

<b>Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW: legally binding standards &amp; reporting and monitoring mechanism)*</b>	
Article 1 [definition of “discrimination”]	<ul style="list-style-type: none"> <li>• “discrimination against women...shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing <u>human rights and fundamental freedoms</u>”</li> </ul>
Article 2* [core obligations]	<ul style="list-style-type: none"> <li>• “agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women” by laws, measures, and state action against discriminatory state &amp; private actors, custom &amp; practice</li> </ul>
Article 3 [in all fields]	<ul style="list-style-type: none"> <li>• “in all fields, in particular in the political, social, economic and cultural fields”</li> </ul>
Article 4 [special measures]	<ul style="list-style-type: none"> <li>• including by “temporary special measures aimed at accelerating de facto equality”</li> </ul>
Article 5 [stereotypes]	<ul style="list-style-type: none"> <li>• to eliminate gender stereotypes, including with regard to childbearing and childrearing</li> </ul>
Article 6	<ul style="list-style-type: none"> <li>• to eliminate sex trafficking</li> </ul>
Article 7 and 8	<ul style="list-style-type: none"> <li>• in politics and public life</li> </ul>
Article 9	<ul style="list-style-type: none"> <li>• with equal rights to nationality</li> </ul>
Article 10	<ul style="list-style-type: none"> <li>• in education, including family health and planning</li> </ul>
Article 11	<ul style="list-style-type: none"> <li>• in employment, pay, fringe benefits, work conditions</li> </ul>
Article 12	<ul style="list-style-type: none"> <li>• in healthcare, with attention to reproductive healthcare</li> </ul>
Article 13	<ul style="list-style-type: none"> <li>• securing rural women’s special rights and interests</li> </ul>
Article 15	<ul style="list-style-type: none"> <li>• in equality before the law</li> </ul>
Article 16	<ul style="list-style-type: none"> <li>• in marital rights, including no forced marriages</li> </ul>
Article 17 [CEDAW Committee]	<ul style="list-style-type: none"> <li>• states nominate and then elect <u>experts</u> to the CEDAW Committee</li> </ul>
Article 18 [periodic reporting]	<ul style="list-style-type: none"> <li>• states <u>report</u> to the CEDAW Committee every four years</li> <li>• report <u>progress/obstacles</u> to implementing CEDAW by “legislative, judicial, administrative or other measures”</