caused to women who are subjected to violence; women who are subjected to violence should be provided with access to the mechanisms of justice and, as provided for by national legislation, to just and effective remedies for the harm that they have suffered; States should also inform women of their rights in seeking redress through such mechanisms;
- (e) Consider the possibility of developing national plans of action to promote the protection of women against any form of violence, or to include provisions for that purpose in plans already existing, taking into account, as appropriate, such cooperation as can be provided by non-governmental organizations, particularly those concerned with the issue of violence against women;
- (f) Develop, in a comprehensive way, preventive approaches and all those measures of a legal, political, administrative and cultural nature that promote the protection of women against any form of violence, and ensure that the re-victimization of women does not occur because of laws insensitive to gender considerations, enforcement practices or other interventions;

- (g) Work to ensure, to the maximum extent feasible in the light of their available resources and, where needed, within the framework of international cooperation, that women subjected to violence and, where appropriate, their children have specialized assistance, such as rehabilitation, assistance in child care and maintenance, treatment, counseling, and health and social services, facilities and programmes, as well as support structures, and should take all other appropriate measures to promote their safety and physical and psychological rehabilitation;
- (h) Include in government budgets adequate resources for their activities related to the elimination of violence against women;
- (i) Take measures to ensure that law enforcement officers and public officials responsible for implementing policies to prevent, investigate and punish violence against women receive training to sensitize them to the needs of women;
- (j) Adopt all appropriate measures, especially in the field of education, to modify the social and cultural patterns of conduct of men and women and to eliminate prejudices, customary practices and all other practices based on the idea of the inferiority or superiority of either of the sexes and on stereotyped roles for men and women;
- (k) Promote research, collect data and compile statistics, especially concerning domestic violence, relating to the prevalence of different forms of violence against women and encourage research on the causes, nature, seriousness and consequences of violence against women and on the effectiveness of measures implemented to prevent and redress violence against women; those statistics and findings of the research will be made public;
- (l) Adopt measures directed towards the elimination of violence against women who are especially vulnerable to violence;
- (m) Include, in submitting reports as required under relevant human rights instruments of the United Nations, information pertaining to violence against women and measures taken to implement the present Declaration;
- (n) Encourage the development of appropriate guidelines to assist in the implementation of the principles set forth in the present Declaration;
- (o) Recognize the important role of the women's movement and non-governmental organizations world wide in raising awareness and alleviating the problem of violence against women;

- (p) Facilitate and enhance the work of the women's movement and non-governmental organizations and cooperate with them at local, national and regional levels;
- (q) Encourage intergovernmental regional organizations of which they are members to include the elimination of violence against women in their programmes, as appropriate.

#### **Article 5**

The organs and specialized agencies of the United Nations system should, within their respective fields of competence, contribute to the recognition and realization of the rights and the principles set forth in the present Declaration and, to this end, should, *inter alia*:

- (a) Foster international and regional cooperation with a view to defining regional strategies for combating violence, exchanging experiences and financing programmes relating to the elimination of violence against women;
- (b) Promote meetings and seminars with the aim of creating and raising awareness among all persons of the issue of the elimination of violence against women;
- (c) Foster coordination and exchange within the United Nations system between human rights treaty bodies to address the issue of violence against women effectively;
- (d) Include in analyses prepared by organizations and bodies of the United Nations system of social trends and problems, such as the periodic reports on the world social situation, examination of trends in violence against women;
- (e) Encourage coordination between organizations and bodies of the United Nations system to incorporate the issue of violence against women into ongoing programmes, especially with reference to groups of women particularly vulnerable to violence;
- (f) Promote the formulation of guidelines or manuals relating to violence against women, taking into account the measures referred to in the present Declaration;

- (g) Consider the issue of the elimination of violence against women, as appropriate, in fulfilling their mandates with respect to the implementation of human rights instruments;
- (h) Cooperate with non-governmental organizations in addressing the issue of violence against women.

#### **Article 6**

Nothing in the present Declaration shall affect any provision that is more conducive to the elimination of violence against women that may be contained in the legislation of a State or in any international convention, treaty or other instrument in force in a State.

## **B. INTERNATIONAL LABOUR ORGANISATION**

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## **Recommendation (N° 4) concerning the Protection of Women and Children against Lead Poisoning**

*Adopted by the General Conference of the International Labour Organisation  
on 28 November 1919*

The General Conference of the International Labour Organisation,

*Having been convened* at Washington by the Government of the United States of America on the 29th day of October 1919, and

*Having decided* upon the adoption of certain proposals with regard to women's and children's employment: unhealthy processes, which is part of the third and fourth items in the agenda for the Washington meeting of the Conference, and

*Having determined* that these proposals shall take the form of a Recommendation,

*Adopts the following Recommendation*, which may be cited as the Lead Poisoning (Women and Children) Recommendation, 1919, to be submitted to the Members of the International Labour Organisation for consideration with a view to effect being given to it by national legislation or otherwise, in accordance with the provisions of the Constitution of the International Labour Organisation:

1. The General Conference recommends to the Members of the International Labour Organisation that, in view of the danger involved to the function of maternity and to the physical development of children, women and young persons under the age of eighteen years be excluded from employment in the following processes:

- (a) in furnace work in the reduction of zinc or lead ores;
- (b) in the manipulation, treatment, or reduction of ashes containing lead, and the desilvering of lead;
- (c) in melting lead or old zinc on a large scale;
- (d) in the manufacture of solder or alloys containing more than ten per cent of lead;
- (e) in the manufacture of litharge, massicot, red lead, white lead, orange lead, or sulphate, chromate or silicate (frit) of lead;
- (f) in mixing and pasting in the manufacture or repair of electric accumulators;
- (g) in the cleaning of workrooms where the above processes are carried on.

2. It is further recommended that the employment of women and young persons under the age of eighteen years in processes involving the use of lead compounds be permitted only subject to the following conditions:

- (a) locally applied exhaust ventilation, so as to remove dust and fumes at the point of origin;
- (b) cleanliness of tools and workrooms;
- (c) notification to government authorities of all cases of lead poisoning, and compensation therefor;
- (d) periodic medical examination of the persons employed in such processes;
- (e) provision of sufficient and suitable cloak-room, washing, and mess-room accommodation, and of special protective clothing;
- (f) prohibition of bringing food or drink into workrooms.

3. It is further recommended that in industries where soluble lead compounds can be replaced by non-toxic substances, the use of soluble lead compounds should be strictly regulated.

4. For the purpose of this Recommendation, a lead compound should be considered as soluble if it contains more than five per cent of its weight (estimated as metallic lead) soluble in a quarter of one per cent solution of hydrochloric acid.

**Recommendation ( N° 13) concerning Night Work of Women  
in Agriculture**

*Adopted by the General Conference of the International Labour Organisation  
on 15 November 1921*

The General Conference of the International Labour Organisation,

*Having been convened* at Geneva by the Governing Body of the International Labour Office, and having met in its Third Session on 25 October 1921, and

*Having decided* upon the adoption of certain proposals with regard to the night work of women in agriculture, which is included in the third item of the agenda of the session, and

*Having decided* that these proposals shall take the form of a Recommendation,

*Adopts the following Recommendation*, which may be cited as the Night Work of Women (Agriculture) Recommendation, 1921, to be submitted to the Members of the International Labour Organisation for consideration with a view to effect being given to it by national legislation or otherwise, in accordance with the provisions of the Constitution of the International Labour Organisation:

The General Conference of the International Labour Organisation recommends:

That each Member of the International Labour Organisation take steps to regulate the employment of women wage-earners in agricultural undertakings during the night in such a way as to ensure to them a period of rest compatible with their physical necessities and consisting of not less than nine hours, which shall, when possible, be consecutive.



## **Convention (N° 45) concerning the Employment of Women on Underground Work in Mines of All Kinds**

*Adopted by the General Conference of the International Labour Organisation  
on 21 June 1935 at its 19<sup>th</sup> session  
Entry into force: 30 May 1937, in accordance with Article 6.*

The General Conference of the International Labour Organisation,

*Having been convened* at Geneva by the Governing Body of the International Labour Office, and having met in its nineteenth session on 4 June 1935, and

*Having decided* upon the adoption of certain proposals with regard to the employment of women on underground work in mines of all kinds, which is the second item on the agenda of the session, and

*Having determined* that these proposals shall take the form of an international Convention,

*Adopts* this twenty-first day of June of the year one thousand nine hundred and thirty-five the following Convention, which may be cited as the Underground Work (Women) Convention, 1935:

### **Article 1**

For the purpose of this Convention, the term "mine" includes any undertaking, whether public or private, for the extraction of any substance from under the surface of the earth.

### **Article 2**

No female, whatever her age, shall be employed on underground work in any mine.

### **Article 3**

National laws or regulations may exempt from the above prohibition:

- (a) females holding positions of management who do not perform manual work;
- (b) females employed in health and welfare services;
- (c) females who, in the course of their studies, spend a period of training in the underground parts of a mine; and

- (d) any other females who may occasionally have to enter the underground parts of a mine for the purpose of a non-manual occupation.

#### **Article 4**

The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

#### **Article 5**

1. This Convention shall be binding only upon those Members of the International Labour Organisation whose ratifications have been registered with the Director-General.
2. It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Director-General.
3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratification has been registered.

#### **Article 6**

As soon as the ratifications of two Members of the International Labour Organisation have been registered, the Director-General of the International Labour Office shall so notify all the Members of the International Labour Organisation. He shall likewise notify them of the registration of ratifications which may be communicated subsequently by other Members of the Organisation.

#### **Article 7**

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the Director-General of the International Labour Office for registration. Such denunciation shall not take effect until one year after the date on which it is registered.

2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this convention at the expiration of each period of ten years under the terms provided for in this Article.

#### **Article 8**

At such times as it may consider necessary the Governing Body of the International Labour Office shall present to the General Conference a report on the Working of this Convention and shall examine the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

#### **Article 9**

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides:

- (a) the ratification by a Member of the new revising Convention shall *ipso jure* involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 7 above, if and when the new revising Convention shall have come into force;
- (b) as from the date when the new revising Convention comes into force, this Convention shall cease to be open to ratification by the Members.

2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

#### **Article 10**

The French and English texts of this Convention shall both be authentic.

## **ILO Night Work (Women) Convention, Revised 1948**

*Adopted by the General Conference of the International Labour Organisation  
on 9 July 1948 at its 31<sup>st</sup> session*

*Entry into force: 27 February 1951, in accordance with Article 14*

Formally entitled Convention (N° 89) concerning Night Work of Women Employed in Industry, the Convention was adopted by the International Labour Conference (31st session) on 9 July 1948 and entered into force on 27 February 1951. It increases the restrictions on industrial night-work employment of women previously established in the ILO Night Work (Women) Convention (1919) and the ILO Night Work (Women) Convention, Revised (1934). The text of the Convention, with the exception of the ILO Standard Final Provisions (Articles 13-20) and provisions for modifications in the application of the Convention to India and Pakistan (Articles 10-12), is as follows:

The General Conference of the International Labour Organisation,

*Having been convened at San Francisco by the Governing Body of the International Labour Office, and having met in its Thirty-first Session on 17 June 1948, and*

*Having decided upon the adoption of certain proposals with regard to the partial revision of the Night Work (Women) Convention, 1919, adopted by the Conference at its First Session, and the Night Work (Women) Convention (Revised), 1934, adopted by the Conference at its Eighteenth Session, which is the ninth item on the agenda of the session, and*

*Considering that these proposals must take the form of an international Convention,*

*Adopts this ninth day of July of the year one thousand nine hundred and forty-eight the following Convention, which may be cited as the Night Work (Women) Convention (Revised), 1948:*

### **PART I GENERAL PROVISIONS**

#### **Article 1**

1. For the purpose of this Convention, the term "industrial undertakings" includes particularly:

- (a) mines, quarries, and other works for the extraction of minerals from the earth;

- (b) undertakings in which Articles are manufactured, altered, cleaned, repaired, ornamented, finished, adapted for sale, broken up or demolished, or in which materials are transformed, including undertakings engaged in shipbuilding or in the generation, transformation or transmission of electricity or motive power of any kind;
- (c) undertakings engaged in building and civil engineering work, including constructional, repair, maintenance, alteration and demolition work.

2. The competent authority shall define the line of division which separates industry from agriculture, commerce and other non-industrial occupations.

### **Article 2**

For the purpose of this Convention the term "night" signifies a period of at least eleven consecutive hours, including an interval prescribed by the competent authority of at least seven consecutive hours falling between ten o'clock in the evening and seven o'clock in the morning; the competent authority may prescribe different intervals for different areas, industries, undertakings or branches of industries or undertakings, but shall consult the employers' and workers' organisations concerned before prescribing an interval beginning after eleven o'clock in the evening.

### **Article 3**

Women without distinction of age shall not be employed during the night in any public or private industrial undertaking, or in any branch thereof, other than an undertaking in which only members of the same family are employed.

### **Article 4**

Article 3 shall not apply

- (a) in case of *force majeure*, when in any undertaking there occurs an interruption of work which it was impossible to foresee, and which is not of a recurring character;
- (b) in cases where the work has to do with raw materials or materials in course of treatment which are subject to rapid deterioration when such night work is necessary to preserve the said materials from certain loss.

### **Article 5**

1. The prohibition of nightwork for women may be suspended by the government, after consultation with the employers' and workers' organisations concerned, when in case of serious emergency the national interest demands it.

2. Such suspension shall be notified by the government concerned to the Director-General of the International Labour Office in its annual report on the application of the Convention.

### **Article 6**

In industrial undertakings which are influenced by the seasons and in all cases where exceptional circumstances demand it, the night period may be reduced to ten hours on sixty days of the year.

### **Article 7**

In countries where the climate renders work by day particularly trying, the night period may be shorter than that prescribed in the above Articles if compensatory rest is accorded during the day.

### **Article 8**

This Convention does not apply to:

- (a) women holding responsible positions of a managerial or technical character; and
- (b) women employed in health and welfare services who are not ordinarily engaged in manual work.

## **PART II SPECIAL PROVISIONS FOR CERTAIN COUNTRIES**

### **Article 9**

In those countries where no government regulation as yet applies to the employment of women in industrial undertakings during the night, the term "night" may provisionally, and for a maximum period of three years, be declared by the government to signify a period of only ten hours, including an interval prescribed by the competent authority of at least seven consecutive hours falling between ten o'clock in the evening and seven o'clock in the morning.

## **Article 10**

1. The provisions of this Convention shall apply to India subject to the modifications set forth in this Article.
2. The said provisions shall apply to all territories in respect of which the Indian legislature has jurisdiction to apply them.
3. The term "industrial undertaking" shall include:
  - (a) factories as defined in the Indian Factories Act; and
  - (b) mines to which the Indian Mines Act applies.

## **Article 11**

1. The provisions of this Convention shall apply to Pakistan subject to the modifications set forth in this Article.
2. The said provisions shall apply to all territories in respect of which the Pakistan legislature has jurisdiction to apply them.
3. The term "industrial undertaking" shall include:
  - (a) factories as defined in the Factories Act;
  - (b) mines to which the Mines Act applies.

## **Article 12**

1. The International Labour Conference may, at any session at which the matter is included in its agenda, adopt by a two-thirds majority draft amendments to any one or more of the preceding Articles of Part II of this Convention.
2. Any such draft amendment shall state the Member or Members to which it applies, and shall, within the period of one year, or, in exceptional circumstances, of eighteen months from the closing of the session of the Conference, be submitted by the Member or Members to which it applies to the authority or authorities within whose competence the matter lies, for the enactment of legislation or other action.
3. Each such Member will, if it obtains the consent of the authority or authorities within whose competence the matter lies, communicate the formal ratification of the amendment to the Director-General of the International Labour Office for registration.

4. Any such draft amendment shall take effect as an amendment to this Convention on ratification by the Member or Members to which it applies.

### **PART III FINAL PROVISIONS**

#### **Article 13**

The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

#### **Article 14**

1. This Convention shall be binding only upon those Members of the International Labour Organisation whose ratifications have been registered with the Director-General.

2. It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Director-General.

3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratification has been registered.

#### **Article 15**

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the Director-General of the International Labour Office for registration. Such denunciation shall not take effect until one year after the date on which it is registered.

2. Each Member which has ratified this Convention and which does not within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.



## Article 16

1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organisation of the registration of all ratifications and denunciations communicated to him by the Members of the Organisation.

2. When notifying the Members of the Organisation of the registration of the second ratification communicated to him, the Director-General shall draw the attention of the Members of the Organisation to the date upon which the Convention will come into force.

## Article 17

The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations full particulars of all ratifications and acts of denunciation registered by him in accordance with the provisions of the preceding Articles.

## Article 18

At such times as it may consider necessary the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall examine the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

## Article 19

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides:

- (a) the ratification by a Member of the new revising Convention shall *ipso jure* involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 15 above, if and when the new revising Convention shall have come into force;
- (b) as from the date when the new revising Convention comes into force this Convention shall cease to be open to ratification by the Members.

2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

#### **Article 20**

The English and French versions of the text of this Convention are equally authoritative.

**Protocol of 1990 to the Night Work (Women) Convention,  
Revised 1948**

*Adopted by the International Labour Conference  
on 26 June 1990 at its 77<sup>th</sup> session*

The General Conference of the International Labour Organisation,

*Having been convened* at Geneva by the Governing Body of the International Labour Office, and having met in its 77th Session on 6 June 1990, and

*Having decided upon* the adoption of certain proposals with regard to night work, which is the fourth item on the agenda of the session, and

*Having determined* that these proposals shall take the form of a Protocol to the Night Work (Women) Convention (Revised), 1948 (hereinafter referred to as "the Convention"),

*Adopts* this twenty-sixth day of June of the year one thousand nine hundred and ninety the following Protocol, which may be cited as the Protocol of 1990 to the Night Work (Women) Convention (Revised), 1948:

**Article I**

1. (1) National laws or regulations, adopted after consulting the most representative organisations of employers and workers, may provide that variations in the duration of the night period as defined in Article 2 of the Convention and exemptions from the prohibition of night work contained in Article 3 thereof may be introduced by decision of the competent authority:
  - (a) in a specific branch of activity or occupation, provided that the organisations representative of the employers and the workers concerned have concluded an agreement or have given their agreement;
  - (b) in one or more specific establishments not covered by a decision taken pursuant to clause (a) above, provided that:
    - (i) an agreement has been concluded in the establishment or enterprise concerned between the employer and the workers' representatives concerned; and
    - (ii) the organisations representative of the employers and the workers of the branch of activity or occupation concerned or the most representative organisations of employers and workers have been consulted;

- (c) in a specific establishment not covered by a decision taken pursuant to clause (a) above, and where no agreement has been reached in accordance with clause (b)(i) above, provided that:
- (i) the workers' representatives in the establishment or enterprise as well as the organisations representative of the employers and the workers of the branch of activity or occupation concerned or the most representative organisations of employers and workers have been consulted;
  - (ii) the competent authority has satisfied itself that adequate safeguards exist in the establishment as regards occupational safety and health, social services and equality of opportunity and treatment for women workers: and
  - (iii) the decision of the competent authority shall apply for a specified period of time, which may be renewed by means of the procedure under subclauses (i) and (ii) above.

(2) For the purposes of this paragraph the term "workers' representatives" means persons who are recognised as such by national law or practice, in accordance with the Workers' Representatives Convention, 1971.

2. The laws or regulations referred to in paragraph 1 shall determine the circumstances in which such variations and exemptions may be permitted and the conditions to which they shall be subject.

## **Article 2**

1. It shall be prohibited to apply the variations and exemptions permitted pursuant to Article 1 above to women workers during a period before and after childbirth of at least 16 weeks, of which at least eight weeks shall be before the expected date of childbirth. National laws or regulations may allow for the lifting of this prohibition at the express request of the woman worker concerned on condition that neither her health nor that of her child will be endangered.

2. The prohibition provided for in paragraph 1 of this Article shall also apply to additional periods in respect of which a medical certificate is produced stating that this is necessary for the health of the mother or child:

- (a) during pregnancy; or
- (b) during a specified time prolonging the period after childbirth fixed pursuant to paragraph 1 above.

3. During the periods referred to in paragraphs 1 and 2 of this Article:
- (a) a woman worker shall not be dismissed or given notice of dismissal, except for justifiable reasons not connected with pregnancy or childbirth;
  - (b) the income of a woman worker concerned shall be maintained at a level sufficient for the upkeep of herself and her child in accordance with a suitable standard of living. This income maintenance may be ensured through assignment to day work, extended maternity leave, social security benefits or any other appropriate measure, or through a combination of these measures.
4. The provisions of paragraphs 1, 2 and 3 of this Article shall not have the effect of reducing the protection and benefits connected with maternity leave.

### **Article 3**

Information on the variations and exemptions introduced pursuant to this Protocol shall be included in the reports on the application of the Convention submitted under article 22 of the Constitution of the International Labour Organisation.

### **Article 4**

1. A Member may ratify this Protocol at the same time as or at any time after its ratification of the Convention, by communicating its formal ratification of the Protocol to the Director-General of the International Labour Office for registration. Such ratification shall take effect 12 months after the date on which it has been registered by the Director-General. Thereafter the Convention shall be binding on the Member concerned with the addition of Articles 1 to 3 of this Protocol.
2. The Director-General of the International Labour Office shall notify all Members of the International Labour Organisation of the registration of all ratifications of this Protocol communicated to him by parties to the Convention.
3. The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations full particulars of all ratifications registered by him in accordance with the provisions of paragraph 1 of this Article.

## **Article 5**

The English and French versions of the text of this Protocol are equally authoritative.

## **ILO Equal Remuneration Convention (1951)**

*Formally entitled Convention (No. 100) concerning Equal Remuneration for Men and Women Workers for Work of Equal Value, the convention was adopted on 29 June 1951 by the International Labour Conference (34<sup>th</sup> session).  
Entry into force: 23 May 1953.*

The General Conference of the International Labour Organisation,

*Having been convened* at Geneva by the Governing Body of the International Labour Office, and having met in its thirty-fourth session on 6 June 1951, and

*Having decided upon* the adoption of certain proposals with regard to the principle of equal remuneration for men and women workers for work of equal value, which is the seventh item on the agenda of the session, and

*Having determined* that these proposals shall take the form of an international Convention

*Adopts* this twenty-ninth day of June of the year one thousand nine hundred and fifty-one the following Convention, which may be cited as the Equal Remuneration Convention, 1951:

### **Article 1**

For the purpose of this Convention:

- (a) the term "remuneration" includes the ordinary, basic or minimum wage or salary and any additional emoluments whatsoever payable directly or indirectly, whether in cash or in kind, by the employer to the worker and arising out of the worker's employment;
- (b) The term "equal remuneration for men and women workers for work of equal value" refers to rates of remuneration established without discrimination based on sex.

### **Article 2**

1. Each Member shall, by means appropriate to the methods in operation for determining rates of remuneration, promote and, in so far as is consistent with such methods, ensure the application to all workers of the principle of equal remuneration for men and women workers for work of equal value.

2. This principle may be applied by means of:
  - (a) National laws or regulations;
  - (b) Legally established or recognised machinery for wage determination;
  - (c) Collective agreements between employers and workers; or
  - (d) A combination of these various means.

### **Article 3**

1. Where such action will assist in giving effect to the provisions of this Convention, measures shall be taken to promote objective appraisal of jobs on the basis of the work to be performed.

2. The methods to be followed in this appraisal may be decided upon by the authorities responsible for the determination of rates of remuneration, or, where such rates are determined by collective agreements, by the parties thereto.

3. Differential rates between workers, which correspond, without regard to sex, to differences, as determined by such objective appraisal, in the work to be performed, shall not be considered as being contrary to the principle of equal remuneration for men and women workers for work of equal value.

### **Article 4**

Each Member shall co-operate as appropriate with the employers' and workers' organisations concerned for the purpose of giving effect to the provisions of this Convention.

### **Article 5**

The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

### **Article 6**

1. This Convention shall be binding only upon those Members of the International Labour Organisation whose ratifications have been registered with the Director-General.

2. It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Director-General.



3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratification has been registered.

#### **Article 7**

1. Declarations communicated to the Director-General of the International Labour Office in accordance with paragraph 2 of Article 35 of the Constitution of the International Labour Organisation shall indicate:

- (a) the territories in respect of which the Member concerned undertakes that the provisions of the Convention shall be applied without modification;
- (b) the territories in respect of which it undertakes that the provisions of the Convention shall be applied subject to modifications, together with details of the said modifications;
- (c) the territories in respect of which the Convention is inapplicable and in such cases the grounds on which it is inapplicable;
- (d) the territories in respect of which it reserves its decisions pending further consideration of the position.

2. The undertakings referred to in subparagraphs (a) and (b) of paragraph 1 of this Article shall be deemed to be an integral part of the ratification and shall have the force of ratification.

3. Any Member may at any time by a subsequent declaration cancel in whole or in part any reservation made in its original declaration in virtue of subparagraph (b), (c) or (d) of paragraph 1 of this Article.

4. Any Member may, at any time at which the Convention is subject to denunciation in accordance with the provisions of Article 9, communicate to the Director-General a declaration modifying in any other respect the terms of any former declaration and stating the present position in respect of such territories as it may specify.

#### **Article 8**

1. Declarations communicated to the Director-General of the International Labour Office in accordance with paragraph 4 or 5 of Article 35 of the Constitution of the International Labour Organisation shall indicate whether the provisions of the Convention will be applied in the territory concerned without

modification or subject to modifications; when the declaration indicates that the provisions of the Convention will be applied subject to modifications, it shall give details of the said modifications.

2. The Member, Members or international authority concerned may at any time by a subsequent declaration renounce in whole or in part the right to have recourse to any modification indicated in any former declaration.

3. The Member, Members or international authority concerned may, at any time at which this Convention is subject to denunciation in accordance with the provisions of Article 9, communicate to the Director-General a declaration modifying in any other respect the terms of any former declaration and stating the present position in respect of the application of the Convention.

#### **Article 9**

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the Director-General of the International Labour Office for registration. Such denunciation shall not take effect until one year after the date on which it is registered.

2. Each Member which has ratified this Convention and which does not within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.

#### **Article 10**

1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organisation of the registration of all ratifications, declarations and denunciations communicated to him by the Members of the Organisation.

2. When notifying the Members of the Organisation of the registration of the second ratification communicated to him, the Director-General shall draw the attention of the Members of the Organisation to the date upon which the Convention will come into force.

### **Article 11**

The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations full particulars of all ratifications, declarations and acts of denunciation registered by him in accordance with the provisions of the preceding Articles.

### **Article 12**

At such times as it may consider necessary the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall examine the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

### **Article 13**

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides:
  - (a) the ratification by a Member of the new revising Convention shall *ipso jure* involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 9 above, if and when the new revising Convention shall have come into force;
  - (b) as from the date when the new revising Convention comes into force this Convention shall cease to be open to ratification by the Members.
2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

### **Article 14**

The English and French versions of the text of this Convention are equally authoritative.

## **Recommendation (N° 90) concerning Equal Remuneration for Men and Women Workers for Work of Equal Value**

*Adopted by the General Conference of the International Labour Organisation on 29 June 1951 at its 34<sup>th</sup> session*

The General Conference of the International Labour Organisation,

*Having been convened* at Geneva by the Governing Body of the International Labour Office, and having met in its Thirty-fourth Session on 6 June 1951, and

*Having decided* upon the adoption of certain proposals with regard to the principle of equal remuneration for men and women workers for work of equal value, which is the seventh item on the agenda of the session, and

*Having determined* that these proposals shall take the form of a Recommendation supplementing the Equal Remuneration Convention,

*Adopts* this twenty-ninth day of June of the year one thousand nine hundred and fifty-one the following Recommendation, which may be cited as the Equal Remuneration Recommendation, 1951:

Whereas the Equal Remuneration Convention, 1951, lays down certain general principles concerning equal remuneration for men and women workers for work of equal value;

Whereas the Convention provides that the application of the principle of equal remuneration for men and women workers for work of equal value shall be promoted or ensured by means appropriate to the methods in operation for determining rates of remuneration in the countries concerned;

Whereas it is desirable to indicate certain procedures for the progressive application of the principles laid down in the Convention;

Whereas it is at the same time desirable that all Members should, in applying these principles, have regard to methods of application which have been found satisfactory in certain countries;

The Conference recommends that each Member should, subject to the provisions of Article 2 of the Convention, apply the following provisions and report to the International Labour Office as requested by the Governing Body concerning the measures taken to give effect thereto:

1. Appropriate action should be taken, after consultation with the workers' organisations concerned or, where such organisations do not exist, with the workers concerned:
  - (a) to ensure the application of the principle of equal remuneration for men and women workers for work of equal value to all employees of central government departments or agencies; and
  - (b) to encourage the application of the principle to employees of state, provincial or local government departments or agencies, where these have jurisdiction over rates of remuneration.
  
2. Appropriate action should be taken, after consultation with the employers' and workers' organisations concerned, to ensure, as rapidly as practicable, the application of the principle of equal remuneration for men and women workers for work of equal value in all occupations, other than those mentioned in paragraph 1, in which rates of remuneration are subject to statutory regulation or public control, particularly as regards:
  - (a) the establishment of minimum or other wage rates in industries and services where such rates are determined under public authority;
  - (b) industries and undertakings operated under public ownership or control; and
  - (c) where appropriate, work executed under the terms of public contracts.
  
3. (1) Where appropriate in the light of the methods in operation for the determination of rates of remuneration, provision should be made by legal enactment for the general application of the principle of equal remuneration for men and women workers for work of equal value.  
  
(2) The competent public authority should take all necessary and appropriate measures to ensure that employers and workers are fully informed as to such legal requirements and, where appropriate, advised on their application.
  
4. When, after consultation with the organisations of workers and employers concerned, where such exist, it is not deemed feasible to implement immediately the principle of equal remuneration for men and women workers for work of equal value, in respect of employment covered by paragraph 1, 2 or 3, appropriate provision should be made or caused to be made, as soon as possible, for its progressive application, by such measures as:
  - (a) decreasing the differentials between rates of remuneration for men and rates of remuneration for women for work of equal value;

(b) where a system of increments is in force, providing equal increments for men and women workers performing work of equal value.

5. Where appropriate for the purpose of facilitating the determination of rates of remuneration in accordance with the principle of equal remuneration for men and women workers for work of equal value, each Member should, in agreement with the employers' and workers' organisations concerned, establish or encourage the establishment of methods for objective appraisal of the work to be performed, whether by job analysis or by other procedures, with a view to providing a classification of jobs without regard to sex; such methods should be applied in accordance with the provisions of Article 2 of the Convention.

6. In order to facilitate the application of the principle of equal remuneration for men and women workers for work of equal value, appropriate action should be taken, where necessary, to raise the productive efficiency of women workers by such measures as:

- (a) ensuring that workers of both sexes have equal or equivalent facilities for vocational guidance or employment counselling, for vocational training and for placement;
- (b) taking appropriate measures to encourage women to use facilities for vocational guidance or employment counselling, for vocational training and for placement;
- (c) providing welfare and social services which meet the needs of women workers, particularly those with family responsibilities, and financing such services from general public funds or from social security or industrial welfare funds financed by payments made in respect of workers without regard to sex; and
- (d) promoting equality of men and women workers as regards access to occupations and posts without prejudice to the provisions of international regulations and of national laws and regulations concerning the protection of the health and welfare of women.

7. Every effort should be made to promote public understanding of the grounds on which it is considered that the principle of equal remuneration for men and women workers for work of equal value should be implemented.

8. Such investigations as may be desirable to promote the application of the principle should be undertaken.

## **Maternity Protection Convention, Revised 1952**

*Adopted by the General Conference of the International Labour Organisation  
on 28 June 1952*

*Entry into force: 7 September 1955, in accordance with Article 9*

Formally entitled Convention (N° 103) concerning Maternity Protection (Revised 1952), the Convention provides that an employed woman, after producing a medical certificate indicating that she is pregnant and stating the presumed date of her confinement, shall be entitled to a period of maternity leave of at least 12 weeks, including a period of compulsory leave after confinement. It applies to women employed in industrial undertakings and in non-industrial and agricultural occupations, including women wage-earners working at home.

### **Article 1**

1. This Convention applies to women employed in industrial undertakings and in non-industrial and agricultural occupations, including women wage earners working at home.
2. For the purpose of this Convention, the term "industrial undertaking" comprises public and private undertakings and any branch thereof and includes particularly:
  - (a) Mines, quarries, and other works for the extraction of minerals from the earth;
  - (b) Undertakings in which articles are manufactured altered, cleaned, repaired, ornamented, finished, adapted for sale, broken up or demolished, or in which materials are transformed, including undertakings engaged in shipbuilding, or in the generation, transformation or transmission of electricity or motive power of any kind;
  - (c) Undertakings engaged in building and civil engineering work, including constructional, repair, maintenance alteration and demolition work;
  - (d) Undertakings engaged in the transport of passengers or goods by road, rail, sea, inland waterway or air, including the handling of goods at docks, quays, wharves, warehouses or airports.
3. For the purpose of this Convention, the term "non-industrial occupations" includes all occupations which are carried on in or in

connexion with the following undertakings or services, whether public or private:

- (a) Commercial establishments;
- (b) Postal and telecommunication services;
- (c) Establishments and administrative services in which the persons employed are mainly engaged in clerical work;
- (d) Newspaper undertakings;
- (e) Hotels, boarding houses, restaurants, clubs, cafés and other refreshment houses;
- (f) Establishments for the treatment and care of the sick, infirm or destitute and of orphans;
- (g) Theatres and places of public entertainment;
- (h) Domestic work for wages in private households; and any other non-industrial occupations to which the competent authority may decide to apply the provisions of the Convention.

4. For the purpose of this Convention, the term "agricultural occupations" includes all occupations carried on in agricultural undertakings, including plantations and large-scale industrialized agricultural undertakings.

5. In any case in which it is doubtful whether this Convention applies to an undertaking, branch of an undertaking or occupation, the question shall be determined by the competent authority after consultation with the representative organisations of employers and workers concerned where such exist.

6. National laws or regulations may exempt from the application of this Convention undertakings in which only members of the employer's family, as defined by national laws or regulations, are employed.

## **Article 2**

For the purpose of this Convention, the term "woman" means any female person, irrespective of age, nationality, race or creed, whether married or unmarried, and the term "child" means any child whether born of marriage or not.

## **Article 3**

1. A woman to whom this Convention applies shall, on the production of a medical certificate stating the presumed date of her confinement, be entitled to a period of maternity leave.



2. The period of maternity leave shall be at least twelve weeks, and shall include a period of compulsory leave after confinement.
3. The period of compulsory leave after confinement shall be prescribed by national laws or regulations, but shall in no case be less than six weeks; the remainder of the total period of maternity leave may be provided before the presumed date of confinement or following expiration of the compulsory leave period or partly before the presumed date of confinement and partly following the expiration of the compulsory leave period as may be prescribed by national laws or regulations.
4. The leave before the presumed date of confinement shall be extended by any period elapsing between the presumed date of confinement and the actual date of confinement and the period of compulsory leave to be taken after confinement shall not be reduced on that account.
5. In case of illness medically certified arising out of pregnancy, national laws or regulations shall provide for additional leave before confinement, the maximum duration of which may be fixed by the competent authority.
6. In case of illness medically certified arising out of confinement, the woman shall be entitled to an extension of the leave after confinement, the maximum duration of which may be fixed by the competent authority.

#### **Article 4**

1. While absent from work on maternity leave in accordance with the provisions of Article 3, the woman shall be entitled to receive cash and medical benefits.
2. The rates of cash benefit shall be fixed by national laws or regulations so as to ensure benefits sufficient for the full and healthy maintenance of herself and her child in accordance with a suitable standard of living.
3. Medical benefits shall include pre-natal, confinement and post-natal care by qualified midwives or medical practitioners as well as hospitalization care where necessary; freedom of choice of doctor and freedom of choice between a public and private hospital shall be respected.

4. The cash and medical benefits shall be provided either by means of compulsory social insurance or by means of public funds; in either case they shall be provided as a matter of right to all women who comply with the prescribed conditions.

5. Women who fail to qualify for benefits provided as a matter of right shall be entitled, subject to the means test required for social assistance, to adequate benefits out of social assistance funds.

6. Where cash benefits provided under compulsory social insurance are based on previous earnings, they shall be at a rate of not less than two-thirds of the woman's previous earnings taken into account for the purpose of computing benefits.

7. Any contribution due under a compulsory social insurance scheme providing maternity benefits and any tax based upon payrolls which is raised for the purpose of providing such benefits shall, whether paid both by the employer and the employees or by the employer, be paid in respect of the total number of men and women employed by the undertakings concerned, without distinction of sex.

8. In no case shall the employer be individually liable for the cost of such benefits due to women employed by him.

#### **Article 5**

1. If a woman is nursing her child she shall be entitled to interrupt her work for this purpose at a time or times to be prescribed by national laws or regulations.

2. Interruption of work for the purpose of nursing are to be counted as working hours and remunerated accordingly in cases in which the matter is governed by or in accordance with laws and regulations; in cases in which the matter is governed by collective agreement, the position shall be as determined by the relevant agreement.

#### **Article 6**

While a woman is absent from work on maternity leave in accordance with the provisions of Article 3 of this Convention, it shall not be lawful for her employer to give her notice of dismissal during such absence, or to give her notice of dismissal at such a time that the notice would expire during such absence.

## **Article 7**

1. Any Member of the International Labour Organisation which ratifies this Convention may, by a declaration accompanying its ratification, provide for exceptions from the application of the Convention in respect of:

- (a) Certain categories of non-industrial occupations;
- (b) Occupations carried on in agricultural undertakings, other than plantations;
- (c) Domestic work for wages in private households;
- (d) Women wage earners working at home;
- (e) Undertakings engaged in the transport of passengers or goods by sea.

2. The categories of occupations or undertakings in respect of which the Member proposes to have recourse to the provisions of paragraph 1 of this article shall be specified in the declaration accompanying its ratification.

3. Any Member which has made such a declaration may at any time cancel that declaration, in whole or in part, by a subsequent declaration.

4. Every Member for which a declaration made under paragraph 1 of this article is in force shall indicate each year in its annual report upon the application of this Convention the position of its law and practice in respect of the occupations or undertakings to which paragraph 1 of this article applies in virtue of the said declaration and the extent to which effect has been given or is proposed to be given to the Convention in respect of such occupations or undertakings.

5. At the expiration of five years from the first entry into force of this Convention, the Governing Body of the International Labour Office shall submit to the conference a special report concerning the application of these exceptions, containing such proposals as it may think appropriate for further action in regard to the matter.

## **Article 8**

The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

## Article 9

1. This Convention shall be binding only upon those Members of the International Labour Organisation whose ratifications have been registered with the Director-General.
2. It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Director-General.
3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratification has been registered.

## Article 10

1. Declarations communicated to the Director-General of the International Labour Office in accordance with paragraph 2 of Article 35 of the Constitution of the International Labour Organisation shall indicate
  - (a) the territories in respect of which the Member concerned undertakes that the provisions of the Convention shall be applied without modification;
  - (b) the territories in respect of which it undertakes that the provisions of the Convention shall be applied subject to modifications, together with details of the said modifications;
  - (c) the territories in respect of which the Convention is inapplicable and in such cases the grounds on which it is inapplicable;
  - (d) the territories in respect of which it reserves its decision pending further consideration of the position.
2. The undertakings referred to in subparagraphs (a) and (b) of paragraph 1 of this article shall be deemed to be an integral part of the ratification and shall have the force of ratification.
3. Any Member may at any time by a subsequent declaration cancel in whole or in part any reservation made in its original declaration in virtue of subparagraphs (b), (c) or (d) of paragraph 1 of this article.
4. Any Member may, at any time at which the Convention is subject to denunciation in accordance with the provisions of Article 12, communicate to the Director-General a declaration modifying in any other respect the terms of any former declaration and stating the present position in respect of such territories as it may specify.

## **Article 11**

1. Declarations communicated to the Director-General of the International Labour Office in accordance with paragraphs 4 or 5 of Article 35 of the Constitution of the International Labour Organisation shall indicate whether the provisions of the Convention will be applied in the territory concerned without modification or subject to modifications; when the declaration indicates that the provisions of the Convention will be applied subject to modifications, it shall give details of the said modifications.
2. The Member, Members or international authority concerned may at any time by a subsequent declaration renounce in whole or in part the right to have recourse to any modification indicated in any former declaration.
3. The Member, Members or international authority concerned may, at any time at which this Convention is subject to denunciation in accordance with the provisions of Article 12, communicate to the Director-General a declaration modifying in any other respect the terms of any former declaration and stating the present position in respect of the application of the Convention.

## **Article 12**

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the Director-General of the International Labour Office for registration. Such denunciation shall not take effect until one year after the date on which it is registered.
2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this article.

## **Article 13**

1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organisation of the

registration of all ratifications, declarations and denunciations communicated to him by the Members of the Organisation.

2. When notifying the Members of the Organisation of the registration of the second ratification communicated to him, the Director-General shall draw the attention of the Members of the Organisation to the date upon which the Convention will come into force.

#### **Article 14**

The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations full particulars of all ratifications declarations and acts of denunciation registered by him in accordance with the provisions of the preceding articles.

#### **Article 15**

At such times as it may consider necessary the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall examine the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

#### **Article 16**

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides:

- (a) the ratification by a Member of the new revising Convention shall ipso jure involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 12 above, if and when the new revising Convention shall have come into force;
- (b) as from the date when the new revising Convention comes into force this Convention shall cease to be open to ratification by the Members.

2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

**Article 17**

The English and French versions of the text of this Convention are equally authoritative.

## **Recommendation (N° 95) concerning Maternity Protection**

*Adopted on 28 June 1952 by the General Conference of the  
International Labour Organisation at its 35<sup>th</sup> session*

The General Conference of the International Labour Organisation,

*Having been convened* at Geneva by the Governing Body of the International Labour Office, and having met in its Thirty-fifth Session on 4 June 1952, and

*Having decided upon* the adoption of certain proposals with regard to maternity protection, which is the seventh item on the agenda of the session, and

*Having determined* that these proposals shall take the form of a Recommendation supplementing the Maternity Protection Convention (Revised), 1952,

*Adopts* this twenty-eighth day of June of the year one thousand nine hundred and fifty-two the following Recommendation, which may be cited as the Maternity Protection Recommendation, 1952.

### **I. MATERNITY LEAVE**

1. (1) Where necessary to the health of the woman and wherever practicable, the maternity leave provided for in Article 3, paragraph 2, of the Maternity Protection Convention (Revised), 1952, should be extended to a total period of 14 weeks.

(2) The supervisory bodies should have power to prescribe in individual cases, on the basis of a medical certificate, a further extension of the ante-natal and post-natal leave provided for in paragraphs 4, 5 and 6 of Article 3 of the Maternity Protection Convention (Revised), 1952, if such an extension seems necessary for safeguarding the health of the mother and the child, and, in particular, in the event of actual or threatening abnormal conditions, such as miscarriage and other ante-natal and post-natal complications.

### **II. MATERNITY BENEFITS**

2. (1) Wherever practicable the cash benefits to be granted in conformity with Article 4 of the Maternity Protection Convention (Revised), 1952, should be fixed at a higher rate than the minimum standard provided in the Convention, equaling, where practicable,



100 per cent of the woman's previous earnings taken into account for the purpose of computing benefits.

(2) Wherever practicable the medical benefits to be granted in conformity with Article 4 of the said Convention should comprise general practitioner and specialist out-patient and in-patient care, including domiciliary visiting; dental care; the care given by qualified midwives and other maternity services at home or in hospital; nursing care at home or in hospital or other medical institutions; maintenance in hospitals or other medical institutions; pharmaceutical, dental or other medical or surgical supplies; and the care furnished under appropriate medical supervision by members of such other profession as may at any time be legally recognised as competent to furnish services associated with maternity care.

(3) The medical benefit should be afforded with a view to maintaining, restoring or improving the health of the woman protected and her ability to work and to attend to her personal needs.

(4) The institutions or government departments administering the medical benefit should encourage the women protected, by such means as may be deemed appropriate, to avail themselves of the general health services placed at their disposal by the public authorities or by other bodies recognised by the public authorities.

(5) In addition, national laws or regulations may authorise such institutions or government departments to make provision for the promotion of the health of the women protected and their infants.

(6) Other benefits in kind or in cash, such as layettes or payment for the purchase of layettes, the supply of milk or of nursing allowance for nursing mothers, etc., might be usefully added to the benefits mentioned in subparagraphs (1) and (2) of this Paragraph.

### **III. FACILITIES FOR NURSING MOTHERS AND INFANTS**

3. (1) Wherever practicable nursing breaks should be extended to a total period of at least one-and-a-half hours during the working day and adjustments in the frequency and length of the nursing periods should be permitted on production of a medical certificate.

(2) Provision should be made for the establishment of facilities for nursing or day care, preferably outside the undertakings where the women are working; wherever possible provision should be made for the financing or at least subsidising of such facilities at the expense of the community or by compulsory social insurance.

(3) The equipment and hygienic requirements of the facilities for nursing and day care and the number and qualifications of the staff of the latter should comply with adequate standards laid down by appropriate regulations, and they should be approved and supervised by the competent authority.

#### **IV. PROTECTION OF EMPLOYMENT**

4. (1) Wherever possible the period before and after confinement during which the woman is protected from dismissal by the employer in accordance with Article 6 of the Maternity Protection Convention (Revised), 1952, should be extended to begin as from the date when the employer of the woman has been notified by medical certificate of her pregnancy and to continue until one month at least after the end of the period of maternity leave provided for in Article 3 of the Convention.

(2) Among the legitimate reasons for dismissal during the protected period to be defined by law should be included cases of serious fault on the part of the employed woman, shutting down of the undertaking or expiry of the contract of employment. Where works councils exist it would be desirable that they should be consulted regarding such dismissals.

(3) During her legal absence from work before and after confinement, the seniority rights of the woman should be preserved as well as her right to reinstatement in her former work or in equivalent work paid at the same rate.

#### **V. PROTECTION OF THE HEALTH OF EMPLOYED WOMEN DURING THE MATERNITY PERIOD**

5. (1) Night work and overtime work should be prohibited for pregnant and nursing women and their working hours should be planned so as to ensure adequate rest periods.

(2) Employment of a woman on work prejudicial to her health or that of her child, as defined by the competent authority, should be prohibited during pregnancy and up to at least three months after confinement and longer if the woman is nursing her child.

(3) Work falling under the provisions of subparagraph (2) should include, in particular:

- (a) any hard labour involving:
  - (i) heavy weight-lifting, pulling or pushing; or
  - (ii) undue and unaccustomed physical strain, including prolonged standing;
- (b) work requiring special equilibrium; and
- (c) work with vibrating machines.

(4) A woman ordinarily employed at work defined as prejudicial to health by the competent authority should be entitled without loss of wages to a transfer to another kind of work not harmful to her health.

(5) Such a right of transfer should also be given for reasons of maternity in individual cases to any woman who presents a medical certificate stating that a change in the nature of her work is necessary in the interest of her health and that of her child.

## **ILO Workers with Family Responsibilities Convention (1981)**

*Formally entitled Convention (No. 156) concerning Equal Opportunities and Equal Treatment for Men and Women Workers with Family Responsibilities, the Convention was adopted by the International Labour Conference on 23 June 1981*

*Entry into force: 11 August 1983, in accordance with Article 13*

The General Conference of the International Labour Organisation,

*Having been convened* at Geneva by the Governing Body of the International Labour Office and having met in its Sixty-seventh Session on 3 June 1981, and

*Noting* the Declaration of Philadelphia concerning the Aims and Purposes of the International Labour Organisation which recognises that all human beings, irrespective of race, creed or sex, have the right to pursue their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity", and

*Noting* the terms of the Declaration of Equality of Opportunity and Treatment for Women Workers and of the resolution concerning a plan of actions with a view to promoting equality of opportunity and treatment for women workers, adopted by the International Labour Conference in 1975, and

*Noting* the provisions of international labour Conventions and Recommendations aimed at ensuring equality of opportunity and treatment for men and women workers, namely the Equal Remuneration Convention and Recommendation, 1951, the Discrimination (Employment and Occupation) Convention and Recommendation, 1958, and Part VIII of the Human Resources Development Recommendation, 1975, and

*Recalling* that the Discrimination (Employment and Occupation) Convention, 1958, does not expressly cover distinctions made on the basis of family responsibilities, and considering that supplementary standards are necessary in this respect, and

*Noting* the terms of the Employment (Women with Family Responsibilities) Recommendation, 1965, and considering the changes which have taken place since its adoption, and

*Noting* that instruments on equality of opportunity and treatment for men and women have also been adopted by the United Nations and other specialised agencies, and recalling, in particular, the fourteenth paragraph of the Preamble of the United Nations Convention on the Elimination of All Forms of Discrimination against Women, 1979, to the effect that States

Parties are 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", and  
*Recognising* that the problems of workers with family responsibilities are aspects of wider issues regarding the family and society which should be taken into account in national policies, and  
*Recognising* the need to create effective equality of opportunity and treatment as between men and women workers with family responsibilities and between such workers and other workers, and  
*Considering* that many of the problems facing all workers are aggravated in the case of workers with family responsibilities and recognising the need to improve the conditions of the latter both by measures responding to their special needs and by measures designed to improve the conditions of workers in general, and  
*Having decided* upon the adoption of certain proposals with regard to equal opportunities and equal treatment for men and women workers: workers with family responsibilities, which is the fifth item on the agenda of the session, and  
*Having determined* that these proposals shall take the form of an international Convention,  
*Adopts* this twenty-third day of June of the year one thousand nine hundred and eighty-one the following Convention, which may be cited as the Workers with Family Responsibilities Convention, 1981:

#### **Article 1**

1. This Convention applies to men and women workers with responsibilities in relation to their dependent children, where such responsibilities restrict their possibilities of preparing for, entering, participating in or advancing in economic activity.
2. The provisions of this Convention shall also be applied to men and women workers with responsibilities in relation to other members of their immediate family who clearly need their care or support, where such responsibilities restrict their possibilities of preparing for, entering, participating in or advancing in economic activity.
3. For the purposes of this Convention, the terms "dependent child" and "other members of the immediate family who clearly needs care or support" mean persons defined as such in each

country by one of the means referred to in Article 9 of this Convention.

4. The workers covered by virtue of paragraphs 1 and 2 of this article are hereinafter referred to as "workers with family responsibilities".

#### **Article 2**

This Convention applies to all branches of economic activity and all categories of workers.

#### **Article 3**

1. With a view to creating effective equality of opportunity and treatment for men and women workers, each Member shall make it an aim of national policy to enable persons with family responsibilities who are engaged or wish to engage in employment to exercise their right to do so without being subject to discrimination and, to the extent possible, without conflict between their employment and family responsibilities.

2. For the purposes of paragraph 1 of this article, the term "discrimination" means discrimination in employment and occupation as defined by Articles 1 and 5 of the Discrimination (Employment and Occupation) Convention, 1958.

#### **Article 4**

With a view to creating effective equality of opportunity and treatment for men and women workers, all measures compatible with national conditions and possibilities shall be taken:

- (a) to enable workers with family responsibilities to exercise their right to free choice of employment; and
- (b) to take account of their needs in terms and conditions of employment and *in* social security.

#### **Article 5**

All measures compatible with national conditions and possibilities shall further be taken:

- (a) to take account of the needs of workers with family responsibilities in community planning; and
- (b) to develop or promote community services, public or private, such as child-care and family services and facilities.

### **Article 6**

The competent authorities and bodies in each country shall take appropriate measures to promote information and education which engender broader public understanding of the principle of equality of opportunity and treatment for men and women workers and of the problems of workers with family responsibilities, as well as a climate of opinion conducive to overcoming these problems.

### **Article 7**

All measures compatible with national conditions and possibilities, including measures in the field of vocational guidance and training, shall be taken to enable workers with family responsibilities to become and remain integrated in the labour force, as well as to re-enter the labour force after an absence due to those responsibilities.

### **Article 8**

Family responsibilities shall not, as such, constitute a valid reason for termination of employment.

### **Article 9**

The provisions of this Convention may be applied by laws or regulations, collective agreements, work rules, arbitration awards, court decisions or a combination of these methods, or in any other manner consistent with national practice which may be appropriate, account being taken of national conditions.

### **Article 10**

1. The provisions of this Convention may be applied by stages if necessary, account being taken of national conditions: Provided that such measures of implementation as are taken shall apply in any case to all the workers covered by Article 1, paragraph 1.
2. Each Member which ratifies this Convention shall indicate in the first report on the application of the Convention submitted under Article 22 of the Constitution of the International Labour Organisation in what respect, if any it intends to make use of the faculty given by paragraph 1 of this article, and shall state in subsequent reports the extent to which effect has been given or is proposed to be given to the Convention in that respect.

### **Article 11**

Employers' and workers' organisations shall have the right to participate, in a manner appropriate to national conditions and practice, in devising and applying measures designed to give effect to the provisions of this Convention.

### **Article 12**

The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

### **Article 13**

1. This Convention shall be binding only upon those Members of the International Labour Organisation whose ratifications have been registered with the Director-General.
2. It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Director-General.
3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratification has been registered.

### **Article 14**

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the Director-General of the International Labour Office for registration. Such denunciation shall not take effect until one year after the date on which it is registered.
2. Each Member which has ratified this Convention and which does not within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this article.



### **Article 15**

1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organisation of the registration of all ratifications and denunciations communicated to him by the Members of the Organisation.

2. When notifying the Members of the Organisation of the registration of the second ratification communicated to him, the Director-General shall draw the attention of the Members of the Organisation to the date upon which the Convention will come into force.

### **Article 16**

The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations full particulars of all ratifications and acts of denunciation registered by him in accordance with the provisions of the preceding articles.

### **Article 17**

At such times as it may consider necessary the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall examine the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

### **Article 18**

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides:

- (a) the ratification by a Member of the new revising Convention shall *ipso jure* involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 14 above, if and when the new revising Convention shall have come into force;
- (b) as from the date when the new revising Convention comes into force this Convention shall cease to be open to ratification by the Members.

2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

#### **Article 19**

The English and French versions of the text of this Convention are equally authoritative.

**Recommendation (N° 165) concerning Equal Opportunities  
and Equal Treatment for Men and Women Workers:  
Workers with Family Responsibilities**

*Adopted by the General Conference of the International Labour Organisation  
on 23 June 1981 at its 67<sup>th</sup> session*

The General Conference of the International Labour Organisation,

*Having been convened* at Geneva by the Governing Body of the International Labour Office and having met in its Sixty-seventh Session on 3 June 1981, and

*Noting* the Declaration of Philadelphia concerning the Aims and Purposes of the International Labour Organisation which recognises that "all human beings, irrespective of race, creed or sex, have the right to pursue their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity", and

*Noting* the terms of the Declaration on Equality of Opportunity and Treatment for Women Workers and of the resolution concerning a plan of action with a view to promoting equality of opportunity and treatment for women workers, adopted by the International Labour Conference in 1975, and

*Noting* the provisions of international labour Conventions and Recommendations aimed at ensuring equality of opportunity and treatment for men and women workers, namely the Equal Remuneration Convention and Recommendation, 1951, the Discrimination (Employment and Occupation) Convention and Recommendation, 1958, and Part VIII of the Human Resources Development Recommendation, 1975, and

*Recalling* that the Discrimination (Employment and Occupation) Convention, 1958, does not expressly cover distinctions made on the basis of family responsibilities, and considering that supplementary standards are necessary in this respect, and

*Noting* the terms of the Employment (Women with Family Responsibilities) Recommendation, 1965, and considering the changes which have taken place since its adoption, and

*Noting* that instruments on equality of opportunity and treatment for men and women have also been adopted by the United Nations and other specialised agencies, and recalling, in particular, the fourteenth paragraph of the Preamble of the United Nations Convention on the Elimination of All Forms of Discrimination against Women, 1979, to the effect that States Parties "are 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", and  
*Recognising* that the problems of workers with family responsibilities are aspects of wider issues regarding the family and society which should be taken into account in national policies, and

*Recognising* the need to create effective equality of opportunity and treatment as between men and women workers with family responsibilities and between such workers and other workers, and

*Considering* that many of the problems facing all workers are aggravated in the case of workers with family responsibilities and recognising the need to improve the conditions of the latter both by measures responding to their special needs and by measures designed to improve the conditions of workers in general, and

*Having decided upon* the adoption of certain proposals with regard to equal opportunities and equal treatment for men and women workers: workers with family responsibilities, which is the fifth item on the agenda of the session, and

*Having determined* that these proposals shall take the form of a Recommendation,

Adopts this twenty-third day of June of the year one thousand nine hundred and eighty-one the following Recommendation, which may be cited as the Workers with Family Responsibilities Recommendation, 1981:

#### **I. DEFINITION, SCOPE AND MEANS OF IMPLEMENTATION**

1. (1) This Recommendation applies to men and women workers with responsibilities in relation to their dependent children, where such responsibilities restrict their possibilities of preparing for, entering, participating in or advancing in economic activity.

(2) The provisions of this Recommendation should also be applied to men and women workers with responsibilities in relation to other members of their immediate family who need their care or support, where such responsibilities restrict their possibilities of preparing for, entering, participating in or advancing in economic activity.

(3) For the purposes of this Recommendation, the terms "dependent child" and "other member of the immediate family who needs care or support" mean persons defined as such in each

country by one of the means referred to in paragraph 3 of this Recommendation.

(4) The workers covered by virtue of subparagraphs (1) and (2) of this paragraph are hereinafter referred to as "workers with family responsibilities".

2. This Recommendation applies to all branches of economic activity and all categories of workers.

3. The provisions of this Recommendation may be applied by laws or regulations, collective agreements, works rules, arbitration awards, court decisions or a Combination of these methods, or in any other manner consistent with national practice which may be appropriate, account being taken of national conditions.

4. The provisions of this Recommendation may be applied by stages if necessary, account being taken of national conditions: Provided that such measures of implementation as are taken should apply in any case to all the workers covered by paragraph 1, subparagraph (1).

5. Employers' and workers' organisations should have the right to participate in a manner appropriate to national conditions and practice, in devising and applying measures designed to give effect to the provisions of this Recommendation.

## II. NATIONAL POLICY

6. With a view to creating effective equality of opportunity and treatment for men and women workers, each Member should make it an aim of national policy to enable persons with family responsibilities who are engaged or wish to engage in employment to exercise their right to do so without being subject to discrimination and, to the extent possible, without conflict between their employment and family responsibilities.

7. Within the framework of a national policy to promote equality of opportunity and treatment for men and women workers, measures should be adopted and applied with a view to preventing direct or indirect discrimination on the basis of marital status or family responsibilities.

8. (1) For the purposes of paragraphs 6 and 7 above, the term "discrimination" means discrimination in employment and

occupation as defined by Articles 1 and 5 of the Discrimination (Employment and Occupation) Convention, 1958

(2) During a transitional period special measures aimed at achieving effective equality between men and women workers should not be regarded as discriminatory.

9. With a view to creating effective equality of opportunity and treatment for men and women workers, all measures compatible with national conditions and possibilities should be taken:
  - (a) to enable workers with family responsibilities to exercise their right to vocational training and to free choice of employment;
  - (b) to take account of their needs in terms and conditions of employment and in social security; and
  - (c) to develop or promote child-care, family and other community services, public or private, responding to their needs.
10. The competent authorities and bodies in each country should take appropriate measures to promote information and education which engender broader public understanding of the principle of equality of opportunity and treatment for men and women workers and of the problems of workers with family responsibilities, as well as a climate of opinion conducive to overcoming these problems.
11. The competent authorities and bodies in each country should take appropriate measures:
  - (a) to undertake or promote such research as may be necessary into the various aspects of the employment of workers with family responsibilities with a view to providing objective information on which sound policies and measures may be based; and
  - (b) to promote such education as will encourage the sharing of family responsibilities between men and women and enable workers with family responsibilities better to meet their employment and family responsibilities.

### III. TRAINING AND EMPLOYMENT

12. All measures compatible with national conditions and possibilities should be taken to enable workers with family responsibilities to become and remain integrated in the labour force, as well as to re-enter the labour force after an absence due to those responsibilities.

13. In accordance with national policy and practice, vocational training facilities and, where possible, paid educational leave arrangements to use such facilities should be made available to workers with family responsibilities.

14. Such services as may be necessary to enable workers with family responsibilities to enter or re-enter employment should be available, within the framework of existing services for all workers or, in default thereof, along lines appropriate to national conditions; they should include, free of charge to the workers, vocational guidance, counselling, information and placement services which are staffed by suitably trained personnel and are able to respond adequately to the special needs of workers with family responsibilities.

15. Workers with family responsibilities should enjoy equality of opportunity and treatment with other workers in relation to preparation for employment, access to employment, advancement within employment and employment security.

16. Marital status, family situation or family responsibilities should not, as such, constitute valid reasons for refusal or termination of employment.

#### **IV. TERMS AND CONDITIONS OF EMPLOYMENT**

17. All measures compatible with national conditions and possibilities and with the legitimate interests of other workers should be taken to ensure that terms and conditions of employment are such as to enable workers with family responsibilities to reconcile their employment and family responsibilities.

18. Particular attention should be given to general measures for improving Working conditions and the quality of working life, including measures aiming at:

- (a) the progressive reduction of daily hours of work and the reduction of overtime, and
  - (b) more flexible arrangements as regards working schedules, rest periods and holidays,
- account being taken of the stage of development and the particular needs of the country and of different sectors of activity.

19. Whenever practicable and appropriate, the special needs of workers, including those arising from family responsibilities,

should be taken into account in shift-work arrangements and assignments to night work.

20. Family responsibilities and considerations such as the place of employment of the spouse and the possibilities of educating children should be taken into account when transferring workers from one locality to another.

21. (1) With a view to protecting part-time workers, temporary workers and homeworkers, many of whom have family responsibilities, the terms and conditions on which these types of employment are performed should be adequately regulated and supervised.

(2) The terms and conditions of employment, including social security coverage, of part-time workers and temporary workers should be, to the extent possible, equivalent to those of full-time and permanent workers respectively; in appropriate cases, their entitlement may be calculated on a *pro rata* basis.

(3) Part-time workers should be given the option to obtain or return to full-time employment when a vacancy exists and when the circumstances which determined assignment to part-time employment no longer exist.

22. (1) Either parent should have the possibility, within a period immediately following maternity leave, of obtaining leave of absence (parental leave), without relinquishing employment and with rights resulting from employment being safeguarded.

(2) The length of the period following maternity leave and the duration and conditions of the leave of absence referred to in subparagraph (1) of this paragraph should be determined in each country by one of the means referred to in paragraph 3 of this Recommendation.

(3) The leave of absence referred to in subparagraph (1) of this Paragraph may be introduced gradually.

23. (1) It should be possible for a worker, man or woman, with family responsibilities in relation to a dependent child to obtain leave of absence in the case of its illness.

(2) It should be possible for a worker with family responsibilities to obtain leave of absence in the case of the illness



of another member of the worker's immediate family who needs that worker's care or support.

(3) The duration and conditions of the leave of absence referred to in subparagraphs (1) and (2) of this paragraph should be determined in each country by one of the means referred to in paragraph 3 of this Recommendation.

#### V. CHILD CARE AND FAMILY SERVICES AND FACILITIES

24. With a view to determining the scope and character of the child-care and family services and facilities needed to assist workers with family responsibilities to meet their employment and family responsibilities, the competent authorities should, in co-operation with the public and private organisations concerned, in particular employers' and workers' organisations, and within the scope of their resources for collecting information, take such measures as may be necessary and appropriate:

- (a) to collect and publish adequate statistics on the number of workers with family responsibilities engaged in or seeking employment and on the number and age of their children and of other dependants requiring care; and
- (b) to ascertain, through systematic surveys conducted more particularly in local communities, the needs and preferences for child-care and family services and facilities.

25. The competent authorities should, in co-operation with the public and private organisations concerned, take appropriate steps to ensure that child-care and family services and facilities meet the needs and preferences so revealed; to this end they should, taking account of national and local circumstances and possibilities, in particular:

- (a) encourage and facilitate the establishment, particularly in local communities, of plans for the systematic development of child-care and family services and facilities, and
- (b) themselves organise or encourage and facilitate the provision of adequate and appropriate child-care and family services and facilities, free of charge or at a reasonable charge in accordance with the workers' ability to pay, developed along flexible lines and meeting the needs of children of different ages, of other dependants requiring care and of workers with family responsibilities.

26. (1) Child-care and family services and facilities of all types should comply with standards laid down and supervised by the competent authorities.

(2) Such standards should prescribe in particular the equipment and hygienic and technical requirements of the services and facilities provided and the number and qualifications of the staff.

(3) The competent authorities should provide or help to ensure the provision of adequate training at various levels for the personnel needed to staff child-care and family services and facilities.

## VI. SOCIAL SECURITY

27. Social security benefits, tax relief, or other appropriate measures consistent with national policy should, when necessary, be available to workers with family responsibilities.

28. During the leave of absence referred to in paragraphs 22 and 23, the workers concerned may, in conformity with national conditions and practice, and by one of the means referred to in paragraph 3 of this Recommendation, be protected by social security.

29. A worker should not be excluded from social security coverage by reference to the occupational activity of his or her spouse and entitlement to benefits arising from that activity.

30. (1) The family responsibilities of a worker should be an element to be taken into account in determining whether employment offered is suitable in the sense that refusal of the offer may lead to loss or suspension of unemployment benefit.

(2) In particular, where the employment offered involves moving to another locality, the considerations to be taken into account should include the place of employment of the spouse and the possibilities of educating children.

31. In applying paragraphs 27 to 30 of this Recommendation, a Member whose economy is insufficiently developed may take account of the national resources and social security arrangements available.

## **VII. HELP IN EXERCISE OF FAMILY RESPONSIBILITIES**

32. The competent authorities and bodies in each country should promote such public and private action as is possible to lighten the burden deriving from the family responsibilities of workers.

33. All measures compatible with national conditions and possibilities should be taken to develop home-help and home-care services which are adequately regulated and supervised and which can provide workers with family responsibilities, as necessary, with qualified assistance at a reasonable charge in accordance with their ability to pay.

34. Since many measures designed to improve the conditions of workers in general can have a favourable impact on those of workers with family responsibilities, the competent authorities and bodies in each country should promote such public and private action as is possible to make the provision of services in the community, such as public transport, supply of water and energy in or near workers' housing and housing with labour-saving layout, responsive to the needs of workers.

## **VIII. EFFECT ON EXISTING RECOMMENDATIONS**

35. This Recommendation supersedes the Employment (Women with Family Responsibilities) Recommendation, 1965.

**C. UNITED NATIONS EDUCATIONAL,  
SCIENTIFIC AND CULTURAL ORGANIZATION  
(UNESCO)**

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## **Convention against Discrimination in Education**

*Adopted on 14 December 1960 by the General Conference of UNESCO  
at its 11<sup>th</sup> session, held in Paris*

The General Conference of the United Nations Educational, Scientific and Cultural Organization, meeting in Paris from 14 November to 15 December 1960, at its eleventh session,

*Recalling* that the Universal Declaration of Human Rights asserts the principle of non-discrimination and proclaims that every person has the right to education,

*Considering* that discrimination in education is a violation of rights enunciated in that Declaration,

*Considering* that, under the terms of its Constitution, the United Nations Educational, Scientific and Cultural Organization has the purpose of instituting collaboration among the nations with a view to furthering for all universal respect for human rights and equality of educational opportunity,

*Recognizing* that, consequently, the United Nations Educational, Scientific and Cultural Organization, while respecting the diversity of national educational systems, has the duty not only to proscribe any form of discrimination in education but also to promote equality of opportunity and treatment for all in education,

*Having before it* proposals concerning the different aspects of discrimination in education, constituting item 17.1.4 of the agenda of the session,

*Having decided* at its tenth session that this question should be made the subject of an international convention as well as of recommendations to Member States,

*Adopts* this Convention on the fourteenth day of December 1960.

### **Article 1**

1. For the purpose of this Convention, the term "discrimination" includes any distinction, exclusion, limitation or preference which, being based on race, colour, sex, language, religion, political or other opinion, national or social origin, economic condition or birth, has the purpose or effect of nullifying or impairing equality of treatment in education and in particular:

(a) Of depriving any person or group of persons of access to education of any type or at any level;

- (a) Of depriving any person or group of persons of access to education of any type or at any level;
- (b) Of limiting any person or group of persons to education of an inferior standard;
- (c) Subject to the provisions of Article 2 of this Convention, of establishing or maintaining separate educational systems or institutions for persons or groups of persons; or
- (d) Of inflicting on any person or group of persons conditions which are incompatible with the dignity of man.

2. For the purposes of this Convention, the term "education" refers to all types and levels of education, and includes access to education, the standard and quality of education, and the conditions under which it is given.

## **Article 2**

When permitted in a State, the following situations shall not be deemed to constitute discrimination, within the meaning of Article 1 of this Convention:

- (a) The establishment or maintenance of separate educational systems or institutions for pupils of the two sexes, if these systems or institutions offer equivalent access to education, provide a teaching staff with qualifications of the same standard as well as school premises and equipment of the same quality, and afford the opportunity to take the same or equivalent courses of study;
- (b) The establishment or maintenance, for religious or linguistic reasons, of separate educational systems or institutions offering an education which is in keeping with the wishes of the pupil's parents or legal guardians, if participation in such systems or attendance at such institutions is optional and if the education provided conforms to such standards as may be laid down or approved by the competent authorities, in particular for education of the same level;
- (c) The establishment or maintenance of private educational institutions, if the object of the institutions is not to secure the exclusion of any group but to provide educational facilities in addition to those provided by the public authorities, if the institutions are conducted in accordance with that object, and if the education provided conforms with such standards as may be laid down or approved by the competent authorities, in particular for education of the same level.

### Article 3

In order to eliminate and prevent discrimination within the meaning of this Convention, the States Parties thereto undertake:

- (a) To abrogate any statutory provisions and any administrative instructions and to discontinue any administrative practices which involve discrimination in education;
- (b) To ensure, by legislation where necessary, that there is no discrimination in the admission of pupils to educational institutions;
- (c) Not to allow any differences of treatment by the public authorities between nationals, except on the basis of merit or need, in the matter of school fees and the grant of scholarships or other forms of assistance to pupils and necessary permits and facilities for the pursuit of studies in foreign countries;
- (d) Not to allow, in any form of assistance granted by the public authorities to educational institutions, any restrictions or preference based solely on the ground that pupils belong to a particular group;
- (e) To give foreign nationals resident within their territory the same access to education as that given to their own nationals.

### Article 4

The States Parties to this Convention undertake furthermore to formulate, develop and apply a national policy which, by methods appropriate to the circumstances and to national usage, will tend to promote equality of opportunity and of treatment in the matter of education and in particular:

- (a) To make primary education free and compulsory; make secondary education in its different forms generally available and accessible to all; make higher education equally accessible to all on the basis of individual capacity; assure compliance by all with the obligation to attend school prescribed by law;
- (b) To ensure that the standards of education are equivalent in all public education institutions of the same level, and that the conditions relating to the quality of education provided are also equivalent;
- (c) To encourage and intensify by appropriate methods the education of persons who have not received any primary education or who have not completed the entire primary

- education course and the continuation of their education on the basis of individual capacity;
- (d) To provide training for the teaching profession without discrimination.

### **Article 5**

1. The States Parties to this Convention agree that:
  - (a) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms; it shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace;
  - (b) It is essential to respect the liberty of parents and, where applicable, of legal guardians, firstly to choose for their children institutions other than those maintained by the public authorities but conforming to such minimum educational standards as may be laid down or approved by the competent authorities and, secondly, to ensure in a manner consistent with the procedures followed in the State for the application of its legislation, the religious and moral education of the children in conformity with their own convictions; and no person or group of persons should be compelled to receive religious instruction inconsistent with his or their conviction;
  - (c) It is essential to recognize the right of members of national minorities to carry on their own educational activities, including the maintenance of schools and, depending on the educational policy of each State, the use or the teaching of their own language, provided however:
    - (i) That this right is not exercised in a manner which prevents the members of these minorities from understanding the culture and language of the community as a whole and from participating in its activities, or which prejudices national sovereignty;
    - (ii) That the standard of education is not lower than the general standard laid down or approved by the competent authorities; and
    - (iii) That attendance at such schools is optional.
2. The States Parties to this Convention undertake to take all necessary measures to ensure the application of the principles enunciated in paragraph 1 of this article.



## **Article 6**

In the application of this Convention, the States Parties to it undertake to pay the greatest attention to any recommendations hereafter adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization defining the measures to be taken against the different forms of discrimination in education and for the purpose of ensuring equality of opportunity and treatment in education.

## **Article 7**

The States Parties to this Convention shall in their periodic reports submitted to the General Conference of the United Nations Educational, Scientific and Cultural Organization on dates and in a manner to be determined by it, give information on the legislative and administrative provisions which they have adopted and other action which they have taken for the application of this Convention, including that taken for the formulation and the development of the national policy defined in Article 4 as well as the results achieved and the obstacles encountered in the application of that policy.

## **Article 8**

Any dispute which may arise between any two or more States Parties to this Convention concerning the interpretation or application of this Convention which is not settled by negotiations shall at the request of the parties to the dispute be referred, failing other means of settling the dispute, to the International Court of Justice for decision.

## **Article 9**

Reservations to this Convention shall not be permitted.

## **Article 10**

This Convention shall not have the effect of diminishing the rights which individuals or groups may enjoy by virtue of agreements concluded between two or more States, where such rights are not contrary to the letter or spirit of this Convention.

### **Article 11**

This Convention is drawn up in English, French, Russian and Spanish, the four texts being equally authoritative.

### **Article 12**

1. This Convention shall be subject to ratification or acceptance by States Members of the United Nations Educational, Scientific and Cultural Organization in accordance with their respective constitutional procedures.
2. The instruments of ratification or acceptance shall be deposited with the Director-General of the United Nations Educational, Scientific and Cultural Organization.

### **Article 13**

1. This Convention shall be open to accession by all States not Members of the United Nations Educational, Scientific and Cultural Organization which are invited to do so by the Executive Board of the Organization.
2. Accession shall be effected by the deposit of an instrument of accession with the Director-General of the United Nations Educational, Scientific and Cultural Organization.

### **Article 14**

This Convention shall enter into force three months after the date of the deposit of the third instrument of ratification, acceptance or accession, but only with respect to those States which have deposited their respective instruments on or before that date. It shall enter into force with respect to any other State three months after the deposit of its instrument of ratification, acceptance or accession.

### **Article 15**

The States Parties to this Convention recognize that the Convention is applicable not only to their metropolitan territory but also to all non-self-governing, trust, colonial and other territories for the international relations of which they are responsible; they undertake to consult, if necessary, the governments or other competent authorities of these territories on or before ratification, acceptance or accession with a view to

securing the application of the Convention to those territories, and to notify the Director-General of the United Nations Educational, Scientific and Cultural Organization of the territories to which it is accordingly applied, the notification to take effect three months after the date of its receipt.

#### **Article 16**

1. Each State Party to this Convention may denounce the Convention on its own behalf or on behalf of any territory for whose international relations it is responsible.
2. The denunciation shall be notified by an instrument in writing, deposited with the Director-General of the United Nations Educational, Scientific and Cultural Organization.
3. The denunciation shall take effect twelve months after the receipt of the instrument of denunciation.

#### **Article 17**

The Director-General of the United Nations Educational, Scientific and Cultural Organization shall inform the States Members of the Organization, the States not members of the Organization which are referred to in Article 13, as well as the United Nations, of the deposit of all the instruments of ratification, acceptance and accession provided for in Articles 12 and 13, and of notifications and denunciations provided for in Articles 15 and 16 respectively.

#### **Article 18**

1. This Convention may be revised by the General Conference of the United Nations Educational, Scientific and Cultural Organization. Any such revision shall, however, bind only the States which shall become Parties to the revising convention.
2. If the General Conference should adopt a new convention revising this Convention in whole or in part, then, unless the new convention otherwise provides, this Convention shall cease to be open to ratification, acceptance or accession as from the date on which the new revising convention enters into force.

## Article 19

In conformity with Article 102 of the Charter of the United Nations, this Convention shall be registered with the Secretariat of the United Nations at the request of the Director-General of the United Nations Educational, Scientific and Cultural Organization.

DONE in Paris, this fifteenth day of December 1960, in two authentic copies bearing the signatures of the President of the eleventh session of the General Conference and of the Director-General of the United Nations Educational, Scientific and Cultural Organization, which shall be deposited in the archives of the United Nations Educational, Scientific and Cultural Organization, and certified true copies of which shall be delivered to all the States referred to in Articles 12 and 13 as well as to the United Nations.

The foregoing is the authentic text of the Convention duly adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization during its eleventh session, which was held in Paris and declared closed the fifteenth day of December 1960.

IN FAITH WHEREOF we have appended our signatures this fifteenth day of December 1960.

**Protocol Instituting a Conciliation and Good Offices  
Commission to be Responsible for Seeking a Settlement of  
Any Disputes Which May Arise Between States Parties to  
the Convention against Discrimination In Education**

*Adopted on 10 December 1962 by the General Conference of UNESCO  
at its 12<sup>th</sup> session, held in Paris*

The General Conference of the United Nations Educational, Scientific and Cultural Organization, meeting in Paris from 9 November to 12 December 1962, at its twelfth session,

*Having adopted*, at its eleventh session, the Convention against Discrimination in Education,

*Desirous of facilitating* the implementation of that Convention, and

*Considering* that it is important, for this purpose, to institute a Conciliation and Good Offices Commission to be responsible for seeking the amicable settlement of any disputes which may arise between States Parties to the Convention concerning its application or interpretation,

*Adopts* this Protocol on the tenth day of December 1962.

**Article 1**

There shall be established under the auspices of the United Nations Educational, Scientific and Cultural Organization a Conciliation and Good Offices Commission, hereinafter referred to as the Commission, to be responsible for seeking the amicable settlement of disputes between States Parties to the Convention against Discrimination in Education, hereinafter referred to as the Convention, concerning the application or interpretation of the Convention.

**Article 2**

1. The Commission shall consist of eleven members who shall be persons of high moral standing and acknowledged impartiality and shall be elected by the General Conference of the United Nations Educational, Scientific and Cultural Organization, hereinafter referred to as the General Conference.

2. The members of the Commission shall serve in their personal capacity.

### **Article 3**

1. The members of the Commission shall be elected from a list of persons nominated for the purpose by the States Parties to this Protocol. Each State shall, after consulting its National Commission for UNESCO, nominate not more than four persons. These persons must be nationals of States Parties to this Protocol.

2. At least four months before the date of each election to the Commission, the Director-General of the United Nations Educational, Scientific and Cultural Organization, hereinafter referred to as the Director-General, shall invite the States Parties to the present Protocol to send within two months, their nominations of the persons referred to in paragraph 1 of this article. He shall prepare a list in alphabetical order of the persons thus nominated and shall submit it, at least one month before the election, to the Executive Board of the United Nations Educational, Scientific and Cultural Organization, hereinafter referred to as the Executive Board, and to the States Parties to the Convention. The Executive Board shall transmit the aforementioned list, with such suggestions as it may consider useful, to the General Conference, which shall carry out the election of members of the Commission in conformity with the procedure it normally follows in elections of two or more persons.

### **Article 4**

1. The Commission may not include more than one national of the same State.

2. In the election of members of the Commission, the General Conference shall endeavour to include persons of recognized competence in the field of education and persons having judicial experience or legal experience particularly of an international character. It shall also give consideration to equitable geographical distribution of membership and to the representation of the different forms of civilization as well as of the principal legal systems.

### **Article 5**

The members of the Commission shall be elected for a term of six years. They shall be eligible for re-election if renominated.

The terms of four of the members elected at the first election shall, however, expire at the end of two years, and the terms of three other members at the end of four years. Immediately after the first election, the names of these members shall be chosen by lot by the President of the General Conference.

#### **Article 6**

1. In the event of the death or resignation of a member of the Commission, the Chairman shall immediately notify the Director-General, who shall declare the seat vacant from the date of death or the date on which the resignation takes effect.

2. If, in the unanimous opinion of the other members, a member of the Commission has ceased to carry out his functions for any cause other than absence of a temporary character or is unable to continue the discharge of his duties, the Chairman of the Commission shall notify the Director-General and shall thereupon declare the seat of such member to be vacant.

3. The Director-General shall inform the Member States of the United Nations Educational, Scientific and Cultural Organization, and any States not members of the Organization which have become Parties to this Protocol under the provisions of Article 23, of any vacancies which have occurred in accordance with paragraphs 1 and 2 of this article.

4. In each of the cases provided for by paragraphs 1 and 2 of this article, the General Conference shall arrange for the replacement of the member whose seat has fallen vacant, for the unexpired portion of his term of office.

#### **Article 7**

Subject to the provisions of Article 6, a member of the Commission shall remain in office until his successor takes up his duties.

#### **Article 8**

1. If the Commission does not include a member of the nationality of a State which is party to a dispute referred to it under the provisions of Article 12 or Article 13, that State, or if there is more than one, each of those States, may choose a person to sit on the Commission as a member ad hoc.

2. The States thus choosing a member ad hoc shall have regard to the qualities required of members of the Commission by virtue of Article 2, paragraph 1, and Article 4, paragraphs 1 and 2. Any member ad hoc thus chosen shall be of the nationality of the State which chooses him or of a State Party to the Protocol, and shall serve in a personal capacity.

3. Should there be several States Parties to the dispute having the same interest they shall, for the purpose of choosing members ad hoc, be reckoned as one party only. The manner in which this provision shall be applied shall be determined by the Rules of Procedure of the Commission referred to in Article 11.

#### **Article 9**

Members of the Commission and members ad hoc chosen under the provisions of Article 8 shall receive travel and per diem allowances in respect of the periods during which they are engaged on the work of the Commission from the resources of the United Nations Educational, Scientific and Cultural Organization on terms laid down by the Executive Board.

#### **Article 10**

The Secretariat of the Commission shall be provided by the Director-General.

#### **Article 11**

1. The Commission shall elect its Chairman and Vice-Chairman for a period of two years. They may be re-elected.

2. The Commission shall establish its own Rules of Procedure, but these rules shall provide, inter alia, that:

- (a) Two thirds of the members, including the members ad hoc, if any, shall constitute a quorum;
- (b) Decisions of the Commission shall be made by a majority vote of the members and members ad hoc present; if the votes are equally divided, the Chairman shall have a casting vote;
- (c) If a State refers a matter to the Commission under Article 12 or Article 13:
  - (i) Such State, the State complained against, and any State Party to this Protocol whose national is con-



- cerned in such matter may make submissions in writing to the Commission;
- (ii) Such State and the State complained against shall have the right to be represented at the hearings of the matter and to make submissions orally.

3. The Commission, on the occasion when it first proposes to establish its Rules of Procedure, shall send them in draft form to the States then Parties to the Protocol who may communicate any observation and suggestion they may wish to make within three months. The Commission shall re-examine its Rules of Procedure if at any time so requested by any State Party to the Protocol.

### **Article 12**

1. If a State Party to this Protocol considers that another State Party is not giving effect to a provision of the Convention, it may, by written communication, bring the matter to the attention of that State. Within three months after the receipt of the communication, the receiving State shall afford the complaining State an explanation or statement in writing concerning the matter, which should include, to the extent possible and pertinent, references to procedures and remedies taken, or pending, or available in the matter.

2. If the matter is not adjusted to the satisfaction of both parties, either by bilateral negotiations or by any other procedure open to them, within six months after the receipt by the receiving State of the initial communication, either State shall have the right to refer the matter to the Commission, by notice given to the Director-General and to the other State.

3. The provisions of the preceding paragraphs shall not affect the rights of States Parties to have recourse, in accordance with general or special international agreements in force between them, to other procedures for settling disputes including that of referring disputes by mutual consent to the Permanent Court of Arbitration at The Hague.

### **Article 13**

From the beginning of the sixth year after the entry into force of this Protocol, the Commission may also be made responsible for seeking the settlement of any dispute concerning the application or interpretation of the Convention arising between States which

are Parties to the Convention but are not, or are not all, Parties to this Protocol, if the said States agree to submit such dispute to the Commission. The conditions to be fulfilled by the said States in reaching agreement shall be laid down by the Commission's Rules of Procedure.

#### **Article 14**

The Commission shall deal with a matter referred to it under Article 12 or Article 13 of this Protocol only after it has ascertained that all available domestic remedies have been invoked and exhausted in the case, in conformity with the generally recognized principles of international law.

#### **Article 15**

Except in cases where new elements have been submitted to it, the Commission shall not consider matters it has already dealt with.

#### **Article 16**

In any matter referred to it, the Commission may call upon the States concerned to supply any relevant information.

#### **Article 17**

1. Subject to the provisions of Article 14, the Commission, after obtaining all the information it thinks necessary, shall ascertain the facts, and make available its good offices to the States concerned with a view to an amicable solution of the matter on the basis of respect for the Convention.
2. The Commission shall in every case, and in no event later than eighteen months after the date of receipt by the Director-General of the notice under Article 12, paragraph 2, draw up a report in accordance with the provisions of paragraph 3 below which will be sent to the States concerned and then communicated to the Director-General for publication. When an advisory opinion is requested of the International Court of Justice, in accordance with Article 18, the time-limit shall be extended appropriately.
3. If a solution within the terms of paragraph 1 of this article is reached, the Commission shall confine its report to a brief statement of the facts and of the solution reached. If such a

solution is not reached, the Commission shall draw up a report on the facts and indicate the recommendations which it made with a view to conciliation. If the report does not represent in whole or in part the unanimous opinion of the members of the Commission, any member of the Commission shall be entitled to attach to it a separate opinion. The written and oral submissions made by the parties to the case in accordance with Article 11, paragraph 2 (c), shall be attached to the report.

#### **Article 18**

The Commission may recommend to the Executive Board, or to the General Conference if the recommendation is made within two months before the opening of one of its sessions, that the International Court of Justice be requested to give an advisory opinion on any legal question connected with a matter laid before the Commission.

#### **Article 19**

The Commission shall submit to the General Conference at each of its regular sessions a report on its activities, which shall be transmitted to the General Conference by the Executive Board.

#### **Article 20**

1. The Director-General shall convene the first meeting of the Commission at the Headquarters of the United Nations Educational, Scientific and Cultural Organization within three months after its nomination by the General Conference.
2. Subsequent meetings of the Commission shall be convened when necessary by the Chairman of the Commission to whom, as well as to all other members of the Commission, the Director-General shall transmit all matters referred to the Commission in accordance with the provisions of this Protocol.
3. Notwithstanding paragraph 2 of this article, when at least one third of the members of the Commission consider that the Commission should examine a matter in accordance with the provisions of this Protocol, the Chairman shall on their so requiring convene a meeting of the Commission for that purpose.

### **Article 21**

The present Protocol is drawn up in English, French, Russian and Spanish, all four texts being equally authentic.

### **Article 22**

1. This Protocol shall be subject to ratification or acceptance by States Members of the United Nations Educational, Scientific and Cultural Organization which are Parties to the Convention.
2. The instruments of ratification or acceptance shall be deposited with the Director-General.

### **Article 23**

1. This Protocol shall be open to accession by all States not Members of the United Nations Educational, Scientific and Cultural Organization which are Parties to the Convention.
2. Accession shall be effected by the deposit of an instrument of accession with the Director-General.

### **Article 24**

This Protocol shall enter into force three months after the date of the deposit of the fifteenth instrument of ratification, acceptance or accession, but only with respect to those States which have deposited their respective instruments on or before that date. It shall enter into force with respect to any other State three months after the deposit of its instrument of ratification, acceptance or accession.

### **Article 25**

Any State may, at the time of ratification, acceptance or accession or at any subsequent date, declare, by notification to the Director-General, that it agrees, with respect to any other State assuming the same obligation, to refer to the International Court of Justice, after the drafting of the report provided for in Article 17, paragraph 3, any dispute covered by this Protocol on which no amicable solution has been reached in accordance with Article 17, paragraph 1.

## **Article 26**

1. Each State Party to this Protocol may denounce it.
2. The denunciation shall be notified by an instrument in writing, deposited with the Director-General.
3. Denunciation of the Convention shall automatically entail denunciation of this Protocol.
4. The denunciation shall take effect twelve months after the receipt of the instrument of denunciation. The State denouncing the Protocol shall, however, remain bound by its provisions in respect of any cases concerning it which have been referred to the Commission before the end of the time-limit stipulated in this paragraph.

## **Article 27**

The Director-General shall inform the States Members of the United Nations Educational, Scientific and Cultural Organization, the States not Members of the Organization which are referred to in Article 23, as well as the United Nations, of the deposit of all the instruments of ratification, acceptance and accession provided for in Articles 22 and 23, and of the notifications and denunciations provided for in Articles 25 and 26 respectively.

## **Article 28**

In conformity with Article 102 of the Charter of the United Nations, this Protocol shall be registered with the Secretariat of the United Nations at the request of the Director-General.

DONE in Paris, this eighteenth day of December 1962, in two authentic copies bearing the signatures of the President of the twelfth session of the General Conference and of the Director-General of the United Nations Educational, Scientific and Cultural Organization, which shall be deposited in the archives of the United Nations Educational, Scientific and Cultural Organization, and certified true copies of which shall be delivered to all the States referred to in Articles 12 and 13 of the Convention against Discrimination in Education as well as to the United Nations.

The foregoing is the authentic text of the Protocol duly adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization during its twelfth session, which was held in Paris and declared closed the twelfth day of December 1962.

IN FAITH WHEREOF we have appended our signatures this eighteenth day of December 1962.

## **PART II**

### **REGIONAL NORMATIVE INSTRUMENTS**

## **A. COUNCIL OF EUROPE**

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(a) TEXTS OF THE COMMITTEE OF MINISTERS

**Recommendation N° R (79) 10 concerning Women Migrants<sup>1</sup>**

*Adopted by the Committee of Ministers on 29 May 1979  
at the 305<sup>th</sup> meeting of the Ministers' Deputies*

The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,

*Considering* the aim of the Council of Europe is to achieve a greater unity between its members for the purpose of safeguarding and realising the ideals and principles which are their common heritage and facilitating their economic and social progress;

*Guided by* the principle of equality of opportunity and treatment between men and women workers and by the provisions of the European Social Charter contained in Articles 4, subparagraph 3, 18 and 19 concerning respectively the right of men and women workers to equal pay for work of equal value, the right to engage in a gainful occupation in the territories of other Contracting Parties, and the effective exercise of the right of migrant workers and their families to protection and assistance;

*Having regard to* the European Convention on the Legal Status of Migrant Workers and to Resolutions (74) 15 and (76) 11 as far as the principle of the equality of treatment of national and migrant workers is concerned;

*Convinced* that in the context of genuine European integration member states could usefully formulate a migration policy providing for the implementation and development of preventive measures in the social, cultural and educational life of women migrants,

*Recommends* that the governments of member states:

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<sup>1</sup> When this recommendation was adopted, the representative of the Federal Republic of Germany, referring to Article 10.2.c of the Rules of Procedure for the meetings of the Ministers' Deputies, reserved the right of his government to comply or not with the text of the second and third subparagraphs of paragraph 2.iv of the Recommendation.

1. ensure that:
  - (i) national legislation and regulations concerning women migrants be fully adapted to existing international standards which are in force for their countries;
  - (ii) effective equality of opportunity and treatment between migrant and national women workers is ensured in practice by efficient and systematic monitoring of the implementation of national legislation and regulations;
2. envisage, without prejudice to any provisions more favourable to women migrant workers provided for in national legislation or international agreements, the following steps:
  - (i) in respect of information
    - to develop close collaboration between the sending and receiving countries so as to provide women migrants before departure and during residence with any necessary information about living and working conditions in the receiving country;
    - to see to it that this information is provided in a language which they can understand;
    - to set up as far as possible and, where they already exist, improve and promote social services and provide them with the necessary means:
      - (a) to assist women migrants to adapt to the social environment of the receiving country, notably by providing better reception facilities such as housing, hostels, crèches, schools, etc. suited to their needs and those of their families;
      - (b) to inform women migrants and particularly unmarried mothers, widows and divorcees, through all appropriate channels and during their residence in the receiving country, about their legal rights and obligations, as well as the related legal and administrative machinery—including the procedure for the recovery of maintenance payments set up in 1967 by the Committee of Ministers of the Council of Europe—that may protect and assist them with the necessary administrative formalities;
      - (c) to help women migrant workers adapt to their working environment by giving them information about their specific rights and obligations, about services available to them and the opportunities for vocational training, and to encourage employment services to be associated if necessary with all these information activities;

(ii) in respect of conditions of residence and work:

- to take all appropriate measures to prevent discrimination between indigenous women workers and migrant women workers, both in the case of redundancy and, where national legislation permits, in the case of subsequent re-engagement;
- to ensure that in conformity with the national legislation the unemployed wives of migrant workers and their dependent children can keep their residence permit and be provided with appropriate social and administrative assistance in exercising their rights if their husbands lose their jobs, as long as the husband's residence permit remains valid;
- to see to it that women migrant workers who are made redundant and are compelled to leave the country of employment retain all their acquired rights or rights in the process of being acquired, in conformity with the national legislation and regulations;

(iii) in respect of living conditions and socio-cultural development in general

- to take adequate steps to promote the adjustment of women migrants to the social and professional environment of the receiving country;
- to see to it that the conditions of access to and enjoyment of child care facilities are based, as far as possible, on a criterion of equality with national workers;
- to promote public awareness and understanding among the population of the specific problems of women migrants;
- to ensure that the competent authorities take initiatives and measures in close cooperation with organisations, including those for women migrants—to promote cultural self-fulfilment among women migrants, provide for their socio-cultural advancement and foster communication with the social environment of the receiving country;

(iv) in respect of basic training, vocational guidance and promotion

- to increase the resources enabling women migrants to take advantage of language classes corresponding to their needs and, if need be, reading and writing classes, in accordance with Resolution (68) 18 of the Committee of Ministers;
- to extend to women migrants the benefit of vocational guidance, vocational training and permanent education;
- to enable women migrant workers to enjoy, on the same footing as indigenous women workers, the vocational

- to enable women migrant workers to enjoy, on the same footing as indigenous women workers, the vocational retraining and rehabilitation facilities provided by the competent services and to support, notably in the framework of international agreements, all measures to further their promotion and ensure their resettlement should they change their occupation in the receiving country or return to their countries of origin;

3. report to the Secretary General of the Council of Europe every five years on measures taken to give effect to this Recommendation.

## **Recommendation N° R (84) 17 on Equality between Women and Men in the Media**

*Adopted by the Committee of Ministers on 25 September 1984  
at the 375<sup>th</sup> meeting of the Ministers' Deputies*

The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,

*Considering* that the aim of the Council of Europe is to achieve a greater unity between its members for the purpose of safeguarding and realising the ideals and principles which are their common heritage;

*Noting* that these ideals and principles include equality between women and men;

*Being aware* that, as emphasised in the United Nations Convention on the elimination of all forms of discrimination against women, the promotion of equality between women and men necessarily presupposes a change in "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" (Article 5);

*Recognising* that the media play an important part in forming social attitudes and values and offer immense potential as instruments of social change;

*Referring to* the work and the results of the Seminar on "the Contribution of the Media to the Promotion of Equality between Women and Men" organised by the Council of Europe in Strasbourg from 21 to 23 June 1983 ;

*Bearing in mind* the Convention for the Protection of Human Rights and Fundamental Freedoms;

*Recalling* its commitment to the principles of freedom of expression and the free flow of information as embodied, *inter alia*, in its Declaration of 29 April 1982, which enable men and women to understand political, social, economic and cultural questions better and discuss them more freely;

*Emphasising* the principle prevailing in member states whereby media organisations are self-governing and independent of governments as regards particularly the content of programmes;

*Recalling* its Recommendation No. R (81) 17 on adult education policy and Recommendation No. R (84) 3 on the principles on television advertising,

*Recommends* that the governments of member states contribute to the promotion of equality between women and men in the electronic and printed media by taking appropriate steps with a view to implementing the following measures:

1. providing those responsible for the media with documentation and information on measures and/or initiatives taken by national authorities and, if possible, by any intergovernmental organisations to promote equality between women and men;
2. stimulating and, as far as possible, co-ordinating national research on public preferences and satisfaction in the matter of news and non-fiction programmes, with a breakdown according to sex, age, educational level, etc.;
3. stimulating evaluation by national research of the impact and influence of entertainment programmes where sex stereotyping and prejudices are concerned;
4. encouraging research on the selection, perception and understanding of messages, and on the appropriate use of affective and rational forms of language;
5. promoting the development, possibly in co-operation with organisations such as the European Broadcasting Union (EBU), of adult education programmes to be broadcast through the media, particularly for sections of the population that are isolated from the major currents of public life, for example women in rural areas and women migrants. Programmes for these two and other target groups could be seen as part of the objectives of the "European Declaration on Cultural Objectives"<sup>1</sup>;
6. encouraging adoption by the media organisations of positive action programmes to improve the situation of women, particularly at decision-making levels and in technical services;
7. developing channels of education and training facilities for women in the new media technology;

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<sup>1</sup> Adopted at the 4th Conference of European Ministers Responsible for Cultural Affairs (Berlin, 23-25 May 1984).

8. ensuring application of the principle of equal treatment between women and men as a result of rules laid down for the recruitment, training, remuneration, promotion and any other conditions of employment of persons employed in the media;
9. encouraging the presence of women in an equitable proportion in media supervisory and management bodies;
10. encouraging wider participation by women in talks and discussions broadcast by the media;
11. ensuring that in publicity campaigns sponsored in the media by the public authorities, the dignity of women is safeguarded and a positive image of them is projected and also that the factual reality of relationships between women and men based on partnership is reflected without any sexual stereotyping, and that any exploitation of the bodies of women and men to draw attention to goods or services is barred;
12. encouraging awareness in the media and among the general public of the problems of equality between women and men in the media, in particular by the nationwide organisation of meetings and seminars on this question.

## Recommendation N° R (85) 2 on Legal Protection against Sex Discrimination<sup>1</sup>

*Adopted by the Committee of Ministers on 5 February 1985  
at the 380<sup>th</sup> meeting of the Ministers' Deputies*

The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,

*Aware* that equality between men and women has not yet been fully achieved in spite of the extensive work carried out during these last years by member states;

*Noting* that certain forms of sex discrimination still exist in the legislation and practice of some member states;

*Recognising* the necessity to ensure legal and *de facto* equality between men and women, in particular by improving the situation of women and by taking into account the specific needs of certain categories of people;

*Conscious of* the importance of the participation of women in the decision-making process at all levels;

*Realising* the desirability of providing effective measures against sex discrimination and sanctions to ensure equality between men and women;

*Considering* that the setting up of machinery to protect persons against sex discrimination is an important means of furthering equality between men and women;

*Having regard to* the various relevant international instruments, especially the United Nations Convention of 1979 on the elimination of all forms of discrimination against women,

*Recommends* the governments of member states to take or reinforce, as the case may be, all measures they consider appropriate with a view to the progressive implementation of the principles set out in the appendix to this recommendation.

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<sup>1</sup> When this recommendation was adopted, and in application of Article 10.2.c of the Rules of Procedure for the meetings of the Ministers' Deputies, the Representative of Liechtenstein reserved the right of his Government to comply with it or not.



*Principles*

**I. Promotion of equality between the sexes by legislation**

In order to promote equality between the sexes, legislation should aim at the following objectives:

1. In the field of employment, men and women should have equal rights with regard to opportunities for employment and conditions of employment in all fields and, in particular, should be entitled to:

- (a) equal right of access to work;
- (b) equal conditions of work;
- (c) equal opportunities for training;
- (d) equal pay for work of equal value;
- (e) equal opportunities for advancement.

2. In the field of social security and pensions, men and women should be treated in an equal way with regard to access to official social security and pension systems or to any other similar systems set up under public law and with regard to the benefits paid by such systems.

3. In the field of taxation, men and women should be treated equally.

4. In the field of civil law, equal rights and duties should be given to both men and women, in particular with regard to:

- (a) the fulfilment of family responsibilities;
- (b) the exercise of parental responsibilities insofar as it is not contrary to the interests of the child;
- (c) the acquisition, administration and sharing of family property;
- (d) the conclusion of contracts;
- (e) the exercise of a gainful occupation by each spouse;
- (f) the payment of maintenance by one spouse to the other spouse in the case of a separation or to a former spouse in the case of a divorce;
- (g) the domicile and residence of each spouse;
- (h) the rights of succession.

Attention should be paid to the following questions:

- (a) the age for marriage and the age to adopt children;
- (b) the family name.

5. In addition, equal treatment of men and women should be ensured concerning:

- (a) the acquisition and loss of nationality;
- (b) political rights.

## **II. Other measures of a general character**

1. States should, by means of adequate measures, endeavour to create the most favourable social, economic and cultural conditions in order to achieve equality between men and women. Appropriate information should be given to families in order that they can play an active role in the pursuit of these goals.

2. States should encourage the equal participation of men and women in all aspects of public life.

3. Men and women should be encouraged to make full use, on an equal basis, of all existing educational and training facilities.

4. Educational establishments, the mass media and persons or bodies responsible for the production of teaching material should be encouraged, by appropriate means, to play an active role promoting equality between men and women.

## **III. Special temporary measures (positive action)**

States should, in those areas where inequalities exist, give consideration to the adoption of special temporary measures designed to accelerate the realisation of *de facto* equality between men and women, where there are no obstacles of a constitutional nature, in particular by:

- (a) making employers aware of the desirability of having as an objective the achievement of equality between the sexes;
- (b) giving or encouraging special training for persons of the under-represented sex to enable them to obtain the necessary qualifications.

## **IV. Machinery to promote equality**

States, in order to promote equality between men and women, should adopt suitable machinery which could have, without prejudice to the competence of the courts, one or more of the following tasks:

- (a) suggesting draft legislation and giving advice to the public authorities;
- (b) preparing and promoting guidelines and codes of conduct;

- (c) encouraging parties to collective bargaining to promote equality and to avoid any discriminatory results;
- (d) acting to avoid and eliminate sex discrimination in advertisements;
- (e) advising and, where possible, promoting a conciliation between the parties to a dispute;
- (f) imposing appropriate administrative sanctions;
- (g) bringing, in appropriate cases, legal proceedings before the courts.

## **V. Remedies and sanctions**

1. Legislation promoting equality should contain remedies and sanctions which are effective in discouraging discrimination, for example by making use of one or more of the following:

- (a) orders to prevent discrimination (prohibiting or requiring the discontinuation of an act, requiring a certain act to be carried out, setting aside a decision of a discriminatory nature);
- (b) adequate sanctions in case of failure to comply with such orders, administrative and, where necessary, criminal sanctions to punish acts of discrimination (such as fines, suspension of licence, public disclosure of discrimination);
- (c) damages to compensate victims of discrimination.

2. States should provide, where cases concerning sex discrimination are brought before the courts, rapid, inexpensive and suitable proceedings as well as free legal assistance wherever this is necessary.

## Declaration on Equality of Women and Men

*Adopted by the Committee of Ministers on 16 November 1988  
at its 83<sup>rd</sup> session*

The Council of Europe member states,

1. *Recalling* that equality of women and men *is* a principle of human rights, upheld as a fundamental right in many international instruments to which they have subscribed and secured by national constitutions and laws;

2. *Mindful* of their undertaking, by virtue of the Statute of the Council of Europe, to observe such fundamental rights;

3. *Convinced* that the betterment and progress of humanity absolutely depend on due consideration of the aspirations, interests and talents of both sexes;

4. *Observing* that in present-day society inequalities between women and men persist *de jure* and *de facto*;

5. *Aware* that sex-related discrimination in the political, economic, social, educational, cultural and any other fields constitutes impediments to the recognition, enjoyment and exercise of human rights and fundamental freedoms;

6. *Convinced* that resolute overall policies should be pursued for the effective achievement of equality between women and men, such policies to involve the authorities, groups and individuals:

I. Reaffirm their commitment to the principle of equality of women and men as a *sine qua non* of democracy and an imperative of social justice;

II. Condemn all forms of sexism as they have the effect of perpetuating the idea of superiority or inferiority of one of the sexes and justifying the preponderance or dominance of one over the other;

III. Deplore the under-utilisation of human resources by the community resulting from the persistence of sexist attitudes and

behaviour patterns;

IV. Welcome past and present activities aimed at the achievement of equal rights and opportunities for women and men at worldwide regional and national levels;

V. Assert their resolve and undertaking:

- (a) to pursue and develop policies aimed at achieving real equality between women and men in all walks of life;
- (b) to continue work in the Council of Europe to further the effective achievement of equality between women and men;
- (c) to promote awareness of the imperatives of democracy and human rights in respect of equality of women and men;

VI. Declare that the strategies to be applied for this purpose must enable women and men to receive equal treatment under the law and equal opportunities to exercise their rights and develop their individual gifts and talents. These strategies should provide for suitable measures - including temporary special measures aimed at accelerating *de facto* equality between women and men - relating to the following in particular:

- (a) protection of individual rights;
- (b) participation in political, economic, social and cultural life;
- (c) access to all levels of the civil service;
- (d) access to education and freedom of choice in education and initial and further vocational training;
- (e) rights of couples;
- (f) eradication of violence in the family and in society;
- (g) rights and duties with regard to children;
- (h) access to all professions, occupational advancement, and remuneration;
- (i) promotion of economic independence;
- (j) access to information;

VII. Stress the importance for the achievement of the above-mentioned strategies of informing and educating people in a suitable way, and making them realise the injustices and adverse effects of inequalities of rights, treatment and opportunities, together with the need for unrelenting vigilance in order to prevent or remedy any act or form of discrimination founded on sex;

VIII. Invite the member states not yet having done so to become parties:

- (a) to Protocol No. 7 to the Convention for the Protection of Human Rights and Fundamental Freedoms and to the European Social Charter and its additional Protocol;

(b) to the United Nations Convention on the Elimination of All Forms of Discrimination against Women;  
and to apply the Nairobi Forward-looking Strategies for the Advancement of Women adopted by the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace (Nairobi, Kenya, 15-26 July 1985).

## **Recommendation N° R (90) 4 on the Elimination of Sexism from Language**

*Adopted by the Committee of Ministers on 21 February 1990  
at the 434<sup>th</sup> meeting of the Ministers' Deputies*

The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,

*Considering* that the aim of the Council of Europe is to achieve a greater unity between its members for the purpose of safeguarding and promoting the ideals and principles which are their common heritage;

*Considering* that equality between women and men falls within the scope of those ideals and principles;

*Welcoming* the fact that the principle of equality between the sexes is gradually becoming part of law and practice in Council of Europe member states;

*Considering*, however, that the achievement of real equality between women and men is still being hindered by social, cultural and other barriers;

*Stressing* the fundamental role of language in forming an individual's social identity, and the interaction which exists between language and social attitudes;

*Convinced* that the sexism characterising current linguistic usage in most Council of Europe member states - whereby the masculine prevails over the feminine - is hindering the establishment of equality between women and men, since it obscures the existence of women as half of humanity, while denying the equality of women and men;

*Noting also* that the use of the masculine gender to denote people of both sexes is, in today's social context, a source of uncertainty about the people - men or women - involved;

*Aware* of the importance of the role played by education and the media in shaping attitudes and behaviour;

*Welcoming* the initiatives already taken at national and international level to adapt language to the social and psychological trends towards equality between women and men;

*Having regard to* its Recommendation N° R (85) 2 on legal protection against sex discrimination;

*Having regard also to* the Resolution on policy and strategies for achieving equality in political life and in the decision-making process, and to the Resolution on policies to accelerate the

achievement of real equality between women and men, adopted respectively by the 1<sup>st</sup> (Strasbourg, 4 March 1986) and the 2<sup>nd</sup> (Vienna, 4-5 July 1989) European Ministerial Conferences on Equality between Women and Men;

*Bearing in mind* its Declaration on equality of women and men, adopted on 16 November 1988,

*Recommends* that the governments of member states promote the use of language reflecting the principle of equality of women and men and take any measures they consider appropriate with a view to:

1. Encouraging the use, as far as possible, of non-sexist language to take account of the presence, status and role of women in society, as current linguistic practice does for men;
2. Bringing the terminology used in legal drafting, public administration and education into line with the principle of sex equality;
3. Encouraging the use of non-sexist language in the media.



## **Declaration on the Rape of Women and Children in the Territory of the Former Yugoslavia**

*Adopted by the Committee of Ministers on 18 February 1993  
at the 488<sup>th</sup> meeting of the Ministers' Deputies*

1. The Committee of Ministers of the Council of Europe recalls its declaration of 9 December 1992 on the practice of systematic rape in Bosnia-Herzegovina, in which it stated that "such a degree of barbarity, rarely seen, is intolerable" and that "those who perpetrate such crimes must realise that they shall not go unpunished".
2. The Committee of Ministers considers it unacceptable that controversy regarding the exact number of victims and the exact scale of which rapes have been committed has been deliberately encouraged and that such controversy can in no event detract from the gravity of these violations of human rights.
3. The Committee of ministers considers that urgent action must be taken to end this barbaric practice, directed in particular against women and children belonging to the Muslim population of Bosnia-Herzegovina, and to provide the victims with the support and assistance they need.
4. In view of the foregoing, the Committee of Ministers, having regard to the specific responsibility of the Council of Europe to safeguard human rights and fundamental freedoms:
  - considers that rape, since it constitutes an attack on the physical and mental integrity and on the dignity of the victims, is a violation of human rights;
  - reaffirms that the use of rape as an instrument of warfare and within the context of a strategy of ethnic cleansing - as is the case in the territory of the former Yugoslavia - is a war crime and should be considered a crime against humanity;
  - demands that those responsible put an end to these flagrant violations of human rights;
  - appeals to member states and the international community at large to ensure that these atrocities cease and that their instigators and perpetrators are prosecuted by an appropriate national or international penal tribunal;

- declares its readiness to take part - together with other international agencies concerned - in the efforts to co-ordinate the assistance and support organised by member governments and non-governmental agencies for victims of rape and enforced procreation in the territory of the former Yugoslavia.

(b) TEXTS OF THE PARLIAMENTARY ASSEMBLY

**Recommendation N° 741 (1974) on the Legal Position  
of Women**

*Adopted by the Assembly on 30 September 1974 at its 15<sup>th</sup> sitting*

The Assembly,

1. *Considering* that Resolution 3010 (XXVII) of the General Assembly of the United Nations proclaimed 1975 "International Women's Year";
2. *Recalling* its Recommendation 504 (1967) on the political, social and civic position of women in Europe;
3. *Welcoming* the existence, in domestic and international law, of rules prohibiting discrimination on the basis of sex, in particular Article 14 of the European Convention on Human Rights;
4. *Noting, however,* that discrimination based on sex still subsists in certain aspects of our societies, and that, while it is often based on psychological, social and economic factors, it is also sanctioned by many legal provisions;
5. *Considering* that questions relative to the implementation of the principle of non-discrimination in such fields as the nationality of married women and of children of mixed marriages, family law, social security for non-gainfully employed women and labour law must be solved at European level;
6. *Welcoming* the numerous initiatives and projects for reform which have been undertaken in these fields by the Council of Europe and its member states, and by the European Communities;
7. *Noting with satisfaction* that the theme selected for the 14th Conference of European Ministers responsible for Family Affairs to be held in 1975, is "The equality of man and woman; its implications for family life and governmental action";
8. *Stressing at the same time* the importance it attaches to having these various projects and initiatives implemented with maximum efficiency and co-ordination;

9. *Recalling*, in respect of the nationality of married women and of children of mixed marriages, the solutions advocated in Recommendations 519 (1968), on the nationality of married women, and 696 (1973), on certain aspects of the acquisition of nationality;

10. *Considering*, in respect of parental law, that both parents must have equal rights and obligations towards their under-age children, and that they must exercise these rights and perform their obligations jointly and exclusively in the interests of the child;

11. *Recalling*, with regard to social security for non-gainfully-employed women, that work in the home must be considered as an economic activity giving immediate entitlement to social security benefits;

12. *Considering* that much has still to be done to implement the principle of equal pay for men and women, not only for equal work but also for work of equal value;

13. *Recalling also* that the provisions intended to protect the special needs of women or abolish discrimination relative thereto must not result in discrimination against men,

14. *Recommends* that the Committee of Ministers of the Council of Europe:

- (i) invite the member states which have not yet done so to sign and ratify the international conventions containing provisions prohibiting discrimination based on sex. in particular:
  - the 1957 United Nations Convention on the Nationality of Married Women, and
  - the European Social Charter;
- (ii) pursue with determination the various activities relative to the position of women which are included in the Work Programme 1973-74 and in the draft Work Programme 1975-76, and see to it that the aim is achieved with efficacy and coordination;
- (iii) see to it that the various legislative reforms planned in the member states are based on common principles and lead to substantial harmonisation of legislation;
- (iv) bear the principle of non-discrimination in mind when asked to adopt the draft recommendation on social security for non-gainfully employed women, which is now being prepared by the Committee of Experts on Social Security;

- (v) study, when the time comes, the possibility of extending to all member states of the Council of Europe the provisions of the Community directive now being drafted on harmonisation of the legislations of the member states on application of the principle of equality of remuneration for men and women workers.

**Recommendation N° 1146 (1991) on Equal Opportunities and  
Equal Treatment for Women and Men on the  
Labour-Market**

*Adopted by the Standing Committee, acting on behalf  
of the Assembly, on 11 March 1991*

1. Throughout Europe it is the same: the situation of women on the labour-market remains unsatisfactory and the right to economic independence is not, in practice, the same as that of men.

2. The Assembly considers that, to guarantee equality of opportunity for women on the labour-market, equality of treatment must be established in national legislations and in international legal instruments such as the European Convention on Human Rights, it is sad to note that even today, among OUE member states, women do not everywhere have the right to vote. One of the key obstacles to equality of opportunity is the lack of those conditions which would enable both men and women to reconcile their professional, private, family and parental responsibilities.

3. The Assembly therefore strongly hopes that the governments of member states will urgently take suitable measures or initiatives for equality between the sexes, particularly in the following areas, so that women and men are enabled to be gainfully employed while sharing family and parental responsibilities:

- (i) compatible hours and conditions of work;
- (ii) parental leave for both parents, which can be taken either together or alternately;
- (iii) improved and expanded provision of childcare facilities and school services which are timed appropriately and accessible in terms of cost;
- (iv) equality of treatment in regard to pay for work which is the same or of equal value and pensions, social security and health care;
- (v) the drawing up, as a general rule, of employment offers in terms which are applicable both to women and to men;
- (vi) the responsibility for state and local authorities to set an example as employers;
- (vii) the elimination of stereotyped presentations of the roles of men and women in professional life.

4. The Assembly also believes that it is indispensable for governments of member states to take initiatives, in particular:

- (i) to remove progressively any obstacles which at present obstruct the appointment of women to positions of responsibility in equal proportion to men, especially in key areas of decision - subject to comparable qualifications and experience;
- (ii) to examine all government policies - in particular, for demography and for transport all programmes and all budgetary dispositions from the point of view of their consequences for the realisation, in actual practice, of equality between the sexes, following, where necessary, consultation of the competent agencies;
- (iii) to ensure that policy objectives are known and pursued as widely as possible, and that periodical reports on the consequences of government measures for women and men are published;
- (iv) to support and promote non-governmental organisations which work towards equality between women and men;
- (v) to take political action in conformity with the appropriate international standards, notably those of the European Social Charter and its protocol, to pursue the application thereof and to assess the results;
- (vi) to establish special projects in support of particular groups of persons;
- (vii) to avoid or to resolve problems arising from unlawful discrimination on grounds of gender or from measures and practices having a discriminatory effect, without prejudice to judicial areas of responsibility;
- (viii) to guarantee implementation of the relevant standards and basic principles, in particular by means of the regular reports to be made on measures taken at all levels to apply in practice the long-term strategy agreed at Nairobi for improving the situation of women, with a view to evaluating this strategy through the five-yearly reports of the United Nations Commission on the Status of Women for 1990, 1995 and 2000;
- (ix) to implement special measures of fixed duration for the accelerated introduction of *de facto* equality and the removal of systematic discrimination, for example through programmes of positive action for women;

(x) to ensure that the tasks of national equality institutions are widely understood and publicised, that timely recourse is had to their services in all appropriate cases and that links are established with other departments or agencies.

5. The Assembly recommends that the Committee of Ministers follow the above proposals as far as the intergovernmental work programme and the functioning of the Secretariat General are concerned.



## **Recommendation N° 1229 (1994) on Equality of Rights between Men and Women**

*Adopted by the Assembly on 24 January 1994 at its 1<sup>st</sup> sitting*

1. The Assembly affirms that equality of rights between women and men is a fundamental principle of democracy, being a factor in the recognition of the legitimacy of women's status in public life.
2. It considers that equality of rights between men and women presupposes that both sexes have the same opportunities to deploy their skills in all sectors of occupational, political, family and cultural life.
3. It is aware that, despite equality before the law, there is still discrimination against women in Europe to various extent in such fields as education, the family, work of social policy.
4. It has regard to the Final Declaration of the United Nations Conference on Human Rights, held in Vienna from 14 to 25 June 1993.
5. It stresses that the fundamental rights of women and girls are an inalienable, integral and indivisible part of universal human rights.
6. It is convinced that greater participation by women in all levels of political life - based on the principle of "parity democracy" (equal representation) - would enable politicians of both sexes to gain a fuller understanding and perception of all the issues facing a modern democratic society.
7. It welcomes the progress made in the Nordic countries regarding women's representation in parliaments.
8. The Assembly recommends that the Committee of Ministers:
  - (i) establish the principle of equality of rights between women and men as a fundamental human right in an additional protocol to the Convention for the Protection of Human Rights and Fundamental Freedoms;
  - (ii) overcome the ambiguity of the French term *droits de l'homme* by replacing it with *droits de la personne*;
  - (iii) pursue and intensify its work on equality of rights between women and men in order to achieve complete *de jure* and *de*

- facto* equality, placing particular emphasis on equal participation in political life and the decision-making process;
- (iv) pay proper attention to ways of increasing the number of women in the representative organs of the Council of Europe, as well as at all levels of its Secretariat, including the highest grades, and provide the requisite administrative assistance at Secretariat level for activities relating to equality between women and men;
  - (v) introduce in French the feminist form of titles and names of functions into current language, for instance by extending and implementing the French circular of 11 March 1986 on feminisation of names of professions, functions, grades or titles.

## **Recommendation N° 1261 (1995) on the Situation of Immigrant Women in Europe**

*Adopted by the Standing Committee, acting on behalf of the Assembly,  
on 15 March 1995*

1. Women make up almost half the immigrant population in Europe. The integration policies adopted by the host countries do not appear to be sufficiently adapted to the specific needs and problems of this group.
2. The Assembly recalls its Resolution 1018 (1994) and its Recommendation 1229 (1994) on equality of rights between men and women, as well as the declaration on equality of women and men adopted by the Committee of Ministers on 16 November 1988, according to which "sex-related discrimination in the political, economic, social, educational, cultural and any other fields constitutes impediments to the recognition, enjoyment and exercise of human rights and fundamental freedoms". Immigrant women - no more than any other category of women - cannot be deprived of these rights and principles.
3. The Assembly is concerned by the situation of immigrant women, a large number of whom live on the margins of society and are confronted by more serious difficulties than those facing immigrant men. When they are married, they are often confined to the home doing housework and isolated from the local community, without real opportunities to learn the language of the host country, thus further aggravating their isolation. When they are employed, they are often doing menial jobs uncondusive to greater autonomy or to their integration into the host society.
4. The situation of immigrant women often depends on the legal status of their husband or father and under existing policies they are considered to be dependents.
5. Owing to the difficulties that migrant women experience in obtaining a work permit, and when they lose their legal status as a result of divorce or the death of a husband, many of them are obliged to accept illegal work, which deprives them of adequate social protection and of fair remuneration.
6. Increasingly, immigrant women are organising and setting up associations with a view to defending their legitimate rights.

Although these bodies do not lack ideas for improving the situation of women, they are in need of support, especially of a financial nature, for carrying out analyses and surveys to back up their demands to the authorities of the host country.

7. The Assembly considers that the member states of the Council of Europe must do everything possible to eliminate the injustice and discrimination suffered by immigrant women and adopt measures aimed at their harmonious integration into society.

8. Consequently, the Assembly recommends that the Committee of Ministers:

- (i) examine the effect of national laws on the legal status of immigrant women with a view to the elimination of all discrimination against them and to harmonisation in this field;
- (ii) study the question of obstacles to the acquisition of the nationality of the country of residence and to the recognition of dual citizenship allowing immigrant women to maintain ties with their society of origin while integrating into the host society;
- (iii) examine the question of the application of criteria specific to women in the refugee status determination procedure of the member states;
- (iv) foster the setting up of a European system for the collection of data relating to the situation of immigrant women.

9. The Assembly also recommends that the I Committee of Ministers invite member states:

- (i) to ensure equality of treatment for immigrant women before the law and in practice;
- (ii) to recognise the right to family reunion for immigrant women and men without distinction;
- (iii) to adopt legislation giving immigrant women an independent and autonomous right of residence (not tied to the residence status of their husband);
- (iv) to grant immigrant women the right to a work permit independently of their family situation;
- (v) to give particular attention to the prevention and repression of violent or degrading customs inflicted on immigrant women or affecting their physical integrity;
- (vi) to develop vocational training schemes adapted to the situation and culture of immigrant women;
- (vii) to develop specific information programmes for immigrant women covering:
  - (a) their rights;

- (b) educational, vocational training and employment opportunities open to them in the host country;
- (viii) to ensure that the social services recruit and train their staff from amongst immigrant women, among others;
- (ix) to encourage the participation of immigrant women in social and political life, to involve them in the taking of decisions concerning them and to support associations working towards this;
- (x) to help associations of immigrant women to form networks by making financial means and premises available and through the training of staff from the community of immigrant women;
- (xi) to ratify, if this has not already been done, the European Convention on the Participation of Foreigners in Public Life at Local Level, the European Convention on the Legal Status of Migrant Workers, the United Nations International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families and the United Nations Convention on the Elimination of All Forms of Discrimination against Women;
- (xii) in determining refugee status, to take account of persecution on the basis of gender and of the specific threat to women represented by religious extremism;
- (xiii) to apply in their refugee policies the principles laid down in Conclusions N° 64 (1990) on refugee women and international protection adopted by the Executive Committee of the Programme of the United Nations High Commissioner for Refugees (UNHCR);
- (xiv) to encourage research on the situation of immigrant women.

## Recommendation N° 1269 (1995) on Achieving Real Progress in Women's Rights as from 1995

*Adopted by the Assembly on 27 April 1995 at its 115<sup>th</sup> sitting*

1. The Assembly considers that human rights of both women and men are universal and indivisible, and that it is the duty of all states to ensure their respect and enjoyment, irrespective of socio-cultural and religious traditions or economic and political systems. In this context the Assembly affirms that the principle of equality between men and women, or parity democracy, is an integral part of the values the Council of Europe stands for.
2. The concept of parity democracy recognises the need for equality in terms of participation and representation of men and women in all areas of society, based on the principle of partnership and sharing of rights and responsibilities.
3. The Assembly is convinced that *de jure* and *de facto* equality between men and women is crucial for the very functioning of a democratic society. The question of parity democracy is especially important in the new member states, where rapid political and economic reforms have had a negative impact on the situation of women in some cases.
4. The Assembly is disappointed to have to state that the principle of parity, or even of equality, between men and women is still not included in the constitutions of all Council of Europe member states. What is more, even member states which have enshrined the principle of equality in their constitutions often lack concrete legislation backing up this provision; legislation that is badly needed to make parity democracy truly achievable.
5. International legal machinery, such as the European Convention on Human Rights, and the United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), also needs to be strengthened in this regard.
6. Therefore, the Assembly recommends that the Committee of Ministers:
  - (i) include the principle of equality of rights between men and women in an additional protocol to the European Convention on Human Rights as soon as possible, as recommended in Assembly Recommendation 1229 (1994);

- (ii) adopt specific policies and promote action programmes to engage the governments of member states to address the problems of women both in traditional areas of responsibility and in new ones, in particular concerning violence against women, the increasing number of destitute women which is tending to make poverty a predominantly female phenomenon, and the traffic in women;
- (iii) speedily adopt the draft protocol to the European Social Charter providing for a system of collective complaints;
- (iv) ensure that the principle of equality of rights between men and women is included in the constitutions of member states;
- (v) become active to eliminate all discrepancies that currently exist in the legislation of member states as regards the treatment of women as individuals rather than in the context of their family or in relation to their husbands;
- (vi) encourage member states to create at national level appropriate institutional bodies to ensure the real achievement of equality between men and women, such as equality commissions, offices of the plenipotentiary for women's affairs, offices of equal status, offices of the "ombud type", or ministers for women's rights with responsibility for abolishing direct and indirect discrimination between the sexes and for promoting the access of women to a position of parity;
- (vii) ask member states to adopt specific antidiscriminatory legislation providing appropriate sanctions in cases in which the equality of women and men is not respected, especially in professional life;
- (viii) request that member states incorporate sexual discrimination, as exemplified by the refusal to allow women to teach or to become judges, the obligation to wear the veil or other discriminating clothing, or forcible marriage, in the criteria of political or religious persecution used to justify the request for asylum on the part of women;
- (ix) invite all member states who have not yet signed and ratified the United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) to do so before the year 2000, and all member states parties to the convention which have made reservations to make their national legislation compatible with the convention and withdraw the reservations as soon as possible,
- (x) ask all member states to support the adoption of the draft additional protocol to the CEDAW Convention, empowering that convention's supervisory body to examine individual and group complaints.

**Recommendation N° 1271 (1995) on Discrimination Between  
Men and Women in the Choice of a Surname and in the  
Passing on of Parents' Surnames to Children**

*Adopted by the Assembly on 28 April 1995 at its 16<sup>th</sup> sitting*

1. The Assembly recalls that a name is an element which determines the identity of individuals and that, for this reason, the choice of name is a matter of considerable importance. Continued discrimination between men and women in this area is therefore unacceptable.
2. Many countries have introduced legislative reforms in recent decades with the aim of gradually achieving equality between the sexes in respect of the legal system governing surnames. Other countries have, however, retained the traditional legal systems based on criteria which are often double discriminatory, discriminatory between mother and father and discriminatory in terms of whether the child is born in or out of wedlock. Accordingly, a determined effort needs to be made to ensure that the legislation of all Council of Europe member states is quickly brought into line with the major principles of equality.
3. The Assembly points out that the Committee of Ministers of the Council of Europe adopted a very explicit resolution in 1978 (Resolution (78) 37), which recommended, *inter alia*, that member states should eliminate all discrimination between men and women in the legal system governing surnames. It further points out that many Council of Europe member states have ratified the United Nations convention of 18 December 1979, Article 16 of which stipulates that all signatory states should take the necessary measures to eliminate all sexist provisions in respect of the right to choose a family name.
4. The Assembly is therefore surprised that no follow-up action has been taken by some Council of Europe member states on the Committee of Ministers' 1978 resolution. It is also surprised that those member states which are signatories to the international convention initiated by the United Nations in 1979 have not fulfilled their commitments.
5. Consequently, the Assembly recommends that the Committee of Ministers of the Council of Europe identify those member states



which retain sexist discrimination and ask them to take the appropriate measures to:

- (i) implement strict equality between mother and father in the passing on of a surname to their children;
- (ii) ensure strict equality in the event of marriage with regard to the choice of a common surname for both marriage partners;
- (iii) eliminate all discrimination in the legal system for conferring a surname between children born in and out of wedlock.

6. The Assembly also recommends that the Committee of Ministers ask each Member state which is a signatory to the 1979 United Nations convention and which has not brought its legislation into line to specify whether it plans to do so, and if so, when and how.

## **Recommendation N° 1321 (1997) on Improving the Situation of Women in Rural Society**

*Adopted by the Standing Committee, acting on behalf of the Assembly,  
on 19 March 1997*

1. The Assembly refers to its Recommendation 1296 (1996) on a European Charter for Rural Areas and to Recommendation 1269 (1995) on achieving real progress in women's rights as from 1995, as well as to the World Summit on Social Development (Copenhagen, 9-13 March 1995) and the Beijing Declaration and Platform for Action adopted by the 4<sup>th</sup> World Conference on Women (Beijing, 4-15 September 1995).
2. Society in general, and even rural women themselves, have greatly undervalued and often completely ignored the role of women in maintaining and developing the living countryside with its rich and diversified heritage and traditions.
3. Women in rural society and especially in farming have always been an "invisible work force". Too little has been done to fully recognise women's role on farms and in rural communities - legally, economically, technologically and in statistics.
4. A full recognition of women's role in rural development would greatly contribute to rural prosperity and would, in particular, help sustainable rural development in the poorer countries and regions of the world.
5. Women's work of raising children and of running a (rural) household should be fully recognised as having merit and as qualification for other jobs, and should be taken into account in statistics. It should be remunerated.
6. To strengthen the family and the rural household, parents should, during their children's pre-school years, have a free choice between placing their children in nurseries or receiving a monthly sum of money per child corresponding to the cost of keeping a child in a public nursery scheme.
7. Policies attracting women and young girls to stay in the countryside must be encouraged since those policies which lead to their leaving will eventually result in a total abandonment of rural areas.

8. The situation of women in rural regions in the European economies in transition is a particularly grave problem because of the dismantling of the former social and economic structures.

9. Consequently, the Assembly recommends that the Committee of Ministers:

- (i) include in its intergovernmental work programme specific activities of relevance to rural women;
- (ii) initiate this work by convening a conference to analyse the situation of women in rural areas, inviting representatives of organisations with specific interest and knowledge in this field, with a view to identifying priority areas where positive action is needed. The Parliamentary Assembly and the Congress of Local and Regional Authorities of Europe should be associated with this work;
- (iii) call on member governments, governments of countries having special guest or observer status with the Assembly, the European Union, the Organisation for Economic Co-operation and Development and the United Nations to:

**A. *Improve statistical data and information***

- (i) improve the collection, analysis and dissemination of data, distinguishing by sex and place of residence for both west European countries and the central and east European countries, within the framework of mainstream statistical information systems (such as Eurostat);
- (ii) develop new (and comparative) concepts, definitions and standards of economic indicators in order to accord greater visibility to, and promote greater understanding of, the relative economic contributions of women and men through paid and unpaid work in both the formal and informal sectors of rural economies;
- (iii) provide gender training programmes for statisticians and other users and producers of statistics, with special emphasis on the nature and context of rural women's activities (different housekeeping activities, childcare, agricultural activities, etc.);
- (iv) carry out research to identify the ways in which economic, political and social reforms differentially affect various segments of the population (based on place of residence, gender, age, economic status, race, ethnicity, etc.);
- (v) promote participatory research and data collection methodologies in rural areas in order to complete the gaps and weaknesses in statistical records.

**B. *Increase women's participation in decision-making***

- (i) create an environment that encourages rural women's increased participation in decision-making fora through the provision of childcare facilities at meetings and holding meetings at hours compatible with family schedules;
- (ii) develop and promote personal-skills training courses for rural women on leadership, public speaking, decision-making and self-assertion;
- (iii) create new channels for enabling women to have an input into the decision-making process by promoting participatory approaches and involving women's groups and associations in decision-making processes at all levels;
- (iv) encourage dialogue and the building of links between local women's associations and networks and rural development organizations and authorities;
- (v) promote affirmative action policies in technical ministries such as agriculture and rural development.

**C. *Make an integrated approach to equality a primary concern***

- (i) ensure a gender perspective is incorporated into the mandates and activities of organisations through the development of concerted action plans and programmes;
- (ii) disseminate information among the organisations/institutions on the situation of rural women, their concerns, and the required strategies to be taken for their advancement;
- (iii) develop methodologies which allow the particularities of each sex and the needs of rural women to be taken into account in the planning processes at all levels;
- (iv) provide training and awareness-raising programmes for decision-makers, as well as for staff of those ministries/governmental bodies dealing with rural issues, on the experiences and needs of women in rural areas and the importance of recognising gender in rural development policies and planning.

**D. *Ensure equal access to social services and cultural revival***

- (i) ensure that rural and urban women have equal access to social institutions and services;
- (ii) promote and disseminate information on the rich and diversified rural cultural heritage, and the role of women in

- maintaining it, among rural communities and between these and urban centres;
- (iii) promote initiatives which will provide rural girls and women with satisfactory and rewarding possibilities for filling their leisure hours.

***E. Increase women's participation in the economy***

1. *Work*

- (i) broaden the range of income-generating opportunities for rural women, and especially for young women, by providing more balanced support for rural activities, including part-time work, and by fully exploiting the opportunities offered by new communication technologies for the maximum of occupations that can be exercised in the countryside (see Assembly Recommendation 1122 (1990) on the revival of the countryside by means of information technology);
- (ii) promote women entrepreneurs by assuring adequate training and access to resources. The direct marketing and sale of farm products by the farmer and his/her spouse must be facilitated and promoted;
- (iii) develop legislative initiatives that promote equality in the wage system, including more flexible working arrangements, and increase the status of women in agriculture, home enterprises, female-dominated professions, and in the informal sector. The income derived from family farming or family businesses should be shared equally between the spouses;
- (iv) establish a proper social status for helping spouses, providing them with their own social security and pension protection;
- (v) increase rural women's ability to enter into paid employment by improving the infrastructure of rural communities, in particular by strengthening the provision of social and other services in rural areas, such as facilities for childcare and care of the elderly, health-care centres, information and library facilities, public transportation, as well as marketing facilities;
- (vi) improve rural women's access to information and advice about employment and training opportunities through local media outlets (TV, radio, newspapers, etc.);
- (vii) encourage a better sharing of domestic and family responsibilities between women and men through school and community education campaigns, and through legislative initiatives that provide for more flexible working

arrangements for both women and men, without subsequent loss in pay or status of employees.

2. *Education and training*

- (i) establish local training institutions and programmes in rural areas and promote more innovative training models that fit women's daily schedules, including the development of part-time courses, community based initiatives, correspondence courses, and distance learning at all educational levels, fully exploiting new information technology (see Assembly Recommendation 1122 (1990));
- (ii) promote training courses for rural women in entrepreneurship, village and farm tourism, agro-forestry, fish farming, integrated production methods such as organic farming, as well as in business planning, accounting, financing and loan procedures, issues regarding taxation and marketing, etc., but also in non-traditional rural occupations which can be performed anywhere by the use of new communication technology (architecture, translation, etc.);
- (iii) create and strengthen local advisory training programmes, extension services and basic and higher education for rural women to increase their awareness about, and access to, less traditional career and business opportunities.

3. *Land*

- (i) undertake legislative and administrative reform to give rural women, and especially married women, full and equal rights to land ownership;
- (ii) review land redistribution programmes to ensure safeguards for households where the head of the family is a women, as well as for the rights of married women to joint shares of property.

4. *Credit*

- (i) revise fiscal regulations for farms and businesses to take account of the particular characteristics of rural enterprises;
- (ii) promote special credit programmes to facilitate the setting up of small businesses by rural women;
- (iii) review the access to financial credit by married women.

## **Recommendation N° 1325 (1997) on Traffic in Women and Forced Prostitution in Council of Europe Member States**

*Adopted by the Assembly on 23 April 1997 at its 13<sup>th</sup> sitting*

1. The Assembly is alarmed by the dramatic increase in recent years in the traffic in women and forced prostitution in Council of Europe member states. It is worried by the increasing involvement of organised criminal groups in these lucrative crimes, which these groups use as a basis for financing and expanding their other activities, such as drugs and arms trafficking and money laundering. The Assembly is also concerned about the deterioration of the treatment of trafficked women, bordering on slavery, which has resulted from this development.

2. The Assembly defines traffic in women and forced prostitution as any legal or illegal transporting of women and/or trade in them, with or without their initial consent, for economic gain, with the purpose of subsequent forced prostitution, forced marriage, or other forms of forced sexual exploitation. The use of force may be physical, sexual and/or psychological, and included intimidation, rape, abuse of authority or a situation of dependence.

3. Considering traffic in women and forced prostitution thus defined to be a form of inhuman and degrading treatment and a flagrant violation of human rights, the Assembly feels the need for urgent and concerted action on the part of the Council of Europe, its individuals member states and the international organisations. In this framework, it welcomes the adoption on 29 November 1996 of a joint action programme by the European Union in this field, which, however, does not provide any binding recommendations. The Council of Europe, as a pan-European organisation with a clear human rights mandate grouping both countries of origin and countries of destination of trafficked women, is ideally placed to take the lead in combating traffic in women and forced prostitution, and should do so without further delay.

4. The Assembly recommends that the Committee of Ministers elaborate a convention on traffic in women and forced prostitution, which would also be open for signature by states not members of the Council of Europe. The scope of the convention should be limited to adult women, and based on the Assembly's definition in paragraph 2 above. It should focus on human rights, stipulating repressive measures to combat trafficking through harmonisation of

laws especially in the penal field, opening new channels for improved police and judicial communication, co-ordination and co-operation, and organising a certain degree of assistance and protection for victims of trafficking, especially those willing to testify in court. This should also include physical protection if necessary, and in any case the granting to temporary residence permits as well as legal, medical and psychological assistance. The convention should establish a control-mechanism to monitor compliance with its provisions and to co-ordinate further action at the pan-European level to combat trafficking in women and forced prostitution. The Committee of Ministers is asked to submit the draft convention to the Assembly for opinion before its adoption.

5. Aware of the complexity of the problems inherent in the elaboration of a convention, and concerned by the long duration of this process, the Assembly propose as a provisional measure, the adoption by the Committee of Ministers of a recommendation dealing specially with the problem of traffic in women and forced prostitution and specifying measures to be taken by member states in order to prevent this scourge.

6. The Assembly further recommends that the Committee of Ministers urges member states to:

- (i) introduce special measures to increase awareness of this problem among the general public, and, particularly target groups of traffickers' potential victims, through, for example, information provided by the staff of consulates and embassies dealing with requests for visas and work permits;
- (ii) introduce training of immigration staff, in particular in consulates delivering visas and at border points, in order to ensure that such staff are fully aware of the problem, are provided with up to date information on trafficking methods and trends, and are trained to recognise potential victims;
- (iii) create specific police structures on the national level to combat traffic in women and forced prostitution, and improve international communication, co-operation of police bodies via Interpol and Europe, but also on the basis of both bilateral and multilateral contacts;
- (iv) make provisions to enable the seizure and confiscation of profits from offences related to traffic in women and forced prostitution, as well as the closure of establishments in which victims of traffic are sexually exploited;
- (v) grant residence permits to victims of traffic and forced prostitution who are willing to testify in court, and include them in witness protection programmes, if necessary;



- (vi) organise legal, medical and psychological assistance for victims of traffic and forced prostitution, especially those willing to testify in court;
- (vii) consider introducing special rules in criminal proceedings on the use of force for victims of traffic and forced prostitution, imposing heavier sentences for trafficking in women and forcing them into prostitution, as well as making it a crime to knowingly use the services of a woman forced into prostitution or marriage;
- (viii) for states which do not extradite their nationals for offences committed abroad, consider making it possible to prosecute nationals in their home country for acts of trafficking committed abroad, whether or not there has been a complaint from the country in which the crime was committed;
- (ix) help the women who are victims of traffic to reintegrate into the society of their country of origin upon their return;
- (x) grant the various NGOs and associations for victims of prostitution access to courts in order to increase the effectiveness of action against trafficking and enforced prostitution;
- (xi) make free telephone help-lines for women victims widely available;
- (xii) support the setting up of reception centres and increased temporary accommodation for victims, and grant victims the minimum rate of social assistance and access to health care during their stay.

## **B. ORGANIZATION OF AMERICAN STATES**

## **Convention of the Nationality of Women**

*Signed on 26 December 1933 in Montevideo at the  
7<sup>th</sup> International Conference of American States  
Entry into force: 29 August 1934*

The Governments represented in the Seventh International Conference of American States:

*Wishing to conclude* a Convention on the Nationality of Women, have appointed the following Plenipotentiaries:

*[Here follow the names of the Plenipotentiaries]*

Who, after having exhibited their Full Powers, which were found in good and due form, have agreed upon the following:

### **Article 1**

There shall be no distinction bases on sex as regards nationality, in their legislation or in their practice.

### **Article 2**

The present convention shall be ratified by the High Contracting Parties in conformity with their respective constitutional procedures. The Minister of Foreign Affairs of the Republic of Uruguay shall transmit authentic certified copies to the governments for the aforementioned purpose of ratification. The instrument of ratification shall be deposited in the archives of the Pan American Union in Washington, which shall notify the signatory governments of said deposit. Such notification shall be considered as an exchange of ratifications.

### **Article 3**

The present convention will enter into force between the High Contracting Parties in the order in which they deposit their respective ratifications.

#### Article 4

The present convention shall remain in force indefinitely but may be denounced by means of one year's notice given to the Pan American Union, which shall transmit it to the other signatory Governments. After the expiration of this period the convention shall cease in its effects as regards the party which denounces but shall remain in effect for the remaining High Contracting Parties.

#### Article 5

The present convention shall be open for the adherence and accession of the States which are not signatories. The corresponding instruments shall be deposited in the archives of the Pan American Union which shall communicate them to the other High Contracting Parties.

In witness whereof, the following Plenipotentiaries have signed this Convention in Spanish, English, Portuguese and French and hereunto affix their respective seals in the city of Montevideo, Republic of Uruguay, this 26th day of December, 1933.

*[Here follow the signatures of the Plenipotentiaries]*

#### RESERVATIONS MADE AT THE TIME OF SIGNING

##### **Honduras:**

The Delegation of Honduras adheres to the Convention on Equality of Nationality, with the reservations and limitations which the Constitution and laws of our country determine.

##### **United States of America:**

The Delegation of the United States of America, in signing the Convention on the Nationality of Women makes the reservation that the agreement on the part of the United States is, of course and of necessity, subject to congressional action.

##### **El Salvador:**

Reservation to the effect that in El Salvador the Convention cannot be the object of immediate ratification, but that it will be necessary to consider previously the desirability of reforming the existing Naturalization Law, ratification being obtained only in the event that such legislative reform is undertaken, and after it may have been effected.

**Haiti:**

With reservations.

**RESERVATIONS MADE AT THE TIME OF RATIFYING**

**Honduras:**

With the reservation made at the time of signing.

**Mexico:**

The Government of Mexico reserves the right not to apply the present Convention in those cases that may be in conflict with Article 20 of the Nationality and Naturalization Law, which provides that the foreign woman who marries a Mexican is naturalized by virtue of the law, provided that she has, or establishes, her domicile within the national territory.

**United States of America**

With the reservation made at the time of signing.

## **Inter-American Convention on the Granting of Political Rights to Women**

*Signed on 2 May 1948  
at the 9<sup>th</sup> International Conference of American States  
Entry into force: 22 April 1949*

The Governments represented at the Ninth International Conference of American States

*Considering:*

- That the majority of the American Republics, inspired by the principles of justice, have granted political rights to women;
- That it has been a constant aspiration of the American community of nations to equalize the status of men and women in the enjoyment and exercise of political rights
- That Resolution XX of the Eighth International Conference of American States expressly declares:  
"That women have the right to political treatment on the basis of equality with men";
- That long before the women of America demanded their rights they were able to carry out nobly all their responsibilities side by side with men;
- That the principle of equality of human rights for men and women is contained in the Charter of the United Nations;

*Have resolved:*

*To authorize* their respective representatives, whose full powers have been found to be in good and due form, to sign the following articles:

### **Article 1**

1. The High Contracting Parties agree that the right to vote and to be elected to national office shall not be denied or abridged by reason of sex.

## Article 2

The present Convention shall be open for signature by the American States and shall be ratified in accordance with their respective constitutional procedures. The original instrument, the English, French, Portuguese and Spanish texts of which are equally authentic, shall be deposited with the General Secretariat of the Organization of American States, which shall transmit certified copies to the Governments for the purpose of ratification. The instruments of ratification shall be deposited with the General Secretariat of the Organization of American States which shall notify the signatory Governments of the said deposit. Such notification shall serve as an exchange of ratifications.

## **Inter-American Convention on the Granting of Civil Rights to Women**

*Signed on 2 May 1948  
at the 9<sup>th</sup> International Conference of American States  
Entry into force: 22 April 1949*

The Governments represented at the Ninth International Conference of American States,

*Considering:*

That the majority of the American Republics, inspired by lofty principles of justice, have granted civil rights to women;

That it has been a constant aspiration of the American Community of nations to equalize the status of men and women in the enjoyment and exercise of civil rights;

That Resolution XX of the Eighth International Conference of American States expressly declares:

"That women have the right to the enjoyment of equality as to civil status";

That long before the women of America demanded their rights they were able to carry out nobly all their responsibilities side by side with men;

That the principle of equality of human rights for men and women is contained in the Charter of the United Nations,

*Have resolved:*

*To authorize* their respective representatives, whose full powers have been found to be in good and due form, to sign the following articles

### **Article 1**

The American States agree to grant to women the same civil rights that men enjoy.

### **Article 2**

The present Convention shall be open for signature by the American States and shall be ratified in accordance with their respective constitutional procedures. The original instrument, the English, French, Portuguese and Spanish texts of which are equally authentic, shall be deposited with the General Secretariat of the



Organization of American States, which shall transmit certified copies to the Governments for the purpose of ratification. The instruments of ratification shall be deposited with the General Secretariat of the Organization of American States, which shall notify the signatory Governments of the said deposit. Such notification shall serve as an exchange of ratifications.

**Inter-American Convention on the Prevention, Punishment  
and Eradication of Violence against Women  
"Convention of Belem do Para"**

*Adopted on 9 June 1994 by the General Assembly of the  
Organization of American States at its 24<sup>th</sup> session  
Entry into force: 5 March 1995, in accordance with Article 21*

*The States Parties to this Convention,*

*Recognizing* that full respect for human rights has been enshrined in the American Declaration of the Rights and Duties of Man and the Universal Declaration of Human Rights, and reaffirmed in other international and regional instruments;

*Affirming* that violence against women constitutes a violation of their human rights and fundamental freedoms, and impairs or nullifies the observance, enjoyment and exercise of such rights and freedoms;

*Concerned* that violence against women is an offense against human dignity and a manifestation of the historically unequal power relations between women and men;

*Recalling* the Declaration on the Elimination of Violence against Women, adopted by the Twenty-fifth Assembly of Delegates of the Inter-American Commission of Women, and affirming that violence against women pervades every sector of society regardless of class, race or ethnic group, income, culture, level of education, age or religion and strikes at its very foundations;

*Convinced* that the elimination of violence against women is essential for their individual and social development and their full and equal participation in all walks of life; and

*Convinced* that the adoption of a convention on the prevention, punishment and eradication of all forms of violence against women within the framework of the Organization of American States is a positive contribution to protecting the rights of women and eliminating violence against them,

*Have agreed* to the following:

**CHAPTER I  
Definition and scope of application**

**Article 1**

For the purposes of this Convention, violence against women shall be understood as any act or conduct, based on gender, which causes

death or physical, sexual or psychological harm or suffering to women, whether in the public or the private sphere.

### **Article 2**

Violence against women shall be understood to include physical, sexual and psychological violence:

- (a) that occurs within the family or domestic unit or within any other interpersonal relationship, whether or not the perpetrator shares or has shared the same residence with the woman, including, among others, rape, battery and sexual abuse;
- (b) that occurs in the community and is perpetrated by any person, including, among others, rape, sexual abuse, torture, trafficking in persons forced prostitution, kidnapping and sexual harassment in the workplace, as well as in educational institutions, health facilities or any other place; and
- (c) that is perpetrated or condoned by the state or its agents regardless of where it occurs.

## **CHAPTER II Rights protected**

### **Article 3**

Every woman has the right to be free from violence in both the public and private spheres.

### **Article 4**

Every woman has the right to the recognition, enjoyment, exercise and protection of all human rights and freedoms embodied in regional and inter. national human rights instruments. These rights include, among others:

- (a) The right to have her life respected;
- (b) The right to have her physical, mental and moral integrity respected;
- (c) The right to personal liberty and security;
- (d) The right not to be subjected to torture;
- (e) The right to have the inherent dignity of her person respected and her family protected;
- (f) The right to equal protection before the law and of the law;
- (g) The right to simple and prompt recourse to a competent court for protection against acts that violate her rights;
- (h) The right to associate freely;
- (i) The right of freedom to profess her religion and beliefs within the law; and

- (j) The right to have equal access to the public service of her country and to take part in the conduct of public affairs, including decision-making.

#### **Article 5**

Every woman is entitled to the free and full exercise of her civil, political, economic, social and cultural rights, and may rely on the full protection of those rights as embodied in regional and international instruments on human rights. The States Parties recognize that violence against women prevents and nullifies the exercise of these rights.

#### **Article 6**

The right of every woman to be free from violence includes, among others:

- (a) The right of women to be free from all forms of discrimination;
- (b) The right of women to be valued and educated free of stereotyped patterns of behavior and social and cultural practices based on concepts of inferiority or subordination.

### **CHAPTER III Duties of the States**

#### **Article 7**

The States Parties condemn all forms of violence against women and agree to pursue, by all appropriate means and without delay, policies to prevent, punish and eradicate such violence and undertake to:

- (a) refrain from engaging in any act or practice of violence against women and to ensure that their authorities, officials, personnel, agents, and institutions act in conformity with this obligation;
- (b) apply due diligence to prevent, investigate and impose penalties for violence against women;
- (c) include in their domestic legislation penal, civil, administrative and any other type of provisions that may be needed to prevent, punish and eradicate violence against women and to adopt appropriate administrative measures where necessary;
- (d) adopt legal measures to require the perpetrator to refrain from harassing, intimidating or threatening the woman or using any method that harm or endangers her life or integrity, or damages her property;

- (e) take all appropriate measures, including legislative measures, to amend or repeal existing laws and regulations or to modify legal or customary practices which sustain the persistence and tolerance of violence against women;
- (f) establish fair and effective legal procedures for women who have been subjected to violence which include, among others, protective measures, a timely hearing and effective access to such procedures;
- (g) establish the necessary legal and administrative mechanisms to ensure that women subjected to violence have effective access to restitution, reparations or other just and effective remedies; and
- (h) adopt such legislative or other measures as may be necessary to give effect to this Convention.

### **Article 8**

The States Parties agree to undertake progressively specific measures, including programs:

- (a) to promote awareness and observance of the right of women to be free from violence, and the right of women to have their human rights respected and protected;
- (b) to modify social and cultural patterns of conduct of men and women, including the development of formal and informal educational programs appropriate to every level of the educational process, to counteract prejudices, customs and all other practices which are based on the idea of the inferiority or superiority of either of the sexes or on the stereotyped roles for men and women which legitimize or exacerbate violence against women;
- (c) to promote the education and training of all those involved in the administration of justice, police and other law enforcement officers as well as other personnel responsible for implementing policies for the prevention, punishment and eradication of violence against women;
- (d) to provide appropriate specialized services for women who have been subjected to violence, through public and private sector agencies, including shelters, counseling services for all family members where appropriate, and care and custody of the affected children;
- (e) to promote and support governmental and private sector education designed to raise the awareness of the public with respect to the problems of and remedies for violence against women;

- (f) to provide women who are subjected to violence access to effective readjustment and training programs to enable them to fully participate in public, private and social life;
- (g) to encourage the communications media to develop appropriate media guidelines in order to contribute to the eradication of violence against women in all its forms, and to enhance respect for the dignity of women;
- (h) to ensure research and the gathering of statistics and other relevant information relating to the causes, consequences and frequency of violence against women, in order to assess the effectiveness of measures to prevent; punish and eradicate violence against women and to formulate and implement the necessary changes; and
- (i) to foster international cooperation for the exchange of ideas and experiences and the execution of programs aimed at protecting women who are subjected to violence.

#### **Article 9**

With respect to the adoption of the measures in this Chapter, the States Parties shall take special account of the vulnerability of women to violence by reason of, among others, their race or ethnic background or their status as: migrants, refugees or displaced persons. Similar consideration shall be given to women subjected to violence while pregnant or who are disabled, of minor age, elderly, socio-economically disadvantaged, affected by armed conflict or deprived of their freedom.

### **CHAPTER IV Inter-American mechanisms of protection**

#### **Article 10**

In order to protect the right of every woman to be free from violence, the States Parties shall include in their national reports to the Inter-American Commission of Women information on measures adopted to prevent and prohibit violence against women and to assist women affected by violence, as well as on any difficulties they observe in applying those measures, and the factors that contribute to violence against women.

#### **Article 11**

The States Parties to this Convention and the Inter-American Commission of Women may request of the Inter-American Court

of Human Rights advisory opinions on the interpretation of this Convention.

#### **Article 12**

Any person or groups of persons, or any non-governmental entity legally recognized in one or more member states of the Organization, may lodge petitions with the Inter-American Commission on Human Rights containing denunciations or complaints of violations of Article 7 of this Convention by a State Party, and the Commission shall consider such claims in accordance with the norms and procedures established by the American Convention on Human Rights and the Statutes and Regulations of the Inter-American Commission on Human Rights for lodging and considering petitions.

### **CHAPTER V General provisions**

#### **Article 13**

No part of this Convention shall be understood to restrict or limit the domestic law of any State Party that affords equal or greater protection and guarantees of the rights of women and appropriate safeguards to prevent and eradicate violence against women.

#### **Article 14**

No part of this Convention shall be understood to restrict or limit the American Convention on Human Rights or any other international convention on the subject that provides for equal or greater protection in this area.

#### **Article 15**

This Convention is open to signature by all member States of the Organization of American States.

#### **Article 16**

This Convention is subject to ratification. The instruments of ratification shall be deposited with the General Secretariat of the Organization of American States.

### **Article 17**

This Convention is open to accession by any other state. Instruments of accession shall be deposited with the General Secretariat of the Organization of American States.

### **Article 18**

Any State may, at the time of approval, signature, ratification, or accession, make reservations to this Convention provided that such reservations are:

- (a) not incompatible with the object and purpose of the Convention, and
- (b) not of a general nature and relate to one or more specific provisions.

### **Article 19**

Any State Party may submit to the General Assembly, through the Inter-American Commission of Women, proposals for the amendment of this Convention.

Amendments shall enter into force for the states ratifying them on the date when two-thirds of the States Parties to this Convention have deposited their respective instruments of ratification. With respect to the other States Parties, the amendments shall enter into force on the dates on which they deposit their respective instruments of ratification.

### **Article 20**

If a State Party has two or more territorial units in which the matters dealt with in this Convention are governed by different systems of law, it may, at the time of signature, ratification or accession, declare that this Convention shall extend to all its territorial units or to only one or more of them.

Such a declaration may be amended at any time by subsequent declarations, which shall expressly specify the territorial unit or units to which this Convention applies. Such subsequent declarations shall be transmitted to the General Secretariat of the Organization of American States, and shall enter into force thirty days after the date of their receipt.

### **Article 21**

This Convention shall enter into force on the thirtieth day after the date of deposit of the second instrument of ratification. For each



State that ratifies or accedes to the Convention after the second instrument of ratification is deposited, it shall enter into force thirty days after the date on which that State deposited its instrument of ratification or accession.

#### **Article 22**

The Secretary General shall inform all member states of the Organization of American States of the entry into force of this Convention.

#### **Article 23**

The Secretary General of the Organization of American States shall present an annual report to the member states of the Organization on the status of this Convention, including the signatures, deposits of instruments of ratification and accession, and declarations, and any reservations that may have been presented by the States Parties, accompanied by a report thereon if needed.

#### **Article 24**

This Convention shall remain in force indefinitely, but any of the States Parties may denounce it by depositing an instrument to that effect with the General Secretariat of the Organization of American States. One year after the date of deposit of the instrument of denunciation, this Convention shall cease to be in effect for the denouncing State but shall remain in force for the remaining States Parties.

#### **Article 25**

The original instrument of this Convention, the English, French, Portuguese and Spanish texts of which are equally authentic, shall be deposited with the General Secretariat of the Organization of American States, which shall send a certified copy to the Secretariat of the United Nations for registration and publication in accordance with the provisions of Article 102 of the United Nations Charter.

IN WITNESS WHEREOF the undersigned Plenipotentiaries, being duly authorized thereto by their respective governments, have signet this Convention, which shall be called the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women "Convention of Belem do Para".

DONE in the city of Belem do Para, Brazil, the ninth of June in the year one thousand nine hundred ninety-four.

**PART III**

**SELECTION OF DOCUMENTS CONCERNING  
THE WORLD CONFERENCES ON WOMEN**

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**A. RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY OF THE UNITED NATIONS CONCERNING THE WORLD CONFERENCE OF THE INTERNATIONAL WOMEN'S YEAR (Mexico, 19 June - 2 July 1975)**

**Resolution 3520 (XXX) - World Conference of the International Women's Year,**

*Adopted on 15 December 1995 by the General Assembly at its 30<sup>th</sup> session*

*The General Assembly,*

*Recalling* its resolution 3010 (XXVII) of 18 December 1972 in which it proclaimed the year 1975 International Women's Year, *Recalling also* Economic and Social Council resolutions 1849 (LVI) and 1851 (LVI) of 16 May 1974 on the convening of an international conference during the International Women's Year as a focal point of the international observance of the Year,

*Recalling further* its resolutions 3276 (XXIX) and 3277 (XXIX) of 10 December 1974 as well as Economic and Social Council resolution 1959 (LIX) of 28 July 1975 concerning the World Conference of the International Women's Year,

*Recalling* the importance of the participation of women in the implementation of the decisions of the General Assembly at its sixth<sup>1</sup> and seventh<sup>2</sup> special sessions as well as in the implementation of the Programme of Action on the Establishment of a New International Economic Order<sup>3</sup>,

*Having considered* the report of the World Conference of the International Women's Year<sup>4</sup>, held at Mexico City from 19 June to 2 July 1975,

*Having considered also* the note by the Secretary-General on the establishment of an international research and training institute for the advancement of women<sup>5</sup>,

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<sup>1</sup> See *Official Records of the General Assembly, Sixth Special Session, Supplement N° 1 (A/9559)*

<sup>2</sup> *Ibid.*, *Seventh Special Session, Supplement N° 1 (A/10301)*

<sup>3</sup> Resolution 3202 (S-VI).

<sup>4</sup> United Nations publication, Sales N° E.76.IV.1.

<sup>5</sup> A/10340.

*Convinced* that the Conference, through the adoption of the Declaration of Mexico on the Equality of Women and Their Contribution to Development and Peace, 1975<sup>6</sup>, the World Plan of Action for the Implementation of the Objectives of the International Women's Year<sup>7</sup> and related resolutions<sup>8</sup>, has made a valuable and constructive contribution towards the achievement of the threefold objectives of the Year, namely, to promote equality between men and women, to ensure the full integration of women in the total development effort and to promote women's contribution to the development of friendly relations and co-operation among States and to the strengthening of world peace,

*Considering* the valuable and constructive contributions towards the implementation of the threefold objectives of the International Women's Year made by conferences and seminars held during the Year,

*Convinced* also that the promotion of development objectives and the solution of crucial world economic and social problems should contribute significantly to the improvement of the situation of women, in particular that of women in rural areas and in low-income groups,

*Convinced further* that women must play an important role in the promotion, achievement and maintenance of international peace,

*Considering* that the decisions and recommendations of the Conference should be translated into concrete action without delay by States, organizations of the United Nations system and intergovernmental and non-governmental organizations,

*Recalling* that the Conference stressed the important role of regional commissions in the implementation of the World Plan of Action, and related resolutions of the Conference,

*Convinced* that periodic and comprehensive reviews and appraisals of the progress made in meeting the goals of the World Plan of Action and related resolutions endorsed by the Conference are of crucial importance (or their effective implementation and should be undertaken at regular intervals by Governments and by the organizations of the United Nations system within an agreed time frame,

*Noting* that the Conference recommended the continuing operation of the Commission on the Status of Women or some other

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<sup>6</sup> *Report of the World Conference of the International Women's Year, Mexico, 19 June - 2 July 1975*. United Nations publication, Sales No E.76.IV.1, Chap. 1.

<sup>7</sup> *Ibid.*, Chap. II, Sect. A.

<sup>8</sup> *Ibid.*, Chap. III.

representative body, within the structure of the United Nations, designed specifically to deal with matters relating to the status of women, so as to ensure the implementation of ongoing projects designed to carry out the programmes set forth in the World Plan of Action<sup>9</sup>,

1. *Takes note* of the report of the World Conference of the International Women's Year, including the Declaration of Mexico on the Equality of Women and Their Contribution to Development and Peace, 1975, the World Plan of Action for the Implementation of the Objectives of the International Women's Year, the regional plans of action and the resolutions and other recommendations adopted by the Conference, and endorses the action proposals contained in these documents;
2. *Proclaims* the period from 1976 to 1985 United Nations Decade for Women: Equality, Development and Peace, to be devoted to effective and sustained national, regional and international action to implement the World Plan of Action and related resolutions of the Conference;
3. *Calls upon* Governments, as a matter of urgency, to examine the recommendations contained in the World Plan of Action and related resolutions of the Conference including action to be taken at the national level, such as:
  - (a) The establishment of short-term, medium-term and long-term targets, and priorities to this end, taking into account the guidelines set forth in sections I and II of the World Plan of Action, including the minimum objectives recommended for achievement by 1980<sup>10</sup>;
  - (b) The adoption of national strategies, plans and programmes for the implementation of the recommendations within the framework of over-all development plans, policies and programmes;
  - (c) The undertaking of regular reviews and appraisals of progress made at the national and local levels in achieving the goals and objectives of the World Plan of Action within the framework of over-all development plans, policies and programmes;
4. *Requests* the Secretary-General to transmit to the relevant organs of the United Nations and to the organizations of the United Nations system the decisions and recommendations of the

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<sup>9</sup> Ibid., Chap. III, resolution 4.

<sup>10</sup> Ibid., Chap. II, Sect. A, para. 46.

Conference;

5. *Invites* all relevant organizations of the United Nations system concerned:

- (a) To submit, within the framework of the Administrative Committee on Co-ordination, to the Economic and Social Council at its sixty-second session their proposals and suggestions for implementing the World Plan of Action and related resolutions of the Conference during the United Nations Decade for Women: Equality, Development and Peace;
- (b) To develop and implement, during the first half of the Decade, under the auspices of the Administrative Committee on Co-ordination, a joint interagency medium-term programme for the integration of women in development, which should co-ordinate and integrate activities undertaken in accordance with subparagraph (a) above, with special emphasis on technical co-operation in programmes relating to women and development;
- (c) To render, in accordance with requests of Governments, sustained assistance in the formulation, design, implementation and evaluation of projects and programmes which would enable women to be integrated in national and international development;

6. *Calls upon* the regional commissions to develop and implement, as a matter of priority, effective strategies to further the objectives of the World Plan of Action at the regional and subregional levels, bearing in mind their respective regional plans of action;

7. *Urges* all financial institutions and all international, regional and subregional development banks and bilateral funding agencies to accord high priority in their development assistance, in accordance with requests of Governments, to projects that would promote the integration of women in the development process, in particular women in the rural areas, as well as the achievement of the equality of women and men, priority being given to countries with limited financial means;

8. *Urges* non-governmental organizations, at the national and international levels, to take all possible measures to assist in the implementation of the World Plan of Action and related resolutions of the Conference within their particular areas of interest and competence;

9. *Decides* in principle, in accordance with resolution 26<sup>11</sup> adopted by the Conference, to establish, under the auspices of the United Nations, an International Research and Training Institute for the Advancement of Women, which would be financed through voluntary contributions and would collaborate with appropriate national, regional and international economic and social research institutes;

10. *Invites* the Secretary-General therefore to appoint, with due consideration to the principle of equitable geographical distribution, a Group of Experts on the Establishment of an International Research and Training Institute for the Advancement of Women, consisting of five to ten experts, to draw up, in consultation with the representatives of existing regional centres and/or institutes for research and training which have similar objectives and goals, the terms of reference and structural organization of the Institute, giving special consideration to the needs of women of developing countries, and requests the Secretary-General to report to the Economic and Social Council at its sixtieth session on the basis of the recommendations of the Group of Experts;

11. *Affirms* that a system-wide review and appraisal of the World Plan of Action should be undertaken biennially, and that such reviews and appraisals should constitute an input to the process of review and appraisal of progress made under the International Development Strategy for the Second United Nations Development Decade<sup>12</sup>, taking into account the Programme of Action on the Establishment of a New International Economic Order and the decisions resulting from the sixth and seventh special sessions of the General Assembly;

12. *Affirms* that the General Assembly and other relevant bodies should also consider biennially the progress achieved in the promotion of the full equality of women with men in all spheres of life in accordance with international standards and, in particular, the participation of women in political life and in international co-operation and the strengthening of international peace;

13. *Expresses* the hope that the Ad Hoc Committee on the Restructuring of the Economic and Social Sectors of the United Nations System, which will consider the report of the Group of Experts on the Structure of the United Nations System entitled *A*

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<sup>11</sup> See Note 8.

<sup>12</sup> Resolution 2626 (XXV).



*New United Nations Structure for Global Economic Co-operation*<sup>13</sup>, will take full account of the need to implement the World Plan of Action and related resolutions of the Conference, as well as the requirements of the United Nations Decade for Women: Equality, Development and Peace, and appeals to the *Ad Hoc* Committee to ensure that the machinery designed to deal with questions relating to women should be strengthened, taking into account, in particular, the role of the Commission on the Status of Women and the procedures established for the system-wide review and appraisal of the World Plan of Action;

14. *Decides* to include in the provisional agenda of its thirty-first session an item entitled "United Nations Decade for Women: Equality, Development and Peace";

15. *Invites* the Secretary-General to submit a progress report to the General Assembly at its thirty-first session on the measures taken to implement the World Plan of Action and related resolutions of the Conference, and on the progress achieved in initiating the procedures for the Plan's review and appraisal by Member States, the United Nations organs, the regional commissions, the specialized agencies and other intergovernmental organizations concerned;

16. *Requests* the Secretary-General to ensure, if possible within existing resources, that the Secretariat unit responsible for women's questions possesses adequate personnel and budgetary resources in order to discharge its functions under the World Plan of Action in co-operation with all organizations of the United Nations system;

17. *Further requests* the Secretary-General, in the light of paragraph 16 above, to take into account the requirements of the World Plan of Action and related resolutions of the Conference in preparing revised estimates for 1977 and the medium-term plan for 1978-1981 and to report thereon to the General Assembly at its thirty-first session, in accordance with established procedures;

18. *Urges* all States, the organizations of the United Nations system and intergovernmental and non-governmental organizations concerned, as well as the mass communications media, to give widespread publicity to the achievements and significance of the Conference at the national, regional and international levels;

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<sup>13</sup> E/AC.62/9. United Nations publication, Sales N° E.75.II.A7.

19. *Requests* the Secretary-General, as a matter of high priority, to issue within existing resources, in the official languages of the United Nations, a simplified version of the World Plan of Action as a booklet, which would highlight the targets, goals and main recommendations for action by Governments, the United Nations system and non-governmental organisations and which would explain the relevance of the implementation of the Plan to the daily lives of men and women throughout the world;

20. *Decides* to convene in 1980, at the mid-term of the United Nations Decade for Women: Equality, Development and Peace, a world conference of all States to review and evaluate the progress made in implementing the objectives of the International Women's Year as recommended by the World Conference of the International Women's Year and, where necessary, to readjust existing programmes in the light of new data and research available.

**B. RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY OF THE UNITED NATIONS CONCERNING THE WORLD CONFERENCE OF THE UNITED NATIONS DECADE FOR WOMEN: EQUALITY, DEVELOPMENT, PEACE (Copenhagen, 14-30 July 1980)**

**Resolution 35/136 - World Conference of the United Nations Decade for Women**

*Adopted on 11 December 1980 by the General Assembly at its 35<sup>th</sup> session*

*The General Assembly,*

*Recalling* its resolution 3520 (XXX) of 15 December 1975, in which it proclaimed the period from 1976 to 1985 United Nations Decade for Women: Equality, Development and Peace and decided to convene a world conference at the mid-term of the Decade,

*Recalling also* its resolution 34/158 of 17 December 1979 on the World Conference of the United Nations Decade for Women,

*Recalling further* its resolution 34/180 of 18 December 1979, the annex to which contains the text of the Convention on the Elimination of All Forms of Discrimination against Women,

*Reaffirming* the principles and objectives set forth in the Declaration of Mexico on the Equality of Women and Their Contribution to Development and Peace, 1975<sup>1</sup>, and in the World Plan of Action for the Implementation of the Objectives of the International Women's Year<sup>2</sup>,

*Bearing in mind* its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974, containing the Declaration and the Programme of Action on the Establishment of a New International Economic Order, 3281 (XXIX) of 12 December 1974, containing the Charter of Economic Rights and Duties of States, and 3362 (S-VII) of 16 September 1975 on development and international economic co-operation,

*Bearing in mind further* the consensus achieved on the text of the International Development Strategy for the Third United

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<sup>1</sup> See *Report of the World Conference of the International Women's Year, Mexico, 19 June - 2 July 1975*. United Nations publication, Sales No E.76.IV.1, Chap. 1.

<sup>2</sup> *Ibid.*, Chap. II, Sect. A.

Nations Development Decade<sup>3</sup>, in particular on the implementation of the objectives of the United Nations Decade for Women within the framework of the Strategy,  
*Having considered the Report of the World Conference of the United Nations Decade for Women : Equality, Development and Peace*<sup>4</sup>,  
*Convinced* that the Conference, by adopting the Programme of Action for the Second Half of the United Nations Decade for Women and other relevant decisions and resolutions<sup>5</sup>, has made an important and positive contribution to the attainment of the objectives of the Decade and permitted the maintenance of a policy framework to deal with the concerns of women,  
*Recognizing* the need for the active participation of women in the achievement of a just and lasting peace and social progress, the establishment of the new international economic order, complete respect for human rights and fundamental freedoms and the integration of women into the development process so that the equality of men and women may be affirmed and their situation improved,  
*Reaffirming* that the realization of equal rights for women at all levels and in all areas of life will contribute to the struggle for the elimination of colonialism, neo-colonialism, all forms of racism and racial discrimination and *apartheid*,  
*Considering* that the recommendations made in the Programme of Action and in other relevant decisions and resolutions adopted by the Conference should immediately be translated into concrete action by States the organizations of the United Nations system and intergovernmental and non-governmental organizations,

1. *Takes note with satisfaction of the Report of the World Conference of the United Nations Decade for Women: Equality, Development and Peace;*
2. *Endorses* the Programme of Action for the Second Half of the United Nations Decade for Women, as adopted at the Conference;
3. *Recognizes* that the Conference made an important and constructive contribution by appraising the progress achieved and the obstacles encountered in the Implementation of the objectives of the Decade and by preparing and adopting a programme for the next five years,

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<sup>3</sup> See Sect. V. resolution 35/56, annex.

<sup>4</sup> United Nations publication, Sales N° E.80.IV.3 and corrigendum.

<sup>5</sup> *Ibid.*, Chap. 1.

4. *Affirms* that the implementation of the Programme of Action should result in the complete integration of women into the development process and the elimination of all forms of inequality between men and women and will guarantee broad participation by women in efforts to strengthen peace and security throughout the world;
5. *Affirms*, in particular, that the implementation of the Programme of Action and of the relevant recommendations, decisions and resolutions of the Conference will contribute to the effective attainment of the objectives of the Decade;
6. *Urges* Governments to take appropriate measures to implement the Programme of Action and other relevant resolutions and decisions at the national, regional and international levels;
7. *Requests*, in particular, Member States when preparing and evaluating the execution of projects, programmes and plans of action at national, regional and international meetings to pay special attention to measures for the involvement and benefit of women;
8. *Calls upon* all Governments, organizations of the United Nations system and intergovernmental and non-governmental organizations to intensify, at regional levels, the dissemination of information and the exchange of experiences on the participation of women in all relevant programmes and information activities with a view to achieving the objectives of the Decade;
9. *Requests* the regional commissions to consider the Programme of Action with a view to formulating appropriate programmes for implementing the recommendations contained therein, including the organization of seminars, symposia and meetings which will contribute towards furthering the integration of women into the development process and the achievement of the objectives of the Decade;
10. *Urges* the regional commissions to report in full to the Economic and Social Council at its first regular session of 1982 on the specific aspects of the situation of women in all the sectors of their development programmes, in order to strengthen and reorient the reporting methods of those commissions so as to reflect more adequately the regional concerns of women, and thereafter to report on the same subject every two years;

11. *Urges* all the organizations of the United Nations system to take the necessary measures to ensure a concerted and sustained effort for the implementation of the Programme of Action and of other relevant resolutions and decisions of the Conference in the course of the second half of the Decade, with a view to achieving a substantial improvement in the status of women and to ensuring that all their programmes take into account the need for the complete integration of women;

12. *Requests* the Secretary-General to submit to the Economic and Social Council at its first regular session of 1981 proposals for the implementation of the Programme of Action, taking into account the need for the speedy establishment of the new international economic order and the implementation of the goals and objectives of the International Development Strategy for the Third United Nations Development Decade, which are indispensable for the advancement of women;

13. *Also requests* the Secretary-General to consider appropriate measures to enable the Commission on the Status of Women to discharge the functions assigned to it for the implementation of the World Plan of Action for the Implementation of the Objectives of the International Women's Year and the Programme of Action for the Second Half of the United Nations Decade for Women, and also requests him to take immediate action to strengthen the Centre for Social Development and Humanitarian Affairs of the Secretariat at Vienna;

14. *Further requests* the Secretary-General and international organizations to take all the necessary action to establish, where they do not already exist, focal points in all sectors of the organizations of the United Nations system in order to co-ordinate questions relating to women and integrate them into their work programmes;

15. *Invites* the Secretary-General to circulate the report of the Conference among Member States and intergovernmental and non-governmental organizations in order to ensure that it is publicized and disseminated as widely as possible;

16. *Also invites* the Secretary-General to submit to the General Assembly at its thirty-sixth session a report on the measures taken to implement the present resolution;

17. *Decides* to convene in 1985, at the conclusion of the Decade, a World Conference to Review and Appraise the Achievements of the United Nations Decade for Women;

18. *Decides* to include in the provisional agenda of its thirty-sixth session the item entitled "United Nations Decade for Women: Equality, Development and Peace".

**C. RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY OF THE UNITED NATIONS CONCERNING THE NAIROBI FORWARD-LOOKING STRATEGIES FOR THE ADVANCEMENT OF WOMEN ADOPTED BY THE WORLD CONFERENCE CHARGED TO EXAMINE AND EVALUATE THE RESULTS OF THE UNITED NATIONS DECADE FOR WOMEN: EQUALITY, DEVELOPMENT AND PEACE (Nairobi, 15-16 July 1985)**

**Resolution 40/108 - Implementation of the Nairobi Forward-Looking Strategies for the Advancement of Women**

*Adopted on 13 December 1985 by the General Assembly  
at its 40<sup>th</sup> session*

The General Assembly,

*Recalling* its resolution 3520 (XXX) of 15 December 1975, in which it proclaimed the period from 1976 to 1985 the United Nations Decade for Women: Equality, Development and Peace,

*Bearing in mind* the Convention on the Elimination of All Forms of Discrimination against Women<sup>1</sup>, which was adopted on 18 December 1979 and which came into force on 3 September 1981,

*Recalling* also the principles and objectives set forth in the Declaration of Mexico on the Equality of Women and Their Contribution to Development and Peace, 1975<sup>2</sup>, the World Plan of Action for the Implementation of the Objectives of the International Women's Year<sup>3</sup> and the Programme of Action for the Second Half of the United Nations Decade for Women<sup>4</sup>,

*Bearing in mind* also its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974, containing the Declaration and

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<sup>1</sup> Resolution 34/180, Annex.

<sup>2</sup> *Report of the World Conference of International Women's Year, Mexico, 19 June - 2 July 1975*. United Nations publication, Sales N° E.76.IV.1, Chap. 1.

<sup>3</sup> *Ibid.*, Chap. II, Sect. A.

<sup>4</sup> *Report of the World Conference of the United Nations Decade for Women: Equality, Development, Peace, Copenhagen, 14-30 July 1980*. United Nations publication, Sales N° E. 80.IV.3 and corrigendum.



*Bearing in mind* also its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974, containing the Declaration and Programme of Action on the Establishment of a New International Economic Order, 3281 (XXIX) of 12 December 1974, containing the Charter of Economic Rights and Duties of States, 3362 (S-VII) of 16 September 1975 on development and international economic co-operation and 2542 (XXIV) of 11 December 1969 proclaiming the Declaration on Social Progress and Development,

*Bearing in mind* further the consensus achieved in the text of the International Development Strategy for the Third United Nations Development Decade, contained in its resolution 35/56 of 5 December 1980, in particular regarding the implementation of the objectives of the United Nations Decade for Women within the framework of the Strategy,

*Recalling also* its resolution 37/63 of 3 December 1982, by which it proclaimed the Declaration on the Participation of Women in Promoting International Peace and Co-operation,

*Recalling further* its resolution 39/29 of 3 December 1984 on the critical economic situation in Africa,

*Recalling* its resolution 35/136 of 11 December 1980, in which it decided to convene in 1985, at the conclusion of the Decade, a World Conference to Review and Appraise the Achievements of the United Nations Decade for Women,

*Conscious of* the considerable and constructive contribution made by the Commission on the Status of Women acting as preparatory body for the Conference, the specialized agencies, the regional commissions and other organizations of the United Nations system, Member States and non-governmental organizations in the preparations for the Conference,

*Aware of* the continued contribution made by the Non-Governmental Organizations Forum to the advancement of women,

*Convinced* that the full integration of women in all aspects of political, economic and social life, at the international, regional and national levels, is essential if the obstacles to the achievement of the goals and objectives of the Decade are to be overcome,

*Having considered* the report of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace<sup>5</sup>,

*Convinced* that the Conference, by adopting the Forward-Looking Strategies for the Advancement of Women<sup>6</sup>, has made an important and positive contribution to the attainment of the objectives of the Decade and provided a policy framework for advancing the status of women to the year 2000,

*Further convinced* that the Conference has made an important and constructive contribution by appraising the progress achieved and obstacles encountered in the implementation of the objectives of the Decade and by preparing and adopting strategies to advance the status of women for the next fifteen years,

*Stressing* that during the period 1986-2000 the primary responsibility for implementing the Forward-Looking Strategies rests with individual countries, as they are intended to serve as guidelines for a process of continuous adaptation to diverse and changing situations at speeds and in modes determined by overall national priorities, within which the integration of women in development should rank high,

*Reaffirming* that the realization of equal rights for women at all levels and in all areas of life will contribute to the achievement of a just and lasting peace, to social progress and to respect for human rights and fundamental freedoms, and that the integration of women in the mainstream of the development process requires not only commitment at the national, regional and international levels, but also continuing financial and technical support, and also requires the establishment of the new international economic order,

*Considering* that the Forward-Looking Strategies should immediately be translated into concrete action by Governments, as determined by overall national priorities, by organizations of the United Nations system, specialized agencies and intergovernmental and non-governmental organizations, including women's organizations,

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<sup>5</sup> *Report of the World Conference Charged to Examine and Evaluate the Results of the United Nations Decade for Women: Equality, Development and Peace, Nairobi, 15-26 July 1985.* United Nations publication, Sales N° E.85.IV.10.

<sup>6</sup> *Ibid.*

*Persuaded of the importance of taking measures to ensure system-wide co-ordination within the United Nations in order to develop a comprehensive and integrated approach to the issues which are crucial to the advancement of women,*

1. *Takes note with satisfaction of the report of the World Conference to Review and Appraise the Achievement of the United Nations Decade for Women: Equality, Development and Peace*<sup>7</sup>;

2. *Endorses the Nairobi Forward-Looking Strategies for the Advancement of Women*<sup>8</sup>;

3. *Affirms that the implementation of the Forward-Looking Strategies should result in the elimination of all forms of inequality between women and men and in the complete integration of women into the development process and that that should guarantee broad participation by women in efforts to strengthen peace and security in the world;*

4. *Declares that the objectives of the United Nations Decade for Women: Equality, Development and Peace, with the sub-themes: employment, health and education, remain valid;*

5. *Calls upon Governments to allocate adequate resources and to take effective appropriate measures to implement the Forward-Looking Strategies as a matter of high priority, including the establishment or reinforcement, as appropriate, of national machineries to promote the advancement of women, and to monitor the implementation of these strategies with a view to ensuring the full integration of women in the political, economic, social and cultural life of their countries;*

6. *Further calls upon all Governments of Member States to appoint women to decision-making positions, bearing in mind their contribution to national development;*

7. *Invites Governments, when preparing and evaluating national plans and programmes of action, to incorporate measurable targets for overcoming obstacles to the advancement of women and to include measures for the involvement of women in development, both as agents and beneficiaries, on an*

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<sup>7</sup> Ibid.

<sup>8</sup> Ibid.

equal basis with men, and to review the impact of development policies and programmes on women;

8. *Invites* governmental, intergovernmental and non-governmental organizations to give high priority to the implementation of the Forward-Looking Strategies and, in particular, to ensure that sectoral policies and programmes for development include strategies to promote the participation of women as agents and beneficiaries on an equal basis with men;

9. *Urges* all Governments to contribute to the strengthening of institutional co-ordination in their regions and subregions in order to establish collaborative arrangements and to develop approaches for the implementation of the Forward-Looking Strategies at those levels;

10. *Urges* all organizations of the United Nations system, including the regional commissions and all specialized agencies, to take the necessary measures to ensure a concerted and sustained effort for the implementation of the provisions of the Forward-Looking Strategies with a view to achieving a substantial improvement in the status of women by the year 2000 and to ensure that all projects and programmes take into account the need for the complete integration of women and women's concerns;

11. *Requests* the Secretary-General and the specialized agencies and bodies of the United Nations system to establish, where they do not already exist, focal points on women's issues in all sectors of the work of the organizations of the United Nations system;

12. *Urges* the Administrative Committee on Co-ordination to review periodically the system-wide implementation of the Forward-Looking Strategies and to hold regular inter-agency meetings on women within the framework of the Administrative Committee on Co-ordination;

13. *Emphasizes* the central role of the Commission on the Status of Women in matters related to the advancement of the status of women and calls upon it to promote the implementation of the Forward-Looking Strategies to the year,2000 based on the goals of the United Nations Decade for Women: Equality, Development and Peace, and the sub-themes: employment, health and education, and urges all organizations

of the United Nations system to co-operate with the Commission in this task;

14. *Requests* the Secretary-General to ensure that the Commission on the Status of Women receives the support services it requires to fulfil its central role effectively;

15. *Requests* the Secretary-General to invite Governments, organisations of the United Nations system, including regional commissions and specialized agencies, intergovernmental and non-governmental organizations to report periodically through the Commission on the Status of Women to the Economic and Social Council on the activities undertaken at all levels to implement the Forward-Looking Strategies;

16. *Requests* the Secretary-General, in preparing the note on the integrated reporting system for periodic review and appraisal of progress in the advancement of women for submission to the Commission on the Status of Women at its thirty-first session, as called for in Economic and Social Council decision 1984/123 of 24 May 1984, to include proposals for a reporting system to facilitate the monitoring of the implementation of the Forward-Looking Strategies as set out in paragraph 15 above, taking into account the experience gained during the Decade, the views of Governments and the need not to duplicate existing reporting obligations, bearing in mind the need to carry out periodical in-depth sectoral reviews of progress achieved and obstacles encountered in implementing the Forward-Looking Strategies to the year 2000;

17. *Recommends* that the Secretary-General prepare and submit to the Commission on the Status of Women at its thirty-first session, bearing in mind the remarks and concrete recommendations made during the debate at the fortieth session, in particular the proposals about increasing the number of members and the frequency of meetings of the Commission, a report on alternative measures to strengthen the Commission in the discharge of its functions following the United Nations Decade for Women, and also recommends that the recommendations of the Commission on the matter be reported to the General Assembly at its forty-first session through the Economic and Social Council;

18. *Reaffirms* the role of the Centre for Social Development and Humanitarian Affairs of the Department of International Economic and Social Affairs of the Secretariat, in particular the

Branch for the Advancement of Women, as the substantive secretariat of the Commission and as a focal point for matters on women, and requests the Secretariat to collect and disseminate information on system-wide activities related to the implementation of the Forward-Looking Strategies;

19. *Takes note* with satisfaction of the appointment of the Co-ordinator for the Improvement of the Status of Women in the Secretariat of the United Nations, in accordance with General Assembly resolution 39/245 of 18 December 1984, and, in this context, of the fact that the Secretary-General should continue to plan and implement positive actions and programmes to improve the status of women in the Secretariat and to monitor the progress achieved;

20. *Calls upon* the Secretary-General and the heads of the specialized agencies and other United Nations bodies to establish new five-year targets at each level for the percentage of women in Professional and decision-making positions, in accordance with the criteria established by the General Assembly, in particular that of equitable geographical distribution, in order that a definite upward trend in the application of Assembly resolution 33/143 of 20 December 1978 be registered in the number of Professional and decision-making positions held by women by 1990 and to set additional targets every five years;

21. *Welcomes* Economic and Social Council resolution 1985/46 of 31 May 1985 regarding women and development and, noting the particular importance of paragraph 4 of that resolution, recommends that immediate measures be taken to ensure that future medium-term plans of the United Nations and the specialized agencies should contain intersectoral presentations of the various programmes dealing with issues of concern to women and that revisions of current plans should be considered in the light of the results of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace<sup>9</sup>;

22. *Requests* the Secretary-General to take into account the requirements of the Forward-Looking Strategies in preparing the programme budget and programme of work for the biennium 1988-1989;

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<sup>9</sup> Ibid.

23. *Urges* all financial institutions and all international regional and subregional organizations, institutions, development banks and general funding agencies to ensure that their policies and programmes promote the full participation of women as agents and beneficiaries in the development process;

24. *Invites* the Secretary-General to circulate the report of the Conference among Member States, all organizations of the United Nations system and specialized agencies, intergovernmental and non-governmental organizations in order to ensure that the Forward-Looking Strategies are publicized and disseminated as widely as possible, and encourages Governments to translate the Strategies into their national languages;

25. *Requests* the Secretary-General and the heads of all organisations within the United Nations system and of the specialized agencies to continue to give high priority in their public information programmes to disseminating information concerning women and, in particular, the Forward-Looking Strategies and, in the light of the recommendations contained in the Strategies, further requests the Secretary-General to provide in the regular budget for the continuation of the existing weekly radio programmes on women, with adequate provision for distributing them in different languages;

26. *Also requests* the Secretary-General to report to the General Assembly at its forty-first session on measures taken to implement the present resolution;

27. *Decides to consider* these questions further at its forty-first session under an item entitled "Forward-looking strategies for the advancement of women to the year 2000".

**D. FOURTH WORLD CONFERENCE ON WOMEN  
(Beijing, China, 4-15 September 1995)**

**Resolution 50/42 - Fourth World Conference on Women**

*Adopted without a vote on 8 December 1995  
by the General Assembly at its 50<sup>th</sup> session*

The General Assembly,

*Noting with satisfaction* the successful conclusion of the Fourth World Conference on Women, held at Beijing from 4 to 15 September 1995, which culminated in the adoption of the Beijing Declaration<sup>1</sup> and the Platform for Action<sup>2</sup>, aimed at accelerating the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women<sup>3</sup> to the year 2000,

1. *Expresses its profound gratitude* to the Government of the People's Republic of China for having made it possible for the Fourth World Conference on Women to be held at Beijing and for the excellent facilities, staff and services so graciously placed at the disposal of the Conference;
2. *Takes note* of the report of the Fourth World Conference on Women<sup>4</sup>;
3. *Endorses* the Beijing Declaration and the Platform for Action as adopted at the Conference on 15 September 1995;
4. *Calls upon* all States and all bodies of the United Nations system and other international organizations, as well as non-governmental organizations, to take action for the effective implementation of the Beijing Declaration and the Platform for Action.

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<sup>1</sup> A/CONF.177/20, Chap. I, resolution 1, Annex I.

<sup>2</sup> Ibid., Annex II.

<sup>3</sup> *Report of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, Nairobi, 15-26 July 1985*. United Nations publication, Sales No. E.85.IV.10, Chap. I, Sect. A.

<sup>4</sup> A/CONF.177/20.



**Resolution 50/203 - Follow-up to the Fourth World Conference on Women and Full Implementation of the Beijing Declaration and the Platform for Action**

*Adopted without a vote on 22 December 1995  
by the General Assembly at its 50<sup>th</sup> session*

*The General Assembly,*

*Recalling* its resolutions 45/129 of 14 December 1990, 46/98 of 16 December 1991 and 47/95 of 16 December 1992, as well as Economic and Social Council resolution 1990/12 of 24 May 1990 and Council decision 1992/272 of 30 July 1992, recommending that a world conference on women be held in 1995,

*Reaffirming* the importance of the outcome of the previous World Conferences on Women, held at Mexico City in 1975<sup>1</sup>, at Copenhagen in 1980<sup>2</sup> and at Nairobi in 1985<sup>3</sup>,

*Building on* the consensus reached and the progress made at previous United Nations conferences and summits, for children in New York in 1990<sup>4</sup>, on environment and development at Rio de Janeiro in 1992<sup>5</sup>, on human rights at Vienna in 1993<sup>6</sup>, on population and development at Cairo in 1994<sup>7</sup> and on social development at Copenhagen in 1995<sup>8</sup>,

*Expressing its satisfaction* that the Fourth World Conference on Women: Action for Equality, Development and Peace reached

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<sup>1</sup> See *Report of the World Conference of the International Women's Year, Mexico, 19 June - 2 July 1975*. United Nations Publication, sales N° E.76.IV.1.

<sup>2</sup> See *Report of the World Conference of the United Nations Decade for Women: Equality, Development, Peace, Copenhagen, 14-30 July 1980*. United Nations publication, Sales N° E.80.IV.3 and rectification.

<sup>3</sup> See *Report of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, Nairobi, 15-26 July 1985* (United Nations publication, Sales No. E.85.IV.10), Chap. I, Sect. A.

<sup>4</sup> A/45/625, Annex.

<sup>5</sup> See *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992*. United Nations Publication, Sales N° E.93.I.8 and corrigendum.

<sup>6</sup> See A/CONF.157/24. Part I.

<sup>7</sup> See Report of the International Conference on Population and Development, Cairo, 5-13 September 1994. United Nations publication, Sales N° E.95.XIII.18).

<sup>8</sup> See A/CONF.166/9.

a successful conclusion and adopted the Beijing Declaration<sup>9</sup> and the Platform for Action<sup>10</sup>,

*Expressing its profound gratitude* to the Government of the People's Republic of China for having made it possible for the Conference to be held at Beijing and for the excellent facilities, staff and services so graciously placed at the disposal of the Conference,

*Recognizing* the significance of the outcome of the Conference to make a real change for the empowerment of women and thus to the fulfilment of the goals adopted in the Nairobi Forward-looking Strategies for the Advancement of Women<sup>11</sup>,

*Deeply convinced* that the Beijing Declaration and the Platform for Action are important contributions to the advancement of women worldwide and must be translated into effective action by all States, the United Nations system and other organizations concerned, as well as non-governmental organizations,

*Recognizing* that the implementation of the Platform for Action rests primarily at the national level, that Governments, non-governmental organizations and public and private institutions should be involved in the implementation process and that national mechanisms also have an important role to play,

*Bearing in mind* that promotion of international cooperation is essential for the effective implementation of the Beijing Declaration and the Platform for Action, *Recognizing* that the implementation of the Platform for Action requires commitment from Governments and the international community,

*Recognizing* also the important role played by States, the United Nations, the regional commissions and other international organizations, as well as non-governmental organizations and women's organizations, in the preparatory process of the Conference and the importance of their involvement in the implementation of the Platform for Action,

*Taking into account* the fact that the follow-up to the Conference should be undertaken on the basis of an integrated approach to the advancement of women within the framework of a coordinated follow-up to and implementation of the results of the major international conferences in the economic, social

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<sup>9</sup> A/CONF.177/20 and Add.1, Chap. I, Resolution 1, Annex I.

<sup>10</sup> Ibid., Annex II.

<sup>11</sup> See *Report of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, Nairobi, 15-26 July 1985*. United Nations publication, Sales N° E.85.IV.10, Chap. I, Sect. A.

and related fields, as well as the overall responsibilities of the General Assembly and the Economic and Social Council, *Bearing in mind* its resolution 50/42 of 8 December 1995, *Expressing* its appreciation to the Secretary-General, the Secretary-General of the Conference and the staff of the Secretariat for the effective preparations and services provided for the Conference,

1. *Takes note* of the report of the Fourth World Conference on Women<sup>12</sup>, as adopted on 15 September 1995;
2. *Endorses* the Beijing Declaration and the Platform for Action as adopted by the Conference;
3. *Calls upon* States, the United Nations system and all other actors to implement the Platform for Action, in particular by promoting an active and visible policy of mainstreaming a gender perspective at all levels, including in the design, monitoring and evaluation of all policies, as appropriate, in order to ensure effective implementation of the Platform;
4. *Stresses* that Governments have the primary responsibility for implementing the Platform for Action, that commitment at the highest level is essential for its implementation and that Governments should take a leading role in coordinating, monitoring and assessing progress in the advancement of women;
5. *Calls upon* States, with the assistance of non-governmental organizations, to disseminate the Beijing Declaration and the Platform for Action widely;
6. *Emphasizes* that Governments should, as soon as possible and no later than 1996, develop comprehensive implementation strategies or plans of action, including time-bound targets and benchmarks for monitoring, in order to implement the Platform for Action fully;
7. *Calls upon* Governments to create a national machinery where it does not exist and to strengthen, as appropriate, existing national machineries for the advancement of women;

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<sup>12</sup> A/CONF.177/20 and Add. I.

8. *Encourages* non-governmental organizations to contribute to the design and implementation of these strategies or national plans of action in addition to their own programmes that complement government efforts;
9. *Recognizes* the importance attached to the regional monitoring of the global and regional platforms for action by regional commissions and other subregional or regional structures, within their mandates, in consultation with Governments, and the necessity of promoting cooperation among national Governments of the same region in this respect;
10. *Invites* the Economic and Social Council, in order to facilitate the regional implementation, monitoring and evaluation process, to consider reviewing the institutional capacity of the United Nations regional commissions, within their mandates, including their women's units or focal points, to deal with gender-related issues in the light of the Platform for Action, as well as the regional platforms and plans of action, and to give consideration, inter alia, and where appropriate, to strengthening the capacity in this respect;
11. *Calls upon* States to take action to fulfil the commitments made at the Conference for the advancement of women and for the strengthening of international cooperation, and reaffirms that adequate financial resources should be committed at the international level for the implementation of the Platform for Action in the developing countries, in particular in Africa, and in the least developed countries;
12. *Recognizes* that implementation of the Platform for Action in the countries with economies in transition requires continued international cooperation and assistance, as indicated in the Platform for Action;
13. *Stresses* that full and effective implementation of the Platform for Action will require a political commitment to make available human and financial resources for the empowerment of women, the integration of a gender perspective in budgetary decisions on policies and programmes, as well as adequate financing of specific programmes for securing equality between women and men;
14. *Reaffirms* that, in order to implement the Platform for Action, a reformulation of policies and reallocation of resources may be needed, but that some policy changes may not necessarily have financial implications;

15. *Reaffirms also* that, in order to implement the Platform for Action, adequate mobilization of resources at the national and international levels, as well as new and additional resources to the developing countries, in particular in Africa, and the least developed countries, from all available funding mechanisms, including multilateral, bilateral and private sources for the advancement of women, will also be required;

16. *Calls upon* those States committed to the 20:20 initiative to integrate a gender perspective fully into its implementation, as referred to in paragraph 358 of the Platform for Action;

17. *Recognizes* that the creation of an enabling environment is necessary to ensure the full participation of women in economic activities;

18. *Reaffirms* that the implementation of the Platform for Action will require immediate and concerted action by all to create a peaceful, just and humane world based on all human rights and fundamental freedoms, including the principle of equality for all people of all ages and from all walks of life, and to this end, recognizes that broad-based and sustained economic growth in the context of sustainable development is necessary to sustain social development and social justice;

19. *Considers*, in relation to the United Nations, that the Platform for Action should be implemented through the work of all the bodies and organizations of the system during the period 1995-2000, specifically and as an integral part of wider programming;

20. *Considers also* that an enhanced framework for international cooperation for gender-related issues must be developed during the period 1995-2000 in order to ensure the integrated and comprehensive implementation, follow-up and assessment of the Platform for Action, taking into account the results of global United Nations summits and conferences;

21. *Decides* that the General Assembly, the Economic and Social Council and the Commission on the Status of Women, in accordance with their respective mandates and in accordance with Assembly resolution 48/162 of 20 December 1993 and other relevant resolutions, shall constitute a three-tiered intergovernmental mechanism that will play the primary role in the overall policy-making and follow-up, and in coordinating the implementation and monitoring of the Platform for Action, reaffirming the need for a coordinated follow-up to and

implementation of the results of major international conferences in the economic, social and related fields;

22. *Also decides* to appraise the progress on a regular basis and to include in the agenda of its forthcoming sessions, starting from 1996, an item entitled "Implementation of the outcome of the Fourth World Conference on Women", with a view to assessing, in the year 2000, the progress achieved in the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women and the Platform for Action in an appropriate forum;

23. *Invites* the Economic and Social Council to consider devoting to this matter one high-level segment, one coordination segment and one operational segment, before the year 2000, taking into account the multi-year programme of work of the Commission on the Status of Women and all other functional commissions of the Council;

24. *Also invites* the Economic and Social Council to review and strengthen the mandate of the Commission on the Status of Women, taking into account the Platform for Action as well as the need for synergy with all other related commissions and conference follow-up, and for a system-wide approach to its implementation;

25. *Decides* that the Commission on the Status of Women, as a functional commission assisting the Economic and Social Council, shall have a central role in the monitoring of the implementation of the Platform for Action within the United Nations system and in advising the Council thereon;

26. *Decides* that the Economic and Social Council should oversee system-wide coordination in the implementation of the Platform for Action, ensure overall coordination of the follow-up to and implementation of the results of all United Nations international conferences in the economic, social and related fields and report thereon to the General Assembly;

27. *Requests* the Commission on the Status of Women to develop its multi-year programme of work for the period 1996-2000 at its fortieth session so that it can review the critical areas of concern in the Platform for Action and to consider how it could integrate into its programme of work the follow-up to the Conference and how it could develop its catalytic role in mainstreaming a gender perspective in United Nations activities, taking into account the need for a focused and thematic approach to the review of the

Platform for Action and the contribution that can be made by all other functional commissions of the Council;

28. *Also requests* the Commission on the Status of Women to forward its recommendations on the multi-year programme of work to the Economic and Social Council so that the Council can take a decision on the programme of work at its meeting in 1996, reviewing, coordinating and harmonizing the different programmes of work, including the reporting systems of all the commissions in the area of the advancement of women;

29. *Invites* all other functional commissions of the Economic and Social Council, within their mandates, to take due account of the Platform for Action and to ensure the integration of gender aspects in their respective work;

30. *Requests* the Secretary-General to assume responsibility for the coordination of policy within the United Nations for the implementation of the Platform for Action and the mainstreaming of a system-wide gender perspective in all activities of the United Nations system, including training, in accordance with paragraph 326 of the Platform for Action;

31. *Also requests* the Secretary-General to disseminate the Beijing Declaration and the Platform for Action as widely as possible, including to the competent organs of the United Nations and the specialized agencies;

32. *Further requests* the Secretary-General to report, through the Commission on the Status of Women and the Economic and Social Council, to the General Assembly at its fifty-first session on ways to enhance the capacity of the Organization and of the United Nations system to support the ongoing follow-up to the Conference in the most integrated and effective way, including human and financial requirements;

33. *Requests* the Secretary-General to ensure the more effective functioning of the Division for the Advancement of Women of the Secretariat in order to carry out all the tasks foreseen for it in the Platform for Action by, inter alia, providing sufficient human and financial resources within the regular budget of the United Nations;

34. *Also requests* the Secretary-General, in cooperation with the Administrator of the United Nations Development Programme, to ask the resident coordinators fully to apply a gender perspective in

integrating the follow-up to the Conference into the coordinated follow-up to recent global United Nations conferences;

35. *Further requests* the Secretary-General to report annually to the Commission on the Status of Women and to the General Assembly, through the Economic and Social Council, on the measures taken and the progress achieved in the implementation of the Beijing Declaration and the Platform for Action;

36. *Requests* the Committee on the Elimination of Discrimination against Women, within its mandate, to take into account the Platform for Action when considering reports submitted by States parties, and invites States parties to include information on measures taken to implement the Platform for Action in their reports;

37. *Notes* the importance of the activities undertaken by the United Nations Development Fund for Women and the International Research and Training Institute for the Advancement of Women in the implementation of the Platform for Action;

38. *Encourages* international financial institutions to review and revise policies, procedures and staffing to ensure that investments and programmes benefit women and thus contribute to sustainable development;

39. *Invites* the World Trade Organization to consider how it might contribute to the implementation of the Platform for Action, including through activities in cooperation with the United Nations system.



## UNESCO's Statement on Women's Contribution to a Culture of Peace<sup>1</sup>

On the eve of the twenty-first century, a dynamic movement towards a culture of peace derives inspiration and hope from women's visions and actions.

It is important to draw strength from cultural diversity and redefine the concept of security so that it encompasses ecological, economic, social, cultural and personal security. To replace unequal gender relations with authentic and practical equality between women and men is imperative in order to allow for true participatory democracies.

Ours is still an armed and warring planet. In the first half of this decade alone, more than 90 conflagrations of various kinds have taken a vast toll of human life, impeded social and economic development and depleted the world's resources. Women continue to experience systematic violations of their human rights and to be largely excluded from decision-making. In situations of war and military occupation, women are to an alarming degree the victims and targets of atrocities and aggression.

To combat war as the ultimate expression of the culture of violence, we must address issues such as violence against women in the home, acts and reflexes of aggression and intolerance in everyday life, the banalization of violence in the media, the implicit glorification of war in the teaching of history, trafficking in arms and in drugs, recourse to terrorism and the denial of fundamental human rights and democratic freedoms.

A culture of peace requires that we confront the violence of economic and social deprivation. Poverty and social injustices such as exclusion and discrimination weigh particularly heavily on women. Redressing the flagrant asymmetries of wealth and opportunity within and between countries is indispensable to addressing the root causes of violence in the world.

Equality, development and peace are inextricably linked. There can be no lasting peace without development, and no sustainable development without full equality between men and women.

The new millennium must mark a new beginning. We must dedicate ourselves to averting violence at all levels, to exploring

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<sup>1</sup> This statement was prepared by UNESCO for the 4<sup>th</sup> World Conference on Women (Beijing, September 1995). It was signed by Women Presidents, Women Prime Ministers, Women Nobel Prize laureates, Women heads of United Nations Organisations.

alternatives to violent conflict and to forging attitudes of tolerance and active concern towards others. Human society has the capacity to manage conflict so that it becomes part of a dynamic of positive change. Always provided it involves the full participation of women, action to remedy a pervasive culture of violence is not beyond the capacity of the people and governments of the world.

Efforts to move towards a culture of peace must be founded in education; as stated in UNESCO's Constitution: "...since wars begin in the minds of men, it is in the minds of men that the defences of peace must be constructed."

Girls and women constitute a large majority of the world's educationally excluded and unreached. Ensuring equality of educational access and opportunity between the sexes is a prerequisite for achieving the changes of attitudes and mind-sets on which a culture of peace depends.

Equality in education is the key to meeting other requirements for a culture of peace. These include: full respect for the human rights of women; the release and utilization of women's creative potential in all aspects of life; power sharing and equal participation in decision-making by women and men; the reorientation of social and economic policies to equalize opportunities and new and more equitable patterns of gender relations - presupposing a radical reform of social structures and processes.

Women's capacity for leadership must be utilized to the full and to the benefit of all in order to progress towards a culture of peace. Their historically limited participation in governance has led to a distortion of concepts and a narrowing of processes. In such areas as conflict prevention, the promotion of cross-cultural dialogue and the redressing of socio-economic injustice, women can be the source of innovative and much needed approaches to peace-building.

Women bring to the cause of peace among people and nations distinctive experiences, competence, and perspectives. Women's role in giving and sustaining life has provided them with skills and insights essential to peaceful human relations and social development. Women subscribe less readily than men to the myth of the efficacy of violence, and they can bring a new breadth, quality and balance of vision to a joint effort of moving from a culture of war towards a culture of peace.

*To this end, we the undersigned, commit ourselves to:*

- support national and international efforts to ensure equal access to all forms of learning opportunities, with a view to women's empowerment and access to decision-making;

- promote relevant quality education that imparts knowledge of the human rights of men and women, skills of non-violent conflict resolution, respect for the natural environment, intercultural understanding and awareness of global interdependence, which are essential constituents of a culture of peace;
- encourage new approaches to development that take account of women's priorities and perspectives;
- oppose the misuse of religion, cultural and traditional practices for discriminatory purposes;
- seek to reduce the direct and indirect impact of the culture of war on women in the form of physical and sexual violence or the neglect of social services for excessive military expenditure;
- increase women's freedom of expression and involvement in the media as well as the use of gender-sensitive language and images;
- promote knowledge and respect for international normative instruments concerning the human rights of girls and women and ensure widespread dissemination in order to further the well-being of all, men and women, including the most vulnerable groups of societies;
- support governmental and intergovernmental structures as well as women's associations and NGOs committed to the development of a culture of peace based on equality between women and men.

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We, the signatories, appeal to women and men of goodwill and of diverse cultural backgrounds, religious beliefs, ethnic and social origins to join us in a global endeavour to build, in solidarity and compassion, a culture of peace in the domestic realm and in the public sphere.

Only together, women and men in parity and partnership, can we overcome obstacles and inertia, silence and frustration and ensure the insight, political will, creative thinking and concrete actions needed for a global transition from the culture of violence to a culture of peace.

**Declaration and Programme of Action Adopted at the  
Fourth World Conference on Women  
(Beijing, 4-15 September 1995)**

**CHAPTER I**

**Resolution adopted by the Conference**

***Resolution 1***

***Beijing Declaration and Platform for Action \****

*The Fourth World Conference on Women,*

*Having met* in Beijing from 4 to 15 September 1995,

1. *Adopts* the Beijing Declaration and Platform for Action, which are annexed to the present resolution;
2. *Recommends* to the General Assembly of the United Nations at its fiftieth session that it endorse the Beijing Declaration and Platform for Action as adopted by the Conference.

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\* Adopted at the 16th plenary meeting, on 15 September 1995.

## ANNEX I

### BEIJING DECLARATION

1. We, the Governments participating in the Fourth World Conference on Women,
2. Gathered here in Beijing in September 1995, the year of the fiftieth anniversary of the founding of the United Nations,
3. Determined to advance the goals of equality, development and peace for all women everywhere in the interest of all humanity,
4. Acknowledging the voices of all women everywhere and taking note of the diversity of women and their roles and circumstances, honouring the women who paved the way and inspired by the hope present in the world's youth,
5. Recognize that the status of women has advanced in some important respects in the past decade but that progress has been uneven, inequalities between women and men have persisted and major obstacles remain, with serious consequences for the well-being of all people,
6. Also recognize that this situation is exacerbated by the increasing poverty that is affecting the lives of the majority of the world's people, in particular women and children, with origins in both the national and international domains,
7. Dedicate ourselves unreservedly to addressing these constraints and obstacles and thus enhancing further the advancement and empowerment of women all over the world, and agree that this requires urgent action in the spirit of determination, hope, cooperation and solidarity, now and to carry us forward into the next century.

*We reaffirm our commitment to:*

8. The equal rights and inherent human dignity of women and men and other purposes and principles enshrined in the Charter of the United Nations, to the Universal Declaration of Human Rights and other international human rights instruments, in particular the Convention on the Elimination of All Forms of

Discrimination against Women and the Convention on the Rights of the Child, as well as the Declaration on the Elimination of Violence against Women and the Declaration on the Right to Development;

9. Ensure the full implementation of the human rights of women and of the girl child as an inalienable, integral and indivisible part of all human rights and fundamental freedoms;

10. Build on consensus and progress made at previous United Nations conferences and summits - on women in Nairobi in 1985, on children in New York in 1990, on environment and development in Rio de Janeiro in 1992, on human rights in Vienna in 1993, on population and development in Cairo in 1994 and on social development in Copenhagen in 1995 with the objective of achieving equality, development and peace;

11. Achieve the full and effective implementation of the Nairobi Forward-looking Strategies for the Advancement of Women;

12. The empowerment and advancement of women, including the right to freedom of thought, conscience, religion and belief, thus contributing to the moral, ethical, spiritual and intellectual needs of women and men, individually or in community with others and thereby guaranteeing them the possibility of realizing their full potential in society and shaping their lives in accordance with their own aspirations.

*We are convinced that:*

13. Women's empowerment and their full participation on the basis of equality in all spheres of society, including participation in the decision-making process and access to power, are fundamental for the achievement of equality, development and peace;

14. Women's rights are human rights;

15. Equal rights, opportunities and access to resources, equal sharing of responsibilities for the family by men and women, and a harmonious partnership between them are critical to their well-being and that of their families as well as to the consolidation of democracy;

16. Eradication of poverty based on sustained economic growth, social development, environmental protection and social justice requires the involvement of women in economic and social development, equal opportunities and the full and equal participation of women and men as agents and beneficiaries of people-centred sustainable development;

17. The explicit recognition and reaffirmation of the right of all women to control all aspects of their health, in particular their own fertility, is basic to their empowerment;

18. Local, national, regional and global peace is attainable and is inextricably linked with the advancement of women, who are a fundamental force for leadership, conflict resolution and the promotion of lasting peace at all levels;

19. It is essential to design, implement and monitor, with the full participation of women, effective, efficient and mutually reinforcing gender-sensitive policies and programmes, including development policies and programmes, at all levels that will foster the empowerment and advancement of women;

20. The participation and contribution of all actors of civil society, particularly women's groups and networks and other non-governmental organizations and community-based organizations, with full respect for their autonomy, in cooperation with Governments, are important to the effective implementation and follow-up of the Platform for Action;

21. The implementation of the Platform for Action requires commitment from Governments and the international community. By making national and international commitments for action, including those made at the Conference, Governments and the international community recognize the need to take priority action for the empowerment and advancement of women.

*We are determined to:*

22. Intensify efforts and actions to achieve the goals of the Nairobi Forward-looking Strategies for the Advancement of Women by the end of this century;

23. Ensure the full enjoyment by women and the girl child of all human rights and fundamental freedoms and take effective action against violations of these rights and freedoms;

24. Take all necessary measures to eliminate all forms of discrimination against women and the girl child and remove all obstacles to gender equality and the advancement and empowerment of women;
25. Encourage men to participate fully in all actions towards equality;
26. Promote women's economic independence, including employment, and eradicate the persistent and increasing burden of poverty on women by addressing the structural causes of poverty through changes in economic structures, ensuring equal access for all women, including those in rural areas, as vital development agents, to productive resources, opportunities and public services;
27. Promote people-centred sustainable development, including sustained economic growth, through the provision of basic education, life-long education, literacy and training, and primary health care for girls and women;
28. Take positive steps to ensure peace for the advancement of women and, recognizing the leading role that women have played in the peace movement, work actively towards general and complete disarmament under strict and effective international control, and support negotiations on the conclusion, without delay, of a universal and multilaterally and effectively verifiable comprehensive nuclear-test-ban treaty which contributes to nuclear disarmament and the prevention of the proliferation of nuclear weapons in all its aspects;
29. Prevent and eliminate all forms of violence against women and girls;
30. Ensure equal access to and equal treatment of women and men in education and health care and enhance women's sexual and reproductive health as well as education;
31. Promote and protect all human rights of women and girls;
32. Intensify efforts to ensure equal enjoyment of all human rights and fundamental freedoms for all women and girls who face multiple barriers to their empowerment and advancement because of such factors as their race, age, language, ethnicity, culture, religion, or disability, or because they are indigenous people;



33. Ensure respect for international law, including humanitarian law, in order to protect women and girls in particular;

34. Develop the fullest potential of girls and women of all ages, ensure their full and equal participation in building a better world for all and enhance their role in the development process.

*We are determined to:*

35. Ensure women's equal access to economic resources, including land, credit, science and technology, vocational training, information, communication and markets, as a means to further the advancement and empowerment of women and girls, including through the enhancement of their capacities to enjoy the benefits of equal access to these resources, *inter alia*, by means of international cooperation;

36. Ensure the success of the Platform for Action, which will require a strong commitment on the part of Governments, international organizations and institutions at all levels. We are deeply convinced that economic development, social development and environmental protection are interdependent and mutually reinforcing components of sustainable development, which is the framework for our efforts to achieve a higher quality of life for all people. Equitable social development that recognizes empowering the poor, particularly women living in poverty, to utilize environmental resources sustainably is a necessary foundation for sustainable development. We also recognize that broad-based and sustained economic growth in the context of sustainable development is necessary to sustain social development and social justice. The success of the Platform for Action will also require adequate mobilization of resources at the national and international levels as well as new and additional resources to the developing countries from all available funding mechanisms, including multilateral, bilateral and private sources for the advancement of women; financial resources to strengthen the capacity of national, subregional, regional and international institutions; a commitment to equal rights, equal responsibilities and equal opportunities and to the equal participation of women and men in all national, regional and international bodies and policy-making processes; and the establishment or strengthening of mechanisms at all levels for accountability to the world's women;

making processes; and the establishment or strengthening of mechanisms at all levels for accountability to the world's women;

37. Ensure also the success of the Platform for Action in countries with economies in transition, which will require continued international cooperation and assistance;

38. We hereby adopt and commit ourselves as Governments to implement the following Platform for Action, ensuring that a gender perspective is reflected in all our policies and programmes. We urge the United Nations system, regional and international financial institutions, other relevant regional and international institutions and all women and men, as well as non-governmental organizations, with full respect for their autonomy, and all sectors of civil society, in cooperation with Governments, to fully commit themselves and contribute to the implementation of this Platform for Action.

## ANNEX II

### PLATFORM FOR ACTION

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## CHAPTER I

### MISSION STATEMENT

1. The Platform for Action is an agenda for women's empowerment. It aims at accelerating the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women<sup>1</sup> and at removing all the obstacles to women's active participation in all spheres of public and private life through a full and equal share in economic, social, cultural and political decision-making. This means that the principle of shared power and responsibility should be established between women and men at home, in the workplace and in the wider national and international communities. Equality between women and men is a matter of human rights and a condition for social justice and is also a necessary and fundamental prerequisite for equality, development and peace. A transformed partnership based on equality between women and men is a condition for people-centred sustainable development. A sustained and long-term commitment is essential, so that women and men can work together for themselves, for their children and for society to meet the challenges of the twenty-first century.

2. The Platform for Action reaffirms the fundamental principle set forth in the Vienna Declaration and Programme of Action<sup>2</sup>, adopted by the World Conference on Human Rights, that the human rights of women and of the girl child are an inalienable, integral and indivisible part of universal human rights. As an agenda for action, the Platform seeks to promote and protect the full enjoyment of all human rights and the fundamental freedoms of all women throughout their life cycle.

3. The Platform for Action emphasizes that women share common concerns that can be addressed only by working together and in partnership with men towards the common goal of gender equality around the world. It respects and values the full diversity of women's situations and conditions and recognizes that some women face particular barriers to their empowerment.

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<sup>1</sup> *Report of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, Nairobi, 15-26 July 1985.* United Nations publication, Sales No. E.85.IV.10, Chap. I, Sect. A.

<sup>2</sup> *Report of the World Conference on Human Rights, Vienna, 14-25 June 1993.* A/CONF.157/24, Part I, Chap. III.

4. The Platform for Action requires immediate and concerted action by all to create a peaceful, just and humane world based on human rights and fundamental freedoms, including the principle of equality for all people of all ages and from all walks of life, and to this end, recognizes that broad-based and sustained economic growth in the context of sustainable development is necessary to sustain social development and social justice.

5. The success of the Platform for Action will require a strong commitment on the part of Governments, international organizations and institutions at all levels. It will also require adequate mobilization of resources at the national and international levels as well as new and additional resources to the developing countries from all available funding mechanisms, including multilateral, bilateral and private sources for the advancement of women; financial resources to strengthen the capacity of national, subregional, regional and international institutions; a commitment to equal rights, equal responsibilities and equal opportunities and to the equal participation of women and men in all national, regional and international bodies and policy-making processes; and the establishment or strengthening of mechanisms at all levels for accountability to the world's women.

## **CHAPTER II**

### **GLOBAL FRAMEWORK**

6. The Fourth World Conference on Women is taking place as the world stands poised on the threshold of a new millennium.

7. The Platform for Action upholds the Convention on the Elimination of All Forms of Discrimination against Women<sup>3</sup> and builds upon the Nairobi Forward-looking Strategies for the Advancement of Women, as well as relevant resolutions adopted by the Economic and Social Council and the General Assembly. The formulation of the Platform for Action is aimed at establishing a basic group of priority actions that should be carried out during the next five years.

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<sup>3</sup> Resolution 34/180 of the General Assembly.

8. The Platform for Action recognizes the importance of the agreements reached at the World Summit for Children, the United Nations Conference on Environment and Development, the World Conference on Human Rights, the International Conference on Population and Development and the World Summit for Social Development, which set out specific approaches and commitments to fostering sustainable development and international cooperation and to strengthening the role of the United Nations to that end. Similarly, the Global Conference on the Sustainable Development of Small Island Developing States, the International Conference on Nutrition, the International Conference on Primary Health Care and the World Conference on Education for All have addressed the various facets of development and human rights, within their specific perspectives, paying significant attention to the role of women and girls. In addition, the International Year for the World's Indigenous People<sup>4</sup>, the International Year for the Family<sup>5</sup>, the United Nations Year for Tolerance<sup>6</sup>, the Geneva Declaration for Rural Women<sup>7</sup>, and the Declaration on the Elimination of Violence against Women<sup>8</sup> have also emphasized the issues of women's empowerment and equality.

9. The objective of the Platform for Action, which is in full conformity with the purposes and principles of the Charter of the United Nations and international law, is the empowerment of all women. The full realization of all human rights and fundamental freedoms of all women is essential for the empowerment of women. While the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms<sup>9</sup>. The implementation of this Platform, including through national laws and the formulation of strategies, policies, programmes and development priorities, is the sovereign responsibility of each State, in conformity with all human rights and fundamental freedoms, and the significance of and full respect for various religious and ethical values, cultural

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<sup>4</sup> Resolution 45/164 of the General Assembly.

<sup>5</sup> Resolution 44/82 of the General Assembly

<sup>6</sup> Resolution 48/126 of the General Assembly.

<sup>7</sup> A/47/308-E/1992/97.

<sup>8</sup> Resolution 48/104 of the General Assembly.

<sup>9</sup> *Vienna Declaration and Programme of Action, Report of the World Conference on Human Rights ...*, Chap. III, para. 5.

backgrounds and philosophical convictions of individuals and their communities should contribute to the full enjoyment by women of their human rights in order to achieve equality, development and peace.

10. Since the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, held at Nairobi in 1985, and the adoption of the Nairobi Forward-looking Strategies for the Advancement of Women, the world has experienced profound political, economic, social and cultural changes, which have had both positive and negative effects on women. The World Conference on Human Rights recognized that the human rights of women and the girl child are an inalienable, integral and indivisible part of universal human rights. The full and equal participation of women in political, civil, economic, social and cultural life at the national, regional and international levels, and the eradication of all forms of discrimination on the grounds of sex are priority objectives of the international community. The World Conference on Human Rights reaffirmed the solemn commitment of all States to fulfil their obligations to promote universal respect for, and observance and protection of, all human rights and fundamental freedoms for all in accordance with the Charter of the United Nations, other instruments related to human rights and international law. The universal nature of these rights and freedoms is beyond question.

11. The end of the cold war has resulted in international changes and diminished competition between the super-Powers. The threat of a global armed conflict has diminished, while international relations have improved and prospects for peace among nations have increased. Although the threat of global conflict has been reduced, wars of aggression, armed conflicts, colonial or other forms of alien domination and foreign occupation, civil wars, and terrorism continue to plague many parts of the world. Grave violations of the human rights of women occur, particularly in times of armed conflict, and include murder, torture, systematic rape, forced pregnancy and forced abortion, in particular under policies of ethnic cleansing.

12. The maintenance of peace and security at the global, regional and local levels, together with the prevention of policies of aggression and ethnic cleansing and the resolution of armed conflict, is crucial for the protection of the human rights of women and girl children, as well as for the elimination of all

forms of violence against them and of their use as a weapon of war.

13. Excessive military expenditures, including global military expenditures and arms trade or trafficking, and investments for arms production and acquisition have reduced the resources available for social development. As a result of the debt burden and other economic difficulties, many developing countries have undertaken structural adjustment policies. Moreover, there are structural adjustment programmes that have been poorly designed and implemented, with resulting detrimental effects on social development. The number of people living in poverty has increased disproportionately in most developing countries, particularly the heavily indebted countries, during the past decade.

14. In this context, the social dimension of development should be emphasized. Accelerated economic growth, although necessary for social development, does not by itself improve the quality of life of the population. In some cases, conditions can arise which can aggravate social inequality and marginalization. Hence, it is indispensable to search for new alternatives that ensure that all members of society benefit from economic growth based on a holistic approach to all aspects of development: growth, equality between women and men, social justice, conservation and protection of the environment, sustainability, solidarity, participation, peace and respect for human rights.

15. A world-wide movement towards democratization has opened up the political process in many nations, but the popular participation of women in key decision-making as full and equal partners with men, particularly in politics, has not yet been achieved. South Africa's policy of institutionalized racism - apartheid - has been dismantled and a peaceful and democratic transfer of power has occurred. In Central and Eastern Europe the transition to parliamentary democracy has been rapid and has given rise to a variety of experiences, depending on the specific circumstances of each country. While the transition has been mostly peaceful, in some countries this process has been hindered by armed conflict that has resulted in grave violations of human rights.

16. Widespread economic recession, as well as political instability in some regions, has been responsible for setting back development goals in many countries. This has led to the



expansion of unspeakable poverty. Of the more than 1 billion people living in abject poverty, women are an overwhelming majority. The rapid process of change and adjustment in all sectors has also led to increased unemployment and underemployment, with particular impact on women. In many cases, structural adjustment programmes have not been designed to minimize their negative effects on vulnerable and disadvantaged groups or on women, nor have they been designed to assure positive effects on those groups by preventing their marginalization in economic and social activities. The Final Act of the Uruguay Round of multilateral trade negotiations<sup>10</sup> underscored the increasing interdependence of national economies, as well as the importance of trade liberalization and access to open, dynamic markets. There has also been heavy military spending in some regions. Despite increases in official development assistance (ODA) by some countries, ODA has recently declined overall.

17. Absolute poverty and the feminization of poverty, unemployment, the increasing fragility of the environment, continued violence against women and the widespread exclusion of half of humanity from institutions of power and governance underscore the need to continue the search for development, peace and security and for ways of assuring people-centred sustainable development. The participation and leadership of the half of humanity that is female is essential to the success of that search. Therefore, only a new era of international cooperation among Governments and peoples based on a spirit of partnership, an equitable, international social and economic environment, and a radical transformation of the relationship between women and men to one of full and equal partnership will enable the world to meet the challenges of the twenty-first century.

18. Recent international economic developments have had in many cases a disproportionate impact on women and children, the majority of whom live in developing countries. For those States that have carried a large burden of foreign debt, structural adjustment programmes and measures, though beneficial in the long term, have led to a reduction in social expenditures, thereby adversely affecting women, particularly in Africa and the least developed countries. This is exacerbated when

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<sup>10</sup> See *The Results of the Uruguay Round of Multilateral Trade Negotiations: The Legal Texts*. Geneva, GATT Secretariat, 1994.

responsibilities for basic social services have shifted from Governments to women.

19. Economic recession in many developed and developing countries, as well as ongoing restructuring in countries with economies in transition, have had a disproportionately negative impact on women's employment. Women often have no choice but to take employment that lacks long-term job security or involves dangerous working conditions, to work in unprotected home-based production or to be unemployed. Many women enter the labour market in under-remunerated and undervalued jobs, seeking to improve their household income; others decide to migrate for the same purpose. Without any reduction in their other responsibilities, this has increased the total burden of work for women.

20. Macro and micro-economic policies and programmes, including structural adjustment, have not always been designed to take account of their impact on women and girl children, especially those living in poverty. Poverty has increased in both absolute and relative terms, and the number of women living in poverty has increased in most regions. There are many urban women living in poverty; however, the plight of women living in rural and remote areas deserves special attention given the stagnation of development in such areas. In developing countries, even those in which national indicators have shown improvement, the majority of rural women continue to live in conditions of economic underdevelopment and social marginalization.

21. Women are key contributors to the economy and to combating poverty through both remunerated and unremunerated work at home, in the community and in the workplace. Growing numbers of women have achieved economic independence through gainful employment.

22. One fourth of all households world wide are headed by women and many other households are dependent on female income even where men are present. Female-maintained households are very often among the poorest because of wage discrimination, occupational segregation patterns in the labour market and other gender-based barriers. Family disintegration, population movements between urban and rural areas within countries, international migration, war and internal displacements are factors contributing to the rise of female-headed households.

23. Recognizing that the achievement and maintenance of peace and security are a precondition for economic and social progress, women are increasingly establishing themselves as central actors in a variety of capacities in the movement of humanity for peace. Their full participation in decision-making, conflict prevention and resolution and all other peace initiatives is essential to the realization of lasting peace.

24. Religion, spirituality and belief play a central role in the lives of millions of women and men, in the way they live and in the aspirations they have for the future. The right to freedom of thought, conscience and religion is inalienable and must be universally enjoyed. This right includes the freedom to have or to adopt the religion or belief of their choice either individually or in community with others, in public or in private, and to manifest their religion or belief in worship, observance, practice and teaching. In order to realize equality, development and peace, there is a need to respect these rights and freedoms fully. Religion, thought, conscience and belief may, and can, contribute to fulfilling women's and men's moral, ethical and spiritual needs and to realizing their full potential in society. However, it is acknowledged that any form of extremism may have a negative impact on women and can lead to violence and discrimination.

25. The Fourth World Conference on Women should accelerate the process that formally began in 1975, which was proclaimed International Women's Year by the United Nations General Assembly. The Year was a turning-point in that it put women's issues on the agenda. The United Nations Decade for Women(1976-1985) was a world-wide effort to examine the status and rights of women and to bring women into decision-making at all levels. In 1979, the General Assembly adopted the Convention on the Elimination of All Forms of Discrimination against Women, which entered into force in 1981 and set an international standard for what was meant by equality between women and men. In 1985, the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace adopted the Nairobi Forward-looking Strategies for the Advancement of Women, to be implemented by the year 2000. There has been important progress in achieving equality between women and men. Many Governments have enacted legislation to promote equality between women and men and have established national machineries to ensure the mainstreaming of gender perspectives

in all spheres of society. International agencies have focused greater attention on women's status and roles.

26. The growing strength of the non-governmental sector, particularly women's organizations and feminist groups, has become a driving force for change. Non-governmental organizations have played an important advocacy role in advancing legislation or mechanisms to ensure the promotion of women. They have also become catalysts for new approaches to development. Many Governments have increasingly recognized the important role that non-governmental organizations play and the importance of working with them for progress. Yet, in some countries, Governments continue to restrict the ability of non-governmental organizations to operate freely. Women, through non-governmental organizations, have participated in and strongly influenced community, national, regional and global forums and international debates.

27. Since 1975, knowledge of the status of women and men, respectively, has increased and is contributing to further actions aimed at promoting equality between women and men. In several countries, there have been important changes in the relationships between women and men, especially where there have been major advances in education for women and significant increases in their participation in the paid labour force. The boundaries of the gender division of labour between productive and reproductive roles are gradually being crossed as women have started to enter formerly male-dominated areas of work and men have started to accept greater responsibility for domestic tasks, including child care. However, changes in women's roles have been greater and much more rapid than changes in men's roles. In many countries, the differences between women's and men's achievements and activities are still not recognized as the consequences of socially constructed gender roles rather than immutable biological differences.

28. Moreover, 10 years after the Nairobi Conference, equality between women and men has still not been achieved. On average, women represent a mere 10 per cent of all elected legislators world wide and in most national and international administrative structures, both public and private, they remain underrepresented. The United Nations is no exception. Fifty years after its creation, the United Nations is continuing to deny itself the benefits of women's leadership by their underrepresentation at decision-making levels within the Secretariat and the specialized agencies.

29. Women play a critical role in the family. The family is the basic unit of society and as such should be strengthened. It is entitled to receive comprehensive protection and support. In different cultural, political and social systems, various forms of the family exist. The rights, capabilities and responsibilities of family members must be respected. Women make a great contribution to the welfare of the family and to the development of society, which is still not recognized or considered in its full importance. The social significance of maternity, motherhood and the role of parents in the family and in the upbringing of children should be acknowledged. The upbringing of children requires shared responsibility of parents, women and men and society as a whole. Maternity, motherhood, parenting and the role of women in procreation must not be a basis for discrimination nor restrict the full participation of women in society. Recognition should also be given to the important role often played by women in many countries in caring for other members of their family.

30. While the rate of growth of world population is on the decline, world population is at an all-time high in absolute numbers, with current increments approaching 86 million persons annually. Two other major demographic trends have had profound repercussions on the dependency ratio within families. In many developing countries, 45 to 50 per cent of the population is less than 15 years old, while in industrialized nations both the number and proportion of elderly people are increasing. According to United Nations projections, 72 per cent of the population over 60 years of age will be living in developing countries by the year 2025, and more than half of that population will be women. Care of children, the sick and the elderly is a responsibility that falls disproportionately on women, owing to lack of equality and the unbalanced distribution of remunerated and unremunerated work between women and men.

31. Many women face particular barriers because of various diverse factors in addition to their gender. Often these diverse factors isolate or marginalize such women. They are, *inter alia*, denied their human rights, they lack access or are denied access to education and vocational training, employment, housing and economic self-sufficiency and they are excluded from decision-making processes. Such women are often denied the opportunity to contribute to their communities as part of the mainstream.

32. The past decade has also witnessed a growing recognition of the distinct interests and concerns of indigenous women, whose identity, cultural traditions and forms of social organization enhance and strengthen the communities in which they live. Indigenous women often face barriers both as women and as members of indigenous communities.

33. In the past 20 years, the world has seen an explosion in the field of communications. With advances in computer technology and satellite and cable television, global access to information continues to increase and expand, creating new opportunities for the participation of women in communications and the mass media and for the dissemination of information about women. However, global communication networks have been used to spread stereotyped and demeaning images of women for narrow commercial and consumerist purposes. Until women participate equally in both the technical and decision-making areas of communications and the mass media, including the arts, they will continue to be misrepresented and awareness of the reality of women's lives will continue to be lacking. The media have a great potential to promote the advancement of women and the equality of women and men by portraying women and men in a non-stereotypical, diverse and balanced manner, and by respecting the dignity and worth of the human person.

34. The continuing environmental degradation that affects all human lives has often a more direct impact on women. Women's health and their livelihood are threatened by pollution and toxic wastes, large-scale deforestation, desertification, drought and depletion of the soil and of coastal and marine resources, with a rising incidence of environmentally related health problems and even death reported among women and girls. Those most affected are rural and indigenous women, whose livelihood and daily subsistence depends directly on sustainable ecosystems.

35. Poverty and environmental degradation are closely interrelated. While poverty results in certain kinds of environmental stress, the major cause of the continued deterioration of the global environment is the unsustainable patterns of consumption and production, particularly in industrialized countries, which are a matter of grave concern and aggravate poverty and imbalances.

36. Global trends have brought profound changes in family survival strategies and structures. Rural to urban migration has increased substantially in all regions. The global urban population is projected to reach 47 per cent of the total population by the year 2000. An estimated 125 million people are migrants, refugees and displaced persons, half of whom live in developing countries. These massive movements of people have profound consequences for family structures and well-being and have unequal consequences for women and men, including in many cases the sexual exploitation of women.

37. According to World Health Organization(WHO) estimates, by the beginning of 1995 the number of cumulative cases of acquired immunodeficiency syndrome(AIDS) was 4.5 million. An estimated 19.5 million men, women and children have been infected with the human immunodeficiency virus(HIV) since it was first diagnosed and it is projected that another 20 million will be infected by the end of the decade. Among new cases, women are twice as likely to be infected as men. In the early stage of the AIDS pandemic, women were not infected in large numbers; however, about 8 million women are now infected. Young women and adolescents are particularly vulnerable. It is estimated that by the year 2000 more than 13 million women will be infected and 4 million women will have died from AIDS-related conditions. In addition, about 250 million new cases of sexually transmitted diseases are estimated to occur every year. The rate of transmission of sexually transmitted diseases, including HIV/AIDS, is increasing at an alarming rate among women and girls, especially in developing countries.

38. Since 1975, significant knowledge and information have been generated about the status of women and the conditions in which they live. Throughout their entire life cycle, women's daily existence and long-term aspirations are restricted by discriminatory attitudes, unjust social and economic structures, and a lack of resources in most countries that prevent their full and equal participation. In a number of countries, the practice of prenatal sex selection, higher rates of mortality among very young girls and lower rates of school enrolment for girls as compared with boys suggest that son preference is curtailing the access of girl children to food, education and health care and even life itself. Discrimination against women begins at the earliest stages of life and must therefore be addressed from then onwards.

39. The girl child of today is the woman of tomorrow. The skills, ideas and energy of the girl child are vital for full attainment of the goals of equality, development and peace. For the girl child to develop her full potential she needs to be nurtured in an enabling environment, where her spiritual, intellectual and material needs for survival, protection and development are met and her equal rights safeguarded. If women are to be equal partners with men, in every aspect of life and development, now is the time to recognize the human dignity and worth of the girl child and to ensure the full enjoyment of her human rights and fundamental freedoms, including the rights assured by the Convention on the Rights of the Child<sup>11</sup>, universal ratification of which is strongly urged. Yet there exists world-wide evidence that discrimination and violence against girls begin at the earliest stages of life and continue unabated throughout their lives. They often have less access to nutrition, physical and mental health care and education and enjoy fewer rights, opportunities and benefits of childhood and adolescence than do boys. They are often subjected to various forms of sexual and economic exploitation, paedophilia, forced prostitution and possibly the sale of their organs and tissues, violence and harmful practices such as female infanticide and prenatal sex selection, incest, female genital mutilation and early marriage, including child marriage.

40. Half the world's population is under the age of 25 and most of the world's youth - more than 85 per cent - live in developing countries. Policy makers must recognize the implications of these demographic factors. Special measures must be taken to ensure that young women have the life skills necessary for active and effective participation in all levels of social, cultural, political and economic leadership. It will be critical for the international community to demonstrate a new commitment to the future - a commitment to inspiring a new generation of women and men to work together for a more just society. This new generation of leaders must accept and promote a world in which every child is free from injustice, oppression and inequality and free to develop her/his own potential. The principle of equality of women and men must therefore be integral to the socialization process.

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<sup>11</sup> Resolution 44/25 of the General Assembly.



## CHAPTER III

### CRITICAL AREAS OF CONCERN

41. The advancement of women and the achievement of equality between women and men are a matter of human rights and a condition for social justice and should not be seen in isolation as a women's issue. They are the only way to build a sustainable, just and developed society. Empowerment of women and equality between women and men are prerequisites for achieving political, social, economic, cultural and environmental security among all peoples.

42. Most of the goals set out in the Nairobi Forward-looking Strategies for the Advancement of Women have not been achieved. Barriers to women's empowerment remain, despite the efforts of Governments, as well as non-governmental organizations and women and men everywhere. Vast political, economic and ecological crises persist in many parts of the world. Among them are wars of aggression, armed conflicts, colonial or other forms of alien domination or foreign occupation, civil wars and terrorism. These situations, combined with systematic or de facto discrimination, violations of and failure to protect all human rights and fundamental freedoms of all women, and their civil, cultural, economic, political and social rights, including the right to development and ingrained prejudicial attitudes towards women and girls are but a few of the impediments encountered since the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, in 1985.

43. A review of progress since the Nairobi Conference highlights special concerns - areas of particular urgency that stand out as priorities for action. All actors should focus action and resources on the strategic objectives relating to the critical areas of concern which are, necessarily, interrelated, interdependent and of high priority. There is a need for these actors to develop and implement mechanisms of accountability for all the areas of concern.

44. To this end, Governments, the international community and civil society, including non-governmental organizations and the private sector, are called upon to take strategic action in the following critical areas of concern:

- The persistent and increasing burden of poverty on women;
- Inequalities and inadequacies in and unequal access to education and training;
- Inequalities and inadequacies in and unequal access to health care, and related services
- Violence against women;
- The effects of armed or other kinds of conflict on women, including those living under foreign occupation;
- Inequality in economic structures and policies, in all forms of productive activities and in access to resources;
- Inequality between men and women in the sharing of power and decision-making at all levels;
- Insufficient mechanisms at all levels to promote the advancement of women;
- Lack of respect for and inadequate promotion and protection of the human rights of women;
- Stereotyping of women and inequality in women's access to and participation in all communication systems, especially in the media
- Gender inequalities in the management of natural resources and in the safeguarding of the environment;
- Persistent discrimination against and violation of the rights of the girl child.

#### **CHAPTER IV**

### **STRATEGIC OBJECTIVES AND ACTIONS**

45. In each critical area of concern, the problem is diagnosed and strategic objectives are proposed with concrete actions to be taken by various actors in order to achieve those objectives. The strategic objectives are derived from the critical areas of concern and specific actions to be taken to achieve them cut across the boundaries of equality, development and peace - the goals of the Nairobi Forward-looking Strategies for the Advancement of Women - and reflect their interdependence. The objectives and actions are interlinked, of high priority and mutually reinforcing. The Platform for Action is intended to improve the situation of all women, without exception, who often face similar barriers, while special attention should be given to groups that are the most disadvantaged.

46. The Platform for Action recognizes that women face barriers to full equality and advancement because of such factors as their race, age, language, ethnicity, culture, religion or disability, because they are indigenous women or because of other status. Many women encounter specific obstacles related to their family status, particularly as single parents; and to their socio-economic status, including their living conditions in rural, isolated or impoverished areas. Additional barriers also exist for refugee women, other displaced women, including internally displaced women as well as for immigrant women and migrant women, including women migrant workers. Many women are also particularly affected by environmental disasters, serious and infectious diseases and various forms of violence against women.

#### A. WOMEN AND POVERTY

47. More than 1 billion people in the world today, the great majority of whom are women, live in unacceptable conditions of poverty, mostly in the developing countries. Poverty has various causes, including structural ones. Poverty is a complex, multidimensional problem, with origins in both the national and international domains. The globalization of the world's economy and the deepening interdependence among nations present challenges and opportunities for sustained economic growth and development, as well as risks and uncertainties for the future of the world economy. The uncertain global economic climate has been accompanied by economic restructuring as well as, in a certain number of countries, persistent, unmanageable levels of external debt and structural adjustment programmes. In addition, all types of conflict, displacement of people and environmental degradation have undermined the capacity of Governments to meet the basic needs of their populations. Transformations in the world economy are profoundly changing the parameters of social development in all countries. One significant trend has been the increased poverty of women, the extent of which varies from region to region. The gender disparities in economic power-sharing are also an important contributing factor to the poverty of women. Migration and consequent changes in family structures have placed additional burdens on women, especially those who provide for several dependants. Macroeconomic policies need rethinking and reformulation to address such trends. These policies focus almost exclusively on the formal sector. They also tend to impede the initiatives of women and fail to consider the

differential impact on women and men. The application of gender analysis to a wide range of policies and programmes is therefore critical to poverty reduction strategies. In order to eradicate poverty and achieve sustainable development, women and men must participate fully and equally in the formulation of macroeconomic and social policies and strategies for the eradication of poverty. The eradication of poverty cannot be accomplished through anti-poverty programmes alone but will require democratic participation and changes in economic structures in order to ensure access for all women to resources, opportunities and public services. Poverty has various manifestations, including lack of income and productive resources sufficient to ensure a sustainable livelihood; hunger and malnutrition; ill health; limited or lack of access to education and other basic services; increasing morbidity and mortality from illness; homelessness and inadequate housing; unsafe environments; and social discrimination and exclusion. It is also characterized by lack of participation in decision-making and in civil, social and cultural life. It occurs in all countries - as mass poverty in many developing countries and as pockets of poverty amidst wealth in developed countries. Poverty may be caused by an economic recession that results in loss of livelihood or by disaster or conflict. There is also the poverty of low-wage workers and the utter destitution of people who fall outside family support systems, social institutions and safety nets.

48. In the past decade the number of women living in poverty has increased disproportionately to the number of men, particularly in the developing countries. The feminization of poverty has also recently become a significant problem in the countries with economies in transition as a short-term consequence of the process of political, economic and social transformation. In addition to economic factors, the rigidity of socially ascribed gender roles and women's limited access to power, education, training and productive resources as well as other emerging factors that may lead to insecurity for families are also responsible. The failure to adequately mainstream a gender perspective in all economic analysis and planning and to address the structural causes of poverty is also a contributing factor.

49. Women contribute to the economy and to combating poverty through both remunerated and unremunerated work at home, in the community and in the workplace. The

empowerment of women is a critical factor in the eradication of poverty.

50. While poverty affects households as a whole, because of the gender division of labour and responsibilities for household welfare, women bear a disproportionate burden, attempting to manage household consumption and production under conditions of increasing scarcity. Poverty is particularly acute for women living in rural households.

51. Women's poverty is directly related to the absence of economic opportunities and autonomy, lack of access to economic resources, including credit, land ownership and inheritance, lack of access to education and support services and their minimal participation in the decision-making process. Poverty can also force women into situations in which they are vulnerable to sexual exploitation.

52. In too many countries, social welfare systems do not take sufficient account of the specific conditions of women living in poverty, and there is a tendency to scale back the services provided by such systems. The risk of falling into poverty is greater for women than for men, particularly in old age, where social security systems are based on the principle of continuous remunerated employment. In some cases, women do not fulfil this requirement because of interruptions in their work, due to the unbalanced distribution of remunerated and unremunerated work. Moreover, older women also face greater obstacles to labour-market re-entry.

53. In many developed countries, where the level of general education and professional training of women and men are similar and where systems of protection against discrimination are available, in some sectors the economic transformations of the past decade have strongly increased either the unemployment of women or the precarious nature of their employment. The proportion of women among the poor has consequently increased. In countries with a high level of school enrolment of girls, those who leave the educational system the earliest, without any qualification, are among the most vulnerable in the labour market.

54. In countries with economies in transition and in other countries undergoing fundamental political, economic and social transformations, these transformations have often led to a

reduction in women's income or to women being deprived of income.

55. Particularly in developing countries, the productive capacity of women should be increased through access to capital, resources, credit, land, technology, information, technical assistance and training so as to raise their income and improve nutrition, education, health care and status within the household. The release of women's productive potential is pivotal to breaking the cycle of poverty so that women can share fully in the benefits of development and in the products of their own labour.

56. Sustainable development and economic growth that is both sustained and sustainable are possible only through improving the economic, social, political, legal and cultural status of women. Equitable social development that recognizes empowering the poor, particularly women, to utilize environmental resources sustainably is a necessary foundation for sustainable development.

57. The success of policies and measures aimed at supporting or strengthening the promotion of gender equality and the improvement of the status of women should be based on the integration of the gender perspective in general policies relating to all spheres of society as well as the implementation of positive measures with adequate institutional and financial support at all levels.

**Strategic objective A.1. Review, adopt and maintain macroeconomic policies and development strategies that address the needs and efforts of women in poverty**

*Actions to be taken*

58. By Governments:
- (a) Review and modify, with the full and equal participation of women, macroeconomic and social policies with a view to achieving the objectives of the Platform for Action;
  - (b) Analyse, from a gender perspective, policies and programmes -including those related to macroeconomic stability, structural adjustment, external debt problems, taxation, investments, employment, markets and all relevant sectors of the economy - with respect to their

- impact on poverty, on inequality and particularly on women; assess their impact on family well-being and conditions and adjust them, as appropriate, to promote more equitable distribution of productive assets, wealth, opportunities, income and services;
- (c) Pursue and implement sound and stable macroeconomic and sectoral policies that are designed and monitored with the full and equal participation of women, encourage broad-based sustained economic growth, address the structural causes of poverty and are geared towards eradicating poverty and reducing gender-based inequality within the overall framework of achieving people-centred sustainable development;
  - (d) Restructure and target the allocation of public expenditures to promote women's economic opportunities and equal access to productive resources and to address the basic social, educational and health needs of women, particularly those living in poverty;
  - (e) Develop agricultural and fishing sectors, where and as necessary, in order to ensure, as appropriate, household and national food security and food self-sufficiency, by allocating the necessary financial, technical and human resources;
  - (f) Develop policies and programmes to promote equitable distribution of food within the household;
  - (g) Provide adequate safety nets and strengthen State-based and community-based support systems, as an integral part of social policy, in order to enable women living in poverty to withstand adverse economic environments and preserve their livelihood, assets and revenues in times of crisis;
  - (h) Generate economic policies that have a positive impact on the employment and income of women workers in both the formal and informal sectors and adopt specific measures to address women's unemployment, in particular their long-term unemployment;
  - (i) Formulate and implement, when necessary, specific economic, social, agricultural and related policies in support of female-headed households;
  - (j) Develop and implement anti-poverty programmes, including employment schemes, that improve access to food for women living in poverty, including through the use of appropriate pricing and distribution mechanisms;
  - (k) Ensure the full realization of the human rights of all women migrants, including women migrant workers, and their protection against violence and exploitation;

introduce measures for the empowerment of documented women migrants, including women migrant workers; facilitate the productive employment of documented migrant women through greater recognition of their skills, foreign education and credentials, and facilitate their full integration into the labour force;

- (l) Introduce measures to integrate or reintegrate women living in poverty and socially marginalized women into productive employment and the economic mainstream; ensure that internally displaced women have full access to economic opportunities and that the qualifications and skills of immigrant and refugee women are recognized;
- (m) Enable women to obtain affordable housing and access to land by, among other things, removing all obstacles to access, with special emphasis on meeting the needs of women, especially those living in poverty and female heads of household;
- (n) Formulate and implement policies and programmes that enhance the access of women agricultural and fisheries producers (including subsistence farmers and producers, especially in rural areas) to financial, technical, extension and marketing services; provide access to and control of land, appropriate infrastructure and technology in order to increase women's incomes and promote household food security, especially in rural areas and, where appropriate, encourage the development of producer-owned, market-based cooperatives;
- (o) Create social security systems wherever they do not exist, or review them with a view to placing individual women and men on an equal footing, at every stage of their lives;
- (p) Ensure access to free or low-cost legal services, including legal literacy, especially designed to reach women living in poverty;
- (q) Take particular measures to promote and strengthen policies and programmes for indigenous women with their full participation and respect for their cultural diversity, so that they have opportunities and the possibility of choice in the development process in order to eradicate the poverty that affects them.

59. By multilateral financial and development institutions, including the World Bank, the International Monetary Fund and regional development institutions, and through bilateral development cooperation:

- (a) In accordance with the commitments made at the World Summit for Social Development, seek to mobilize new and



additional financial resources that are both adequate and predictable and mobilized in a way that maximizes the availability of such resources and uses all available funding sources and mechanisms with a view to contributing towards the goal of poverty eradication and targeting women living in poverty;

- (b) Strengthen analytical capacity in order to more systematically strengthen gender perspectives and integrate them into the design and implementation of lending programmes, including structural adjustment and economic recovery programmes;
- (c) Find effective development-oriented and durable solutions to external debt problems in order to help them to finance programmes and projects targeted at development, including the advancement of women, *inter alia*, through the immediate implementation of the terms of debt forgiveness agreed upon in the Paris Club in December 1994, which encompassed debt reduction, including cancellation or other debt relief measures and develop techniques of debt conversion applied to social development programmes and projects in conformity with the priorities of the Platform for Action;
- (d) Invite the international financial institutions to examine innovative approaches to assisting low-income countries with a high proportion of multilateral debt, with a view to alleviating their debt burden;
- (e) Ensure that structural adjustment programmes are designed to minimize their negative effects on vulnerable and disadvantaged groups and communities and to assure their positive effects on such groups and communities by preventing their marginalization in economic and social activities and devising measures to ensure that they gain access to and control over economic resources and economic and social activities; take actions to reduce inequality and economic disparity;
- (f) Review the impact of structural adjustment programmes on social development by means of gender-sensitive social impact assessments and other relevant methods, in order to develop policies to reduce their negative effects and improve their positive impact, ensuring that women do not bear a disproportionate burden of transition costs; complement adjustment lending with enhanced, targeted social development lending;
- (g) Create an enabling environment that allows women to build and maintain sustainable livelihoods.

60. By national and international non-governmental organizations and women's groups:

- (a) Mobilize all parties involved in the development process, including academic institutions, non-governmental organizations and grass-roots and women's groups, to improve the effectiveness of anti-poverty programmes directed towards the poorest and most disadvantaged groups of women, such as rural and indigenous women, female heads of household, young women and older women, refugees and migrant women and women with disabilities, recognizing that social development is primarily the responsibility of Governments;
- (b) Engage in lobbying and establish monitoring mechanisms, as appropriate, and other relevant activities to ensure implementation of the recommendations on poverty eradication outlined in the Platform for Action and aimed at ensuring accountability and transparency from the State and private sectors;
- (c) Include in their activities women with diverse needs and recognize that youth organizations are increasingly becoming effective partners in development programmes;
- (d) In cooperation with the government and private sectors, participate in the development of a comprehensive national strategy for improving health, education and social services so that girls and women of all ages living in poverty have full access to such services; seek funding to secure access to services with a gender perspective and to extend those services in order to reach the rural and remote areas that are not covered by government institutions;
- (e) In cooperation with Governments, employers, other social partners and relevant parties, contribute to the development of education and training and retraining policies to ensure that women can acquire a wide range of skills to meet new demands;
- (f) Mobilize to protect women's right to full and equal access to economic resources, including the right to inheritance and to ownership of land and other property, credit, natural resources and appropriate technologies.

**Strategic objective A.2. Revise laws and administrative practices to ensure women's equal rights and access to economic resources**

*Actions to be taken*

61. By Governments:
- (a) Ensure access to free or low-cost legal services, including legal literacy, especially designed to reach women living in poverty;
  - (b) Undertake legislative and administrative reforms to give women full and equal access to economic resources, including the right to inheritance and to ownership of land and other property, credit, natural resources and appropriate technologies;
  - (c) Consider ratification of Convention No. 169 of the International Labour Organization(ILO) as part of their efforts to promote and protect the rights of indigenous people.

**Strategic objective A.3. Provide women with access to savings credit mechanisms and institutions**

*Actions to be taken*

62. By Governments:
- (a) Enhance the access of disadvantaged women, including women entrepreneurs, in rural, remote and urban areas to financial services through strengthening links between the formal banks and intermediary lending organizations, including legislative support, training for women and institutional strengthening for intermediary institutions with a view to mobilizing capital for those institutions and increasing the availability of credit;
  - (b) Encourage links between financial institutions and non-governmental organizations and support innovative lending practices, including those that integrate credit with women's services and training and provide credit facilities to rural women.
63. By commercial banks, specialized financial institutions and the private sector in examining their policies:

- (a) Use credit and savings methodologies that are effective in reaching women in poverty and innovative in reducing transaction costs and redefining risk;
- (b) Open special windows for lending to women, including young women, who lack access to traditional sources of collateral;
- (c) Simplify banking practices, for example by reducing the minimum deposit and other requirements for opening bank accounts;
- (d) Ensure the participation and joint ownership, where possible, of women clients in the decision-making of institutions providing credit and financial services.

64. By multilateral and bilateral development cooperation organizations:

Support, through the provision of capital and/or resources, financial institutions that serve low-income, small-scale and micro-scale women entrepreneurs and producers, in both the formal and informal sectors.

65. By Governments and multilateral financial institutions, as appropriate:

Support institutions that meet performance standards in reaching large numbers of low-income women and men through capitalization, refinancing and institutional development support in forms that foster self-sufficiency.

66. By international organizations:

Increase funding for programmes and projects designed to promote sustainable and productive entrepreneurial activities for income-generation among disadvantaged women and women living in poverty.

**Strategic objective A.4.    Develop gender-based methodologies and conduct research to address the feminization of poverty**

*Actions to be taken*

67. By Governments, intergovernmental organizations, academic and research institutions and the private sector:

- (a) Develop conceptual and practical methodologies for incorporating gender perspectives into all aspects of economic policy-making, including structural adjustment planning and programmes;
  - (b) Apply these methodologies in conducting gender-impact analyses of all policies and programmes, including structural adjustment programmes, and disseminate the research findings.
68. By national and international statistical organizations:
- (a) Collect gender and age-disaggregated data on poverty and all aspects of economic activity and develop qualitative and quantitative statistical indicators to facilitate the assessment of economic performance from a gender perspective;
  - (b) Devise suitable statistical means to recognize and make visible the full extent of the work of women and all their contributions to the national economy, including their contribution in the unremunerated and domestic sectors, and examine the relationship of women's unremunerated work to the incidence of and their vulnerability to poverty.

## **B. EDUCATION AND TRAINING OF WOMEN**

69. Education is a human right and an essential tool for achieving the goals of equality, development and peace. Non-discriminatory education benefits both girls and boys and thus ultimately contributes to more equal relationships between women and men. Equality of access to and attainment of educational qualifications is necessary if more women are to become agents of change. Literacy of women is an important key to improving health, nutrition and education in the family and to empowering women to participate in decision-making in society. Investing in formal and non-formal education and training for girls and women, with its exceptionally high social and economic return, has proved to be one of the best means of achieving sustainable development and economic growth that is both sustained and sustainable.

70. On a regional level, girls and boys have achieved equal access to primary education, except in some parts of Africa, in particular sub-Saharan Africa, and Central Asia, where access to education facilities is still inadequate. Progress has been made in secondary education, where equal access of girls and boys has been achieved in some countries. Enrolment of girls and

women in tertiary education has increased considerably. In many countries, private schools have also played an important complementary role in improving access to education at all levels. Yet, more than five years after the World Conference on Education for All (Jomtien, Thailand, 1990) adopted the World Declaration on Education for All and the Framework for Action to Meet Basic Learning Needs<sup>12</sup>, approximately 100 million children, including at least 60 million girls, are without access to primary schooling and more than two thirds of the world's 960 million illiterate adults are women. The high rate of illiteracy prevailing in most developing countries, in particular in sub-Saharan Africa and some Arab States, remains a severe impediment to the advancement of women and to development.

71. Discrimination in girls' access to education persists in many areas, owing to customary attitudes, early marriages and pregnancies, inadequate and gender-biased teaching and educational materials, sexual harassment and lack of adequate and physically and otherwise accessible schooling facilities. Girls undertake heavy domestic work at a very early age. Girls and young women are expected to manage both educational and domestic responsibilities, often resulting in poor scholastic performance and early drop-out from the educational system. This has long-lasting consequences for all aspects of women's lives.

72. Creation of an educational and social environment, in which women and men, girls and boys, are treated equally and encouraged to achieve their full potential, respecting their freedom of thought, conscience, religion and belief, and where educational resources promote non-stereotyped images of women and men, would be effective in the elimination of the causes of discrimination against women and inequalities between women and men.

73. Women should be enabled to benefit from an ongoing acquisition of knowledge and skills beyond those acquired during youth. This concept of lifelong learning includes knowledge and skills gained in formal education and training, as well as learning that occurs in informal ways, including

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<sup>12</sup> *Final Report of the World Conference on Education for All: Meeting Basic Learning Needs, Jomtien, Thailand, 5-9 March 1990*, Inter-Agency Commission (UNDP, UNESCO, UNICEF, World Bank) for the World Conference on Education for All, New York, 1990, Appendix 1.

volunteer activity, unremunerated work and traditional knowledge.

74. Curricula and teaching materials remain gender-biased to a large degree, and are rarely sensitive to the specific needs of girls and women. This reinforces traditional female and male roles that deny women opportunities for full and equal partnership in society. Lack of gender awareness by educators at all levels strengthens existing inequities between males and females by reinforcing discriminatory tendencies and undermining girls' self-esteem. The lack of sexual and reproductive health education has a profound impact on women and men.

75. Science curricula in particular are gender-biased. Science textbooks do not relate to women's and girls' daily experience and fail to give recognition to women scientists. Girls are often deprived of basic education in mathematics and science and technical training, which provide knowledge they could apply to improve their daily lives and enhance their employment opportunities. Advanced study in science and technology prepares women to take an active role in the technological and industrial development of their countries, thus necessitating a diverse approach to vocational and technical training. Technology is rapidly changing the world and has also affected the developing countries. It is essential that women not only benefit from technology, but also participate in the process from the design to the application, monitoring and evaluation stages.

76. Access for and retention of girls and women at all levels of education, including the higher level, and all academic areas is one of the factors of their continued progress in professional activities. Nevertheless, it can be noted that girls are still concentrated in a limited number of fields of study.

77. The mass media are a powerful means of education. As an educational tool the mass media can be an instrument for educators and governmental and non-governmental institutions for the advancement of women and for development. Computerized education and information systems are increasingly becoming an important element in learning and the dissemination of knowledge. Television especially has the greatest impact on young people and, as such, has the ability to shape values, attitudes and perceptions of women and girls in both positive and negative ways. It is therefore essential that educators teach critical judgement and analytical skills.

78. Resources allocated to education, particularly for girls and women, are in many countries insufficient and in some cases have been further diminished, including in the context of adjustment policies and programmes. Such insufficient resource allocations have a long-term adverse effect on human development, particularly on the development of women.

79. In addressing unequal access to and inadequate educational opportunities, Governments and other actors should promote an active and visible policy of mainstreaming a gender perspective into all policies and programmes, so that, before decisions are taken, an analysis is made of the effects on women and men, respectively.

**Strategic objective B.1. Ensure equal access to education**

*Actions to be taken*

80. By Governments:
- (a) Advance the goal of equal access to education by taking measures to eliminate discrimination in education at all levels on the basis of gender, race, language, religion, national origin, age or disability, or any other form of discrimination and, as appropriate, consider establishing procedures to address grievances;
  - (b) By the year 2000, provide universal access to basic education and ensure completion of primary education by at least 80 per cent of primary school-age children; close the gender gap in primary and secondary school education by the year 2005; provide universal primary education in all countries before the year 2015;
  - (c) Eliminate gender disparities in access to all areas of tertiary education by ensuring that women have equal access to career development, training, scholarships and fellowships, and by adopting positive action when appropriate;
  - (d) Create a gender-sensitive educational system in order to ensure equal educational and training opportunities and full and equal participation of women in educational administration and policy- and decision-making;
  - (e) Provide - in collaboration with parents, non-governmental organizations, including youth organizations, communities and the private sector - young women with academic and technical training, career planning, leadership and social



skills and work experience to prepare them to participate fully in society;

- (f) Increase enrolment and retention rates of girls by allocating appropriate budgetary resources; by enlisting the support of parents and the community, as well as through campaigns, flexible school schedules, incentives, scholarships and other means to minimize the costs of girls' education to their families and to facilitate parents' ability to choose education for the girl child; and by ensuring that the rights of women and girls to freedom of conscience and religion are respected in educational institutions through repealing any discriminatory laws or legislation based on religion, race or culture;
- (g) Promote an educational setting that eliminates all barriers that impeded the schooling of pregnant adolescents and young mothers, including, as appropriate, affordable and physically accessible child-care facilities and parental education to encourage those who are responsible for the care of their children and siblings during their school years, to return to or continue with and complete schooling;
- (h) Improve the quality of education and equal opportunities for women and men in terms of access in order to ensure that women of all ages can acquire the knowledge, capacities, aptitudes, skills and ethical values needed to develop and to participate fully under equal conditions in the process of social, economic and political development;
- (i) Make available non-discriminatory and gender-sensitive professional school counselling and career education programmes to encourage girls to pursue academic and technical curricula in order to widen their future career opportunities;
- (j) Encourage ratification of the International Covenant on Economic, Social and Cultural Rights<sup>13</sup> where they have not already done so.

## **Strategic objective B.2. Eradicate illiteracy among women**

### *Actions to be taken*

81. By Governments, national, regional and international bodies, bilateral and multilateral donors and non-governmental organizations:

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<sup>13</sup> Resolution 2200 (XXI) of the General Assembly.

- (a) Reduce the female illiteracy rate to at least half its 1990 level, with emphasis on rural women, migrant, refugee and internally displaced women and women with disabilities;
- (b) Provide universal access to, and seek to ensure gender equality in the completion of, primary education for girls by the year 2000;
- (c) Eliminate the gender gap in basic and functional literacy, as recommended in the World Declaration on Education for All (Jomtien);
- (d) Narrow the disparities between developed and developing countries;
- (e) Encourage adult and family engagement in learning to promote total literacy for all people;
- (f) Promote, together with literacy, life skills and scientific and technological knowledge and work towards an expansion of the definition of literacy, taking into account current targets and benchmarks.

**Strategic objective B.3. Improve women's access to vocational training, science and technology, and continuing education**

*Actions to be taken*

- 82. By Governments, in cooperation with employers, workers and trade unions, international and non-governmental organizations, including women's and youth organizations, and educational institutions:
  - (a) Develop and implement education, training and retraining policies for women, especially young women and women re-entering the labour market, to provide skills to meet the needs of a changing socio-economic context for improving their employment opportunities;
  - (b) Provide recognition to non-formal educational opportunities for girls and women in the educational system;
  - (c) Provide information to women and girls on the availability and benefits of vocational training, training programmes in science and technology and programmes of continuing education;
  - (d) Design educational and training programmes for women who are unemployed in order to provide them with new knowledge and skills that will enhance and broaden their employment opportunities, including self-employment, and development of their entrepreneurial skills;

- (e) Diversify vocational and technical training and improve access for and retention of girls and women in education and vocational training in such fields as science, mathematics, engineering, environmental sciences and technology, information technology and high technology, as well as management training;
- (f) Promote women's central role in food and agricultural research, extension and education programmes;
- (g) Encourage the adaptation of curricula and teaching materials, encourage a supportive training environment and take positive measures to promote training for the full range of occupational choices of non-traditional careers for women and men, including the development of multidisciplinary courses for science and mathematics teachers to sensitize them to the relevance of science and technology to women's lives;
- (h) Develop curricula and teaching materials and formulate and take positive measures to ensure women better access to and participation in technical and scientific areas, especially areas where they are not represented or are underrepresented;
- (i) Develop policies and programmes to encourage women to participate in all apprenticeship programmes;
- (j) Increase training in technical, managerial, agricultural extension and marketing areas for women in agriculture, fisheries, industry and business, arts and crafts, to increase income-generating opportunities, women's participation in economic decision-making, in particular through women's organizations at the grass-roots level, and their contribution to production, marketing, business, and science and technology;
- (k) Ensure access to quality education and training at all appropriate levels for adult women with little or no education, for women with disabilities and for documented migrant, refugee and displaced women to improve their work opportunities.

**Strategic objective B.4. Develop non-discriminatory education and training**

*Actions to be taken*

83. By Governments, educational authorities and other educational and academic institutions:

- (a) Elaborate recommendations and develop curricula, textbooks and teaching aids free of gender-based

- stereotypes for all levels of education, including teacher training, in association with all concerned - publishers, teachers, public authorities and parents' associations;
- (b) Develop training programmes and materials for teachers and educators that raise awareness about the status, role and contribution of women and men in the family, as defined in paragraph 29 above, and society; in this context, promote equality, cooperation, mutual respect and shared responsibilities between girls and boys from pre-school level onward and develop, in particular, educational modules to ensure that boys have the skills necessary to take care of their own domestic needs and to share responsibility for their household and for the care of dependants;
  - (c) Develop training programmes and materials for teachers and educators that raise awareness of their own role in the educational process, with a view to providing them with effective strategies for gender-sensitive teaching;
  - (d) Take actions to ensure that female teachers and professors have the same opportunities as and equal status with male teachers and professors, in view of the importance of having female teachers at all levels and in order to attract girls to school and retain them in school;
  - (e) Introduce and promote training in peaceful conflict resolution;
  - (f) Take positive measures to increase the proportion of women gaining access to educational policy- and decision-making, particularly women teachers at all levels of education and in academic disciplines that are traditionally male-dominated, such as the scientific and technological fields;
  - (g) Support and develop gender studies and research at all levels of education, especially at the postgraduate level of academic institutions, and apply them in the development of curricula, including university curricula, textbooks and teaching aids, and in teacher training;
  - (h) Develop leadership training and opportunities for all women to encourage them to take leadership roles both as students and as adults in civil society;
  - (i) Develop appropriate education and information programmes with due respect for multilingualism, particularly in conjunction with the mass media, that make the public, particularly parents, aware of the importance of non-discriminatory education for children and the equal sharing of family responsibilities by girls and boys;

- (j) Develop human rights education programmes that incorporate the gender dimension at all levels of education, in particular by encouraging higher education institutions, especially in their graduate and postgraduate juridical, social and political science curricula, to include the study of the human rights of women as they appear in United Nations conventions;
- (k) Remove legal, regulatory and social barriers, where appropriate, to sexual and reproductive health education within formal education programmes regarding women's health issues;
- (l) Encourage, with the guidance and support of their parents and in cooperation with educational staff and institutions, the elaboration of educational programmes for girls and boys and the creation of integrated services in order to raise awareness of their responsibilities and to help them to assume those responsibilities, taking into account the importance of such education and services to personal development and self-esteem, as well as the urgent need to avoid unwanted pregnancy, the spread of sexually transmitted diseases, especially HIV/AIDS, and such phenomena as sexual violence and abuse;
- (m) Provide accessible recreational and sports facilities and establish and strengthen gender-sensitive programmes for girls and women of all ages in education and community institutions and support the advancement of women in all areas of athletics and physical activity, including coaching, training and administration, and as participants at the national, regional and international levels;
- (n) Recognize and support the right of indigenous women and girls to education and promote a multicultural approach to education that is responsive to the needs, aspirations and cultures of indigenous women, including by developing appropriate education programmes, curricula and teaching aids, to the extent possible in the languages of indigenous people, and by providing for the participation of indigenous women in these processes;
- (o) Acknowledge and respect the artistic, spiritual and cultural activities of indigenous women;
- (p) Ensure that gender equality and cultural, religious and other diversity are respected in educational institutions;
- (q) Promote education, training and relevant information programmes for rural and farming women through the use of affordable and appropriate technologies and the mass media - for example, radio programmes, cassettes and mobile units;

- (r) Provide non-formal education, especially for rural women, in order to realize their potential with regard to health, micro-enterprise, agriculture and legal rights;
- (s) Remove all barriers to access to formal education for pregnant adolescents and young mothers, and support the provision of child care and other support services where necessary.

**Strategic objective B.5. Allocate sufficient resources for and monitor the implementation of educational reforms**

*Actions to be taken*

84. By Governments:
- (a) Provide the required budgetary resources to the educational sector, with reallocation within the educational sector to ensure increased funds for basic education, as appropriate;
  - (b) Establish a mechanism at appropriate levels to monitor the implementation of educational reforms and measures in relevant ministries, and establish technical assistance programmes, as appropriate, to address issues raised by the monitoring efforts.
85. By Governments and, as appropriate, private and public institutions, foundations, research institutes and non-governmental organizations:
- (a) When necessary, mobilize additional funds from private and public institutions, foundations, research institutes and non-governmental organizations to enable girls and women, as well as boys and men on an equal basis, to complete their education, with particular emphasis on under-served populations;
  - (b) Provide funding for special programmes, such as programmes in mathematics, science and computer technology, to advance opportunities for all girls and women.
86. By multilateral development institutions, including the World Bank, regional development banks, bilateral donors and foundations:
- (a) Consider increasing funding for the education and training needs of girls and women as a priority in development assistance programmes;

- (b) Consider working with recipient Governments to ensure that funding for women's education is maintained or increased in structural adjustment and economic recovery programmes, including lending and stabilization programmes.

87. By international and intergovernmental organizations, especially the United Nations Educational, Scientific and Cultural Organization, at the global level:

- (a) Contribute to the evaluation of progress achieved, using educational indicators generated by national, regional and international bodies, and urge Governments, in implementing measures, to eliminate differences between women and men and boys and girls with regard to opportunities in education and training and the levels achieved in all fields, particularly in primary and literacy programmes;
- (b) Provide technical assistance upon request to developing countries to strengthen the capacity to monitor progress in closing the gap between women and men in education, training and research, and in levels of achievement in all fields, particularly basic education and the elimination of illiteracy;
- (c) Conduct an international campaign promoting the right of women and girls to education;
- (d) Allocate a substantial percentage of their resources to basic education for women and girls.

**Strategic objective B.6. Promote life-long education and training for girls and women**

*Actions to be taken*

88. By Governments, educational institutions and communities:

- (a) Ensure the availability of a broad range of educational and training programmes that lead to ongoing acquisition by women and girls of the knowledge and skills required for living in, contributing to and benefiting from their communities and nations;
- (b) Provide support for child care and other services to enable mothers to continue their schooling;
- (c) Create flexible education, training and retraining programmes for life-long learning that facilitate transitions between women's activities at all stages of their lives.

### C. WOMEN AND HEALTH\*

89. Women have the right to the enjoyment of the highest attainable standard of physical and mental health. The enjoyment of this right is vital to their life and well-being and their ability to participate in all areas of public and private life. Health is a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity. Women's health involves their emotional, social and physical well-being and is determined by the social, political and economic context of their lives, as well as by biology. However, health and well-being elude the majority of women. A major barrier for women to the achievement of the highest attainable standard of health is inequality, both between men and women and among women in different geographical regions, social classes and indigenous and ethnic groups. In national and international forums, women have emphasized that to attain optimal health throughout the life cycle, equality, including the sharing of family responsibilities, development and peace are necessary conditions.

90. Women have different and unequal access to and use of basic health resources, including primary health services for the prevention and treatment of childhood diseases, malnutrition, anaemia, diarrhoeal diseases, communicable diseases, malaria and other tropical diseases and tuberculosis, among others. Women also have different and unequal opportunities for the protection, promotion and maintenance of their health. In many developing countries, the lack of emergency obstetric services is also of particular concern. Health policies and programmes often perpetuate gender stereotypes and fail to consider socio-economic disparities and other differences among women and may not fully take account of the lack of autonomy of women regarding their health. Women's health is also affected by gender bias in the health system and by the provision of inadequate and inappropriate medical services to women.

91. In many countries, especially developing countries, in particular the least developed countries, a decrease in public health spending and, in some cases, structural adjustment,

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\* The Holy See expressed a general reservation on this section. The reservation is to be interpreted in terms of the statement made by the representative of the Holy See at the 4th meeting of the Main Committee, on 14 September 1995.



contribute to the deterioration of public health systems. In addition, privatization of health-care systems without appropriate guarantees of universal access to affordable health care further reduces health-care availability. This situation not only directly affects the health of girls and women, but also places disproportionate responsibilities on women, whose multiple roles, including their roles within the family and the community, are often not acknowledged; hence they do not receive the necessary social, psychological and economic support.

92. Women's right to the enjoyment of the highest standard of health must be secured throughout the whole life cycle in equality with men. Women are affected by many of the same health conditions as men, but women experience them differently. The prevalence among women of poverty and economic dependence, their experience of violence, negative attitudes towards women and girls, racial and other forms of discrimination, the limited power many women have over their sexual and reproductive lives and lack of influence in decision-making are social realities which have an adverse impact on their health. Lack of food and inequitable distribution of food for girls and women in the household, inadequate access to safe water, sanitation facilities and fuel supplies, particularly in rural and poor urban areas, and deficient housing conditions, all overburden women and their families and have a negative effect on their health. Good health is essential to leading a productive and fulfilling life, and the right of all women to control all aspects of their health, in particular their own fertility, is basic to their empowerment.

93. Discrimination against girls, often resulting from son preference, in access to nutrition and health-care services endangers their current and future health and well-being. Conditions that force girls into early marriage, pregnancy and child-bearing and subject them to harmful practices, such as female genital mutilation, pose grave health risks. Adolescent girls need, but too often do not have, access to necessary health and nutrition services as they mature. Counselling and access to sexual and reproductive health information and services for adolescents are still inadequate or lacking completely, and a young woman's right to privacy, confidentiality, respect and informed consent is often not considered. Adolescent girls are both biologically and psychosocially more vulnerable than boys to sexual abuse, violence and prostitution, and to the consequences of unprotected and premature sexual relations.

The trend towards early sexual experience, combined with a lack of information and services, increases the risk of unwanted and too early pregnancy, HIV infection and other sexually transmitted diseases, as well as unsafe abortions. Early child-bearing continues to be an impediment to improvements in the educational, economic and social status of women in all parts of the world. Overall, for young women early marriage and early motherhood can severely curtail educational and employment opportunities and are likely to have a long-term, adverse impact on the quality of their lives and the lives of their children. Young men are often not educated to respect women's self-determination and to share responsibility with women in matters of sexuality and reproduction.

94. Reproductive health is a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity, in all matters relating to the reproductive system and to its functions and processes. Reproductive health therefore implies that people are able to have a satisfying and safe sex life and that they have the capability to reproduce and the freedom to decide if, when and how often to do so. Implicit in this last condition are the right of men and women to be informed and to have access to safe, effective, affordable and acceptable methods of family planning of their choice, as well as other methods of their choice for regulation of fertility which are not against the law, and the right of access to appropriate health-care services that will enable women to go safely through pregnancy and childbirth and provide couples with the best chance of having a healthy infant. In line with the above definition of reproductive health, reproductive health care is defined as the constellation of methods, techniques and services that contribute to reproductive health and well-being by preventing and solving reproductive health problems. It also includes sexual health, the purpose of which is the enhancement of life and personal relations, and not merely counselling and care related to reproduction and sexually transmitted diseases.

95. Bearing in mind the above definition, reproductive rights embrace certain human rights that are already recognized in national laws, international human rights documents and other consensus documents. These rights rest on the recognition of the basic right of all couples and individuals to decide freely and responsibly the number, spacing and timing of their children and to have the information and means to do so, and the right to attain the highest standard of sexual and reproductive health. It also includes their right to make decisions concerning

reproduction free of discrimination, coercion and violence, as expressed in human rights documents. In the exercise of this right, they should take into account the needs of their living and future children and their responsibilities towards the community. The promotion of the responsible exercise of these rights for all people should be the fundamental basis for government- and community-supported policies and programmes in the area of reproductive health, including family planning. As part of their commitment, full attention should be given to the promotion of mutually respectful and equitable gender relations and particularly to meeting the educational and service needs of adolescents to enable them to deal in a positive and responsible way with their sexuality. Reproductive health eludes many of the world's people because of such factors as: inadequate levels of knowledge about human sexuality and inappropriate or poor-quality reproductive health information and services; the prevalence of high-risk sexual behaviour; discriminatory social practices; negative attitudes towards women and girls; and the limited power many women and girls have over their sexual and reproductive lives. Adolescents are particularly vulnerable because of their lack of information and access to relevant services in most countries. Older women and men have distinct reproductive and sexual health issues which are often inadequately addressed.

96. The human rights of women include their right to have control over and decide freely and responsibly on matters related to their sexuality, including sexual and reproductive health, free of coercion, discrimination and violence. Equal relationships between women and men in matters of sexual relations and reproduction, including full respect for the integrity of the person, require mutual respect, consent and shared responsibility for sexual behaviour and its consequences.

97. Further, women are subject to particular health risks due to inadequate responsiveness and lack of services to meet health needs related to sexuality and reproduction. Complications related to pregnancy and childbirth are among the leading causes of mortality and morbidity of women of reproductive age in many parts of the developing world. Similar problems exist to a certain degree in some countries with economies in transition. Unsafe abortions threaten the lives of a large number of women, representing a grave public health problem as it is primarily the poorest and youngest who take the highest risk. Most of these deaths, health problems and injuries are preventable through improved access to adequate health-care

services, including safe and effective family planning methods and emergency obstetric care, recognizing the right of women and men to be informed and to have access to safe, effective, affordable and acceptable methods of family planning of their choice, as well as other methods of their choice for regulation of fertility which are not against the law, and the right of access to appropriate health-care services that will enable women to go safely through pregnancy and childbirth and provide couples with the best chance of having a healthy infant. These problems and means should be addressed on the basis of the report of the International Conference on Population and Development, with particular reference to relevant paragraphs of the Programme of Action of the Conference<sup>14</sup>. In most countries, the neglect of women's reproductive rights severely limits their opportunities in public and private life, including opportunities for education and economic and political empowerment. The ability of women to control their own fertility forms an important basis for the enjoyment of other rights. Shared responsibility between women and men in matters related to sexual and reproductive behaviour is also essential to improving women's health.

98. HIV/AIDS and other sexually transmitted diseases, the transmission of which is sometimes a consequence of sexual violence, are having a devastating effect on women's health, particularly the health of adolescent girls and young women. They often do not have the power to insist on safe and responsible sex practices and have little access to information and services for prevention and treatment. Women, who represent half of all adults newly infected with HIV/AIDS and other sexually transmitted diseases, have emphasized that social vulnerability and the unequal power relationships between women and men are obstacles to safe sex, in their efforts to control the spread of sexually transmitted diseases. The consequences of HIV/AIDS reach beyond women's health to their role as mothers and caregivers and their contribution to the economic support of their families. The social, developmental and health consequences of HIV/AIDS and other sexually transmitted diseases need to be seen from a gender perspective.

99. Sexual and gender-based violence, including physical and psychological abuse, trafficking in women and girls, and other forms of abuse and sexual exploitation place girls and women at

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<sup>14</sup> *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994*. United Nations publication, Sales No. E.95.XIII.18, Chap. I, resolution 1, Annex.

high risk of physical and mental trauma, disease and unwanted pregnancy. Such situations often deter women from using health and other services.

100. Mental disorders related to marginalization, powerlessness and poverty, along with overwork and stress and the growing incidence of domestic violence as well as substance abuse, are among other health issues of growing concern to women. Women throughout the world, especially young women, are increasing their use of tobacco with serious effects on their health and that of their children. Occupational health issues are also growing in importance, as a large number of women work in low-paid jobs in either the formal or the informal labour market under tedious and unhealthy conditions, and the number is rising. Cancers of the breast and cervix and other cancers of the reproductive system, as well as infertility affect growing numbers of women and may be preventable, or curable, if detected early.

101. With the increase in life expectancy and the growing number of older women, their health concerns require particular attention. The long-term health prospects of women are influenced by changes at menopause, which, in combination with life-long conditions and other factors, such as poor nutrition and lack of physical activity, may increase the risk of cardiovascular disease and osteoporosis. Other diseases of ageing and the interrelationships of ageing and disability among women also need particular attention.

102. Women, like men, particularly in rural areas and poor urban areas, are increasingly exposed to environmental health hazards owing to environmental catastrophes and degradation. Women have a different susceptibility to various environmental hazards, contaminants and substances and they suffer different consequences from exposure to them.

103. The quality of women's health care is often deficient in various ways, depending on local circumstances. Women are frequently not treated with respect, nor are they guaranteed privacy and confidentiality, nor do they always receive full information about the options and services available. Furthermore, in some countries, over-medicating of women's life events is common, leading to unnecessary surgical intervention and inappropriate medication.

104. Statistical data on health are often not systematically collected, disaggregated and analysed by age, sex and socio-economic status and by established demographic criteria used to serve the interests and solve the problems of subgroups, with particular emphasis on the vulnerable and marginalized and other relevant variables. Recent and reliable data on the mortality and morbidity of women and conditions and diseases particularly affecting women are not available in many countries. Relatively little is known about how social and economic factors affect the health of girls and women of all ages, about the provision of health services to girls and women and the patterns of their use of such services, and about the value of disease prevention and health promotion programmes for women. Subjects of importance to women's health have not been adequately researched and women's health research often lacks funding. Medical research, on heart disease, for example, and epidemiological studies in many countries are often based solely on men; they are not gender specific. Clinical trials involving women to establish basic information about dosage, side-effects and effectiveness of drugs, including contraceptives, are noticeably absent and do not always conform to ethical standards for research and testing. Many drug therapy protocols and other medical treatments and interventions administered to women are based on research on men without any investigation and adjustment for gender differences.

105. In addressing inequalities in health status and unequal access to and inadequate health-care services between women and men, Governments and other actors should promote an active and visible policy of mainstreaming a gender perspective in all policies and programmes, so that, before decisions are taken, an analysis is made of the effects for women and men, respectively.

**Strategic objective C.1. Increase women's access throughout the life cycle to appropriate, affordable and quality health care, information and related services**

*Actions to be taken*

106. By Governments, in collaboration with non-governmental organizations and employers' and workers' organizations and with the support of international institutions:

- (a) Support and implement the commitments made in the Programme of Action of the International Conference on Population and Development, as established in the report of that Conference and the Copenhagen Declaration on Social Development and Programme of Action of the World Summit for Social Development<sup>15</sup> and the obligations of States parties under the Convention on the Elimination of All Forms of Discrimination against Women and other relevant international agreements, to meet the health needs of girls and women of all ages;
- (b) Reaffirm the right to the enjoyment of the highest attainable standards of physical and mental health, protect and promote the attainment of this right for women and girls and incorporate it in national legislation, for example; review existing legislation, including health legislation, as well as policies, where necessary, to reflect a commitment to women's health and to ensure that they meet the changing roles and responsibilities of women wherever they reside;
- (c) Design and implement, in cooperation with women and community-based organizations, gender-sensitive health programmes, including decentralized health services, that address the needs of women throughout their lives and take into account their multiple roles and responsibilities, the demands on their time, the special needs of rural women and women with disabilities and the diversity of women's needs arising from age and socio-economic and cultural differences, among others; include women, especially local and indigenous women, in the identification and planning of health-care priorities and programmes; remove all barriers to women's health services and provide a broad range of health-care services;
- (d) Allow women access to social security systems in equality with men throughout the whole life cycle;
- (e) Provide more accessible, available and affordable primary health-care services of high quality, including sexual and reproductive health care, which includes family planning information and services, and giving particular attention to maternal and emergency obstetric care, as agreed to in the Programme of Action of the International Conference on Population and Development;

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<sup>15</sup> *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995. A/CONF.166/9*, Chap. I, resolution 1, Annexes I and II.

- (f) Redesign health information, services and training for health workers so that they are gender-sensitive and reflect the user's perspectives with regard to interpersonal and communications skills and the user's right to privacy and confidentiality; these services, information and training should be based on a holistic approach;
- (g) Ensure that all health services and workers conform to human rights and to ethical, professional and gender-sensitive standards in the delivery of women's health services aimed at ensuring responsible, voluntary and informed consent; encourage the development, implementation and dissemination of codes of ethics guided by existing international codes of medical ethics as well as ethical principles that govern other health professionals;
- (h) Take all appropriate measures to eliminate harmful, medically unnecessary or coercive medical interventions, as well as inappropriate medication and over-medication of women, and ensure that all women are fully informed of their options, including likely benefits and potential side-effects, by properly trained personnel;
- (i) Strengthen and reorient health services, particularly primary health care, in order to ensure universal access to quality health services for women and girls; reduce ill health and maternal morbidity and achieve world wide the agreed-upon goal of reducing maternal mortality by at least 50 per cent of the 1990 levels by the year 2000 and a further one half by the year 2015; ensure that the necessary services are available at each level of the health system and make reproductive health care accessible, through the primary health-care system, to all individuals of appropriate ages as soon as possible and no later than the year 2015;
- (j) Recognize and deal with the health impact of unsafe abortion as a major public health concern, as agreed in paragraph 8.25 of the Programme of Action of the International Conference on Population and Development<sup>16</sup>;
- (k) In the light of paragraph 8.25 of the Programme of Action of the International Conference on Population and Development, which states: "In no case should abortion be promoted as a method of family planning. All Governments and relevant intergovernmental and non-governmental organizations are urged to strengthen their commitment to women's health, to deal with the health

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<sup>16</sup> See Note 14.



commitment to women's health, to deal with the health impact of unsafe abortion<sup>17</sup> as a major public health concern and to reduce the recourse to abortion through expanded and improved family-planning services. Prevention of unwanted pregnancies must always be given the highest priority and every attempt should be made to eliminate the need for abortion. Women who have unwanted pregnancies should have ready access to reliable information and compassionate counselling. Any measures or changes related to abortion within the health system can only be determined at the national or local level according to the national legislative process. In circumstances where abortion is not against the law, such abortion should be safe. In all cases, women should have access to quality services for the management of complications arising from abortion. Post-abortion counselling, education and family-planning services should be offered promptly, which will also help to avoid repeat abortions", consider reviewing laws containing punitive measures against women who have undergone illegal abortions;

- (l) Give particular attention to the needs of girls, especially the promotion of healthy behaviour, including physical activities; take specific measures for closing the gender gaps in morbidity and mortality where girls are disadvantaged, while achieving internationally approved goals for the reduction of infant and child mortality - specifically, by the year 2000, the reduction of mortality rates of infants and children under five years of age by one third of the 1990 level, or 50 to 70 per 1,000 live births, whichever is less; by the year 2015 an infant mortality rate below 35 per 1,000 live births and an under-five mortality rate below 45 per 1,000;
- (m) Ensure that girls have continuing access to necessary health and nutrition information and services as they mature, to facilitate a healthful transition from childhood to adulthood;
- (n) Develop information, programmes and services to assist women to understand and adapt to changes associated with ageing and to address and treat the health needs of older

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<sup>17</sup> Unsafe abortion is defined as a procedure for terminating an unwanted pregnancy either by persons lacking the necessary skills or in an environment lacking the minimal medical standards or both (based on World Health Organization, *The Prevention and Management of Unsafe Abortion, Report of a Technical Working Group*, Geneva, April 1992. WHO/MSM/92.5.

- women, paying particular attention to those who are physically or psychologically dependent;
- (o) Ensure that girls and women of all ages with any form of disability receive supportive services;
  - (p) Formulate special policies, design programmes and enact the legislation necessary to alleviate and eliminate environmental and occupational health hazards associated with work in the home, in the workplace and elsewhere with attention to pregnant and lactating women;
  - (q) Integrate mental health services into primary health-care systems or other appropriate levels, develop supportive programmes and train primary health workers to recognize and care for girls and women of all ages who have experienced any form of violence especially domestic violence, sexual abuse or other abuse resulting from armed and non-armed conflict;
  - (r) Promote public information on the benefits of breast-feeding; examine ways and means of implementing fully the WHO/UNICEF International Code of Marketing of Breast-milk Substitutes, and enable mothers to breast-feed their infants by providing legal, economic, practical and emotional support;
  - (s) Establish mechanisms to support and involve non-governmental organizations, particularly women's organizations, professional groups and other bodies working to improve the health of girls and women, in government policy-making, programme design, as appropriate, and implementation within the health sector and related sectors at all levels;
  - (t) Support non-governmental organizations working on women's health and help develop networks aimed at improving coordination and collaboration between all sectors that affect health;
  - (u) Rationalize drug procurement and ensure a reliable, continuous supply of high-quality pharmaceutical, contraceptive and other supplies and equipment, using the WHO Model List of Essential Drugs as a guide, and ensure the safety of drugs and devices through national regulatory drug approval processes;
  - (v) Provide improved access to appropriate treatment and rehabilitation services for women substance abusers and their families;
  - (w) Promote and ensure household and national food security, as appropriate, and implement programmes aimed at improving the nutritional status of all girls and women by implementing the commitments made in the Plan of

Nutrition<sup>18</sup>, including a reduction world wide of severe and moderate malnutrition among children under the age of five by one half of 1990 levels by the year 2000, giving special attention to the gender gap in nutrition, and a reduction in iron deficiency anaemia in girls and women by one third of the 1990 levels by the year 2000;

- (x) Ensure the availability of and universal access to safe drinking water and sanitation and put in place effective public distribution systems as soon as possible;
- (y) Ensure full and equal access to health-care infrastructure and services for indigenous women.

**Strategic objective C.2. Strengthen preventive programmes that promote women's health**

*Actions to be taken*

- 107. By Governments, in cooperation with non-governmental organizations, the mass media, the private sector and relevant international organizations, including United Nations bodies, as appropriate:
  - (a) Give priority to both formal and informal educational programmes that support and enable women to develop self-esteem, acquire knowledge, make decisions on and take responsibility for their own health, achieve mutual respect in matters concerning sexuality and fertility and educate men regarding the importance of women's health and well-being, placing special focus on programmes for both men and women that emphasize the elimination of harmful attitudes and practices, including female genital mutilation, son preference (which results in female infanticide and prenatal sex selection), early marriage, including child marriage, violence against women, sexual exploitation, sexual abuse, which at times is conducive to infection with HIV/AIDS and other sexually transmitted diseases, drug abuse, discrimination against girls and women in food allocation and other harmful attitudes and practices related to the life, health and well-being of women, and recognizing that some of these practices can be violations of human rights and ethical medical principles;

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<sup>18</sup> *Final Report of the International Conference on Nutrition, Rome, 5-11 December 1992.* Rome, Food and Agriculture Organization of the United Nations, 1993, Part II.

- (b) Pursue social, human development, education and employment policies to eliminate poverty among women in order to reduce their susceptibility to ill health and to improve their health;
- (c) Encourage men to share equally in child care and household work and to provide their share of financial support for their families, even if they do not live with them;
- (d) Reinforce laws, reform institutions and promote norms and practices that eliminate discrimination against women and encourage both women and men to take responsibility for their sexual and reproductive behaviour; ensure full respect for the integrity of the person, take action to ensure the conditions necessary for women to exercise their reproductive rights and eliminate coercive laws and practices;
- (e) Prepare and disseminate accessible information, through public health campaigns, the media, reliable counselling and the education system, designed to ensure that women and men, particularly young people, can acquire knowledge about their health, especially information on sexuality and reproduction, taking into account the rights of the child to access to information, privacy, confidentiality, respect and informed consent, as well as the responsibilities, rights and duties of parents and legal guardians to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognized in the Convention on the Rights of the Child, and in conformity with the Convention on the Elimination of All Forms of Discrimination against Women; ensure that in all actions concerning children, the best interests of the child are a primary consideration;
- (f) Create and support programmes in the educational system, in the workplace and in the community to make opportunities to participate in sport, physical activity and recreation available to girls and women of all ages on the same basis as they are made available to men and boys;
- (g) Recognize the specific needs of adolescents and implement specific appropriate programmes, such as education and information on sexual and reproductive health issues and on sexually transmitted diseases, including HIV/AIDS, taking into account the rights of the child and the responsibilities, rights and duties of parents as stated in paragraph 107(e) above;

- (h) Develop policies that reduce the disproportionate and increasing burden on women who have multiple roles within the family and the community by providing them with adequate support and programmes from health and social services;
- (i) Adopt regulations to ensure that the working conditions, including remuneration and promotion of women at all levels of the health system, are non-discriminatory and meet fair and professional standards to enable them to work effectively;
- (j) Ensure that health and nutritional information and training form an integral part of all adult literacy programmes and school curricula from the primary level;
- (k) Develop and undertake media campaigns and information and educational programmes that inform women and girls of the health and related risks of substance abuse and addiction and pursue strategies and programmes that discourage substance abuse and addiction and promote rehabilitation and recovery;
- (l) Devise and implement comprehensive and coherent programmes for the prevention, diagnosis and treatment of osteoporosis, a condition that predominantly affects women;
- (m) Establish and/or strengthen programmes and services, including media campaigns, that address the prevention, early detection and treatment of breast, cervical and other cancers of the reproductive system;
- (n) Reduce environmental hazards that pose a growing threat to health, especially in poor regions and communities; apply a precautionary approach, as agreed to in the Rio Declaration on Environment and Development, adopted by the United Nations Conference on Environment and Development<sup>19</sup>, and include reporting on women's health risks related to the environment in monitoring the implementation of Agenda 21<sup>20</sup>;
- (o) Create awareness among women, health professionals, policy makers and the general public about the serious but preventable health hazards stemming from tobacco consumption and the need for regulatory and education

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<sup>19</sup> *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992, Vol. I, Resolutions Adopted by the Conference.* United Nations publication, Sales N° E.93.I.8 and corrigenda, resolution 1, Annex I.

<sup>20</sup> *Ibid.*, resolution 1, Annex II.

- measures to reduce smoking as important health promotion and disease prevention activities;
- (p) Ensure that medical school curricula and other health-care training include gender-sensitive, comprehensive and mandatory courses on women's health;
  - (q) Adopt specific preventive measures to protect women, youth and children from any abuse - sexual abuse, exploitation, trafficking and violence, for example - including the formulation and enforcement of laws, and provide legal protection and medical and other assistance.

**Strategic objective C.3. Undertake gender-sensitive initiatives that address sexually transmitted diseases, HIV/AIDS, and sexual and reproductive health issues**

*Actions to be taken*

108. By Governments, international bodies including relevant United Nations organizations, bilateral and multilateral donors and non-governmental organizations:

- (a) Ensure the involvement of women, especially those infected with HIV/AIDS or other sexually transmitted diseases or affected by the HIV/AIDS pandemic, in all decision-making relating to the development, implementation, monitoring and evaluation of policies and programmes on HIV/AIDS and other sexually transmitted diseases;
- (b) Review and amend laws and combat practices, as appropriate, that may contribute to women's susceptibility to HIV infection and other sexually transmitted diseases, including enacting legislation against those socio-cultural practices that contribute to it, and implement legislation, policies and practices to protect women, adolescents and young girls from discrimination related to HIV/AIDS;
- (c) Encourage all sectors of society, including the public sector, as well as international organizations, to develop compassionate and supportive, non-discriminatory HIV/AIDS-related policies and practices that protect the rights of infected individuals;
- (d) Recognize the extent of the HIV/AIDS pandemic in their countries, taking particularly into account its impact on women, with a view to ensuring that infected women do not suffer stigmatization and discrimination, including during travel;

- (e) Develop gender-sensitive multisectoral programmes and strategies to end social subordination of women and girls and to ensure their social and economic empowerment and equality; facilitate promotion of programmes to educate and enable men to assume their responsibilities to prevent HIV/AIDS and other sexually transmitted diseases;
- (f) Facilitate the development of community strategies that will protect women of all ages from HIV and other sexually transmitted diseases; provide care and support to infected girls, women and their families and mobilize all parts of the community in response to the HIV/AIDS pandemic to exert pressure on all responsible authorities to respond in a timely, effective, sustainable and gender-sensitive manner;
- (g) Support and strengthen national capacity to create and improve gender-sensitive policies and programmes on HIV/AIDS and other sexually transmitted diseases, including the provision of resources and facilities to women who find themselves the principal caregivers or economic support for those infected with HIV/AIDS or affected by the pandemic, and the survivors, particularly children and older persons;
- (h) Provide workshops and specialized education and training to parents, decision makers and opinion leaders at all levels of the community, including religious and traditional authorities, on prevention of HIV/AIDS and other sexually transmitted diseases and on their repercussions on both women and men of all ages;
- (i) Give all women and health workers all relevant information and education about sexually transmitted diseases including HIV/AIDS and pregnancy and the implications for the baby, including breast-feeding;
- (j) Assist women and their formal and informal organizations to establish and expand effective peer education and outreach programmes and to participate in the design, implementation and monitoring of these programmes;
- (k) Give full attention to the promotion of mutually respectful and equitable gender relations and, in particular, to meeting the educational and service needs of adolescents to enable them to deal in a positive and responsible way with their sexuality;
- (l) Design specific programmes for men of all ages and male adolescents, recognizing the parental roles referred to in paragraph 107(e) above, aimed at providing complete and accurate information on safe and responsible sexual and reproductive behaviour, including voluntary, appropriate

- and effective male methods for the prevention of HIV/AIDS and other sexually transmitted diseases through, *inter alia*, abstinence and condom use;
- (m) Ensure the provision, through the primary health-care system, of universal access of couples and individuals to appropriate and affordable preventive services with respect to sexually transmitted diseases, including HIV/AIDS, and expand the provision of counselling and voluntary and confidential diagnostic and treatment services for women; ensure that high-quality condoms as well as drugs for the treatment of sexually transmitted diseases are, where possible, supplied and distributed to health services;
  - (n) Support programmes which acknowledge that the higher risk among women of contracting HIV is linked to high-risk behaviour, including intravenous substance use and substance-influenced unprotected and irresponsible sexual behaviour, and take appropriate preventive measures;
  - (o) Support and expedite action-oriented research on affordable methods, controlled by women, to prevent HIV and other sexually transmitted diseases, on strategies empowering women to protect themselves from sexually transmitted diseases, including HIV/AIDS, and on methods of care, support and treatment of women, ensuring their involvement in all aspects of such research;
  - (p) Support and initiate research which addresses women's needs and situations, including research on HIV infection and other sexually transmitted diseases in women, on women-controlled methods of protection, such as non-spermicidal microbicides, and on male and female risk-taking attitudes and practices.

**Strategic objective C.4. Promote research and disseminate information on women's health**

*Actions to be taken*

109. By Governments, the United Nations system, health professions, research institutions, non-governmental organizations, donors, pharmaceutical industries and the mass media, as appropriate:

- (a) Train researchers and introduce systems that allow for the use of data collected, analysed and disaggregated by, among other factors, sex and age, other established demographic criteria and socio-economic variables, in



- policy-making, as appropriate, planning, monitoring and evaluation;
- (b) Promote gender-sensitive and women-centred health research, treatment and technology and link traditional and indigenous knowledge with modern medicine, making information available to women to enable them to make informed and responsible decisions;
  - (c) Increase the number of women in leadership positions in the health professions, including researchers and scientists, to achieve equality at the earliest possible date;
  - (d) Increase financial and other support from all sources for preventive, appropriate biomedical, behavioural, epidemiological and health service research on women's health issues and for research on the social, economic and political causes of women's health problems, and their consequences, including the impact of gender and age inequalities, especially with respect to chronic and non-communicable diseases, particularly cardiovascular diseases and conditions, cancers, reproductive tract infections and injuries, HIV/AIDS and other sexually transmitted diseases, domestic violence, occupational health, disabilities, environmentally related health problems, tropical diseases and health aspects of ageing;
  - (e) Inform women about the factors which increase the risks of developing cancers and infections of the reproductive tract, so that they can make informed decisions about their health;
  - (f) Support and fund social, economic, political and cultural research on how gender-based inequalities affect women's health, including etiology, epidemiology, provision and utilization of services and eventual outcome of treatment;
  - (g) Support health service systems and operations research to strengthen access and improve the quality of service delivery, to ensure appropriate support for women as health-care providers and to examine patterns with respect to the provision of health services to women and use of such services by women;
  - (h) Provide financial and institutional support for research on safe, effective, affordable and acceptable methods and technologies for the reproductive and sexual health of women and men, including more safe, effective, affordable and acceptable methods for the regulation of fertility, including natural family planning for both sexes, methods to protect against HIV/AIDS and other sexually transmitted diseases and simple and inexpensive methods of diagnosing such diseases, among others; this research

needs to be guided at all stages by users and from the perspective of gender, particularly the perspective of women, and should be carried out in strict conformity with internationally accepted legal, ethical, medical and scientific standards for biomedical research;

- (i) Since unsafe abortion<sup>21</sup> is a major threat to the health and life of women, research to understand and better address the determinants and consequences of induced abortion, including its effects on subsequent fertility, reproductive and mental health and contraceptive practice, should be promoted, as well as research on treatment of complications of abortions and post-abortion care;
- (j) Acknowledge and encourage beneficial traditional health care, especially that practised by indigenous women, with a view to preserving and incorporating the value of traditional health care in the provision of health services, and support research directed towards achieving this aim;
- (k) Develop mechanisms to evaluate and disseminate available data and research findings to researchers, policy makers, health professionals and women's groups, among others;
- (l) Monitor human genome and related genetic research from the perspective of women's health and disseminate information and results of studies conducted in accordance with accepted ethical standards.

**Strategic objective C.5. Increase resources and monitor follow-up for women's health**

*Actions to be taken*

110. By Governments at all levels and, where appropriate, in cooperation with non-governmental organizations, especially women's and youth organizations:

- (a) Increase budgetary allocations for primary health care and social services, with adequate support for secondary and tertiary levels, and give special attention to the reproductive and sexual health of girls and women and give priority to health programmes in rural and poor urban areas;
- (b) Develop innovative approaches to funding health services through promoting community participation and local financing; increase, where necessary, budgetary allocations for community health centres and community-

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<sup>21</sup> See Note 17.

- based programmes and services that address women's specific health needs;
- (c) Develop local health services, promoting the incorporation of gender-sensitive community-based participation and self-care and specially designed preventive health programmes;
  - (d) Develop goals and time-frames, where appropriate, for improving women's health and for planning, implementing, monitoring and evaluating programmes, based on gender-impact assessments using qualitative and quantitative data disaggregated by sex, age, other established demographic criteria and socio-economic variables;
  - (e) Establish, as appropriate, ministerial and inter-ministerial mechanisms for monitoring the implementation of women's health policy and programme reforms and establish, as appropriate, high-level focal points in national planning authorities responsible for monitoring to ensure that women's health concerns are mainstreamed in all relevant government agencies and programmes.

111. By Governments, the United Nations and its specialized agencies, international financial institutions, bilateral donors and the private sector, as appropriate:

- (a) Formulate policies favourable to investment in women's health and, where appropriate, increase allocations for such investment;
- (b) Provide appropriate material, financial and logistical assistance to youth non-governmental organizations in order to strengthen them to address youth concerns in the area of health, including sexual and reproductive health;
- (c) Give higher priority to women's health and develop mechanisms for coordinating and implementing the health objectives of the Platform for Action and relevant international agreements to ensure progress.

#### **D. VIOLENCE AGAINST WOMEN**

112. Violence against women is an obstacle to the achievement of the objectives of equality, development and peace. Violence against women both violates and impairs or nullifies the enjoyment by women of their human rights and fundamental freedoms. The long-standing failure to protect and promote those rights and freedoms in the case of violence against women is a matter of concern to all States and should be addressed. Knowledge about its causes and consequences, as well as its

Knowledge about its causes and consequences, as well as its incidence and measures to combat it, have been greatly expanded since the Nairobi Conference. In all societies, to a greater or lesser degree, women and girls are subjected to physical, sexual and psychological abuse that cuts across lines of income, class and culture. The low social and economic status of women can be both a cause and a consequence of violence against women.

113. The term "violence against women" means any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life. Accordingly, violence against women encompasses but is not limited to the following:

- (a) Physical, sexual and psychological violence occurring in the family, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation;
- (b) Physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution;
- (c) Physical, sexual and psychological violence perpetrated or condoned by the State, wherever it occurs.

114. Other acts of violence against women include violation of the human rights of women in situations of armed conflict, in particular murder, systematic rape, sexual slavery and forced pregnancy.

115. Acts of violence against women also include forced sterilization and forced abortion, coercive/forced use of contraceptives, female infanticide and prenatal sex selection.

116. Some groups of women, such as women belonging to minority groups, indigenous women, refugee women, women migrants, including women migrant workers, women in poverty living in rural or remote communities, destitute women, women in institutions or in detention, female children, women with disabilities, elderly women, displaced women, repatriated women, women living in poverty and women in situations of

armed conflict, foreign occupation, wars of aggression, civil wars, terrorism, including hostage-taking, are also particularly vulnerable to violence.

117. Acts or threats of violence, whether occurring within the home or in the community, or perpetrated or condoned by the State, instil fear and insecurity in women's lives and are obstacles to the achievement of equality and for development and peace. The fear of violence, including harassment, is a permanent constraint on the mobility of women and limits their access to resources and basic activities. High social, health and economic costs to the individual and society are associated with violence against women. Violence against women is one of the crucial social mechanisms by which women are forced into a subordinate position compared with men. In many cases, violence against women and girls occurs in the family or within the home, where violence is often tolerated. The neglect, physical and sexual abuse, and rape of girl children and women by family members and other members of the household, as well as incidences of spousal and non-spousal abuse, often go unreported and are thus difficult to detect. Even when such violence is reported, there is often a failure to protect victims or punish perpetrators.

118. Violence against women is a manifestation of the historically unequal power relations between men and women, which have led to domination over and discrimination against women by men and to the prevention of women's full advancement. Violence against women throughout the life cycle derives essentially from cultural patterns, in particular the harmful effects of certain traditional or customary practices and all acts of extremism linked to race, sex, language or religion that perpetuate the lower status accorded to women in the family, the workplace, the community and society. Violence against women is exacerbated by social pressures, notably the shame of denouncing certain acts that have been perpetrated against women; women's lack of access to legal information, aid or protection; the lack of laws that effectively prohibit violence against women; failure to reform existing laws; inadequate efforts on the part of public authorities to promote awareness of and enforce existing laws; and the absence of educational and other means to address the causes and consequences of violence. Images in the media of violence against women, in particular those that depict rape or sexual slavery as well as the use of women and girls as sex objects, including pornography, are factors contributing to the continued prevalence of such

violence, adversely influencing the community at large, in particular children and young people.

119. Developing a holistic and multidisciplinary approach to the challenging task of promoting families, communities and States that are free of violence against women is necessary and achievable. Equality, partnership between women and men and respect for human dignity must permeate all stages of the socialization process. Educational systems should promote self-respect, mutual respect, and cooperation between women and men.

120. The absence of adequate gender-disaggregated data and statistics on the incidence of violence makes the elaboration of programmes and monitoring of changes difficult. Lack of or inadequate documentation and research on domestic violence, sexual harassment and violence against women and girls in private and in public, including the workplace, impede efforts to design specific intervention strategies. Experience in a number of countries shows that women and men can be mobilized to overcome violence in all its forms and that effective public measures can be taken to address both the causes and the consequences of violence. Men's groups mobilizing against gender violence are necessary allies for change.

121. Women may be vulnerable to violence perpetrated by persons in positions of authority in both conflict and non-conflict situations. Training of all officials in humanitarian and human rights law and the punishment of perpetrators of violent acts against women would help to ensure that such violence does not take place at the hands of public officials in whom women should be able to place trust, including police and prison officials and security forces.

122. The effective suppression of trafficking in women and girls for the sex trade is a matter of pressing international concern. Implementation of the 1949 Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others<sup>22</sup>, as well as other relevant instruments, needs to be reviewed and strengthened. The use of women in international prostitution and trafficking networks has become a major focus of international organized crime. The Special Rapporteur of the Commission on Human Rights on violence against women, who has explored these acts as an

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<sup>22</sup> Resolution 317 (IV) of the General Assembly.

additional cause of the violation of the human rights and fundamental freedoms of women and girls, is invited to address, within her mandate and as a matter of urgency, the issue of international trafficking for the purposes of the sex trade, as well as the issues of forced prostitution, rape, sexual abuse and sex tourism. Women and girls who are victims of this international trade are at an increased risk of further violence, as well as unwanted pregnancy and sexually transmitted infection, including infection with HIV/AIDS.

123. In addressing violence against women, Governments and other actors should promote an active and visible policy of mainstreaming a gender perspective in all policies and programmes so that before decisions are taken an analysis may be made of their effects on women and men, respectively.

**Strategic objective D.1. Take integrated measures to prevent and eliminate violence against women**

*Actions to be taken*

124. By Governments:

- (a) Condemn violence against women and refrain from invoking any custom, tradition or religious consideration to avoid their obligations with respect to its elimination as set out in the Declaration on the Elimination of Violence against Women;
- (b) Refrain from engaging in violence against women and exercise due diligence to prevent, investigate and, in accordance with national legislation, punish acts of violence against women, whether those acts are perpetrated by the State or by private persons;
- (c) Enact and/or reinforce penal, civil, labour and administrative sanctions in domestic legislation to punish and redress the wrongs done to women and girls who are subjected to any form of violence, whether in the home, the workplace, the community or society;
- (d) Adopt and/or implement and periodically review and analyse legislation to ensure its effectiveness in eliminating violence against women, emphasizing the prevention of violence and the prosecution of offenders; take measures to ensure the protection of women subjected to violence, access to just and effective remedies, including compensation and indemnification and healing of victims, and rehabilitation of perpetrators;

- (e) Work actively to ratify and/or implement international human rights norms and instruments as they relate to violence against women, including those contained in the Universal Declaration of Human Rights<sup>23</sup>, the International Covenant on Civil and Political Rights<sup>24</sup>, the International Covenant on Economic, Social and Cultural Rights<sup>25</sup>, and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment<sup>26</sup>;
- (f) Implement the Convention on the Elimination of All Forms of Discrimination against Women, taking into account general recommendation 19, adopted by the Committee on the Elimination of Discrimination against Women at its eleventh session<sup>27</sup>;
- (g) Promote an active and visible policy of mainstreaming a gender perspective in all policies and programmes related to violence against women; actively encourage, support and implement measures and programmes aimed at increasing the knowledge and understanding of the causes, consequences and mechanisms of violence against women among those responsible for implementing these policies, such as law enforcement officers, police personnel and judicial, medical and social workers, as well as those who deal with minority, migration and refugee issues, and develop strategies to ensure that the revictimization of women victims of violence does not occur because of gender-insensitive laws or judicial or enforcement practices;
- (h) Provide women who are subjected to violence with access to the mechanisms of justice and, as provided for by national legislation, to just and effective remedies for the harm they have suffered and inform women of their rights in seeking redress through such mechanisms;
- (i) Enact and enforce legislation against the perpetrators of practices and acts of violence against women, such as female genital mutilation, female infanticide, prenatal sex selection and dowry-related violence, and give vigorous support to the efforts of non-governmental and community organizations to eliminate such practices;
- (j) Formulate and implement, at all appropriate levels, plans of action to eliminate violence against women;

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<sup>23</sup> Resolution 217 A (III) of the General Assembly.

<sup>24</sup> See Note 13.

<sup>25</sup> See Note 13.

<sup>26</sup> Resolution 39/46 of the General Assembly.

<sup>27</sup> Official Records of the General Assembly, Forty-seventh Session, Supplement No. 38(A/47/38), Chap. I.



- (k) Adopt all appropriate measures, especially in the field of education, to modify the social and cultural patterns of conduct of men and women, and to eliminate prejudices, customary practices and all other practices based on the idea of the inferiority or superiority of either of the sexes and on stereotyped roles for men and women;
- (l) Create or strengthen institutional mechanisms so that women and girls can report acts of violence against them in a safe and confidential environment, free from the fear of penalties or retaliation, and file charges;
- (m) Ensure that women with disabilities have access to information and services in the field of violence against women;
- (n) Create, improve or develop as appropriate, and fund the training programmes for judicial, legal, medical, social, educational and police and immigrant personnel, in order to avoid the abuse of power leading to violence against women and sensitize such personnel to the nature of gender-based acts and threats of violence so that fair treatment of female victims can be assured;
- (o) Adopt laws, where necessary, and reinforce existing laws that punish police, security forces or any other agents of the State who engage in acts of violence against women in the course of the performance of their duties; review existing legislation and take effective measures against the perpetrators of such violence;
- (p) Allocate adequate resources within the government budget and mobilize community resources for activities related to the elimination of violence against women, including resources for the implementation of plans of action at all appropriate levels;
- (q) Include in reports submitted in accordance with the provisions of relevant United Nations human rights instruments, information pertaining to violence against women and measures taken to implement the Declaration on the Elimination of Violence against Women;
- (r) Cooperate with and assist the Special Rapporteur of the Commission on Human Rights on violence against women in the performance of her mandate and furnish all information requested; cooperate also with other competent mechanisms, such as the Special Rapporteur of the Commission on Human Rights on torture and the Special Rapporteur of the Commission on Human Rights on summary, extrajudiciary and arbitrary executions, in relation to violence against women;

- (s) Recommend that the Commission on Human Rights renew the mandate of the Special Rapporteur on violence against women when her term ends in 1997 and, if warranted, to update and strengthen it.

125. By Governments, including local governments, community organizations, non-governmental organizations, educational institutions, the public and private sectors, particularly enterprises, and the mass media, as appropriate:

- (a) Provide well-funded shelters and relief support for girls and women subjected to violence, as well as medical, psychological and other counselling services and free or low-cost legal aid, where it is needed, as well as appropriate assistance to enable them to find a means of subsistence;
- (b) Establish linguistically and culturally accessible services for migrant women and girls, including women migrant workers, who are victims of gender-based violence;
- (c) Recognize the vulnerability to violence and other forms of abuse of women migrants, including women migrant workers, whose legal status in the host country depends on employers who may exploit their situation;
- (d) Support initiatives of women's organizations and non-governmental organizations all over the world to raise awareness on the issue of violence against women and to contribute to its elimination;
- (e) Organize, support and fund community-based education and training campaigns to raise awareness about violence against women as a violation of women's enjoyment of their human rights and mobilize local communities to use appropriate gender-sensitive traditional and innovative methods of conflict resolution;
- (f) Recognize, support and promote the fundamental role of intermediate institutions, such as primary health-care centres, family-planning centres, existing school health services, mother and baby protection services, centres for migrant families and so forth in the field of information and education related to abuse;
- (g) Organize and fund information campaigns and educational and training programmes in order to sensitize girls and boys and women and men to the personal and social detrimental effects of violence in the family, community and society; teach them how to communicate without violence and promote training for victims and potential victims so that they can protect themselves and others against such violence;

- (h) Disseminate information on the assistance available to women and families who are victims of violence;
- (i) Provide, fund and encourage counselling and rehabilitation programmes for the perpetrators of violence and promote research to further efforts concerning such counselling and rehabilitation so as to prevent the recurrence of such violence;
- (j) Raise awareness of the responsibility of the media in promoting non-stereotyped images of women and men, as well as in eliminating patterns of media presentation that generate violence, and encourage those responsible for media content to establish professional guidelines and codes of conduct; also raise awareness of the important role of the media in informing and educating people about the causes and effects of violence against women and in stimulating public debate on the topic.

126. By Governments, employers, trade unions, community and youth organizations and non-governmental organizations, as appropriate:

- (a) Develop programmes and procedures to eliminate sexual harassment and other forms of violence against women in all educational institutions, workplaces and elsewhere;
- (b) Develop programmes and procedures to educate and raise awareness of acts of violence against women that constitute a crime and a violation of the human rights of women;
- (c) Develop counselling, healing and support programmes for girls, adolescents and young women who have been or are involved in abusive relationships, particularly those who live in homes or institutions where abuse occurs;
- (d) Take special measures to eliminate violence against women, particularly those in vulnerable situations, such as young women, refugee, displaced and internally displaced women, women with disabilities and women migrant workers, including enforcing any existing legislation and developing, as appropriate, new legislation for women migrant workers in both sending and receiving countries.

127. By the Secretary-General of the United Nations:

Provide the Special Rapporteur of the Commission on Human Rights on violence against women with all necessary assistance, in particular the staff and resources required to perform all mandated functions, especially in carrying out and following up on missions undertaken

either separately or jointly with other special rapporteurs and working groups, and adequate assistance for periodic consultations with the Committee on the Elimination of Discrimination against Women and all treaty bodies.

128. By Governments, international organizations and non-governmental organizations:

Encourage the dissemination and implementation of the UNHCR Guidelines on the Protection of Refugee Women and the UNHCR Guidelines on the Prevention of and Response to Sexual Violence against Refugees.

**Strategic objective D.2. Study the causes and consequences of violence against women and the effectiveness of preventive measures**

*Actions to be taken*

129. By Governments, regional organizations, the United Nations, other international organizations, research institutions, women's and youth organizations and non-governmental organizations, as appropriate:

- (a) Promote research, collect data and compile statistics, especially concerning domestic violence relating to the prevalence of different forms of violence against women, and encourage research into the causes, nature, seriousness and consequences of violence against women and the effectiveness of measures implemented to prevent and redress violence against women;
- (b) Disseminate findings of research and studies widely;
- (c) Support and initiate research on the impact of violence, such as rape, on women and girl children, and make the resulting information and statistics available to the public;
- (d) Encourage the media to examine the impact of gender role stereotypes, including those perpetuated by commercial advertisements which foster gender-based violence and inequalities, and how they are transmitted during the life cycle, and take measures to eliminate these negative images with a view to promoting a violence-free society.

**Strategic objective D.3. Eliminate trafficking in women and assist victims of violence due to prostitution and trafficking**

*Actions to be taken*

130. By Governments of countries of origin, transit and destination, regional and international organizations, as appropriate:

- (a) Consider the ratification and enforcement of international conventions on trafficking in persons and on slavery;
- (b) Take appropriate measures to address the root factors, including external factors, that encourage trafficking in women and girls for prostitution and other forms of commercialized sex, forced marriages and forced labour in order to eliminate trafficking in women, including by strengthening existing legislation with a view to providing better protection of the rights of women and girls and to punishing the perpetrators, through both criminal and civil measures;
- (c) Step up cooperation and concerted action by all relevant law enforcement authorities and institutions with a view to dismantling national, regional and international networks in trafficking;
- (d) Allocate resources to provide comprehensive programmes designed to heal and rehabilitate into society victims of trafficking, including through job training, legal assistance and confidential health care, and take measures to cooperate with non-governmental organizations to provide for the social, medical and psychological care of the victims of trafficking;
- (e) Develop educational and training programmes and policies and consider enacting legislation aimed at preventing sex tourism and trafficking, giving special emphasis to the protection of young women and children.

**E. WOMEN AND ARMED CONFLICT**

131. An environment that maintains world peace and promotes and protects human rights, democracy and the peaceful settlement of disputes, in accordance with the principles of non-threat or use of force against territorial integrity or political independence and of respect for sovereignty as set forth in the Charter of the United Nations, is an important factor for the advancement of women. Peace is inextricably linked with

equality between women and men and development. Armed and other types of conflicts and terrorism and hostage-taking still persist in many parts of the world. Aggression, foreign occupation, ethnic and other types of conflicts are an ongoing reality affecting women and men in nearly every region. Gross and systematic violations and situations that constitute serious obstacles to the full enjoyment of human rights continue to occur in different parts of the world. Such violations and obstacles include, as well as torture and cruel, inhuman and degrading treatment or punishment, summary and arbitrary executions, disappearances, arbitrary detentions, all forms of racism and racial discrimination, foreign occupation and alien domination, xenophobia, poverty, hunger and other denials of economic, social and cultural rights, religious intolerance, terrorism, discrimination against women and lack of the rule of law. International humanitarian law, prohibiting attacks on civilian populations, as such, is at times systematically ignored and human rights are often violated in connection with situations of armed conflict, affecting the civilian population, especially women, children, the elderly and the disabled. Violations of the human rights of women in situations of armed conflict are violations of the fundamental principles of international human rights and humanitarian law. Massive violations of human rights, especially in the form of genocide, ethnic cleansing as a strategy of war and its consequences, and rape, including systematic rape of women in war situations, creating a mass exodus of refugees and displaced persons, are abhorrent practices that are strongly condemned and must be stopped immediately, while perpetrators of such crimes must be punished. Some of these situations of armed conflict have their origin in the conquest or colonialization of a country by another State and the perpetuation of that colonization through state and military repression.

132. The Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 1949, and the Additional Protocols of 1977<sup>28</sup> provide that women shall especially be protected against any attack on their honour, in particular against humiliating and degrading treatment, rape, enforced prostitution or any form of indecent assault. The Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights, states that "violations of the human rights of women in situations of armed conflict are violations of the fundamental principles of international human

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<sup>28</sup> United Nations, *Treaty Series*, Vol. 75, N° 973, p. 287.

rights and humanitarian law"<sup>29</sup>. All violations of this kind, including in particular murder, rape, including systematic rape, sexual slavery and forced pregnancy require a particularly effective response. Gross and systematic violations and situations that constitute serious obstacles to the full enjoyment of human rights continue to occur in different parts of the world. Such violations and obstacles include, as well as torture and cruel, inhuman and degrading treatment or summary and arbitrary detention, all forms of racism, racial discrimination, xenophobia, denial of economic, social and cultural rights and religious intolerance.

133. Violations of human rights in situations of armed conflict and military occupation are violations of the fundamental principles of international human rights and humanitarian law as embodied in international human rights instruments and in the Geneva Conventions of 1949 and the Additional Protocols thereto. Gross human rights violations and policies of ethnic cleansing in war-torn and occupied areas continue to be carried out. These practices have created, *inter alia*, a mass flow of refugees and other displaced persons in need of international protection and internally displaced persons, the majority of whom are women, adolescent girls and children. Civilian victims, mostly women and children, often outnumber casualties among combatants. In addition, women often become caregivers for injured combatants and find themselves, as a result of conflict, unexpectedly cast as sole manager of household, sole parent, and caretaker of elderly relatives.

134. In a world of continuing instability and violence, the implementation of cooperative approaches to peace and security is urgently needed. The equal access and full participation of women in power structures and their full involvement in all efforts for the prevention and resolution of conflicts are essential for the maintenance and promotion of peace and security. Although women have begun to play an important role in conflict resolution, peace-keeping and defence and foreign affairs mechanisms, they are still underrepresented in decision-making positions. If women are to play an equal part in securing and maintaining peace, they must be empowered politically and economically and represented adequately at all levels of decision-making.

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<sup>29</sup> *Report of the World Conference on Human Rights ...*, Chap. III, Sect. II, para. 38.

135. While entire communities suffer the consequences of armed conflict and terrorism, women and girls are particularly affected because of their status in society and their sex. Parties to conflict often rape women with impunity, sometimes using systematic rape as a tactic of war and terrorism. The impact of violence against women and violation of the human rights of women in such situations is experienced by women of all ages, who suffer displacement, loss of home and property, loss or involuntary disappearance of close relatives, poverty and family separation and disintegration, and who are victims of acts of murder, terrorism, torture, involuntary disappearance, sexual slavery, rape, sexual abuse and forced pregnancy in situations of armed conflict, especially as a result of policies of ethnic cleansing and other new and emerging forms of violence. This is compounded by the life-long social, economic and psychologically traumatic consequences of armed conflict and foreign occupation and alien domination.

136. Women and children constitute some 80 per cent of the world's millions of refugees and other displaced persons, including internally displaced persons. They are threatened by deprivation of property, goods and services and deprivation of their right to return to their homes of origin as well as by violence and insecurity. Particular attention should be paid to sexual violence against uprooted women and girls employed as a method of persecution in systematic campaigns of terror and intimidation and forcing members of a particular ethnic, cultural or religious group to flee their homes. Women may also be forced to flee as a result of a well-founded fear of persecution for reasons enumerated in the 1951 Convention relating to the Status of Refugees and the 1967 Protocol, including persecution through sexual violence or other gender-related persecution, and they continue to be vulnerable to violence and exploitation while in flight, in countries of asylum and resettlement and during and after repatriation. Women often experience difficulty in some countries of asylum in being recognized as refugees when the claim is based on such persecution.

137. Refugee, displaced and migrant women in most cases display strength, endurance and resourcefulness and can contribute positively to countries of resettlement or to their country of origin on their return. They need to be appropriately involved in decisions that affect them.

138. Many women's non-governmental organizations have called for reductions in military expenditures world wide, as



well as in international trade and trafficking in and the proliferation of weapons. Those affected most negatively by conflict and excessive military spending are people living in poverty, who are deprived because of the lack of investment in basic services. Women living in poverty, particularly rural women, also suffer because of the use of arms that are particularly injurious or have indiscriminate effects. There are more than 100 million anti-personnel land-mines scattered in 64 countries globally. The negative impact on development of excessive military expenditures, the arms trade, and investment for arms production and acquisition must be addressed. At the same time, maintenance of national security and peace is an important factor for economic growth and development and the empowerment of women.

139. During times of armed conflict and the collapse of communities, the role of women is crucial. They often work to preserve social order in the midst of armed and other conflicts. Women make an important but often unrecognized contribution as peace educators both in their families and in their societies.

140. Education to foster a culture of peace that upholds justice and tolerance for all nations and peoples is essential to attaining lasting peace and should be begun at an early age. It should include elements of conflict resolution, mediation, reduction of prejudice and respect for diversity.

141. In addressing armed or other conflicts, an active and visible policy of mainstreaming a gender perspective into all policies and programmes should be promoted so that before decisions are taken an analysis is made of the effects on women and men, respectively.

**Strategic objective E.1. Increase the participation of women in conflict resolution at decision-making levels and protect women living in situations of armed and other conflicts or under foreign occupation**

*Actions to be taken*

142. By Governments and international and regional intergovernmental institutions:

- (a) Take action to promote equal participation of women and equal opportunities for women to participate in all forums

and peace activities at all levels, particularly at the decision-making level, including in the United Nations Secretariat with due regard to equitable geographical distribution in accordance with Article 101 of the Charter of the United Nations;

- (b) Integrate a gender perspective in the resolution of armed or other conflicts and foreign occupation and aim for gender balance when nominating or promoting candidates for judicial and other positions in all relevant international bodies, such as the United Nations International Tribunals for the former Yugoslavia and for Rwanda and the International Court of Justice, as well as in other bodies related to the peaceful settlement of disputes;
- (c) Ensure that these bodies are able to address gender issues properly by providing appropriate training to prosecutors, judges and other officials in handling cases involving rape, forced pregnancy in situations of armed conflict, indecent assault and other forms of violence against women in armed conflicts, including terrorism, and integrate a gender perspective into their work.

**Strategic objective E.2. Reduce excessive military expenditures and control the availability of armaments**

*Actions to be taken*

143. By Governments:

- (a) Increase and hasten, as appropriate, subject to national security considerations, the conversion of military resources and related industries to development and peaceful purposes;
- (b) Undertake to explore new ways of generating new public and private financial resources, *inter alia*, through the appropriate reduction of excessive military expenditures, including global military expenditures, trade in arms and investment for arms production and acquisition, taking into consideration national security requirements, so as to permit the possible allocation of additional funds for social and economic development, in particular for the advancement of women;
- (c) Take action to investigate and punish members of the police, security and armed forces and others who perpetrate acts of violence against women, violations of international humanitarian law and violations of the human rights of women in situations of armed conflict;

- (d) While acknowledging legitimate national defence needs, recognize and address the dangers to society of armed conflict and the negative effect of excessive military expenditures, trade in arms, especially those arms that are particularly injurious or have indiscriminate effects, and excessive investment for arms production and acquisition; similarly, recognize the need to combat illicit arms trafficking, violence, crime, the production and use of and trafficking in illicit drugs, and trafficking in women and children;
- (e) Recognizing that women and children are particularly affected by the indiscriminate use of anti-personnel land-mines:
  - (i) Undertake to work actively towards ratification, if they have not already done so, of the 1981 Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, particularly the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices (Protocol II)<sup>30</sup>, with a view to universal ratification by the year 2000;
  - (ii) Undertake to strongly consider strengthening the Convention to promote a reduction in the casualties and intense suffering caused to the civilian population by the indiscriminate use of land-mines;
  - (iii) Undertake to promote assistance in mine clearance, notably by facilitating, in respect of the means of mine-clearing, the exchange of information, the transfer of technology and the promotion of scientific research;
  - (iv) Within the United Nations context, undertake to support efforts to coordinate a common response programme of assistance in de-mining without unnecessary discrimination;
  - (v) Adopt at the earliest possible date, if they have not already done so, a moratorium on the export of anti-personnel land-mines, including to non-governmental entities, noting with satisfaction that many States have already declared

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<sup>30</sup> See *The United Nations Disarmament Yearbook*, Vol. 5: 1980 United Nations publication, Sales N° E.81.IX.4, Appendix VII.

- moratoriums on the export, transfer or sale of such mines;
- (vi) Undertake to encourage further international efforts to seek solutions to the problems caused by antipersonnel land-mines, with a view to their eventual elimination, recognizing that States can move most effectively towards this goal as viable and humane alternatives are developed;
- (f) Recognizing the leading role that women have played in the peace movement:
- (i) Work actively towards general and complete disarmament under strict and effective international control;
  - (ii) Support negotiations on the conclusion, without delay, of a universal and multilaterally and effectively verifiable comprehensive nuclear-test-ban treaty that contributes to nuclear disarmament and the prevention of the proliferation of nuclear weapons in all its aspects;
  - (iii) Pending the entry into force of a comprehensive nuclear-test-ban treaty, exercise the utmost restraint in respect of nuclear testing.

**Strategic objective E.3. Promote non-violent forms of conflict resolution and reduce the incidence of human rights abuse in conflict situations**

*Actions to be taken*

144. By Governments:
- (a) Consider the ratification of or accession to international instruments containing provisions relative to the protection of women and children in armed conflicts, including the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 1949, the Protocols Additional to the Geneva Conventions of 1949 relating to the Protection of Victims of International Armed Conflicts (Protocol I) and to the Protection of Victims of Non-International Armed Conflicts (Protocol II)<sup>31</sup>;
  - (b) Respect fully the norms of international humanitarian law in armed conflicts and take all measures required for the protection of women and children, in particular against

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<sup>31</sup> See Note 28.

- rape, forced prostitution and any other form of indecent assault;
- (c) Strengthen the role of women and ensure equal representation of women at all decision-making levels in national and international institutions which may make or influence policy with regard to matters related to peace-keeping, preventive diplomacy and related activities and in all stages of peace mediation and negotiations, taking note of the specific recommendations of the Secretary-General in his strategic plan of action for the improvement of the status of women in the Secretariat (1995-2000) (A/49/587, sect. IV).

145. By Governments and international and regional organizations:

- (a) Reaffirm the right of self-determination of all peoples, in particular of peoples under colonial or other forms of alien domination or foreign occupation, and the importance of the effective realization of this right, as enunciated, *inter alia*, in the Vienna Declaration and Programme of Action<sup>32</sup>, adopted by the World Conference on Human Rights;
- (b) Encourage diplomacy, negotiation and peaceful settlement of disputes in accordance with the Charter of the United Nations, in particular Article 2, paragraphs 3 and 4 thereof;
- (c) Urge the identification and condemnation of the systematic practice of rape and other forms of inhuman and degrading treatment of women as a deliberate instrument of war and ethnic cleansing and take steps to ensure that full assistance is provided to the victims of such abuse for their physical and mental rehabilitation;
- (d) Reaffirm that rape in the conduct of armed conflict constitutes a war crime and under certain circumstances it constitutes a crime against humanity and an act of genocide as defined in the Convention on the Prevention and Punishment of the Crime of Genocide<sup>33</sup>; take all measures required for the protection of women and children from such acts and strengthen mechanisms to investigate and punish all those responsible and bring the perpetrators to justice;
- (e) Uphold and reinforce standards set out in international humanitarian law and international human rights instru-

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<sup>32</sup> See Note 2.

<sup>33</sup> Resolution 260 A (III) of the General Assembly.

ments to prevent all acts of violence against women in situations of armed and other conflicts; undertake a full investigation of all acts of violence against women committed during war, including rape, in particular systematic rape, forced prostitution and other forms of indecent assault and sexual slavery; prosecute all criminals responsible for war crimes against women and provide full redress to women victims;

- (f) Call upon the international community to condemn and act against all forms and manifestations of terrorism;
- (g) Take into account gender-sensitive concerns in developing training programmes for all relevant personnel on international humanitarian law and human rights awareness and recommend such training for those involved in United Nations peace-keeping and humanitarian aid, with a view to preventing violence against women, in particular;
- (h) Discourage the adoption of and refrain from any unilateral measure not in accordance with international law and the Charter of the United Nations, that impedes the full achievement of economic and social development by the population of the affected countries, in particular women and children, that hinders their well-being and that creates obstacles to the full enjoyment of their human rights, including the right of everyone to a standard of living adequate for their health and well-being and their right to food, medical care and the necessary social services. This Conference reaffirms that food and medicine must not be used as a tool for political pressure;
- (i) Take measures in accordance with international law with a view to alleviating the negative impact of economic sanctions on women and children.

**Strategic objective E.4. Promote women's contribution to fostering a culture of peace**

*Actions to be taken*

146. By Governments, international and regional intergovernmental institutions and non-governmental organizations:

- (a) Promote peaceful conflict resolution and peace, reconciliation and tolerance through education, training, community actions and youth exchange programmes, in particular for young women;

- (b) Encourage the further development of peace research, involving the participation of women, to examine the impact of armed conflict on women and children and the nature and contribution of women's participation in national, regional and international peace movements; engage in research and identify innovative mechanisms for containing violence and for conflict resolution for public dissemination and for use by women and men;
- (c) Develop and disseminate research on the physical, psychological, economic and social effects of armed conflicts on women, particularly young women and girls, with a view to developing policies and programmes to address the consequences of conflicts;
- (d) Consider establishing educational programmes for girls and boys to foster a culture of peace, focusing on conflict resolution by non-violent means and the promotion of tolerance.

**Strategic objective E.5. Provide protection, assistance and training to refugee women, other displaced women in need of international protection and internally displaced women**

*Actions to be taken*

147. By Governments, intergovernmental and non-governmental organizations and other institutions involved in providing protection, assistance and training to refugee women, other displaced women in need of international protection and internally displaced women, including the Office of the United Nations High Commissioner for Refugees and the World Food Programme, as appropriate:

- (a) Take steps to ensure that women are fully involved in the planning, design, implementation, monitoring and evaluation of all short-term and long-term projects and programmes providing assistance to refugee women, other displaced women in need of international protection and internally displaced women, including the management of refugee camps and resources; ensure that refugee and displaced women and girls have direct access to the services provided;
- (b) Offer adequate protection and assistance to women and children displaced within their country and find solutions to the root causes of their displacement with a view to

- preventing it and, when appropriate, facilitate their return or resettlement;
- (c) Take steps to protect the safety and physical integrity of refugee women, other displaced women in need of international protection and internally displaced women during their displacement and upon their return to their communities of origin, including programmes of rehabilitation; take effective measures to protect from violence women who are refugees or displaced; hold an impartial and thorough investigation of any such violations and bring those responsible to justice;
  - (d) While fully respecting and strictly observing the principle of non-refoulement of refugees, take all the necessary steps to ensure the right of refugee and displaced women to return voluntarily to their place of origin in safety and with dignity, and their right to protection after their return;
  - (e) Take measures, at the national level with international cooperation, as appropriate, in accordance with the Charter of the United Nations, to find lasting solutions to questions related to internally displaced women, including their right to voluntary and safe return to their home of origin;
  - (f) Ensure that the international community and its international organizations provide financial and other resources for emergency relief and other longer-term assistance that takes into account the specific needs, resources and potentials of refugee women, other displaced women in need of international protection and internally displaced women; in the provision of protection and assistance, take all appropriate measures to eliminate discrimination against women and girls in order to ensure equal access to appropriate and adequate food, water and shelter, education, and social and health services, including reproductive health care and maternity care and services to combat tropical diseases;
  - (g) Facilitate the availability of educational materials in the appropriate language - in emergency situations also - in order to minimize disruption of schooling among refugee and displaced children;
  - (h) Apply international norms to ensure equal access and equal treatment of women and men in refugee determination procedures and the granting of asylum, including full respect and strict observation of the principle of non-refoulement through, *inter alia*, bringing national immigration regulations into conformity with relevant international instruments, and consider



recognizing as refugees those women whose claim to refugee status is based upon the well-founded fear of persecution for reasons enumerated in the 1951 Convention<sup>34</sup> and the 1967 Protocol<sup>35</sup> relating to the Status of Refugees, including persecution through sexual violence or other gender-related persecution, and provide access to specially trained officers, including female officers, to interview women regarding sensitive or painful experiences, such as sexual assault;

- (i) Support and promote efforts by States towards the development of criteria and guidelines on responses to persecution specifically aimed at women, by sharing information on States' initiatives to develop such criteria and guidelines and by monitoring to ensure their fair and consistent application;
- (j) Promote the self-reliant capacities of refugee women, other displaced women in need of international protection and internally displaced women and provide programmes for women, particularly young women, in leadership and decision-making within refugee and returnee communities;
- (k) Ensure that the human rights of refugee and displaced women are protected and that refugee and displaced women are made aware of these rights; ensure that the vital importance of family reunification is recognized;
- (l) Provide, as appropriate, women who have been determined refugees with access to vocational/professional training programmes, including language training, small-scale enterprise development training and planning and counselling on all forms of violence against women, which should include rehabilitation programmes for victims of torture and trauma; Governments and other donors should contribute adequately to assistance programmes for refugee women, other displaced women in need of international protection and internally displaced women, taking into account in particular the effects on the host countries of the increasing requirements of large refugee populations and the need to widen the donor base and to achieve greater burden-sharing;
- (m) Raise public awareness of the contribution made by refugee women to their countries of resettlement, promote understanding of their human rights and of their needs and abilities and encourage mutual understanding and

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<sup>34</sup> United Nations, *Treaty Series*, Vol. 189, N° 2545.

<sup>35</sup> *Ibid.*, Vol. 606, N° 8791.

- acceptance through educational programmes promoting cross-cultural and interracial harmony;
- (n) Provide basic and support services to women who are displaced from their place of origin as a result of terrorism, violence, drug trafficking or other reasons linked to violence situations;
  - (o) Develop awareness of the human rights of women and provide, as appropriate, human rights education and training to military and police personnel operating in areas of armed conflict and areas where there are refugees.

148. By Governments:

- (a) Disseminate and implement the UNHCR Guidelines on the Protection of Refugee Women and the UNHCR Guidelines on Evaluation and Care of Victims of Trauma and Violence, or provide similar guidance, in close cooperation with refugee women and in all sectors of refugee programmes;
- (b) Protect women and children who migrate as family members from abuse or denial of their human rights by sponsors and consider extending their stay, should the family relationship dissolve, within the limits of national legislation.

**Strategic objective E.6. Provide assistance to the women of the colonies and non-self-governing territories**

*Actions to be taken*

149. By Governments and intergovernmental and non-governmental organizations:

- (a) Support and promote the implementation of the right of self-determination of all peoples as enunciated, *inter alia*, in the Vienna Declaration and Programme of Action by providing special programmes in leadership and in training for decision-making;
- (b) Raise public awareness, as appropriate, through the mass media, education at all levels and special programmes to create a better understanding of the situation of women of the colonies and non-self-governing territories.

## F. WOMEN AND THE ECONOMY

150. There are considerable differences in women's and men's access to and opportunities to exert power over economic structures in their societies. In most parts of the world, women are virtually absent from or are poorly represented in economic decision-making, including the formulation of financial, monetary, commercial and other economic policies, as well as tax systems and rules governing pay. Since it is often within the framework of such policies that individual men and women make their decisions, *inter alia*, on how to divide their time between remunerated and unremunerated work, the actual development of these economic structures and policies has a direct impact on women's and men's access to economic resources, their economic power and consequently the extent of equality between them at the individual and family levels as well as in society as a whole.

151. In many regions, women's participation in remunerated work in the formal and non-formal labour market has increased significantly and has changed during the past decade. While women continue to work in agriculture and fisheries, they have also become increasingly involved in micro, small and medium-sized enterprises and, in some cases, have become more dominant in the expanding informal sector. Due to, *inter alia*, difficult economic situations and a lack of bargaining power resulting from gender inequality, many women have been forced to accept low pay and poor working conditions and thus have often become preferred workers. On the other hand, women have entered the workforce increasingly by choice when they have become aware of and demanded their rights. Some have succeeded in entering and advancing in the workplace and improving their pay and working conditions. However, women have been particularly affected by the economic situation and restructuring processes, which have changed the nature of employment and, in some cases, have led to a loss of jobs, even for professional and skilled women. In addition, many women have entered the informal sector owing to the lack of other opportunities. Women's participation and gender concerns are still largely absent from and should be integrated in the policy formulation process of the multilateral institutions that define the terms and, in cooperation with Governments, set the goals of structural adjustment programmes, loans and grants.

152. Discrimination in education and training, hiring and remuneration, promotion and horizontal mobility practices, as

well as inflexible working conditions, lack of access to productive resources and inadequate sharing of family responsibilities, combined with a lack of or insufficient services such as child care, continue to restrict employment, economic, professional and other opportunities and mobility for women and make their involvement stressful. Moreover, attitudinal obstacles inhibit women's participation in developing economic policy and in some regions restrict the access of women and girls to education and training for economic management.

153. Women's share in the labour force continues to rise and almost everywhere women are working more outside the household, although there has not been a parallel lightening of responsibility for unremunerated work in the household and community. Women's income is becoming increasingly necessary to households of all types. In some regions, there has been a growth in women's entrepreneurship and other self-reliant activities, particularly in the informal sector. In many countries, women are the majority of workers in non-standard work, such as temporary, casual, multiple part-time, contract and home-based employment.

154. Women migrant workers, including domestic workers, contribute to the economy of the sending country through their remittances and also to the economy of the receiving country through their participation in the labour force. However, in many receiving countries, migrant women experience higher levels of unemployment compared with both non-migrant workers and male migrant workers.

155. Insufficient attention to gender analysis has meant that women's contributions and concerns remain too often ignored in economic structures, such as financial markets and institutions, labour markets, economics as an academic discipline, economic and social infrastructure, taxation and social security systems, as well as in families and households. As a result, many policies and programmes may continue to contribute to inequalities between women and men. Where progress has been made in integrating gender perspectives, programme and policy effectiveness has also been enhanced.

156. Although many women have advanced in economic structures, for the majority of women, particularly those who face additional barriers, continuing obstacles have hindered their ability to achieve economic autonomy and to ensure sustainable livelihoods for themselves and their dependants.

Women are active in a variety of economic areas, which they often combine, ranging from wage labour and subsistence farming and fishing to the informal sector. However, legal and customary barriers to ownership of or access to land, natural resources, capital, credit, technology and other means of production, as well as wage differentials, contribute to impeding the economic progress of women. Women contribute to development not only through remunerated work but also through a great deal of unremunerated work. On the one hand, women participate in the production of goods and services for the market and household consumption, in agriculture, food production or family enterprises. Though included in the United Nations System of National Accounts and therefore in international standards for labour statistics, this unremunerated work - particularly that related to agriculture - is often undervalued and under-recorded. On the other hand, women still also perform the great majority of unremunerated domestic work and community work, such as caring for children and older persons, preparing food for the family, protecting the environment and providing voluntary assistance to vulnerable and disadvantaged individuals and groups. This work is often not measured in quantitative terms and is not valued in national accounts. Women's contribution to development is seriously underestimated, and thus its social recognition is limited. The full visibility of the type, extent and distribution of this unremunerated work will also contribute to a better sharing of responsibilities.

157. Although some new employment opportunities have been created for women as a result of the globalization of the economy, there are also trends that have exacerbated inequalities between women and men. At the same time, globalization, including economic integration, can create pressures on the employment situation of women to adjust to new circumstances and to find new sources of employment as patterns of trade change. More analysis needs to be done of the impact of globalization on women's economic status.

158. These trends have been characterized by low wages, little or no labour standards protection, poor working conditions, particularly with regard to women's occupational health and safety, low skill levels, and a lack of job security and social security, in both the formal and informal sectors. Women's unemployment is a serious and increasing problem in many countries and sectors. Young workers in the informal and rural sectors and migrant female workers remain the least protected

by labour and immigration laws. Women, particularly those who are heads of households with young children, are limited in their employment opportunities for reasons that include inflexible working conditions and inadequate sharing, by men and by society, of family responsibilities.

159. In countries that are undergoing fundamental political, economic and social transformation, the skills of women, if better utilized, could constitute a major contribution to the economic life of their respective countries. Their input should continue to be developed and supported and their potential further realized.

160. Lack of employment in the private sector and reductions in public services and public service jobs have affected women disproportionately. In some countries, women take on more unpaid work, such as the care of children and those who are ill or elderly, compensating for lost household income, particularly when public services are not available. In many cases, employment creation strategies have not paid sufficient attention to occupations and sectors where women predominate; nor have they adequately promoted the access of women to those occupations and sectors that are traditionally male.

161. For those women in paid work, many experience obstacles that prevent them from achieving their potential. While some are increasingly found in lower levels of management, attitudinal discrimination often prevents them from being promoted further. The experience of sexual harassment is an affront to a worker's dignity and prevents women from making a contribution commensurate with their abilities. The lack of a family-friendly work environment, including a lack of appropriate and affordable child care, and inflexible working hours further prevent women from achieving their full potential.

162. In the private sector, including transnational and national enterprises, women are largely absent from management and policy levels, denoting discriminatory hiring and promotion policies and practices. The unfavourable work environment as well as the limited number of employment opportunities available have led many women to seek alternatives. Women have increasingly become self-employed and owners and managers of micro, small and medium-scale enterprises. The expansion of the informal sector, in many countries, and of self-organized and independent enterprises is in large part due to women, whose collaborative, self-help and traditional practices

and initiatives in production and trade represent a vital economic resource. When they gain access to and control over capital, credit and other resources, technology and training, women can increase production, marketing and income for sustainable development.

163. Taking into account the fact that continuing inequalities and noticeable progress coexist, rethinking employment policies is necessary in order to integrate the gender perspective and to draw attention to a wider range of opportunities as well as to address any negative gender implications of current patterns of work and employment. To realize fully equality between women and men in their contribution to the economy, active efforts are required for equal recognition and appreciation of the influence that the work, experience, knowledge and values of both women and men have in society.

164. In addressing the economic potential and independence of women, Governments and other actors should promote an active and visible policy of mainstreaming a gender perspective in all policies and programmes so that before decisions are taken, an analysis is made of the effects on women and men, respectively.

**Strategic objective F.1. Promote women's economic rights and independence, including access to employment, appropriate working conditions and control over economic resources**

*Actions to be taken*

165. By Governments:

- (a) Enact and enforce legislation to guarantee the rights of women and men to equal pay for equal work or work of equal value;
- (b) Adopt and implement laws against discrimination based on sex in the labour market, especially considering older women workers, hiring and promotion, the extension of employment benefits and social security, and working conditions;
- (c) Eliminate discriminatory practices by employers and take appropriate measures in consideration of women's reproductive role and functions, such as the denial of employment and dismissal due to pregnancy or breast-feeding, or requiring proof of contraceptive use, and take

- effective measures to ensure that pregnant women, women on maternity leave or women re-entering the labour market after childbearing are not discriminated against;
- (d) Devise mechanisms and take positive action to enable women to gain access to full and equal participation in the formulation of policies and definition of structures through such bodies as ministries of finance and trade, national economic commissions, economic research institutes and other key agencies, as well as through their participation in appropriate international bodies;
  - (e) Undertake legislation and administrative reforms to give women equal rights with men to economic resources, including access to ownership and control over land and other forms of property, credit, inheritance, natural resources and appropriate new technology;
  - (f) Conduct reviews of national income and inheritance tax and social security systems to eliminate any existing bias against women;
  - (g) Seek to develop a more comprehensive knowledge of work and employment through, *inter alia*, efforts to measure and better understand the type, extent and distribution of unremunerated work, particularly work in caring for dependants and unremunerated work done for family farms or businesses, and encourage the sharing and dissemination of information on studies and experience in this field, including the development of methods for assessing its value in quantitative terms, for possible reflection in accounts that may be produced separately from, but consistent with, core national accounts;
  - (h) Review and amend laws governing the operation of financial institutions to ensure that they provide services to women and men on an equal basis;
  - (i) Facilitate, at appropriate levels, more open and transparent budget processes;
  - (j) Revise and implement national policies that support the traditional savings, credit and lending mechanisms for women;
  - (k) Seek to ensure that national policies related to international and regional trade agreements do not have an adverse impact on women's new and traditional economic activities;
  - (l) Ensure that all corporations, including transnational corporations, comply with national laws and codes, social security regulations, applicable international agreements, instruments and conventions, including those related to the environment, and other relevant laws;



- (m) Adjust employment policies to facilitate the restructuring of work patterns in order to promote the sharing of family responsibilities;
- (n) Establish mechanisms and other forums to enable women entrepreneurs and women workers to contribute to the formulation of policies and programmes being developed by economic ministries and financial institutions;
- (o) Enact and enforce equal opportunity laws, take positive action and ensure compliance by the public and private sectors through various means;
- (p) Use gender-impact analyses in the development of macro and micro-economic and social policies in order to monitor such impact and restructure policies in cases where harmful impact occurs;
- (q) Promote gender-sensitive policies and measures to empower women as equal partners with men in technical, managerial and entrepreneurial fields;
- (r) Reform laws or enact national policies that support the establishment of labour laws to ensure the protection of all women workers, including safe work practices, the right to organize and access to justice.

**Strategic objective F.2. Facilitate women's equal access to resources, employment, markets and trade**

*Actions to be taken*

166. By Governments:

- (a) Promote and support women's self-employment and the development of small enterprises, and strengthen women's access to credit and capital on appropriate terms equal to those of men through the scaling-up of institutions dedicated to promoting women's entrepreneurship, including, as appropriate, non-traditional and mutual credit schemes, as well as innovative linkages with financial institutions;
- (b) Strengthen the incentive role of the State as employer to develop a policy of equal opportunities for women and men;
- (c) Enhance, at the national and local levels, rural women's income-generating potential by facilitating their equal access to and control over productive resources, land, credit, capital, property rights, development programmes and cooperative structures;

- (d) Promote and strengthen micro-enterprises, new small businesses, cooperative enterprises, expanded markets and other employment opportunities and, where appropriate, facilitate the transition from the informal to the formal sector, especially in rural areas;
- (e) Create and modify programmes and policies that recognize and strengthen women's vital role in food security and provide paid and unpaid women producers, especially those involved in food production, such as farming, fishing and aquaculture, as well as urban enterprises, with equal access to appropriate technologies, transportation, extension services, marketing and credit facilities at the local and community levels;
- (f) Establish appropriate mechanisms and encourage intersectoral institutions that enable women's cooperatives to optimize access to necessary services;
- (g) Increase the proportion of women extension workers and other government personnel who provide technical assistance or administer economic programmes;
- (h) Review, reformulate, if necessary, and implement policies, including business, commercial and contract law and government regulations, to ensure that they do not discriminate against micro, small and medium-scale enterprises owned by women in rural and urban areas;
- (i) Analyse, advise on, coordinate and implement policies that integrate the needs and interests of employed, self-employed and entrepreneurial women into sectoral and inter-ministerial policies, programmes and budgets;
- (j) Ensure equal access for women to effective job training, retraining, counselling and placement services that are not limited to traditional employment areas;
- (k) Remove policy and regulatory obstacles faced by women in social and development programmes that discourage private and individual initiative;
- (l) Safeguard and promote respect for basic workers' rights, including the prohibition of forced labour and child labour, freedom of association and the right to organize and bargain collectively, equal remuneration for men and women for work of equal value and non-discrimination in employment, fully implementing the conventions of the International Labour Organization in the case of States Parties to those conventions and, taking into account the principles embodied in the case of those countries that are not parties to those conventions in order to achieve truly sustained economic growth and sustainable development.

167. By Governments, central banks and national development banks, and private banking institutions, as appropriate:

- (a) Increase the participation of women, including women entrepreneurs, in advisory boards and other forums to enable women entrepreneurs from all sectors and their organizations to contribute to the formulation and review of policies and programmes being developed by economic ministries and banking institutions;
- (b) Mobilize the banking sector to increase lending and refinancing through incentives and the development of intermediaries that serve the needs of women entrepreneurs and producers in both rural and urban areas, and include women in their leadership, planning and decision-making;
- (c) Structure services to reach rural and urban women involved in micro, small and medium-scale enterprises, with special attention to young women, low-income women, those belonging to ethnic and racial minorities, and indigenous women who lack access to capital and assets; and expand women's access to financial markets by identifying and encouraging financial supervisory and regulatory reforms that support financial institutions' direct and indirect efforts to better meet the credit and other financial needs of the micro, small and medium-scale enterprises of women;
- (d) Ensure that women's priorities are included in public investment programmes for economic infrastructure, such as water and sanitation, electrification and energy conservation, transport and road construction; promote greater involvement of women beneficiaries at the project planning and implementation stages to ensure access to jobs and contracts.

168. By Governments and non-governmental organizations:

- (a) Pay special attention to women's needs when disseminating market, trade and resource information and provide appropriate training in these fields;
- (b) Encourage community economic development strategies that build on partnerships among Governments, and encourage members of civil society to create jobs and address the social circumstances of individuals, families and communities.

169. By multilateral funders and regional development banks, as well as bilateral and private funding agencies, at the international, regional and subregional levels:
- (a) Review, where necessary reformulate, and implement policies, programmes and projects, to ensure that a higher proportion of resources reach women in rural and remote areas;
  - (b) Develop flexible funding arrangements to finance intermediary institutions that target women's economic activities, and promote self-sufficiency and increased capacity in and profitability of women's economic enterprises;
  - (c) Develop strategies to consolidate and strengthen their assistance to the micro, small and medium-scale enterprise sector, in order to enhance the opportunities for women to participate fully and equally and work together to coordinate and enhance the effectiveness of this sector, drawing upon expertise and financial resources from within their own organizations as well as from bilateral agencies, Governments and non-governmental organizations.

170. By international, multilateral and bilateral development cooperation organizations:

Support, through the provision of capital and/or resources, financial institutions that serve low-income, small and micro-scale women entrepreneurs and producers in both the formal and informal sectors.

171. By Governments and/or multilateral financial institutions:

Review rules and procedures of formal national and international financial institutions that obstruct replication of the Grameen Bank prototype, which provides credit facilities to rural women.

172. By international organizations:

Provide adequate support for programmes and projects designed to promote sustainable and productive entrepreneurial activities among women, in particular the disadvantaged.

**Strategic objective F.3. Provide business services, training and access to markets, information and technology, particularly to low-income women**

*Actions to be taken*

173. By Governments in cooperation with non-governmental organizations and the private sector:

- (a) Provide public infrastructure to ensure equal market access for women and men entrepreneurs;
- (b) Develop programmes that provide training and retraining, particularly in new technologies, and affordable services to women in business management, product development, financing, production and quality control, marketing and the legal aspects of business;
- (c) Provide outreach programmes to inform low-income and poor women, particularly in rural and remote areas, of opportunities for market and technology access, and provide assistance in taking advantage of such opportunities;
- (d) Create non-discriminatory support services, including investment funds for women's businesses, and target women, particularly low-income women, in trade promotion programmes;
- (e) Disseminate information about successful women entrepreneurs in both traditional and non-traditional economic activities and the skills necessary to achieve success, and facilitate networking and the exchange of information;
- (f) Take measures to ensure equal access of women to ongoing training in the workplace, including unemployed women, single parents, women re-entering the labour market after an extended temporary exit from employment owing to family responsibilities and other causes, and women displaced by new forms of production or by retrenchment, and increase incentives to enterprises to expand the number of vocational and training centres that provide training for women in non-traditional areas;
- (g) Provide affordable support services, such as high-quality, flexible and affordable child-care services, that take into account the needs of working men and women.

174. By local, national, regional and international business organisations and non-governmental organizations concerned with women's issues:

Advocate, at all levels, for the promotion and support of women's businesses and enterprises, including those in the informal sector, and the equal access of women to productive resources.

**Strategic objective F.4. Strengthen women's economic capacity and commercial networks**

*Actions to be taken*

175. By Governments:

- (a) Adopt policies that support business organizations, non-governmental organizations, cooperatives, revolving loan funds, credit unions, grass-roots organizations, women's self-help groups and other groups in order to provide services to women entrepreneurs in rural and urban areas;
- (b) Integrate a gender perspective into all economic restructuring and structural adjustment policies and design programmes for women who are affected by economic restructuring, including structural adjustment programmes, and for women who work in the informal sector;
- (c) Adopt policies that create an enabling environment for women's self-help groups, workers' organizations and cooperatives through non-conventional forms of support and by recognizing the right to freedom of association and the right to organize;
- (d) Support programmes that enhance the self-reliance of special groups of women, such as young women, women with disabilities, elderly women and women belonging to racial and ethnic minorities;
- (e) Promote gender equality through the promotion of women's studies and through the use of the results of studies and gender research in all fields, including the economic, scientific and technological fields;
- (f) Support the economic activities of indigenous women, taking into account their traditional knowledge, so as to improve their situation and development;
- (g) Adopt policies to extend or maintain the protection of labour laws and social security provisions for those who do paid work in the home;

- (h) Recognize and encourage the contribution of research by women scientists and technologists;
- (i) Ensure that policies and regulations do not discriminate against micro, small and medium-scale enterprises run by women.

176. By financial intermediaries, national training institutes, credit unions, non-governmental organizations, women's associations, professional organizations and the private sector, as appropriate:

- (a) Provide, at the national, regional and international levels, training in a variety of business-related and financial management and technical skills to enable women, especially young women, to participate in economic policy-making at those levels;
- (b) Provide business services, including marketing and trade information, product design and innovation, technology transfer and quality, to women's business enterprises, including those in export sectors of the economy;
- (c) Promote technical and commercial links and establish joint ventures among women entrepreneurs at the national, regional and international levels to support community-based initiatives;
- (d) Strengthen the participation of women, including marginalized women, in production and marketing cooperatives by providing marketing and financial support, especially in rural and remote areas;
- (e) Promote and strengthen women's micro-enterprises, new small businesses, cooperative enterprises, expanded markets and other employment opportunities and, where appropriate, facilitate the transition from the informal to the formal sector, in rural and urban areas;
- (f) Invest capital and develop investment portfolios to finance women's business enterprises;
- (g) Give adequate attention to providing technical assistance, advisory services, training and retraining for women connected with the entry to the market economy;
- (h) Support credit networks and innovative ventures, including traditional savings schemes;
- (i) Provide networking arrangements for entrepreneurial women, including opportunities for the mentoring of inexperienced women by the more experienced;
- (j) Encourage community organizations and public authorities to establish loan pools for women entrepreneurs, drawing on successful small-scale cooperative models.

177. By the private sector, including transnational and national corporations:

- (a) Adopt policies and establish mechanisms to grant contracts on a non-discriminatory basis;
- (b) Recruit women for leadership, decision-making and management and provide training programmes, all on an equal basis with men;
- (c) Observe national labour, environment, consumer, health and safety laws, particularly those that affect women.

**Strategic objective F.5. Eliminate occupational segregation and all forms of employment discrimination**

*Actions to be taken*

178. By Governments, employers, employees, trade unions and women's organizations:

- (a) Implement and enforce laws and regulations and encourage voluntary codes of conduct that ensure that international labour standards, such as International Labour Organization Convention No. 100 on equal pay and workers' rights, apply equally to female and male workers;
- (b) Enact and enforce laws and introduce implementing measures, including means of redress and access to justice in cases of non-compliance, to prohibit direct and indirect discrimination on grounds of sex, including by reference to marital or family status, in relation to access to employment, conditions of employment, including training, promotion, health and safety, as well as termination of employment and social security of workers, including legal protection against sexual and racial harassment;
- (c) Enact and enforce laws and develop workplace policies against gender discrimination in the labour market, especially considering older women workers, in hiring and promotion, and in the extension of employment benefits and social security, as well as regarding discriminatory working conditions and sexual harassment; mechanisms should be developed for the regular review and monitoring of such laws;
- (d) Eliminate discriminatory practices by employers on the basis of women's reproductive roles and functions, including refusal of employment and dismissal of women due to pregnancy and breast-feeding responsibilities;



- (e) Develop and promote employment programmes and services for women entering and/or re-entering the labour market, especially poor urban, rural and young women, the self-employed and those negatively affected by structural adjustment;
- (f) Implement and monitor positive public- and private-sector employment, equity and positive action programmes to address systemic discrimination against women in the labour force, in particular women with disabilities and women belonging to other disadvantaged groups, with respect to hiring, retention and promotion, and vocational training of women in all sectors;
- (g) Eliminate occupational segregation, especially by promoting the equal participation of women in highly skilled jobs and senior management positions, and through other measures, such as counselling and placement, that stimulate their on-the-job career development and upward mobility in the labour market, and by stimulating the diversification of occupational choices by both women and men; encourage women to take up non-traditional jobs, especially in science and technology, and encourage men to seek employment in the social sector;
- (h) Recognize collective bargaining as a right and as an important mechanism for eliminating wage inequality for women and to improve working conditions;
- (i) Promote the election of women trade union officials and ensure that trade union officials elected to represent women are given job protection and physical security in connection with the discharge of their functions;
- (j) Ensure access to and develop special programmes to enable women with disabilities to obtain and retain employment, and ensure access to education and training at all proper levels, in accordance with the Standard Rules on the Equalization of Opportunities for Persons with Disabilities<sup>36</sup>; adjust working conditions, to the extent possible, in order to suit the needs of women with disabilities, who should be assured legal protection against unfounded job loss on account of their disabilities;
- (k) Increase efforts to close the gap between women's and men's pay, take steps to implement the principle of equal remuneration for equal work of equal value by strengthening legislation, including compliance with international labour laws and standards, and encourage job evaluation schemes with gender-neutral criteria;

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<sup>36</sup> Resolution 48/96 of the General Assembly.

- (l) Establish and/or strengthen mechanisms to adjudicate matters relating to wage discrimination;
- (m) Set specific target dates for eliminating all forms of child labour that are contrary to accepted international standards and ensure the full enforcement of relevant existing laws and, where appropriate, enact the legislation necessary to implement the Convention on the Rights of the Child and International Labour Organization standards, ensuring the protection of working children, in particular, street children, through the provision of appropriate health, education and other social services;
- (n) Ensure that strategies to eliminate child labour also address the excessive demands made on some girls for unpaid work in their household and other households, where applicable;
- (o) Review, analyse and, where appropriate, reformulate the wage structures in female-dominated professions, such as teaching, nursing and child care, with a view to raising their low status and earnings;
- (p) Facilitate the productive employment of documented migrant women (including women who have been determined refugees according to the 1951 Convention relating to the Status of Refugees) through greater recognition of foreign education and credentials and by adopting an integrated approach to labour market training that incorporates language training.

**Strategic objective F.6. Promote harmonization of work and family responsibilities for women and men**

*Actions to be taken*

179. By Governments:

- (a) Adopt policies to ensure the appropriate protection of labour laws and social security benefits for part-time, temporary, seasonal and home-based workers; promote career development based on work conditions that harmonize work and family responsibilities;
- (b) Ensure that full and part-time work can be freely chosen by women and men on an equal basis, and consider appropriate protection for atypical workers in terms of access to employment, working conditions and social security;
- (c) Ensure, through legislation, incentives and/or encouragement, opportunities for women and men to take

job-protected parental leave and to have parental benefits; promote the equal sharing of responsibilities for the family by men and women, including through appropriate legislation, incentives and/or encouragement, and also promote the facilitation of breast-feeding for working mothers;

- (d) Develop policies, *inter alia*, in education to change attitudes that reinforce the division of labour based on gender in order to promote the concept of shared family responsibility for work in the home, particularly in relation to children and elder care;
- (e) Improve the development of, and access to, technologies that facilitate occupational as well as domestic work, encourage self-support, generate income, transform gender-prescribed roles within the productive process and enable women to move out of low-paying jobs;
- (f) Examine a range of policies and programmes, including social security legislation and taxation systems, in accordance with national priorities and policies, to determine how to promote gender equality and flexibility in the way people divide their time between and derive benefits from education and training, paid employment, family responsibilities, volunteer activity and other socially useful forms of work, rest and leisure.

180. By Governments, the private sector and non-governmental organizations, trade unions and the United Nations, as appropriate:

- (a) Adopt appropriate measures involving relevant governmental bodies and employers' and employees' associations so that women and men are able to take temporary leave from employment, have transferable employment and retirement benefits and make arrangements to modify work hours without sacrificing their prospects for development and advancement at work and in their careers;
- (b) Design and provide educational programmes through innovative media campaigns and school and community education programmes to raise awareness on gender equality and non-stereotyped gender roles of women and men within the family; provide support services and facilities, such as on-site child care at workplaces and flexible working arrangements;
- (c) Enact and enforce laws against sexual and other forms of harassment in all workplaces.

## G. WOMEN IN POWER AND DECISION-MAKING

181. The Universal Declaration of Human Rights states that everyone has the right to take part in the Government of his/her country. The empowerment and autonomy of women and the improvement of women's social, economic and political status is essential for the achievement of both transparent and accountable government and administration and sustainable development in all areas of life. The power relations that prevent women from leading fulfilling lives operate at many levels of society, from the most personal to the highly public. Achieving the goal of equal participation of women and men in decision-making will provide a balance that more accurately reflects the composition of society and is needed in order to strengthen democracy and promote its proper functioning. Equality in political decision-making performs a leverage function without which it is highly unlikely that a real integration of the equality dimension in government policy-making is feasible. In this respect, women's equal participation in political life plays a pivotal role in the general process of the advancement of women. Women's equal participation in decision-making is not only a demand for simple justice or democracy but can also be seen as a necessary condition for women's interests to be taken into account. Without the active participation of women and the incorporation of women's perspective at all levels of decision-making, the goals of equality, development and peace cannot be achieved.

182. Despite the widespread movement towards democratization in most countries, women are largely underrepresented at most levels of government, especially in ministerial and other executive bodies, and have made little progress in attaining political power in legislative bodies or in achieving the target endorsed by the Economic and Social Council of having 30 per cent women in positions at decision-making levels by 1995. Globally, only 10 per cent of the members of legislative bodies and a lower percentage of ministerial positions are now held by women. Indeed, some countries, including those that are undergoing fundamental political, economic and social changes, have seen a significant decrease in the number of women represented in legislative bodies. Although women make up at least half of the electorate in almost all countries and have attained the right to vote and hold office in almost all States Members of the United Nations, women continue to be seriously underrepresented as candidates for public office. The traditional working patterns of many

political parties and government structures continue to be barriers to women's participation in public life. Women may be discouraged from seeking political office by discriminatory attitudes and practices, family and child-care responsibilities, and the high cost of seeking and holding public office. Women in politics and decision-making positions in Governments and legislative bodies contribute to redefining political priorities, placing new items on the political agenda that reflect and address women's gender-specific concerns, values and experiences, and providing new perspectives on mainstream political issues.

183. Women have demonstrated considerable leadership in community and informal organizations, as well as in public office. However, socialization and negative stereotyping of women and men, including stereotyping through the media, reinforces the tendency for political decision-making to remain the domain of men. Likewise, the underrepresentation of women in decision-making positions in the areas of art, culture, sports, the media, education, religion and the law have prevented women from having a significant impact on many key institutions.

184. Owing to their limited access to the traditional avenues to power, such as the decision-making bodies of political parties, employer organizations and trade unions, women have gained access to power through alternative structures, particularly in the non-governmental organization sector. Through non-governmental organizations and grass-roots organizations, women have been able to articulate their interests and concerns and have placed women's issues on the national, regional and international agendas.

185. Inequality in the public arena can often start with discriminatory attitudes and practices and unequal power relations between women and men within the family, as defined in paragraph 29 above. The unequal division of labour and responsibilities within households based on unequal power relations also limits women's potential to find the time and develop the skills required for participation in decision-making in wider public forums. A more equal sharing of those responsibilities between women and men not only provides a better quality of life for women and their daughters but also enhances their opportunities to shape and design public policy, practice and expenditure so that their interests may be recognized and addressed. Non-formal networks and patterns of

decision-making at the local community level that reflect a dominant male ethos restrict women's ability to participate equally in political, economic and social life.

186. The low proportion of women among economic and political decision makers at the local, national, regional and international levels reflects structural and attitudinal barriers that need to be addressed through positive measures. Governments, transnational and national corporations, the mass media, banks, academic and scientific institutions, and regional and international organizations, including those in the United Nations system, do not make full use of women's talents as top-level managers, policy makers, diplomats and negotiators.

187. The equitable distribution of power and decision-making at all levels is dependent on Governments and other actors undertaking statistical gender analysis and mainstreaming a gender perspective in policy development and the implementation of programmes. Equality in decision-making is essential to the empowerment of women. In some countries, affirmative action has led to 33.3 per cent or larger representation in local and national Governments.

188. National, regional and international statistical institutions still have insufficient knowledge of how to present the issues related to the equal treatment of women and men in the economic and social spheres. In particular, there is insufficient use of existing databases and methodologies in the important sphere of decision-making.

189. In addressing the inequality between men and women in the sharing of power and decision-making at all levels, Governments and other actors should promote an active and visible policy of mainstreaming a gender perspective in all policies and programmes so that before decisions are taken, an analysis is made of the effects on women and men, respectively.

**Strategic objective G.1. Take measures to ensure women's equal access to and full participation in power structures and decision-making**

*Actions to be taken*

190. By Governments:

- (a) Commit themselves to establishing the goal of gender balance in governmental bodies and committees, as well as in public administrative entities, and in the judiciary, including, *inter alia*, setting specific targets and implementing measures to substantially increase the number of women with a view to achieving equal representation of women and men, if necessary through positive action, in all governmental and public administration positions;
- (b) Take measures, including, where appropriate, in electoral systems that encourage political parties to integrate women in elective and non-elective public positions in the same proportion and at the same levels as men;
- (c) Protect and promote the equal rights of women and men to engage in political activities and to freedom of association, including membership in political parties and trade unions;
- (d) Review the differential impact of electoral systems on the political representation of women in elected bodies and consider, where appropriate, the adjustment or reform of those systems;
- (e) Monitor and evaluate progress in the representation of women through the regular collection, analysis and dissemination of quantitative and qualitative data on women and men at all levels in various decision-making positions in the public and private sectors, and disseminate data on the number of women and men employed at various levels in Governments on a yearly basis; ensure that women and men have equal access to the full range of public appointments and set up mechanisms within governmental structures for monitoring progress in this field;
- (f) Support non-governmental organizations and research institutes that conduct studies on women's participation in and impact on decision-making and the decision-making environment;
- (g) Encourage greater involvement of indigenous women in decision-making at all levels;
- (h) Encourage and, where appropriate, ensure that government-funded organizations adopt non-discriminatory policies and practices in order to increase the number and raise the position of women in their organizations;
- (i) Recognize that shared work and parental responsibilities between women and men promote women's increased participation in public life, and take appropriate measures

to achieve this, including measures to reconcile family and professional life;

- (j) Aim at gender balance in the lists of national candidates nominated for election or appointment to United Nations bodies, specialized agencies and other autonomous organizations of the United Nations system, particularly for posts at the senior level.

191 By political parties:

- (a) Consider examining party structures and procedures to remove all barriers that directly or indirectly discriminate against the participation of women;
- (b) Consider developing initiatives that allow women to participate fully in all internal policy-making structures and appointive and electoral nominating processes;
- (c) Consider incorporating gender issues in their political agenda, taking measures to ensure that women can participate in the leadership of political parties on an equal basis with men.

192. By Governments, national bodies, the private sector, political parties, trade unions, employers' organizations, research and academic institutions, subregional and regional bodies and non-governmental and international organizations:

- (a) Take positive action to build a critical mass of women leaders, executives and managers in STRATEGIC decision-making positions;
- (b) Create or strengthen, as appropriate, mechanisms to monitor women's access to senior levels of decision-making;
- (c) Review the criteria for recruitment and appointment to advisory and decision-making bodies and promotion to senior positions to ensure that such criteria are relevant and do not discriminate against women;
- (d) Encourage efforts by non-governmental organizations, trade unions and the private sector to achieve equality between women and men in their ranks, including equal participation in their decision-making bodies and in negotiations in all areas and at all levels;
- (e) Develop communications strategies to promote public debate on the new roles of men and women in society, and in the family as defined in paragraph 29 above;
- (f) Restructure recruitment and career-development programmes to ensure that all women, especially young women, have equal access to managerial, entrepreneurial,



technical and leadership training, including on-the-job training;

- (g) Develop career advancement programmes for women of all ages that include career planning, tracking, mentoring, coaching, training and retraining;
- (h) Encourage and support the participation of women's non-governmental organizations in United Nations conferences and their preparatory processes;
- (i) Aim at and support gender balance in the composition of delegations to the United Nations and other international forums.

193. By the United Nations:

- (a) Implement existing and adopt new employment policies and measures in order to achieve overall gender equality, particularly at the Professional level and above, by the year 2000, with due regard to the importance of recruiting staff on as wide a geographical basis as possible, in conformity with Article 101, paragraph 3, of the Charter of the United Nations;
- (b) Develop mechanisms to nominate women candidates for appointment to senior posts in the United Nations, the specialized agencies and other organizations and bodies of the United Nations system;
- (c) Continue to collect and disseminate quantitative and qualitative data on women and men in decision-making and analyse their differential impact on decision-making and monitor progress towards achieving the Secretary-General's target of having women hold 50 per cent of managerial and decision-making positions by the year 2000.

194. By women's organizations, non-governmental organizations, trade unions, social partners, producers, and industrial and professional organizations:

- (a) Build and strengthen solidarity among women through information, education and sensitization activities;
- (b) Advocate at all levels to enable women to influence political, economic and social decisions, processes and systems, and work towards seeking accountability from elected representatives on their commitment to gender concerns;
- (c) Establish, consistent with data protection legislation, databases on women and their qualification for use in appointing women to senior decision-making and advisory positions, for dissemination to Governments, regional and

international organizations and private enterprise, political parties and other relevant bodies.

**Strategic objective G.2. Increase women's capacity to participate in decision-making and leadership**

*Actions to be taken*

195. By Governments, national bodies, the private sector, political parties, trade unions, employers' organizations, subregional and regional bodies, non-governmental and international organizations and educational institutions:

- (a) Provide leadership and self-esteem training to assist women and girls, particularly those with special needs, women with disabilities and women belonging to racial and ethnic minorities to strengthen their self-esteem and to encourage them to take decision-making positions;
- (b) Have transparent criteria for decision-making positions and ensure that the selecting bodies have a gender-balanced composition;
- (c) Create a system of mentoring for inexperienced women and, in particular, offer training, including training in leadership and decision-making, public speaking and self-assertion, as well as in political campaigning;
- (d) Provide gender-sensitive training for women and men to promote non-discriminatory working relationships and respect for diversity in work and management styles;
- (e) Develop mechanisms and training to encourage women to participate in the electoral process, political activities and other leadership areas.

**H. INSTITUTIONAL MECHANISMS FOR THE ADVANCEMENT OF WOMEN**

196. National machineries for the advancement of women have been established in almost every Member State to, *inter alia*, design, promote the implementation of, execute, monitor, evaluate, advocate and mobilize support for policies that promote the advancement of women. National machineries are diverse in form and uneven in their effectiveness, and in some cases have declined. Often marginalized in national government structures, these mechanisms are frequently hampered by unclear mandates, lack of adequate staff, training, data and

sufficient resources, and insufficient support from national political leadership.

197. At the regional and international levels, mechanisms and institutions to promote the advancement of women as an integral part of mainstream political, economic, social and cultural development, and of initiatives on development and human rights, encounter similar problems emanating from a lack of commitment at the highest levels.

198. Successive international conferences have underscored the need to take gender factors into account in policy and programme planning. However, in many instances this has not been done.

199. Regional bodies concerned with the advancement of women have been strengthened, together with international machinery, such as the Commission on the Status of Women and the Committee on the Elimination of Discrimination against Women. However, the limited resources available continue to impede full implementation of their mandates.

200. Methodologies for conducting gender-based analysis in policies and programmes and for dealing with the differential effects of policies on women and men have been developed in many organizations and are available for application but are often not being applied or are not being applied consistently.

201. A national machinery for the advancement of women is the central policy-coordinating unit inside government. Its main task is to support government-wide mainstreaming of a gender-equality perspective in all policy areas. The necessary conditions for an effective functioning of such national machineries include:

- (a) Location at the highest possible level in the Government, falling under the responsibility of a Cabinet minister;
- (b) Institutional mechanisms or processes that facilitate, as appropriate, decentralized planning, implementation and monitoring with a view to involving non-governmental organizations and community organizations from the grass-roots upwards;
- (c) Sufficient resources in terms of budget and professional capacity;
- (d) Opportunity to influence development of all government policies.

202. In addressing the issue of mechanisms for promoting the advancement of women, Governments and other actors should promote an active and visible policy of mainstreaming a gender perspective in all policies and programmes so that, before decisions are taken, an analysis is made of the effects on women and men, respectively.

**Strategic objective H.1. Create or strengthen national machineries and other governmental bodies**

*Actions to be taken*

203. By Governments:

- (a) Ensure that responsibility for the advancement of women is vested in the highest possible level of government; in many cases, this could be at the level of a Cabinet minister;
- (b) Based on a strong political commitment, create a national machinery, where it does not exist, and strengthen, as appropriate, existing national machineries, for the advancement of women at the highest possible level of government; it should have clearly defined mandates and authority; critical elements would be adequate resources and the ability and competence to influence policy and formulate and review legislation; among other things, it should perform policy analysis, undertake advocacy, communication, coordination and monitoring of implementation;
- (c) Provide staff training in designing and analysing data from a gender perspective;
- (d) Establish procedures to allow the machinery to gather information on government-wide policy issues at an early stage and continuously use it in the policy development and review process within the Government;
- (e) Report, on a regular basis, to legislative bodies on the progress of efforts, as appropriate, to mainstream gender concerns, taking into account the implementation of the Platform for Action;
- (f) Encourage and promote the active involvement of the broad and diverse range of institutional actors in the public, private and voluntary sectors to work for equality between women and men.

**Strategic objective H.2. Integrate gender perspectives in legislation, public policies, programmes and projects**

*Actions to be taken*

204. By Governments:

- (a) Seek to ensure that before policy decisions are taken, an analysis of their impact on women and men, respectively, is carried out;
- (b) Regularly review national policies, programmes and projects, as well as their implementation, evaluating the impact of employment and income policies in order to guarantee that women are direct beneficiaries of development and that their full contribution to development, both remunerated and unremunerated, is considered in economic policy and planning;
- (c) Promote national strategies and aims on equality between women and men in order to eliminate obstacles to the exercise of women's rights and eradicate all forms of discrimination against women;
- (d) Work with members of legislative bodies, as appropriate, to promote a gender perspective in all legislation and policies;
- (e) Give all ministries the mandate to review policies and programmes from a gender perspective and in the light of the Platform for Action; locate the responsibility for the implementation of that mandate at the highest possible level; establish and/or strengthen an inter-ministerial coordination structure to carry out this mandate, to monitor progress and to network with relevant machineries.

205. By national machinery:

- (a) Facilitate the formulation and implementation of government policies on equality between women and men, develop appropriate strategies and methodologies, and promote coordination and cooperation within the central Government in order to ensure mainstreaming of a gender perspective in all policy-making processes;
- (b) Promote and establish cooperative relationships with relevant branches of government, centres for women's studies and research, academic and educational institutions, the private sector, the media, non-governmental organizations, especially women's organizations, and all other actors of civil society;

- (c) Undertake activities focusing on legal reform with regard, *inter alia*, to the family, conditions of employment, social security, income tax, equal opportunity in education, positive measures to promote the advancement of women, and the perception of attitudes and a culture favourable to equality, as well as promote a gender perspective in legal policy and programming reforms;
- (d) Promote the increased participation of women as both active agents and beneficiaries of the development process, which would result in an improvement in the quality of life for all;
- (e) Establish direct links with national, regional and international bodies dealing with the advancement of women;
- (f) Provide training and advisory assistance to government agencies in order to integrate a gender perspective in their policies and programmes.

**Strategic objective H.3. Generate and disseminate gender-disaggregated data and information for planning and evaluation**

*Actions to be taken*

206. By national, regional and international statistical services and relevant governmental and United Nations agencies, in cooperation with research and documentation organizations, in their respective areas of responsibility:

- (a) Ensure that statistics related to individuals are collected, compiled, analysed and presented by sex and age and reflect problems, issues and questions related to women and men in society;
- (b) Collect, compile, analyse and present on a regular basis data disaggregated by age, sex, socio-economic and other relevant indicators, including number of dependants, for utilization in policy and programme planning and implementation;
- (c) Involve centres for women's studies and research organizations in developing and testing appropriate indicators and research methodologies to strengthen gender analysis, as well as in monitoring and evaluating the implementation of the goals of the Platform for Action;
- (d) Designate or appoint staff to strengthen gender-statistics programmes and ensure coordination, monitoring and

- linkage to all fields of statistical work, and prepare output that integrates statistics from the various subject areas;
- (e) Improve data collection on the full contribution of women and men to the economy, including their participation in the informal sector(s);
  - (f) Develop a more comprehensive knowledge of all forms of work and employment by:
    - (i) Improving data collection on the unremunerated work which is already included in the United Nations System of National Accounts, such as in agriculture, particularly subsistence agriculture, and other types of non-market production activities;
    - (ii) Improving measurements that at present underestimate women's unemployment and underemployment in the labour market;
    - (iii) Developing methods, in the appropriate forums, for assessing the value, in quantitative terms, of unremunerated work that is outside national accounts, such as caring for dependants and preparing food, for possible reflection in satellite or other official accounts that may be produced separately from but are consistent with core national accounts, with a view to recognizing the economic contribution of women and making visible the unequal distribution of remunerated and unremunerated work between women and men;
  - (g) Develop an international classification of activities for time-use statistics that is sensitive to the differences between women and men in remunerated and unremunerated work, and collect data disaggregated by sex. At the national level, subject to national constraints:
    - (i) Conduct regular time-use studies to measure, in quantitative terms, unremunerated work, including recording those activities that are performed simultaneously with remunerated or other unremunerated activities;
    - (ii) Measure, in quantitative terms, unremunerated work that is outside national accounts and work to improve methods to assess and accurately reflect its value in satellite or other official accounts that are separate from but consistent with core national accounts;

- (h) Improve concepts and methods of data collection on the measurement of poverty among women and men, including their access to resources;
- (i) Strengthen vital statistical systems and incorporate gender analysis into publications and research; give priority to gender differences in research design and in data collection and analysis in order to improve data on morbidity; and improve data collection on access to health services, including access to comprehensive sexual and reproductive health services, maternal care and family planning, with special priority for adolescent mothers and for elder care;
- (j) Develop improved gender-disaggregated and age-specific data on the victims and perpetrators of all forms of violence against women, such as domestic violence, sexual harassment, rape, incest and sexual abuse, and trafficking in women and girls, as well as on violence by agents of the State;
- (k) Improve concepts and methods of data collection on the participation of women and men with disabilities, including their access to resources.

207. By Governments:

- (a) Ensure the regular production of a statistical publication on gender that presents and interprets topical data on women and men in a form suitable for a wide range of non-technical users;
- (b) Ensure that producers and users of statistics in each country regularly review the adequacy of the official statistical system and its coverage of gender issues, and prepare a plan for needed improvements, where necessary;
- (c) Develop and encourage the development of quantitative and qualitative studies by research organizations, trade unions, employers, the private sector and non-governmental organizations on the sharing of power and influence in society, including the number of women and men in senior decision-making positions in both the public and private sectors;
- (d) Use more gender-sensitive data in the formulation of policy and implementation of programmes and projects.

208. By the United Nations:

- (a) Promote the development of methods to find better ways to collect, collate and analyse data that may relate to the human rights of women, including violence against women, for use by all relevant United Nations bodies;



- (b) Promote the further development of statistical methods to improve data that relate to women in economic, social, cultural and political development;
- (c) Prepare a new issue of The World's Women at regular five-year intervals and distribute it widely;
- (d) Assist countries, upon request, in the development of gender policies and programmes;
- (e) Ensure that the relevant reports, data and publications of the Statistical Division of the United Nations Secretariat and the International Research and Training Institute for the Advancement of Women on progress at the national and international levels are transmitted to the Commission on the Status of Women in a regular and coordinated fashion.

209. By multilateral development institutions and bilateral donors:

Encourage and support the development of national capacity in developing countries and in countries with economies in transition by providing resources and technical assistance so that countries can fully measure the work done by women and men, including both remunerated and unremunerated work, and, where appropriate, use satellite or other official accounts for unremunerated work.

#### I. HUMAN RIGHTS OF WOMEN

210. Human rights and fundamental freedoms are the birthright of all human beings; their protection and promotion is the first responsibility of Governments.

211. The World Conference on Human Rights reaffirmed the solemn commitment of all States to fulfil their obligation to promote universal respect for, and observance and protection of, all human rights and fundamental freedoms for all, in accordance with the Charter of the United Nations, other instruments relating to human rights, and international law. The universal nature of these rights and freedoms is beyond question.

212. The promotion and protection of all human rights and fundamental freedoms must be considered as a priority objective of the United Nations, in accordance with its purposes

and principles, in particular with the purpose of international cooperation. In the framework of these purposes and principles, the promotion and protection of all human rights is a legitimate concern of the international community. The international community must treat human rights globally, in a fair and equal manner, on the same footing, and with the same emphasis. The Platform for Action reaffirms the importance of ensuring the universality, objectivity and non-selectivity of the consideration of human rights issues.

213. The Platform for Action reaffirms that all human rights - civil, cultural, economic, political and social, including the right to development - are universal, indivisible, interdependent and interrelated, as expressed in the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights. The Conference reaffirmed that the human rights of women and the girl child are an inalienable, integral and indivisible part of universal human rights. The full and equal enjoyment of all human rights and fundamental freedoms by women and girls is a priority for Governments and the United Nations and is essential for the advancement of women.

214. Equal rights of men and women are explicitly mentioned in the Preamble to the Charter of the United Nations. All the major international human rights instruments include sex as one of the grounds upon which States may not discriminate.

215. Governments must not only refrain from violating the human rights of all women, but must work actively to promote and protect these rights. Recognition of the importance of the human rights of women is reflected in the fact that three quarters of the States Members of the United Nations have become parties to the Convention on the Elimination of All Forms of Discrimination against Women.

216. The World Conference on Human Rights reaffirmed clearly that the human rights of women throughout the life cycle are an inalienable, integral and indivisible part of universal human rights. The International Conference on Population and Development reaffirmed women's reproductive rights and the right to development. Both the Declaration of the Rights of the Child<sup>37</sup> and the Convention on the Rights of the Child<sup>38</sup>

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<sup>37</sup> Resolution 1286 (XIV) of the General Assembly.

<sup>38</sup> See Note 11.

guarantee children's rights and uphold the principle of non-discrimination on the grounds of gender.

217. The gap between the existence of rights and their effective enjoyment derives from a lack of commitment by Governments to promoting and protecting those rights and the failure of Governments to inform women and men alike about them. The lack of appropriate recourse mechanisms at the national and international levels, and inadequate resources at both levels, compound the problem. In most countries, steps have been taken to reflect the rights guaranteed by the Convention on the Elimination of All Forms of Discrimination against Women in national law. A number of countries have established mechanisms to strengthen women's ability to exercise their rights.

218. In order to protect the human rights of women, it is necessary to avoid, as far as possible, resorting to reservations and to ensure that no reservation is incompatible with the object and purpose of the Convention or is otherwise incompatible with international treaty law. Unless the human rights of women, as defined by international human rights instruments, are fully recognized and effectively protected, applied, implemented and enforced in national law as well as in national practice in family, civil, penal, labour and commercial codes and administrative rules and regulations, they will exist in name only.

219. In those countries that have not yet become parties to the Convention on the Elimination of All Forms of Discrimination against Women and other international human rights instruments, or where reservations that are incompatible with the object or purpose of the Convention have been entered, or where national laws have not yet been revised to implement international norms and standards, women's de jure equality is not yet secured. Women's full enjoyment of equal rights is undermined by the discrepancies between some national legislation and international law and international instruments on human rights. Overly complex administrative procedures, lack of awareness within the judicial process and inadequate monitoring of the violation of the human rights of all women, coupled with the under-representation of women in justice systems, insufficient information on existing rights and persistent attitudes and practices perpetuate women's de facto inequality. De facto inequality is also perpetuated by the lack of enforcement of, *inter alia*, family, civil, penal, labour and

commercial laws or codes, or administrative rules and regulations intended to ensure women's full enjoyment of human rights and fundamental freedoms.

220. Every person should be entitled to participate in, contribute to and enjoy cultural, economic, political and social development. In many cases women and girls suffer discrimination in the allocation of economic and social resources. This directly violates their economic, social and cultural rights.

221. The human rights of all women and the girl child must form an integral part of United Nations human rights activities. Intensified efforts are needed to integrate the equal status and the human rights of all women and girls into the mainstream of United Nations system-wide activities and to address these issues regularly and systematically throughout relevant bodies and mechanisms. This requires, *inter alia*, improved cooperation and coordination between the Commission on the Status of Women, the United Nations High Commissioner for Human Rights, the Commission on Human Rights, including its special and thematic rapporteurs, independent experts, working groups and its Sub-Commission on Prevention of Discrimination and Protection of Minorities, the Commission on Sustainable Development, the Commission for Social Development, the Commission on Crime Prevention and Criminal Justice, and the Committee on the Elimination of Discrimination against Women and other human rights treaty bodies, and all relevant entities of the United Nations system, including the specialized agencies. Cooperation is also needed to strengthen, rationalize and streamline the United Nations human rights system and to promote its effectiveness and efficiency, taking into account the need to avoid unnecessary duplication and overlapping of mandates and tasks.

222. If the goal of full realization of human rights for all is to be achieved, international human rights instruments must be applied in such a way as to take more clearly into consideration the systematic and systemic nature of discrimination against women that gender analysis has clearly indicated.

223. Bearing in mind the Programme of Action of the International Conference on Population and Development<sup>39</sup> and

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<sup>39</sup> See Note 14.

the Vienna Declaration and Programme of Action<sup>40</sup> adopted by the World Conference on Human Rights, the Fourth World Conference on Women reaffirms that reproductive rights rest on the recognition of the basic right of all couples and individuals to decide freely and responsibly the number, spacing and timing of their children and to have the information and means to do so, and the right to attain the highest standard of sexual and reproductive health. It also includes their right to make decisions concerning reproduction free of discrimination, coercion and violence, as expressed in human rights documents.

224. Violence against women both violates and impairs or nullifies the enjoyment by women of human rights and fundamental freedoms. Taking into account the Declaration on the Elimination of Violence against Women and the work of Special Rapporteurs, gender-based violence, such as battering and other domestic violence, sexual abuse, sexual slavery and exploitation, and international trafficking in women and children, forced prostitution and sexual harassment, as well as violence against women, resulting from cultural prejudice, racism and racial discrimination, xenophobia, pornography, ethnic cleansing, armed conflict, foreign occupation, religious and anti-religious extremism and terrorism are incompatible with the dignity and the worth of the human person and must be combated and eliminated. Any harmful aspect of certain traditional, customary or modern practices that violates the rights of women should be prohibited and eliminated. Governments should take urgent action to combat and eliminate all forms of violence against women in private and public life, whether perpetrated or tolerated by the State or private persons.

225. Many women face additional barriers to the enjoyment of their human rights because of such factors as their race, language, ethnicity, culture, religion, disability or socio-economic class or because they are indigenous people, migrants, including women migrant workers, displaced women or refugees. They may also be disadvantaged and marginalized by a general lack of knowledge and recognition of their human rights as well as by the obstacles they meet in gaining access to information and recourse mechanisms in cases of violation of their rights.

226. The factors that cause the flight of refugee women, other displaced women in need of international protection and

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<sup>40</sup> See Note 2.

internally displaced women may be different from those affecting men. These women continue to be vulnerable to abuses of their human rights during and after their flight.

227. While women are increasingly using the legal system to exercise their rights, in many countries lack of awareness of the existence of these rights is an obstacle that prevents women from fully enjoying their human rights and attaining equality. Experience in many countries has shown that women can be empowered and motivated to assert their rights, regardless of their level of education or socio-economic status. Legal literacy programmes and media strategies have been effective in helping women to understand the link between their rights and other aspects of their lives and in demonstrating that cost-effective initiatives can be undertaken to help women obtain those rights. Provision of human rights education is essential for promoting an understanding of the human rights of women, including knowledge of recourse mechanisms to redress violations of their rights. It is necessary for all individuals, especially women in vulnerable circumstances, to have full knowledge of their rights and access to legal recourse against violations of their rights.

228. Women engaged in the defence of human rights must be protected. Governments have a duty to guarantee the full enjoyment of all rights set out in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights by women working peacefully in a personal or organizational capacity for the promotion and protection of human rights. Non-governmental organizations, women's organizations and feminist groups have played a catalytic role in the promotion of the human rights of women through grass-roots activities, networking and advocacy and need encouragement, support and access to information from Governments in order to carry out these activities.

229. In addressing the enjoyment of human rights, Governments and other actors should promote an active and visible policy of mainstreaming a gender perspective in all policies and programmes so that, before decisions are taken, an analysis is made of the effects on women and men, respectively.

**Strategic objective I.1. Promote and protect the human rights of women, through the full implementation of all human rights instruments, especially the Convention on the Elimination of All Forms of Discrimination against Women**

*Actions to be taken*

230. By Governments:

- (a) Work actively towards ratification of or accession to and implement international and regional human rights treaties;
- (b) Ratify and accede to and ensure implementation of the Convention on the Elimination of All Forms of Discrimination against Women so that universal ratification of the Convention can be achieved by the year 2000;
- (c) Limit the extent of any reservations to the Convention on the Elimination of All Forms of Discrimination against Women; formulate any such reservations as precisely and as narrowly as possible; ensure that no reservations are incompatible with the object and purpose of the Convention or otherwise incompatible with international treaty law and regularly review them with a view to withdrawing them; and withdraw reservations that are contrary to the object and purpose of the Convention on the Elimination of All Forms of Discrimination against Women or which are otherwise incompatible with international treaty law;
- (d) Consider drawing up national action plans identifying steps to improve the promotion and protection of human rights, including the human rights of women, as recommended by the World Conference on Human Rights;
- (e) Create or strengthen independent national institutions for the protection and promotion of these rights, including the human rights of women, as recommended by the World Conference on Human Rights;
- (f) Develop a comprehensive human rights education programme to raise awareness among women of their human rights and raise awareness among others of the human rights of women;
- (g) If they are States parties, implement the Convention by reviewing all national laws, policies, practices and procedures to ensure that they meet the obligations set out

in the Convention; all States should undertake a review of all national laws, policies, practices and procedures to ensure that they meet international human rights obligations in this matter;

- (h) Include gender aspects in reporting under all other human rights conventions and instruments, including ILO conventions, to ensure analysis and review of the human rights of women;
- (i) Report on schedule to the Committee on the Elimination of Discrimination against Women regarding the implementation of the Convention, following fully the guidelines established by the Committee and involving non-governmental organizations, where appropriate, or taking into account their contributions in the preparation of the report;
- (j) Enable the Committee on the Elimination of Discrimination against Women fully to discharge its mandate by allowing for adequate meeting time through broad ratification of the revision adopted by the States parties to the Convention on the Elimination of All Forms of Discrimination against Women on 22 May 1995 relative to Article 20, paragraph 1<sup>41</sup>, and by promoting efficient working methods;
- (k) Support the process initiated by the Commission on the Status of Women with a view to elaborating a draft optional protocol to the Convention on the Elimination of All Forms of Discrimination against Women that could enter into force as soon as possible on a right of petition procedure, taking into consideration the Secretary-General's report on the optional protocol, including those views related to its feasibility;
- (l) Take urgent measures to achieve universal ratification of or accession to the Convention on the Rights of the Child before the end of 1995 and full implementation of the Convention in order to ensure equal rights for girls and boys; those that have not already done so are urged to become parties in order to realize universal implementation of the Convention on the Rights of the Child by the year 2000;
- (m) Address the acute problems of children, *inter alia*, by supporting efforts in the context of the United Nations system aimed at adopting efficient international measures for the prevention and eradication of female infanticide, harmful child labour, the sale of children and their organs,

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<sup>41</sup> See CEDAW/SP/1995/2.



child prostitution, child pornography and other forms of sexual abuse and consider contributing to the drafting of an optional protocol to the Convention on the Rights of the Child;

- (n) Strengthen the implementation of all relevant human rights instruments in order to combat and eliminate, including through international cooperation, organized and other forms of trafficking in women and children, including trafficking for the purposes of sexual exploitation, pornography, prostitution and sex tourism, and provide legal and social services to the victims; this should include provisions for international cooperation to prosecute and punish those responsible for organized exploitation of women and children;
- (o) Taking into account the need to ensure full respect for the human rights of indigenous women, consider a declaration on the rights of indigenous people for adoption by the General Assembly within the International Decade of the World's Indigenous People and encourage the participation of indigenous women in the working group elaborating the draft declaration, in accordance with the provisions for the participation of organizations of indigenous people.

231. By relevant organs, bodies and agencies of the United Nations system, all human rights bodies of the United Nations system, as well as the United Nations High Commissioner for Human Rights and the United Nations High Commissioner for Refugees, while promoting greater efficiency and effectiveness through better coordination of the various bodies, mechanisms and procedures, taking into account the need to avoid unnecessary duplication and overlapping of their mandates and tasks:

- (a) Give full, equal and sustained attention to the human rights of women in the exercise of their respective mandates to promote universal respect for and protection of all human rights - civil, cultural, economic, political and social rights, including the right to development;
- (b) Ensure the implementation of the recommendations of the World Conference on Human Rights for the full integration and mainstreaming of the human rights of women;
- (c) Develop a comprehensive policy programme for mainstreaming the human rights of women throughout the United Nations system, including activities with regard to advisory services, technical assistance, reporting

- methodology, gender-impact assessments, coordination, public information and human rights education, and play an active role in the implementation of the programme;
- (d) Ensure the integration and full participation of women as both agents and beneficiaries in the development process and reiterate the objectives established for global action for women towards sustainable and equitable development set forth in the Rio Declaration on Environment and Development<sup>42</sup>;
  - (e) Include information on gender-based human rights violations in their activities and integrate the findings into all of their programmes and activities;
  - (f) Ensure that there is collaboration and coordination of the work of all human rights bodies and mechanisms to ensure that the human rights of women are respected;
  - (g) Strengthen cooperation and coordination between the Commission on the Status of Women, the Commission on Human Rights, the Commission for Social Development, the Commission on Sustainable Development, the Commission on Crime Prevention and Criminal Justice, the United Nations human rights treaty monitoring bodies, including the Committee on the Elimination of Discrimination against Women, and the United Nations Development Fund for Women, the International Research and Training Institute for the Advancement of Women, the United Nations Development Programme, the United Nations Children's Fund and other organizations of the United Nations system, acting within their mandates, in the promotion of the human rights of women, and improve cooperation between the Division for the Advancement of Women and the Centre for Human Rights;
  - (h) Establish effective cooperation between the United Nations High Commissioner for Human Rights and the United Nations High Commissioner for Refugees and other relevant bodies, within their respective mandates, taking into account the close link between massive violations of human rights, especially in the form of genocide, ethnic cleansing, systematic rape of women in war situations and refugee flows and other displacements, and the fact that refugee, displaced and returnee women may be subject to particular human rights abuse;
  - (i) Encourage incorporation of a gender perspective in national programmes of action and in human rights and

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<sup>42</sup> See Note 18.

- national institutions, within the context of human rights advisory services programmes;
- (j) Provide training in the human rights of women for all United Nations personnel and officials, especially those in human rights and humanitarian relief activities, and promote their understanding of the human rights of women so that they recognize and deal with violations of the human rights of women and can fully take into account the gender aspect of their work;
  - (k) In reviewing the implementation of the plan of action for the United Nations Decade for Human Rights Education (1995-2004), take into account the results of the Fourth World Conference on Women.

**Strategic objective I.2. Ensure equality and non-discrimination under the law and in practice**

*Actions to be taken*

232. By Governments:

- (a) Give priority to promoting and protecting the full and equal enjoyment by women and men of all human rights and fundamental freedoms without distinction of any kind as to race, colour, sex, language, religion, political or other opinions, national or social origins, property, birth or other status;
- (b) Provide constitutional guarantees and/or enact appropriate legislation to prohibit discrimination on the basis of sex for all women and girls of all ages and assure women of all ages equal rights and their full enjoyment;
- (c) Embody the principle of the equality of men and women in their legislation and ensure, through law and other appropriate means, the practical realization of this principle;
- (d) Review national laws, including customary laws and legal practices in the areas of family, civil, penal, labour and commercial law in order to ensure the implementation of the principles and procedures of all relevant international human rights instruments by means of national legislation, revoke any remaining laws that discriminate on the basis of sex and remove gender bias in the administration of justice;
- (e) Strengthen and encourage the development of programmes to protect the human rights of women in the national institutions on human rights that carry out programmes,

such as human rights commissions or ombudspersons, according them appropriate status, resources and access to the Government to assist individuals, in particular women, and ensure that these institutions pay adequate attention to problems involving the violation of the human rights of women;

- (f) Take action to ensure that the human rights of women, including the rights referred to in paragraphs 94 to 96 above, are fully respected and protected;
- (g) Take urgent action to combat and eliminate violence against women, which is a human rights violation, resulting from harmful traditional or customary practices, cultural prejudices and extremism;
- (h) Prohibit female genital mutilation wherever it exists and give vigorous support to efforts among non-governmental and community organizations and religious institutions to eliminate such practices;
- (i) Provide gender-sensitive human rights education and training to public officials, including, *inter alia*, police and military personnel, corrections officers, health and medical personnel, and social workers, including people who deal with migration and refugee issues, and teachers at all levels of the educational system, and make available such education and training also to the judiciary and members of parliament in order to enable them to better exercise their public responsibilities;
- (j) Promote the equal right of women to be members of trade unions and other professional and social organizations;
- (k) Establish effective mechanisms for investigating violations of the human rights of women perpetrated by any public official and take the necessary punitive legal measures in accordance with national laws;
- (l) Review and amend criminal laws and procedures, as necessary, to eliminate any discrimination against women in order to ensure that criminal law and procedures guarantee women effective protection against, and prosecution of, crimes directed at or disproportionately affecting women, regardless of the relationship between the perpetrator and the victim, and ensure that women defendants, victims and/or witnesses are not revictimized or discriminated against in the investigation and prosecution of crimes;
- (m) Ensure that women have the same right as men to be judges, advocates or other officers of the court, as well as police officers and prison and detention officers, among other things;

- (n) Strengthen existing or establish readily available and free or affordable alternative administrative mechanisms and legal aid programmes to assist disadvantaged women seeking redress for violations of their rights;
- (o) Ensure that all women and non-governmental organizations and their members in the field of protection and promotion of all human rights - civil, cultural, economic, political and social rights, including the right to development - enjoy fully all human rights and freedoms in accordance with the Universal Declaration of Human Rights and all other human rights instruments and the protection of national laws;
- (p) Strengthen and encourage the implementation of the recommendations contained in the Standard Rules on the Equalization of Opportunities for Persons with Disabilities<sup>43</sup>, paying special attention to ensure non-discrimination and equal enjoyment of all human rights and fundamental freedoms by women and girls with disabilities, including their access to information and services in the field of violence against women, as well as their active participation in and economic contribution to all aspects of society;
- (q) Encourage the development of gender-sensitive human rights programmes.

**Strategic objective I.3. Achieve legal literacy**

*Actions to be taken*

233. By Governments and non-governmental organizations, the United Nations and other international organizations, as appropriate:

- (a) Translate, whenever possible, into local and indigenous languages and into alternative formats appropriate for persons with disabilities and persons at lower levels of literacy, publicize and disseminate laws and information relating to the equal status and human rights of all women, including the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the International Convention on the Elimination of All Forms of Racial

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<sup>43</sup> See Note 36.

Discrimination<sup>44</sup>, the Convention on the Rights of the Child, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Declaration on the Right to Development<sup>45</sup> and the Declaration on the Elimination of Violence against Women, as well as the outcomes of relevant United Nations conferences and summits and national reports to the Committee on the Elimination of Discrimination against Women;

- (b) Publicize and disseminate such information in easily understandable formats and alternative formats appropriate for persons with disabilities, and persons at low levels of literacy;
- (c) Disseminate information on national legislation and its impact on women, including easily accessible guidelines on how to use a justice system to exercise one's rights;
- (d) Include information about international and regional instruments and standards in their public information and human rights education activities and in adult education and training programmes, particularly for groups such as the military, the police and other law enforcement personnel, the judiciary, and legal and health professionals to ensure that human rights are effectively protected;
- (e) Make widely available and fully publicize information on the existence of national, regional and international mechanisms for seeking redress when the human rights of women are violated;
- (f) Encourage, coordinate and cooperate with local and regional women's groups, relevant non-governmental organizations, educators and the media, to implement programmes in human rights education to make women aware of their human rights;
- (g) Promote education on the human and legal rights of women in school curricula at all levels of education and undertake public campaigns, including in the most widely used languages of the country, on the equality of women and men in public and private life, including their rights within the family and relevant human rights instruments under national and international law;
- (h) Promote education in all countries in human rights and international humanitarian law for members of the national security and armed forces, including those assigned to United Nations peace-keeping operations, on a

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<sup>44</sup> Resolution 2106 A (XX) of the General Assembly.

<sup>45</sup> Resolution 41/128 of the General Assembly.

routine and continuing basis, reminding them and sensitizing them to the fact that they should respect the rights of women at all times, both on and off duty, giving special attention to the rules on the protection of women and children and to the protection of human rights in situations of armed conflict;

- (i) Take appropriate measures to ensure that refugee and displaced women, migrant women and women migrant workers are made aware of their human rights and of the recourse mechanisms available to them.

## **J. WOMEN AND THE MEDIA**

234. During the past decade, advances in information technology have facilitated a global communications network that transcends national boundaries and has an impact on public policy, private attitudes and behaviour, especially of children and young adults. Everywhere the potential exists for the media to make a far greater contribution to the advancement of women.

235. More women are involved in careers in the communications sector, but few have attained positions at the decision-making level or serve on governing boards and bodies that influence media policy. The lack of gender sensitivity in the media is evidenced by the failure to eliminate the gender-based stereotyping that can be found in public and private local, national and international media organizations.

236. The continued projection of negative and degrading images of women in media communications - electronic, print, visual and audio - must be changed. Print and electronic media in most countries do not provide a balanced picture of women's diverse lives and contributions to society in a changing world. In addition, violent and degrading or pornographic media products are also negatively affecting women and their participation in society. Programming that reinforces women's traditional roles can be equally limiting. The world-wide trend towards consumerism has created a climate in which advertisements and commercial messages often portray women primarily as consumers and target girls and women of all ages inappropriately.

237. Women should be empowered by enhancing their skills, knowledge and access to information technology. This will

strengthen their ability to combat negative portrayals of women internationally and to challenge instances of abuse of the power of an increasingly important industry. Self-regulatory mechanisms for the media need to be created and strengthened and approaches developed to eliminate gender-biased programming. Most women, especially in developing countries, are not able to access effectively the expanding electronic information highways and therefore cannot establish networks that will provide them with alternative sources of information. Women therefore need to be involved in decision-making regarding the development of the new technologies in order to participate fully in their growth and impact.

238. In addressing the issue of the mobilization of the media, Governments and other actors should promote an active and visible policy of mainstreaming a gender perspective in policies and programmes.

**Strategic objective J.1. Increase the participation and access of women to expression and decision-making in and through the media and new technologies of communication**

*Actions to be taken*

239. By Governments:

- (a) Support women's education, training and employment to promote and ensure women's equal access to all areas and levels of the media;
- (b) Support research into all aspects of women and the media so as to define areas needing attention and action and review existing media policies with a view to integrating a gender perspective;
- (c) Promote women's full and equal participation in the media, including management, programming, education, training and research;
- (d) Aim at gender balance in the appointment of women and men to all advisory, management, regulatory or monitoring bodies, including those connected to the private and State or public media;
- (e) Encourage, to the extent consistent with freedom of expression, these bodies to increase the number of programmes for and by women to see to it that women's needs and concerns are properly addressed;



- (f) Encourage and recognize women's media networks, including electronic networks and other new technologies of communication, as a means for the dissemination of information and the exchange of views, including at the international level, and support women's groups active in all media work and systems of communications to that end;
- (g) Encourage and provide the means or incentives for the creative use of programmes in the national media for the dissemination of information on various cultural forms of indigenous people and the development of social and educational issues in this regard within the framework of national law;
- (h) Guarantee the freedom of the media and its subsequent protection within the framework of national law and encourage, consistent with freedom of expression, the positive involvement of the media in development and social issues.

240. By national and international media systems:

Develop, consistent with freedom of expression, regulatory mechanisms, including voluntary ones, that promote balanced and diverse portrayals of women by the media and international communication systems and that promote increased participation by women and men in production and decision-making.

241. By Governments, as appropriate, or national machinery for the advancement of women:

- (a) Encourage the development of educational and training programmes for women in order to produce information for the mass media, including funding of experimental efforts, and the use of the new technologies of communication, cybernetics space and satellite, whether public or private;
- (b) Encourage the use of communication systems, including new technologies, as a means of strengthening women's participation in democratic processes;
- (c) Facilitate the compilation of a directory of women media experts;
- (d) Encourage the participation of women in the development of professional guidelines and codes of conduct or other appropriate self-regulatory mechanisms to promote balanced and non-stereotyped portrayals of women by the media.

242. By non-governmental organizations and media professional associations:

- (a) Encourage the establishment of media watch groups that can monitor the media and consult with the media to ensure that women's needs and concerns are properly reflected;
- (b) Train women to make greater use of information technology for communication and the media, including at the international level;
- (c) Create networks among and develop information programmes for non-governmental organizations, women's organizations and professional media organizations in order to recognize the specific needs of women in the media, and facilitate the increased participation of women in communication, in particular at the international level, in support of South-South and North-South dialogue among and between these organizations, *inter alia*, to promote the human rights of women and equality between women and men;
- (d) Encourage the media industry and education and media training institutions to develop, in appropriate languages, traditional, indigenous and other ethnic forms of media, such as story-telling, drama, poetry and song, reflecting their cultures, and utilize these forms of communication to disseminate information on development and social issues.

**Strategic objective J.2. Promote a balanced and non-stereotyped portrayal of women in the media**

*Actions to be taken*

243. By Governments and international organizations, to the extent consistent with freedom of expression:

- (a) Promote research and implementation of a strategy of information, education and communication aimed at promoting a balanced portrayal of women and girls and their multiple roles;
- (b) Encourage the media and advertising agencies to develop specific programmes to raise awareness of the Platform for Action;
- (c) Encourage gender-sensitive training for media professionals, including media owners and managers, to encourage the creation and use of non-stereotyped, balanced and diverse images of women in the media;

- (d) Encourage the media to refrain from presenting women as inferior beings and exploiting them as sexual objects and commodities, rather than presenting them as creative human beings, key actors and contributors to and beneficiaries of the process of development;
- (e) Promote the concept that the sexist stereotypes displayed in the media are gender discriminatory, degrading in nature and offensive;
- (f) Take effective measures or institute such measures, including appropriate legislation against pornography and the projection of violence against women and children in the media.

244. By the mass media and advertising organizations:

- (a) Develop, consistent with freedom of expression, professional guidelines and codes of conduct and other forms of self-regulation to promote the presentation of non-stereotyped images of women;
- (b) Establish, consistent with freedom of expression, professional guidelines and codes of conduct that address violent, degrading or pornographic materials concerning women in the media, including advertising;
- (c) Develop a gender perspective on all issues of concern to communities, consumers and civil society;
- (d) Increase women's participation in decision-making at all levels of the media.

245. By the media, non-governmental organizations and the private sector, in collaboration, as appropriate, with national machinery for the advancement of women:

- (a) Promote the equal sharing of family responsibilities through media campaigns that emphasize gender equality and non-stereotyped gender roles of women and men within the family and that disseminate information aimed at eliminating spousal and child abuse and all forms of violence against women, including domestic violence;
- (b) Produce and/or disseminate media materials on women leaders, *inter alia*, as leaders who bring to their positions of leadership many different life experiences, including but not limited to their experiences in balancing work and family responsibilities, as mothers, as professionals, as managers and as entrepreneurs, to provide role models, particularly to young women;
- (c) Promote extensive campaigns, making use of public and private educational programmes, to disseminate

- information about and increase awareness of the human rights of women;
- (d) Support the development of and finance, as appropriate, alternative media and the use of all means of communication to disseminate information to and about women and their concerns;
  - (e) Develop approaches and train experts to apply gender analysis with regard to media programmes.

#### **K. WOMEN AND THE ENVIRONMENT**

246. Human beings are at the centre of concern for sustainable development. They are entitled to a healthy and productive life in harmony with nature. Women have an essential role to play in the development of sustainable and ecologically sound consumption and production patterns and approaches to natural resource management, as was recognized at the United Nations Conference on Environment and Development and the International Conference on Population and Development and reflected throughout Agenda 21. Awareness of resource depletion, the degradation of natural systems and the dangers of polluting substances has increased markedly in the past decade. These worsening conditions are destroying fragile ecosystems and displacing communities, especially women, from productive activities and are an increasing threat to a safe and healthy environment. Poverty and environmental degradation are closely interrelated. While poverty results in certain kinds of environmental stress, the major cause of the continued deterioration of the global environment is the unsustainable pattern of consumption and production, particularly in industrialized countries, which is a matter of grave concern, aggravating poverty and imbalances. Rising sea levels as a result of global warming cause a grave and immediate threat to people living in island countries and coastal areas. The use of ozone-depleting substances, such as products with chlorofluorocarbons, halons and methyl bromides (from which plastics and foams are made), are severely affecting the atmosphere, thus allowing excessive levels of harmful ultraviolet rays to reach the Earth's surface. This has severe effects on people's health such as higher rates of skin cancer, eye damage and weakened immune systems. It also has severe effects on the environment, including harm to crops and ocean life.

247. All States and all people shall cooperate in the essential task of eradicating poverty as an indispensable requirement for sustainable development, in order to decrease the disparities in standards of living and better meet the needs of the majority of the people of the world. Hurricanes, typhoons and other natural disasters and, in addition, the destruction of resources, violence, displacements and other effects associated with war, armed and other conflicts, the use and testing of nuclear weaponry, and foreign occupation can also contribute to environmental degradation. The deterioration of natural resources displaces communities, especially women, from income-generating activities while greatly adding to unremunerated work. In both urban and rural areas, environmental degradation results in negative effects on the health, well-being and quality of life of the population at large, especially girls and women of all ages. Particular attention and recognition should be given to the role and special situation of women living in rural areas and those working in the agricultural sector, where access to training, land, natural and productive resources, credit, development programmes and cooperative structures can help them increase their participation in sustainable development. Environmental risks in the home and workplace may have a disproportionate impact on women's health because of women's different susceptibilities to the toxic effects of various chemicals. These risks to women's health are particularly high in urban areas, as well as in low-income areas where there is a high concentration of polluting industrial facilities.

248. Through their management and use of natural resources, women provide sustenance to their families and communities. As consumers and producers, caretakers of their families and educators, women play an important role in promoting sustainable development through their concern for the quality and sustainability of life for present and future generations. Governments have expressed their commitment to creating a new development paradigm that integrates environmental sustainability with gender equality and justice within and between generations as contained in Chapter 24 of Agenda 21<sup>46</sup>.

249. Women remain largely absent at all levels of policy formulation and decision-making in natural resource and environmental management, conservation, protection and rehabilitation, and their experience and skills in advocacy for and monitoring of proper natural resource management too

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<sup>46</sup> See Note 20.

often remain marginalized in policy-making and decision-making bodies, as well as in educational institutions and environment-related agencies at the managerial level. Women are rarely trained as professional natural resource managers with policy-making capacities, such as land-use planners, agriculturalists, foresters, marine scientists and environmental lawyers. Even in cases where women are trained as professional natural resource managers, they are often underrepresented in formal institutions with policy-making capacities at the national, regional and international levels. Often women are not equal participants in the management of financial and corporate institutions whose decision-making most significantly affects environmental quality. Furthermore, there are institutional weaknesses in coordination between women's non-governmental organizations and national institutions dealing with environmental issues, despite the recent rapid growth and visibility of women's non-governmental organizations working on these issues at all levels.

250. Women have often played leadership roles or taken the lead in promoting an environmental ethic, reducing resource use, and reusing and recycling resources to minimize waste and excessive consumption. Women can have a particularly powerful role in influencing sustainable consumption decisions. In addition, women's contributions to environmental management, including through grass-roots and youth campaigns to protect the environment, have often taken place at the local level, where decentralized action on environmental issues is most needed and decisive. Women, especially indigenous women, have particular knowledge of ecological linkages and fragile ecosystem management. Women in many communities provide the main labour force for subsistence production, including production of seafood; hence, their role is crucial to the provision of food and nutrition, the enhancement of the subsistence and informal sectors and the preservation of the environment. In certain regions, women are generally the most stable members of the community, as men often pursue work in distant locations, leaving women to safeguard the natural environment and ensure adequate and sustainable resource allocation within the household and the community.

251. The strategic actions needed for sound environmental management require a holistic, multidisciplinary and intersectoral approach. Women's participation and leadership are essential to every aspect of that approach. The recent United Nations global conferences on development, as well as regional

preparatory conferences for the Fourth World Conference on Women, have all acknowledged that sustainable development policies that do not involve women and men alike will not succeed in the long run. They have called for the effective participation of women in the generation of knowledge and environmental education in decision-making and management at all levels. Women's experiences and contributions to an ecologically sound environment must therefore be central to the agenda for the twenty-first century. Sustainable development will be an elusive goal unless women's contribution to environmental management is recognized and supported.

252. In addressing the lack of adequate recognition and support for women's contribution to conservation and management of natural resources and safeguarding the environment, Governments and other actors should promote an active and visible policy of mainstreaming a gender perspective in all policies and programmes, including, as appropriate, an analysis of the effects on women and men, respectively, before decisions are taken.

**Strategic objective K.1. Involve women actively in environmental decision-making at all levels**

*Actions to be taken*

253. By Governments, at all levels, including municipal authorities, as appropriate:

- (a) Ensure opportunities for women, including indigenous women, to participate in environmental decision-making at all levels, including as managers, designers and planners, and as implementers and evaluators of environmental projects;
- (b) Facilitate and increase women's access to information and education, including in the areas of science, technology and economics, thus enhancing their knowledge, skills and opportunities for participation in environmental decisions;
- (c) Encourage, subject to national legislation and consistent with the Convention on Biological Diversity<sup>47</sup>, the effective protection and use of the knowledge, innovations

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<sup>47</sup> United Nations Environment Programme, Convention on Biological Diversity, Environmental Law and Institutions Programme Activity Centre, June 1992.

and practices of women of indigenous and local communities, including practices relating to traditional medicines, biodiversity and indigenous technologies, and endeavour to ensure that these are respected, maintained, promoted and preserved in an ecologically sustainable manner, and promote their wider application with the approval and involvement of the holders of such knowledge; in addition, safeguard the existing intellectual property rights of these women as protected under national and international law; work actively, where necessary, to find additional ways and means for the effective protection and use of such knowledge, innovations and practices, subject to national legislation and consistent with the Convention on Biological Diversity and relevant international law, and encourage fair and equitable sharing of benefits arising from the utilization of such knowledge, innovation and practices;

- (d) Take appropriate measures to reduce risks to women from identified environmental hazards at home, at work and in other environments, including appropriate application of clean technologies, taking into account the precautionary approach agreed to in the Rio Declaration on Environment and Development;
- (e) Take measures to integrate a gender perspective in the design and implementation of, among other things, environmentally sound and sustainable resource management mechanisms, production techniques and infrastructure development in rural and urban areas;
- (f) Take measures to empower women as producers and consumers so that they can take effective environmental actions, along with men, in their homes, communities and workplaces;
- (g) Promote the participation of local communities, particularly women, in identification of public service needs, spatial planning and the provision and design of urban infrastructure.

254. By Governments and international organizations and private sector institutions, as appropriate:

- (a) Take gender impact into consideration in the work of the Commission on Sustainable Development and other appropriate United Nations bodies and in the activities of international financial institutions;
- (b) Promote the involvement of women and the incorporation of a gender perspective in the design, approval and execution of projects funded under the Global



- Environment Facility and other appropriate United Nations organizations;
- (c) Encourage the design of projects in the areas of concern to the Global Environment Facility that would benefit women and projects managed by women;
  - (d) Establish strategies and mechanisms to increase the proportion of women, particularly at grass-roots levels, involved as decision-makers, planners, managers, scientists and technical advisers and as beneficiaries in the design, development and implementation of policies and programmes for natural resource management and environmental protection and conservation;
  - (e) Encourage social, economic, political and scientific institutions to address environmental degradation and the resulting impact on women.
255. By non-governmental organizations and the private sector:
- (a) Assume advocacy of environmental and natural resource management issues of concern to women and provide information to contribute to resource mobilization for environmental protection and conservation;
  - (b) Facilitate the access of women agriculturists, fishers and pastoralists to knowledge, skills, marketing services and environmentally sound technologies to support and strengthen their crucial roles and their expertise in resource management and the conservation of biological diversity.

**Strategic objective K.2. Integrate gender concerns and perspectives in policies and programmes for sustainable development**

*Actions to be taken*

256. By Governments:
- (a) Integrate women, including indigenous women, their perspectives and knowledge, on an equal basis with men, in decision-making regarding sustainable resource management and the development of policies and programmes for sustainable development, including in particular those designed to address and prevent environmental degradation of the land;
  - (b) Evaluate policies and programmes in terms of environmental impact and women's equal access to and use of natural resources;

- (c) Ensure adequate research to assess how and to what extent women are particularly susceptible or exposed to environmental degradation and hazards, including, as necessary, research and data collection on specific groups of women, particularly women with low income, indigenous women and women belonging to minorities;
- (d) Integrate rural women's traditional knowledge and practices of sustainable resource use and management in the development of environmental management and extension programmes;
- (e) Integrate the results of gender-sensitive research into mainstream policies with a view to developing sustainable human settlements;
- (f) Promote knowledge of and sponsor research on the role of women, particularly rural and indigenous women, in food gathering and production, soil conservation, irrigation, watershed management, sanitation, coastal zone and marine resource management, integrated pest management, land-use planning, forest conservation and community forestry, fisheries, natural disaster prevention, and new and renewable sources of energy, focusing particularly on indigenous women's knowledge and experience;
- (g) Develop a strategy for change to eliminate all obstacles to women's full and equal participation in sustainable development and equal access to and control over resources;
- (h) Promote the education of girls and women of all ages in science, technology, economics and other disciplines relating to the natural environment so that they can make informed choices and offer informed input in determining local economic, scientific and environmental priorities for the management and appropriate use of natural and local resources and ecosystems;
- (i) Develop programmes to involve female professionals and scientists, as well as technical, administrative and clerical workers, in environmental management, develop training programmes for girls and women in these fields, expand opportunities for the hiring and promotion of women in these fields and implement special measures to advance women's expertise and participation in these activities;
- (j) Identify and promote environmentally sound technologies that have been designed, developed and improved in consultation with women and that are appropriate to both women and men;

- (k) Support the development of women's equal access to housing infrastructure, safe water, and sustainable and affordable energy technologies, such as wind, solar, biomass and other renewable sources, through participatory needs assessments, energy planning and policy formulation at the local and national levels;
- (l) Ensure that clean water is available and accessible to all by the year 2000 and that environmental protection and conservation plans are designed and implemented to restore polluted water systems and rebuild damaged watersheds.

257. By international organizations, non-governmental organizations and private sector institutions:

- (a) Involve women in the communication industries in raising awareness regarding environmental issues, especially on the environmental and health impacts of products, technologies and industry processes;
- (b) Encourage consumers to use their purchasing power to promote the production of environmentally safe products and encourage investment in environmentally sound and productive agricultural, fisheries, commercial and industrial activities and technologies;
- (c) Support women's consumer initiatives by promoting the marketing of organic food and recycling facilities, product information and product labelling, including labelling of toxic chemical and pesticide containers with language and symbols that are understood by consumers, regardless of age and level of literacy.

**Strategic objective K.3. Strengthen or establish mechanisms at the national, regional and international levels to assess the impact of development and environmental policies on women**

*Actions to be taken*

258. By Governments, regional and international organizations and non-governmental organizations, as appropriate:

- (a) Provide technical assistance to women, particularly in developing countries, in the sectors of agriculture, fisheries, small enterprises, trade and industry to ensure the continuing promotion of human resource development and the development of environmentally sound technologies and of women's entrepreneurship;

- and the development of environmentally sound technologies and of women's entrepreneurship;
- (b) Develop gender-sensitive databases, information and monitoring systems and participatory action-oriented research, methodologies and policy analyses, with the collaboration of academic institutions and local women researchers, on the following:
- (i) Knowledge and experience on the part of women concerning the management and conservation of natural resources for incorporation in the databases and information systems for sustainable development;
  - (ii) The impact on women of environmental and natural resource degradation, deriving from, *inter alia*, unsustainable production and consumption patterns, drought, poor quality water, global warming, desertification, sea level rise, hazardous waste, natural disasters, toxic chemicals and pesticide residues, radioactive waste, armed conflicts and its consequences;
  - (iii) Analysis of the structural links between gender relations, environment and development, with special emphasis on particular sectors, such as agriculture, industry, fisheries, forestry, environmental health, biological diversity, climate, water resources and sanitation;
  - (iv) Measures to develop and include environmental, economic, cultural, social and gender-sensitive analyses as an essential step in the development and monitoring of programmes and policies;
  - (v) Programmes to create rural and urban training, research and resource centres that will disseminate environmentally sound technologies to women;
- (c) Ensure the full compliance with relevant international obligations, including where relevant, the Basel Convention and other conventions relating to the transboundary movements of hazardous wastes (which include toxic wastes) and the Code of Practice of the International Atomic Energy Agency relating to the movement of radioactive waste; enact and enforce regulations for environmentally sound management related to safe storage and movements; consider taking action towards the prohibition of those movements that are unsafe and insecure; ensure the strict control and management of hazardous wastes and radioactive waste, in

accordance with relevant international and regional obligations and eliminate the exportation of such wastes to countries that, individually or through international agreements, prohibit their importation;

- (d) Promote coordination within and among institutions to implement the Platform for Action and Chapter 24 of Agenda 21 by, *inter alia*, requesting the Commission on Sustainable Development, through the Economic and Social Council, to seek input from the Commission on the Status of Women when reviewing the implementation of Agenda 21 with regard to women and the environment.

#### L. THE GIRL CHILD

259. The Convention on the Rights of the Child recognizes that "States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or status" (art. 2, para. 1)<sup>48</sup>. However, in many countries available indicators show that the girl child is discriminated against from the earliest stages of life, through her childhood and into adulthood. In some areas of the world, men outnumber women by 5 in every 100. The reasons for the discrepancy include, among other things, harmful attitudes and practices, such as female genital mutilation, son preference - which results in female infanticide and prenatal sex selection - early marriage, including child marriage, violence against women, sexual exploitation, sexual abuse, discrimination against girls in food allocation and other practices related to health and well-being. As a result, fewer girls than boys survive into adulthood.

260. Girls are often treated as inferior and are socialized to put themselves last, thus undermining their self-esteem. Discrimination and neglect in childhood can initiate a lifelong downward spiral of deprivation and exclusion from the social mainstream. Initiatives should be taken to prepare girls to participate actively, effectively and equally with boys at all levels of social, economic, political and cultural leadership.

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<sup>48</sup> See Note 11.

261. Gender-biased educational processes, including curricula, educational materials and practices, teachers' attitudes and classroom interaction, reinforce existing gender inequalities.

262. Girls and adolescents may receive a variety of conflicting and confusing messages on their gender roles from their parents, teachers, peers and the media. Women and men need to work together with children and youth to break down persistent gender stereotypes, taking into account the rights of the child and the responsibilities, rights and duties of parents as stated in paragraph 267 below.

263. Although the number of educated children has grown in the past 20 years in some countries, boys have proportionately fared much better than girls. In 1990, 130 million children had no access to primary school; of these, 81 million were girls. This can be attributed to such factors as customary attitudes, child labour, early marriages, lack of funds and lack of adequate schooling facilities, teenage pregnancies and gender inequalities in society at large as well as in the family as defined in paragraph 29 above. In some countries the shortage of women teachers can inhibit the enrolment of girls. In many cases, girls start to undertake heavy domestic chores at a very early age and are expected to manage both educational and domestic responsibilities, often resulting in poor scholastic performance and an early drop-out from schooling.

264. The percentage of girls enrolled in secondary school remains significantly low in many countries. Girls are often not encouraged or given the opportunity to pursue scientific and technological training and education, which limits the knowledge they require for their daily lives and their employment opportunities.

265. Girls are less encouraged than boys to participate in and learn about the social, economic and political functioning of society, with the result that they are not offered the same opportunities as boys to take part in decision-making processes.

266. Existing discrimination against the girl child in her access to nutrition and physical and mental health services endangers her current and future health. An estimated 450 million adult women in developing countries are stunted as a result of childhood protein-energy malnutrition.

267. The International Conference on Population and Development recognized, in paragraph 7.3 of the Programme of Action<sup>49</sup>, that "full attention should be given to the promotion of mutually respectful and equitable gender relations and particularly to meeting the educational and service needs of adolescents to enable them to deal in a positive and responsible way with their sexuality", taking into account the rights of the child to access to information, privacy, confidentiality, respect and informed consent, as well as the responsibilities, rights and duties of parents and legal guardians to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognized in the Convention on the Rights of the Child, and in conformity with the Convention on the Elimination of All Forms of Discrimination against Women. In all actions concerning children, the best interests of the child shall be a primary consideration. Support should be given to integral sexual education for young people with parental support and guidance that stresses the responsibility of males for their own sexuality and fertility and that help them exercise their responsibilities.

268. More than 15 million girls aged 15 to 19 give birth each year. Motherhood at a very young age entails complications during pregnancy and delivery and a risk of maternal death that is much greater than average. The children of young mothers have higher levels of morbidity and mortality. Early child-bearing continues to be an impediment to improvements in the educational, economic and social status of women in all parts of the world. Overall, early marriage and early motherhood can severely curtail educational and employment opportunities and are likely to have a long-term adverse impact on their and their children's quality of life.

269. Sexual violence and sexually transmitted diseases, including HIV/AIDS, have a devastating effect on children's health, and girls are more vulnerable than boys to the consequences of unprotected and premature sexual relations. Girls often face pressures to engage in sexual activity. Due to such factors as their youth, social pressures, lack of protective laws, or failure to enforce laws, girls are more vulnerable to all kinds of violence, particularly sexual violence, including rape, sexual abuse, sexual exploitation, trafficking, possibly the sale of their organs and tissues, and forced labour.

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<sup>49</sup> See Note 14.

270. The girl child with disabilities faces additional barriers and needs to be ensured non-discrimination and equal enjoyment of all human rights and fundamental freedoms in accordance with the Standard Rules on the Equalization of Opportunities for Persons with Disabilities<sup>50</sup>.

271. Some children are particularly vulnerable, especially the abandoned, homeless and displaced, street children, children in areas in conflict, and children who are discriminated against because they belong to an ethnic or racial minority group.

272. All barriers must therefore be eliminated to enable girls without exception to develop their full potential and skills through equal access to education and training, nutrition, physical and mental health care and related information.

273. In addressing issues concerning children and youth, Governments should promote an active and visible policy of mainstreaming a gender perspective into all policies and programmes so that before decisions are taken, an analysis is made of the effects on girls and boys, respectively.

**Strategic objective L.1. Eliminate all forms of discrimination against the girl child**

*Actions to be taken*

274. By Governments:

- (a) By States that have not signed or ratified the Convention on the Rights of the Child, take urgent measures towards signing and ratifying the Convention, bearing in mind the strong exhortation made at the World Conference on Human Rights to sign it before the end of 1995, and by States that have signed and ratified the Convention, ensure its full implementation through the adoption of all necessary legislative, administrative and other measures and by fostering an enabling environment that encourages full respect for the rights of children;
- (b) Consistent with article 7 of the Convention on the Rights of the Child<sup>51</sup>, take measures to ensure that a child is registered immediately after birth and has the right from birth to a name, the right to acquire a nationality and, as

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<sup>50</sup> See Note 36.

<sup>51</sup> See Note 11.



- far as possible, the right to know and be cared for by his or her parents;
- (c) Take steps to ensure that children receive appropriate financial support from their parents, by, among other measures, enforcing child-support laws;
  - (d) Eliminate the injustice and obstacles in relation to inheritance faced by the girl child so that all children may enjoy their rights without discrimination, by, *inter alia*, enacting, as appropriate, and enforcing legislation that guarantees equal right to succession and ensures equal right to inherit, regardless of the sex of the child;
  - (e) Enact and strictly enforce laws to ensure that marriage is only entered into with the free and full consent of the intending spouses; in addition, enact and strictly enforce laws concerning the minimum legal age of consent and the minimum age for marriage and raise the minimum age for marriage where necessary;
  - (f) Develop and implement comprehensive policies, plans of action and programmes for the survival, protection, development and advancement of the girl child to promote and protect the full enjoyment of her human rights and to ensure equal opportunities for girls; these plans should form an integral part of the total development process;
  - (g) Ensure the disaggregation by sex and age of all data related to children in the health, education and other sectors in order to include a gender perspective in planning, implementation and monitoring of such programmes.

275. By Governments and international and non-governmental organizations:

- (a) Disaggregate information and data on children by sex and age, undertake research on the situation of girls and integrate, as appropriate, the results in the formulation of policies, programmes and decision-making for the advancement of the girl child;
- (b) Generate social support for the enforcement of laws on the minimum legal age for marriage, in particular by providing educational opportunities for girls.

**Strategic objective L.2. Eliminate negative cultural attitudes and practices against girls**

*Actions to be taken*

276. By Governments:

- (a) Encourage and support, as appropriate, non-governmental organizations and community-based organizations in their efforts to promote changes in negative attitudes and practices towards girls;
- (b) Set up educational programmes and develop teaching materials and textbooks that will sensitize and inform adults about the harmful effects of certain traditional or customary practices on girl children;
- (c) Develop and adopt curricula, teaching materials and textbooks to improve the self-image, lives and work opportunities of girls, particularly in areas where women have traditionally been underrepresented, such as mathematics, science and technology;
- (d) Take steps so that tradition and religion and their expressions are not a basis for discrimination against girls.

277. By Governments and, as appropriate, international and non-governmental organizations:

- (a) Promote an educational setting that eliminates all barriers that impede the schooling of married and/or pregnant girls and young mothers, including, as appropriate, affordable and physically accessible child-care facilities and parental education to encourage those who have responsibilities for the care of their children and siblings during their school years to return to, or continue with, and complete schooling;
- (b) Encourage educational institutions and the media to adopt and project balanced and non-stereotyped images of girls and boys, and work to eliminate child pornography and degrading and violent portrayals of the girl child;
- (c) Eliminate all forms of discrimination against the girl child and the root causes of son preference, which result in harmful and unethical practices such as prenatal sex selection and female infanticide; this is often compounded by the increasing use of technologies to determine foetal sex, resulting in abortion of female foetuses;
- (d) Develop policies and programmes, giving priority to formal and informal education programmes that support girls and enable them to acquire knowledge, develop self-esteem and take responsibility for their own lives; and

place special focus on programmes to educate women and men, especially parents, on the importance of girls' physical and mental health and well-being, including the elimination of discrimination against girls in food allocation, early marriage, violence against girls, female genital mutilation, child prostitution, sexual abuse, rape and incest.

**Strategic objective L.3. Promote and protect the rights of the girl child and increase awareness of her needs and potential**

*Actions to be taken*

278. By Governments and international and non-governmental organizations:

- (a) Generate awareness of the disadvantaged situation of girls among policy makers, planners, administrators and implementors at all levels, as well as within households and communities;
- (b) Make the girl child, particularly the girl child in difficult circumstances, aware of her own potential, educate her about the rights guaranteed to her under all international human rights instruments, including the Convention on the Rights of the Child, legislation enacted for her and the various measures undertaken by both governmental and non-governmental organizations working to improve her status;
- (c) Educate women, men, girls and boys to promote girls' status and encourage them to work towards mutual respect and equal partnership between girls and boys;
- (d) Facilitate the equal provision of appropriate services and devices to girls with disabilities and provide their families with related support services, as appropriate.

**Strategic objective L.4. Eliminate discrimination against girls in education, skills development and training**

*Actions to be taken*

279. By Governments:

- (a) Ensure universal and equal access to and completion of primary education by all children and eliminate the existing gap between girls and boys, as stipulated in

article 28 of the Convention on the Rights of the Child<sup>52</sup>; similarly, ensure equal access to secondary education by the year 2005 and equal access to higher education, including vocational and technical education, for all girls and boys, including the disadvantaged and gifted;

- (b) Take steps to integrate functional literacy and numeracy programmes, particularly for out-of-school girls in development programmes;
- (c) Promote human rights education in educational programmes and include in human rights education the fact that the human rights of women and the girl child are an inalienable, integral and indivisible part of universal human rights;
- (d) Increase enrolment and improve retention rates of girls by allocating appropriate budgetary resources and by enlisting the support of the community and parents through campaigns and flexible school schedules, incentives, scholarships, access programmes for out-of-school girls and other measures;
- (e) Develop training programmes and materials for teachers and educators, raising awareness about their own role in the educational process, with a view to providing them with effective strategies for gender-sensitive teaching;
- (f) Take actions to ensure that female teachers and professors have the same possibilities and status as male teachers and professors.

280. By Governments and international and non-governmental organizations:

- (a) Provide education and skills training to increase girls' opportunities for employment and access to decision-making processes;
- (b) Provide education to increase girls' knowledge and skills related to the functioning of economic, financial and political systems;
- (c) Ensure access to appropriate education and skills-training for girl children with disabilities for their full participation in life;
- (d) Promote the full and equal participation of girls in extracurricular activities, such as sports, drama and cultural activities.

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<sup>52</sup> See Note 11.

**Strategic objective L.5. Eliminate discrimination against girls in health and nutrition**

*Actions to be taken*

281. By Governments and international and non-governmental organizations:

- (a) Provide public information on the removal of discriminatory practices against girls in food allocation, nutrition and access to health services;
- (b) Sensitize the girl child, parents, teachers and society concerning good general health and nutrition and raise awareness of the health dangers and other problems connected with early pregnancies;
- (c) Strengthen and reorient health education and health services, particularly primary health care programmes, including sexual and reproductive health, and design quality health programmes that meet the physical and mental needs of girls and that attend to the needs of young, expectant and nursing mothers;
- (d) Establish peer education and outreach programmes with a view to strengthening individual and collective action to reduce the vulnerability of girls to HIV/AIDS and other sexually transmitted diseases, as agreed to in the Programme of Action of the International Conference on Population and Development and as established in the report of that Conference, recognizing the parental roles referred to in paragraph 267 of the present Platform for Action;
- (e) Ensure education and dissemination of information to girls, especially adolescent girls, regarding the physiology of reproduction, reproductive and sexual health, as agreed to in the Programme of Action of the International Conference on Population and Development and as established in the report of that Conference, responsible family planning practice, family life, reproductive health, sexually transmitted diseases, HIV infection and AIDS prevention, recognizing the parental roles referred to in paragraph 267;
- (f) Include health and nutritional training as an integral part of literacy programmes and school curricula starting at the primary level for the benefit of the girl child;
- (g) Emphasize the role and responsibility of adolescents in sexual and reproductive health and behaviour through the provision of appropriate services and counselling, as discussed in paragraph 267;

- (h) Develop information and training programmes for health planners and implementors on the special health needs of the girl child;
- (i) Take all the appropriate measures with a view to abolishing traditional practices prejudicial to the health of children, as stipulated in article 24 of the Convention on the Rights of the Child<sup>53</sup>.

**Strategic objective L.6. Eliminate the economic exploitation of child labour and protect young girls at work**

*Actions to be taken*

282 By Governments:

- (a) In conformity with article 32 of the Convention on the Rights of the Child<sup>54</sup>, protect children from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development;
- (b) Define a minimum age for a child's admission to employment in national legislation, in conformity with existing international labour standards and the Convention on the Rights of the Child, including girls in all sectors of activity;
- (c) Protect young girls at work, *inter alia*, through:
  - (i) A minimum age or ages for admission to employment;
  - (ii) Strict monitoring of work conditions (respect for work time, prohibition of work by children not provided for by national legislation, and monitoring of hygiene and health conditions at work);
  - (iii) Application of social security coverage;
  - (iv) Establishment of continuous training and education;
- (d) Strengthen, where necessary, legislation governing the work of children and provide for appropriate penalties or other sanctions to ensure effective enforcement of the legislation;
- (e) Use existing international labour standards, including, as appropriate, ILO standards for the protection of working

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<sup>53</sup> See Note 11.

<sup>54</sup> See Note 11.

children, to guide the formulation of national labour legislation and policies.

**Strategic objective L.7. Eradicate violence against the girl child**

*Actions to be taken*

283. By Governments and, as appropriate, international and non-governmental organizations:

- (a) Take effective actions and measures to enact and enforce legislation to protect the safety and security of girls from all forms of violence at work, including training programmes and support programmes, and take measures to eliminate incidents of sexual harassment of girls in educational and other institutions;
- (b) Take appropriate legislative, administrative, social and educational measures to protect the girl child, in the household and in society, from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse;
- (c) Undertake gender sensitization training for those involved in healing and rehabilitation and other assistance programmes for girls who are victims of violence and promote programmes of information, support and training for such girls;
- (d) Enact and enforce legislation protecting girls from all forms of violence, including female infanticide and prenatal sex selection, genital mutilation, incest, sexual abuse, sexual exploitation, child prostitution and child pornography, and develop age-appropriate safe and confidential programmes and medical, social and psychological support services to assist girls who are subjected to violence.

**Strategic objective L.8. Promote the girl child's awareness of and participation in social, economic and political life**

*Actions to be taken*

284. By Governments and international and non-governmental organizations:

- (a) Provide access for girls to training, information and the media on social, cultural, economic and political issues and enable them to articulate their views;
- (b) Support non-governmental organizations, in particular youth non-governmental organizations, in their efforts to promote the equality and participation of girls in society.

**Strategic objective L.9. Strengthen the role of the family\* in improving the status of the girl child**

*Actions to be taken*

285. By Governments, in cooperation with non-governmental organizations:

- (a) Formulate policies and programmes to help the family, as defined in paragraph 29 above, in its supporting, educating and nurturing roles, with particular emphasis on the elimination of intra-family discrimination against the girl child;
- (b) Provide an environment conducive to the strengthening of the family, as defined in paragraph 29 above, with a view to providing supportive and preventive measures which protect, respect and promote the potential of the girl child;
- (c) Educate and encourage parents and caregivers to treat girls and boys equally and to ensure shared responsibilities between girls and boys in the family, as defined in paragraph 29 above.

## CHAPTER V

### INSTITUTIONAL ARRANGEMENTS

286. The Platform for Action establishes a set of actions that should lead to fundamental change. Immediate action and accountability are essential if the targets are to be met by the year 2000. Implementation is primarily the responsibility of Governments, but is also dependent on a wide range of institutions in the public, private and non-governmental sectors at the community, national, subregional/regional and international levels.

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\* As defined in paragraph 29 above.



287. During the United Nations Decade for Women (1976-1985), many institutions specifically devoted to the advancement of women were established at the national, regional and international levels. At the international level, the International Research and Training Institute for the Advancement of Women (INSTRAW), the United Nations Development Fund for Women (UNIFEM), and the Committee to monitor the Convention on the Elimination of All Forms of Discrimination against Women were established. These entities, along with the Commission on the Status of Women and its secretariat, the Division for the Advancement of Women, became the main institutions in the United Nations specifically devoted to women's advancement globally. At the national level, a number of countries established or strengthened national mechanisms to plan, advocate for and monitor progress in the advancement of women.

288. Implementation of the Platform for Action by national, subregional/regional and international institutions, both public and private, would be facilitated by transparency, by increased linkages between networks and organizations and by a consistent flow of information among all concerned. Clear objectives and accountability mechanisms are also required. Links with other institutions at the national, subregional/regional and international levels and with networks and organizations devoted to the advancement of women are needed.

289. Non-governmental and grass-roots organizations have a specific role to play in creating a social, economic, political and intellectual climate based on equality between women and men. Women should be actively involved in the implementation and monitoring of the Platform for Action.

290. Effective implementation of the Platform will also require changes in the internal dynamics of institutions and organizations, including values, behaviour, rules and procedures that are inimical to the advancement of women. Sexual harassment should be eliminated.

291. National, subregional/regional and international institutions should have strong and clear mandates and the authority, resources and accountability mechanisms needed for the tasks set out in the Platform for Action. Their methods of operation should ensure efficient and effective implementation of the Platform. There should be a clear commitment to

international norms and standards of equality between women and men as a basis for all actions.

292. To ensure effective implementation of the Platform for Action and to enhance the work for the advancement of women at the national, subregional/regional and international levels, Governments, the United Nations system and all other relevant organizations should promote an active and visible policy of mainstreaming a gender perspective, *inter alia*, in the monitoring and evaluation of all policies and programmes.

#### A. NATIONAL LEVEL

293. Governments have the primary responsibility for implementing the Platform for Action. Commitment at the highest political level is essential to its implementation, and Governments should take a leading role in coordinating, monitoring and assessing progress in the advancement of women. The Fourth World Conference on Women is a conference of national and international commitment and action. This requires commitment from Governments and the international community. The Platform for Action is part of a continuing process and has a catalytic effect as it will contribute to programmes and practical outcomes for girls and women of all ages. States and the international community are encouraged to respond to this challenge by making commitments for action. As part of this process, many States have made commitments for action as reflected, *inter alia*, in their national statements.

294. National mechanisms and institutions for the advancement of women should participate in public policy formulation and encourage the implementation of the Platform for Action through various bodies and institutions, including the private sector, and, where necessary, should act as a catalyst in developing new programmes by the year 2000 in areas that are not covered by existing institutions.

295. The active support and participation of a broad and diverse range of other institutional actors should be encouraged, including legislative bodies, academic and research institutions, professional associations, trade unions, cooperatives, local community groups, non-governmental organizations, including women's organizations and feminist groups, the media, religious groups, youth organizations and cultural groups, as well as financial and non-profit organizations.

296. In order for the Platform for Action to be implemented, it will be necessary for Governments to establish or improve the effectiveness of national machineries for the advancement of women at the highest political level, appropriate intra- and inter-ministerial procedures and staffing, and other institutions with the mandate and capacity to broaden women's participation and integrate gender analysis into policies and programmes. The first step in this process for all institutions should be to review their objectives, programmes and operational procedures in terms of the actions called for in the Platform. A key activity should be to promote public awareness and support for the goals of the Platform for Action, *inter alia*, through the mass media and public education.

297. As soon as possible, preferably by the end of 1995, Governments, in consultation with relevant institutions and non-governmental organizations, should begin to develop implementation strategies for the Platform and, preferably by the end of 1996, should have developed their strategies or plans of action. This planning process should draw upon persons at the highest level of authority in government and relevant actors in civil society. These implementation strategies should be comprehensive, have time-bound targets and benchmarks for monitoring, and include proposals for allocating or reallocating resources for implementation. Where necessary, the support of the international community could be enlisted, including resources.

298. Non-governmental organizations should be encouraged to contribute to the design and implementation of these strategies or national plans of action. They should also be encouraged to develop their own programmes to complement government efforts. Women's organizations and feminist groups, in collaboration with other non-governmental organizations, should be encouraged to organize networks, as necessary, and to advocate for and support the implementation of the Platform for Action by Governments and regional and international bodies.

299. Governments should commit themselves to gender balance, *inter alia*, through the creation of special mechanisms, in all government-appointed committees, boards and other relevant official bodies, as appropriate, as well as in all international bodies, institutions and organizations, notably by presenting and promoting more women candidates.

300. Regional and international organizations, in particular development institutions, especially INSTRAW, UNIFEM and bilateral donors, should provide financial and advisory assistance to national machinery in order to increase its ability to gather information, develop networks and carry out its mandate, in addition to strengthening international mechanisms to promote the advancement of women through their respective mandates, in cooperation with Governments.

#### B. SUBREGIONAL/REGIONAL LEVEL

301. The regional commissions of the United Nations and other subregional/regional structures should promote and assist the pertinent national institutions in monitoring and implementing the global Platform for Action within their mandates. This should be done in coordination with the implementation of the respective regional platforms or plans of action and in close collaboration with the Commission on the Status of Women, taking into account the need for a coordinated follow-up to United Nations conferences in the economic, social, human rights and related fields.

302. In order to facilitate the regional implementation, monitoring and evaluation process, the Economic and Social Council should consider reviewing the institutional capacity of the United Nations regional commissions within their mandates, including their women's units/focal points, to deal with gender issues in the light of the Platform for Action, as well as the regional platforms and plans of action. Consideration should be given, *inter alia*, and, where appropriate, to strengthening capacity in this respect.

303. Within their existing mandates and activities, the regional commissions should mainstream women's issues and gender perspectives and should also consider the establishment of mechanisms and processes to ensure the implementation and monitoring of both the Platform for Action and the regional platforms and plans of action. The regional commissions should, within their mandates, collaborate on gender issues with other regional intergovernmental organizations, non-governmental organizations, financial and research institutions and the private sector.

304. Regional offices of the specialized agencies of the United Nations system should, as appropriate, develop and publicize a

plan of action for implementing the Platform for Action, including the identification of time-frames and resources. Technical assistance and operational activities at the regional level should establish well-identified targets for the advancement of women. To this end, regular coordination should be undertaken among United Nations bodies and agencies.

305. Non-governmental organizations within the region should be supported in their efforts to develop networks to coordinate advocacy and dissemination of information about the global Platform for Action and the respective regional platforms or plans of action.

### **C. INTERNATIONAL LEVEL**

#### **1. United Nations**

306. The Platform for Action needs to be implemented through the work of all of the bodies and organizations of the United Nations system during the period 1995-2000, specifically and as an integral part of wider programming. An enhanced framework for international cooperation for gender issues must be developed during the period 1995-2000 in order to ensure the integrated and comprehensive implementation, follow-up and assessment of the Platform for Action, taking into account the results of global United Nations summits and conferences. The fact that at all of these summits and conferences, Governments have committed themselves to the empowerment of women in different areas, makes coordination crucial to the follow-up strategies for this Platform for Action. The Agenda for Development and the Agenda for Peace should take into account the Platform for Action of the Fourth World Conference on Women.

307. The institutional capacity of the United Nations system to carry out and coordinate its responsibility for implementing the Platform for Action, as well as its expertise and working methods to promote the advancement of women, should be improved.

308. Responsibility for ensuring the implementation of the Platform for Action and the integration of a gender perspective into all policies and programmes of the United Nations system must rest at the highest levels.

309. To improve the system's efficiency and effectiveness in providing support for equality and women's empowerment at the national level and to enhance its capacity to achieve the objectives of the Platform for Action, there is a need to renew, reform and revitalize various parts of the United Nations system. This would include reviewing and strengthening the strategies and working methods of different United Nations mechanisms for the advancement of women with a view to rationalizing and, as appropriate, strengthening their advisory, catalytic and monitoring functions in relation to mainstream bodies and agencies. Women/gender units are important for effective mainstreaming, but strategies must be further developed to prevent inadvertent marginalization as opposed to mainstreaming of the gender dimension throughout all operations.

310. In following up the Fourth World Conference on Women, all entities of the United Nations system focusing on the advancement of women should have the necessary resources and support to carry out follow-up activities. The efforts of gender focal points within organizations should be well integrated into overall policy, planning, programming and budgeting.

311. Action must be taken by the United Nations and other international organizations to eliminate barriers to the advancement of women within their organizations in accordance with the Platform for Action.

#### *General Assembly*

312. The General Assembly, as the highest intergovernmental body in the United Nations, is the principal policy-making and appraisal organ on matters relating to the follow-up to the Conference, and as such, should integrate gender issues throughout its work. It should appraise progress in the effective implementation of the Platform for Action, recognizing that these issues cut across social, political and economic policy. At its fiftieth session, in 1995, the General Assembly will have before it the report of the Fourth World Conference on Women. In accordance with its resolution 49/161, it will also examine a report of the Secretary-General on the follow-up to the Conference, taking into account the recommendations of the Conference. The General Assembly should include the follow-up to the Conference as part of its continuing work on the

advancement of women. In 1996, 1998 and 2000, it should review the implementation of the Platform for Action.

### *Economic and Social Council*

313. The Economic and Social Council, in the context of its role under the Charter of the United Nations and in accordance with General Assembly resolutions 45/264, 46/235 and 48/162, would oversee system-wide coordination in the implementation of the Platform for Action and make recommendations in this regard. The Council should be invited to review the implementation of the Platform for Action, giving due consideration to the reports of the Commission on the Status of Women. As coordinating body, the Council should be invited to review the mandate of the Commission on the Status of Women, taking into account the need for effective coordination with other related commissions and Conference follow-up. The Council should incorporate gender issues into its discussion of all policy questions, giving due consideration to recommendations prepared by the Commission. It should consider dedicating at least one high-level segment before the year 2000 to the advancement of women and implementation of the Platform for Action with the active involvement and participation, *inter alia*, of the specialized agencies, including the World Bank and IMF.

314. The Council should consider dedicating at least one coordination segment before the year 2000 to coordination of the advancement of women, based on the revised system-wide medium-term plan for the advancement of women.

315. The Council should consider dedicating at least one operational activities segment before the year 2000 to the coordination of development activities related to gender, based on the revised system-wide medium-term plan for the advancement of women, with a view to instituting guidelines and procedures for implementation of the Platform for Action by the funds and programmes of the United Nations system.

316. The Administrative Committee on Coordination (ACC) should consider how its participating entities might best coordinate their activities, *inter alia*, through existing procedures at the inter-agency level for ensuring system-wide coordination to implement and help follow up the objectives of the Platform for Action.

### ***Commission on the Status of Women***

317. The General Assembly and the Economic and Social Council, in accordance with their respective mandates, are invited to review and strengthen the mandate of the Commission on the Status of Women, taking into account the Platform for Action as well as the need for synergy with other related commissions and Conference follow-up, and for a system-wide approach to its implementation.

318. As a functional commission assisting the Economic and Social Council, the Commission on the Status of Women should have a central role in monitoring, within the United Nations system, the implementation of the Platform for Action and advising the Council thereon. It should have a clear mandate with sufficient human and financial resources, through the reallocation of resources within the regular budget of the United Nations to carry the mandate out.

319. The Commission on the Status of Women should assist the Economic and Social Council in its coordination of the reporting on the implementation of the Platform for Action with the relevant organizations of the United Nations system. The Commission should draw upon inputs from other organizations of the United Nations system and other sources, as appropriate.

320. The Commission on the Status of Women, in developing its work programme for the period 1996-2000, should review the critical areas of concern in the Platform for Action and consider how to integrate in its agenda the follow-up to the World Conference on Women. In this context, the Commission on the Status of Women could consider how it could further develop its catalytic role in mainstreaming a gender perspective in United Nations activities.

### ***Other functional commissions***

321. Within their mandates, other functional commissions of the Economic and Social Council should also take due account of the Platform for Action and ensure the integration of gender aspects in their respective work.



***Committee on the Elimination of Discrimination against Women and other treaty bodies***

322. The Committee on the Elimination of Discrimination against Women, in implementing its responsibilities under the Convention on the Elimination of All Forms of Discrimination against Women, should, within its mandate, take into account the Platform for Action when considering the reports submitted by States parties.

323. States parties to the Convention on the Elimination of All Forms of Discrimination against Women are invited, when reporting under article 18 of the Convention, to include information on measures taken to implement the Platform for Action in order to facilitate the Committee on the Elimination of Discrimination against Women in monitoring effectively women's ability to enjoy the rights guaranteed by the Convention.

324. The ability of the Committee on the Elimination of Discrimination against Women to monitor implementation of the Convention should be strengthened through the provision of human and financial resources within the regular budget of the United Nations, including expert legal assistance and, in accordance with General Assembly resolution 49/164 and the decision made by the meeting of States parties to the Convention held in May 1995, sufficient meeting time for the Committee. The Committee should increase its coordination with other human rights treaty bodies, taking into account the recommendations in the Vienna Declaration and Programme of Action.

325. Within their mandate, other treaty bodies should also take due account of the implementation of the Platform for Action and ensure the integration of the equal status and human rights of women in their work.

***United Nations Secretariat***

***Office of the Secretary-General***

326. The Secretary-General is requested to assume responsibility for coordination of policy within the United Nations for the implementation of the Platform for Action and for the mainstreaming of a system-wide gender perspective in all activities of the United Nations, taking into account the

mandates of the bodies concerned. The Secretary-General should consider specific measures for ensuring effective coordination in the implementation of these objectives. To this end, the Secretary-General is invited to establish a high-level post in the office of the Secretary-General, using existing human and financial resources, to act as the Secretary-General's adviser on gender issues and to help ensure system-wide implementation of the Platform for Action in close cooperation with the Division for the Advancement of Women.

*Division for the Advancement of Women*

327. The primary function of the Division for the Advancement of Women of the Department for Policy Coordination and Sustainable Development is to provide substantive servicing to the Commission on the Status of Women and other intergovernmental bodies when they are concerned with the advancement of women, as well as to the Committee on the Elimination of Discrimination against Women. It has been designated a focal point for the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women. In the light of the review of the mandate of the Commission on the Status of Women, as set out in paragraph 313 above, the functions of the Division for the Advancement of Women will also need to be assessed. The Secretary-General is requested to ensure more effective functioning of the Division by, *inter alia*, providing sufficient human and financial resources within the regular budget of the United Nations.

328. The Division should examine the obstacles to the advancement of women through the application of gender-impact analysis in policy studies for the Commission on the Status of Women and through support to other subsidiary bodies. After the Fourth World Conference on Women it should play a coordinating role in preparing the revision of the system-wide medium-term plan for the advancement of women for the period 1996-2001 and should continue serving as the secretariat for inter-agency coordination for the advancement of women. It should continue to maintain a flow of information with national commissions, national institutions for the advancement of women and non-governmental organizations with regard to implementation of the Platform for Action.

*Other units of the United Nations Secretariat*

329. The various units of the United Nations Secretariat should examine their programmes to determine how they can best contribute to the coordinated implementation of the Platform for Action. Proposals for implementation of the Platform need to be reflected in the revision of the system-wide medium-term plan for the advancement of women for the period 1996-2001, as well as in the proposed United Nations medium-term plan for the period 1998-2002. The content of the actions will depend on the mandates of the bodies concerned.

330. Existing and new linkages should be developed throughout the Secretariat in order to ensure that the gender perspective is introduced as a central dimension in all activities of the Secretariat.

331. The Office of Human Resources Management should, in collaboration with programme managers world wide, and in accordance with the strategic plan of action for the improvement of the status of women in the Secretariat (1995-2000), continue to accord priority to the recruitment and promotion of women in posts subject to geographical distribution, particularly in senior policy-level and decision-making posts, in order to achieve the goals set out in General Assembly resolutions 45/125 and 45/239 C and reaffirmed in General Assembly resolutions 46/100, 47/93, 48/106 and 49/167. The training service should design and conduct regular gender-sensitivity training or include gender-sensitivity training in all of its activities.

332. The Department of Public Information should seek to integrate a gender perspective in its general information activities and, within existing resources, strengthen and improve its programmes on women and the girl child. To this end, the Department should formulate a multimedia communications strategy to support the implementation of the Platform for Action, taking new technology fully into account. Regular outputs of the Department should promote the goals of the Platform, particularly in developing countries.

333. The Statistical Division of the Department for Economic and Social Information and Policy Analysis should have an important coordinating role in international work in statistics, as described above in Chapter IV, Strategic Objective H.3.

***International Research and Training Institute for the  
Advancement of Women***

334. INSTRAW has a mandate to promote research and training on women's situation and development. In the light of the Platform for Action, INSTRAW should review its work programme and develop a programme for implementing those aspects of the Platform for Action that fall within its mandate. It should identify those types of research and research methodologies to be given priority, strengthen national capacities to carry out women's studies and gender research, including that on the status of the girl child, and develop networks of research institutions that can be mobilized for that purpose. It should also identify those types of education and training that can be effectively supported and promoted by the Institute.

***United Nations Development Fund for Women***

335. UNIFEM has the mandate to increase options and opportunities for women's economic and social development in developing countries by providing technical and financial assistance to incorporate the women's dimension into development at all levels. Therefore, UNIFEM should review and strengthen, as appropriate, its work programme in the light of the Platform for Action, focusing on women's political and economic empowerment. Its advocacy role should concentrate on fostering a multilateral policy dialogue on women's empowerment. Adequate resources for carrying out its functions should be made available.

***Specialized agencies and other organizations of the  
United Nations system***

336. To strengthen their support for actions at the national level and to enhance their contributions to coordinated follow-up by the United Nations, each organization should set out the specific actions they will undertake, including goals and targets to realign priorities and redirect resources to meet the global priorities identified in the Platform for Action. There should be a clear delineation of responsibility and accountability. These proposals should in turn be reflected in the system-wide medium-term plan for the advancement of women for the period 1996-2001.

337. Each organization should commit itself at the highest level and, in pursuing its targets, should take steps to enhance and support the roles and responsibilities of its focal points on women's issues.

338. In addition, specialized agencies with mandates to provide technical assistance in developing countries, particularly in Africa and the least developed countries, should cooperate more to ensure the continuing promotion of the advancement of women.

339. The United Nations system should consider and provide appropriate technical assistance and other forms of assistance to the countries with economies in transition in order to facilitate solution of their specific problems regarding the advancement of women.

340. Each organization should accord greater priority to the recruitment and promotion of women at the Professional level to achieve gender balance, particularly at decision-making levels. The paramount consideration in the employment of the staff and in the determination of the conditions of service should be the necessity of securing the highest standards of efficiency, competence and integrity. Due regard should be paid to the importance of recruiting the staff on as wide a geographical basis as possible. Organizations should report regularly to their governing bodies on progress towards this goal.

341. Coordination of United Nations operational activities for development at the country level should be improved through the resident coordinator system in accordance with relevant resolutions of the General Assembly, in particular General Assembly resolution 47/199, to take full account of the Platform for Action.

## **2. Other international institutions and organizations**

342. In implementing the Platform for Action, international financial institutions are encouraged to review and revise policies, procedures and staffing to ensure that investments and programmes benefit women and thus contribute to sustainable development. They are also encouraged to increase the number of women in high-level positions, increase staff training in gender analysis and institute policies and guidelines to ensure

full consideration of the differential impact of lending programmes and other activities on women and men. In this regard, the Bretton Woods institutions, the United Nations, as well as its funds and programmes and the specialized agencies, should establish regular and substantive dialogue, including dialogue at the field level, for more efficient and effective coordination of their assistance in order to strengthen the effectiveness of their programmes for the benefit of women and their families.

343. The General Assembly should give consideration to inviting the World Trade Organization to consider how it might contribute to the implementation of the Platform for Action, including activities in cooperation with the United Nations system.

344. International non-governmental organizations have an important role to play in implementing the Platform for Action. Consideration should be given to establishing a mechanism for collaborating with non-governmental organizations to promote the implementation of the Platform at various levels.

## CHAPTER VI

### FINANCIAL ARRANGEMENTS

345. Financial and human resources have generally been insufficient for the advancement of women. This has contributed to the slow progress to date in implementing the Nairobi Forward-looking Strategies for the Advancement of Women. Full and effective implementation of the Platform for Action, including the relevant commitments made at previous United Nations summits and conferences, will require a political commitment to make available human and financial resources for the empowerment of women. This will require the integration of a gender perspective in budgetary decisions on policies and programmes, as well as the adequate financing of specific programmes for securing equality between women and men. To implement the Platform for Action, funding will need to be identified and mobilized from all sources and across all sectors. The reformulation of policies and reallocation of resources may be needed within and among programmes, but some policy changes may not necessarily have financial implications. Mobilization of additional resources, both public

and private, including resources from innovative sources of funding, may also be necessary.

#### A. NATIONAL LEVEL

346. The primary responsibility for implementing the strategic objectives of the Platform for Action rests with Governments. To achieve these objectives, Governments should make efforts to systematically review how women benefit from public sector expenditures; adjust budgets to ensure equality of access to public sector expenditures, both for enhancing productive capacity and for meeting social needs; and achieve the gender-related commitments made in other United Nations summits and conferences. To develop successful national implementation strategies for the Platform for Action, Governments should allocate sufficient resources, including resources for undertaking gender-impact analysis. Governments should also encourage non-governmental organizations and private-sector and other institutions to mobilize additional resources.

347. Sufficient resources should be allocated to national machineries for the advancement of women as well as to all institutions, as appropriate, that can contribute to the implementation and monitoring of the Platform for Action.

348. Where national machineries for the advancement of women do not yet exist or where they have not yet been established on a permanent basis, Governments should strive to make available sufficient and continuing resources for such machineries.

349. To facilitate the implementation of the Platform for Action, Governments should reduce, as appropriate, excessive military expenditures and investments for arms production and acquisition, consistent with national security requirements.

350. Non-governmental organizations, the private sector and other actors of civil society should be encouraged to consider allocating the resources necessary for the implementation of the Platform for Action. Governments should create a supportive environment for the mobilization of resources by non-governmental organizations, particularly women's organizations and networks, feminist groups, the private sector and other actors of civil society, to enable them to contribute towards this

end. The capacity of non-governmental organizations in this regard should be strengthened and enhanced.

#### **B. REGIONAL LEVEL**

351. Regional development banks, regional business associations and other regional institutions should be invited to contribute to and help mobilize resources in their lending and other activities for the implementation of the Platform for Action. They should also be encouraged to take account of the Platform for Action in their policies and funding modalities.

352. The subregional and regional organizations and the United Nations regional commissions should, where appropriate and within their existing mandates, assist in the mobilization of funds for the implementation of the Platform for Action.

#### **C. INTERNATIONAL LEVEL**

353. Adequate financial resources should be committed at the international level for the implementation of the Platform for Action in the developing countries, particularly in Africa and the least developed countries. Strengthening national capacities in developing countries to implement the Platform for Action will require striving for the fulfilment of the agreed target of 0.7 per cent of the gross national product of developed countries for overall official development assistance as soon as possible, as well as increasing the share of funding for activities designed to implement the Platform for Action. Furthermore, countries involved in development cooperation should conduct a critical analysis of their assistance programmes so as to improve the quality and effectiveness of aid through the integration of a gender approach.

354. International financial institutions, including the World Bank, the International Monetary Fund, the International Fund for Agricultural Development and the regional development banks, should be invited to examine their grants and lending and to allocate loans and grants to programmes for implementing the Platform for Action in developing countries, especially in Africa and the least developed countries.

355. The United Nations system should provide technical cooperation and other forms of assistance to the developing



countries, in particular in Africa and the least developed countries, in implementing the Platform for Action.

356. Implementation of the Platform for Action in the countries with economies in transition will require continued international cooperation and assistance. The organizations and bodies of the United Nations system, including the technical and sectoral agencies, should facilitate the efforts of those countries in designing and implementing policies and programmes for the advancement of women. To this end, the International Monetary Fund and the World Bank should be invited to assist those efforts.

357. The outcome of the World Summit for Social Development regarding debt management and reduction as well as other United Nations world summits and conferences should be implemented in order to facilitate the realization of the objectives of the Platform for Action.

358. To facilitate implementation of the Platform for Action, interested developed and developing country partners, agreeing on a mutual commitment to allocate, on average, 20 per cent of official development assistance and 20 per cent of the national budget to basic social programmes should take into account a gender perspective.

359. Development funds and programmes of the United Nations system should undertake an immediate analysis of the extent to which their programmes and projects are directed to implementing the Platform for Action and, for the next programming cycle, should ensure the adequacy of resources targeted towards eliminating disparities between women and men in their technical assistance and funding activities.

360. Recognizing the roles of United Nations funds, programmes and specialized agencies, in particular the special roles of UNIFEM and INSTRAW, in the promotion of the empowerment of women, and therefore in the implementation of the Platform for Action within their respective mandates, *inter alia*, in research, training and information activities for the advancement of women as well as technical and financial assistance to incorporate a gender perspective in development efforts, the resources provided by the international community need to be sufficient and should be maintained at an adequate level.

361. To improve the efficiency and effectiveness of the United Nations system in its efforts to promote the advancement of women and to enhance its capacity to further the objectives of the Platform for Action, there is a need to renew, reform and revitalize various parts of the United Nations system, especially the Division for the Advancement of Women of the United Nations Secretariat, as well as other units and subsidiary bodies that have a specific mandate to promote the advancement of women. In this regard, relevant governing bodies within the United Nations system are encouraged to give special consideration to the effective implementation of the Platform for Action and to review their policies, programmes, budgets and activities in order to achieve the most effective and efficient use of funds to this end. Allocation of additional resources from within the United Nations regular budget in order to implement the Platform for Action will also be necessary.

**PART IV**

**STATE OF RATIFICATIONS OF UNIVERSAL  
AND REGIONAL NORMATIVE INSTRUMENTS  
PRESENTED IN THIS PUBLICATION**

## UNITED NATIONS

### CONVENTION FOR THE SUPPRESSION OF THE TRAFFIC IN PERSONS AND OF THE EXPLOITATION OF THE PROSTITUTION OF OTHERS

*As of 31 December 1998, 72 States were Parties to the above Convention:*

Afghanistan, Albania, Algeria, Argentina, Azerbaijan, Bangladesh, Belarus, Belgium, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Cameroon, Central African Republic, Congo, Croatia, Cuba, Cyprus, Czech Republic, Djibouti, Ecuador, Egypt, Ethiopia, Finland, France, Guinea, Haiti, Honduras, Hungary, India, Iraq, Israel, Italy, Japan, Jordan, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Libyan Arab Jamahiriya, Luxembourg, Malawi, Mali, Mauritania, Mexico, Morocco, Niger, Norway, Pakistan, Philippines, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Senegal, Seychelles, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Syrian Arab Republic, The former Yugoslav Republic of Macedonia, Togo, Ukraine, Venezuela, Yemen, Yugoslavia, Zimbabwe.

### CONVENTION ON THE POLITICAL RIGHTS OF WOMEN

*As of 31 December 1998, 111 States were Parties to the above Convention:*

Afghanistan, Albania, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bangladesh, Barbados, Belarus, Belgium, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Burundi, Canada, Central African Republic, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of Congo, Denmark, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Gabon, Germany, Ghana, Greece, Guatemala, Guinea, Haiti, Hungary, Iceland, India, Indonesia, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Republic of Korea, Republic of

Moldova, Romania, Russian Federation, Senegal, Sierra Leone, Slovakia, Slovenia, Solomon Islands, Spain, Swaziland, Sweden, Thailand, The former Yugoslav Republic of Macedonia, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Kingdom, United Republic of Tanzania, United States of America, Uzbekistan, Venezuela, Yemen, Yugoslavia, Zambia, Zimbabwe.

#### **CONVENTION ON THE NATIONALITY OF MARRIED WOMEN**

*As of 31 December 1998, 66 States were Parties to the above Convention:*

Albania, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Barbados, Belarus, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, Fiji, Finland, Germany, Ghana, Guatemala, Hungary, Iceland, Ireland, Israel, Jamaica, Jordan, Kyrgyzstan, Latvia, Lesotho, Libyan Arab Jamahiriya, Luxembourg, Malaysia, Malawi, Mali, Malta, Mauritius, Mexico, New Zealand, Nicaragua, Norway, Poland, Romania, Russian Federation, Saint Lucia, Sierra Leone, Singapore, Slovakia, Slovenia, Sri Lanka, Swaziland, Sweden, The former Yugoslav Republic of Macedonia, Trinidad and Tobago, Tunisia, Uganda, Ukraine, United Republic of Tanzania, Venezuela, Yugoslavia, Zambia.

#### **CONVENTION ON CONSENT TO MARRIAGE, MINIMUM AGE FOR MARRIAGE AND REGISTRATION OF MARRIAGES**

*As of 31 December 1998, 48 States were Parties to the above Convention:*

Antigua and Barbuda, Argentina, Austria, Azerbaijan, Bangladesh, Barbados, Benin, Bosnia and Herzegovina, Brazil, Burkina Faso, Côte d'Ivoire, Croatia, Cuba, Czech Republic, Denmark, Dominican Republic, Fiji, Finland, Germany, Guatemala, Guinea, Hungary, Iceland, Jordan, Kyrgyzstan, Mali, Mexico, Mongolia, Netherlands, New Zealand, Niger, Norway, Philippines, Poland, Romania, Samoa, Slovakia, South Africa, Spain, Sweden, The former Yugoslav Republic of Macedonia, Trinidad and Tobago, Tunisia, United Kingdom, Venezuela, Yemen, Yugoslavia, Zimbabwe.

**CONVENTION ON THE ELIMINATION OF ALL FORMS OF  
DISCRIMINATION AGAINST WOMEN**

*As of 31 December 1998, 163 States were Parties to the above Convention:*

Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chad, Chile, China, Colombia, Comores, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of Congo, Denmark, Djibouti, Dominica, Dominican Republic, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Malawi, Maldives, Mali, Malta, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, 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, Senegal, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Suriname, Sweden, Switzerland, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Kingdom, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe.

## INTERNATIONAL LABOUR ORGANISATION

### CONVENTION (N° 45) CONCERNING THE EMPLOYMENT OF WOMEN ON UNDERGROUND WORK IN MINES OF ALL KINDS

*As of 31 December 1998, 97 States were Parties to the above Convention:*

Afghanistan, Angola, Argentina, Australia\*, Austria, Azerbaijan, Bahamas, Bangladesh, Belarus, Belgium, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Cameroon, Canada\*, Chile\*, China, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Djibouti, Dominican Republic, Ecuador, Egypt, Estonia, Fiji, Finland\*, France, Gabon, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Ireland\*, Italy\*, Japan, Kenya, Kyrgyzstan, Lebanon, Lesotho, Luxembourg\*, Malaysia, Malawi, Malta, Mexico, Morocco, Netherlands\*, New Zealand\*, Nicaragua, Nigeria, Pakistan, Panama, Papua New Guinea, Peru\*, Poland, Portugal, Russian Federation, Saudi Arabia, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, Spain, Sri Lanka, South Africa, Swaziland, Sweden\*, Switzerland, Syrian Arab Republic, Tajikistan, The former Yugoslav Republic of Macedonia, United Kingdom\*, United Republic of Tanzania, Tunisia, Turkey, Uganda, Ukraine, Uruguay\*, Venezuela, Viet Nam, Yugoslavia, Zambia\*, Zimbabwe.

### ILO NIGHT WORK (WOMEN) CONVENTION, REVISED 1948 and PROTOCOL OF 1990 TO THE NIGHT WORK (WOMEN) CONVENTION (REVISED), 1948

*As of 31 December 1998, 50 States were Parties to the above Convention and the Protocol:*

Algeria, Angola, Austria, Bahrain, Bangladesh, Belize, Bolivia, Bosnia and Herzegovina, Brazil, Burundi, Cameroon, Comores, Congo, Costa Rica, Cyprus, Czech Republic, Democratic Republic of Congo, Djibouti, Dominican Republic, Egypt, Ghana, Guatemala, Guinea, Guinea-Bissau, India, Iraq, Libyan Arab Jamahiriya, Kenya, Kuwait, Lebanon, Malawi, Mauritania, Pakistan, Panama, Paraguay, Philippines, Romania, Rwanda, Saudi

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\* States having denounced this Convention.

Arabia, Senegal, Slovakia, Slovenia, South Africa, Swaziland, Syrian Arab Republic, The former Yugoslav Republic of Macedonia, Tunisia, United Arab Emirates, Yugoslavia, Zambia.

#### **ILO EQUAL REMUNERATION CONVENTION (1951)**

*As of 31 December 1998, 137 States were Parties to the above Convention:*

Afghanistan, Albania, Algeria, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Barbados, Belarus, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cameroon, -Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comores, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Democratic People's Republic of Korea, Democratic Republic of Congo, Czech Republic, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Estonia, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kyrgyzstan, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Lithuania, Luxembourg, Madagascar, Malaysia, Malawi, Mali, Malta, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Romania, Russian Federation, Rwanda, Saint Lucia, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Slovakia, Slovenia, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Kingdom, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe.

#### **MATERNITY PROTECTION CONVENTION, REVISED (1952)**

*As of 31 December 1998, 36 States were Parties to the above Convention:*

Austria, Azerbaijan, Belarus, Bolivia, Bosnia and Herzegovina, Brazil, Chile, Croatia, Cuba, Ecuador, Equatorial Guinea, Ghana, Greece, Guatemala, Hungary, Italy, Kyrgyzstan, Libyan Arab Jamahiriya, Luxembourg, Mongolia, Netherlands, Poland, Portugal,



Republic of Moldova, Russian Federation, San Marino, Slovenia, Spain, Sri Lanka, Tajikistan, The former Yugoslav Republic of Macedonia, Ukraine, Uruguay, Uzbekistan, Yugoslavia, Zambia.

**ILO WORKERS WITH FAMILY RESPONSIBILITIES  
CONVENTION (N° 156)**

*As of 31 December 1998, 28 States were Parties to the above Convention:*

Argentina, Australia, Bolivia, Bosnia and Herzegovina, Chile, Croatia, Ethiopia, Finland, France, Guatemala, Greece, Guinea, Japan, Niger, Norway, Netherlands, Peru, Portugal, Russian Federation, San Marino, Slovenia, Spain, Sweden, The former Yugoslav Republic of Macedonia, Uruguay, Venezuela, Yemen, Yugoslavia.

**UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND  
CULTURAL ORGANIZATION (UNESCO)**

**CONVENTION AGAINST DISCRIMINATION IN EDUCATION, 1960**

*As of 31 December 1998, 87 States were Parties to the above Convention:*

Albania, Algeria, Argentina, Armenia, Australia, Barbados, Belarus, Belize, Benin, Bosnia and Herzegovina, Brazil, Brunei Darussalam, Bulgaria, Central African Republic, Chile, China, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Dominica, Dominica Republic, Ecuador, Egypt, Finland, France, Georgia, Germany, Guatemala, Guinea, Hungary, Indonesia, Iran, Iraq, Israel, Italy, Jordan, Kuwait, Kyrgyzstan, Lebanon, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malta, Mauritius, Mongolia, Morocco, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Panama, Peru, Philippines, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, Slovak Republic, Slovenia, Solomon Islands, Spain, Sri Lanka, Swaziland, Sweden, Tajikistan, The former Yugoslav Republic of Macedonia, Tunisia, Uganda, Ukraine, United Kingdom, United Republic of Tanzania, Uzbekistan, Venezuela, Viet Nam, Yugoslavia.

**PROTOCOL INSTITUTING A CONCILIATION AND GOOD OFFICES  
COMMISSION TO BE RESPONSIBLE FOR SEEKING THE  
SETTLEMENT OF ANY DISPUTES WHICH MAY ARISE BETWEEN  
STATES PARTIES TO THE CONVENTION AGAINST  
DISCRIMINATION IN EDUCATION, 1962**

*As of 31 December 1998, 31 States were Parties to the above Protocol :*

Argentina, Australia, Brunei Darussalam, Costa Rica, Cyprus, Denmark, Dominica, Egypt, France, Germany, Guatemala, Israel, Italy, Jordan, Libyan Arab Jamahiriya, Madagascar, Malta, Morocco, Netherlands, Niger, Norway, Panama, Philippines, Portugal, Saint.Vincent and the Grenadines, Senegal, Solomon Islands, Spain, Uganda, United Kingdom, Viet Nam.

**ORGANIZATION OF AMERICAN STATES**

**CONVENTION ON THE NATIONALITY OF WOMEN**

*As of 31 December 1998, 17 States were Parties to the above Convention:*

Argentina, Brazil, Canada, Chile, Colombia, Costa Rica, Cuba, Dominica, Ecuador, Guatemala, Honduras, Mexico, Nicaragua, Panama, United States of America, Uruguay, Venezuela.

**INTER-AMERICAN CONVENTION ON THE GRANTING OF  
POLITICAL RIGHTS TO WOMEN**

*As of 31 December 1998, 23 States were Parties to the above Convention:*

Argentina, Brazil, Canada, Chile, Colombia, Costa Rica, Cuba, Dominica, Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Suriname, United States of America, Uruguay, Venezuela.

**INTER-AMERICAN CONVENTION ON THE GRANTING OF CIVIL  
RIGHTS TO WOMEN**

*As of 31 December 1998, 20 States were Parties to the above  
Convention:*

Argentina, Brazil, Canada, Chile, Colombia, Costa Rica, Cuba,  
Dominica, Dominican Republic, Ecuador, El Salvador, Guatemala,  
Honduras, Mexico, Nicaragua, Panama, Paraguay, Suriname,  
Uruguay, Venezuela.

**INTER-AMERICAN CONVENTION ON THE PREVENTION,  
PUNISHMENT AND ERADICATION OF VIOLENCE AGAINST  
WOMEN "CONVENTION OF BELEM DO PARA"**

*As of 31 December 1998, 28 States were Parties to the above  
Convention:*

Argentina, Bahamas, Barbados, Belize, Bolivia, Brazil, Chile,  
Colombia, Costa Rica, Dominica, Dominican Republic, Ecuador,  
El Salvador, Guatemala, Guyana, Haiti, Honduras, Mexico,  
Nicaragua, Panama, Paraguay, Peru, Saint Kitts and Nevis, Saint  
Lucia, Saint Vincent and the Grenadines, Trinidad and Tobago,  
Uruguay, Venezuela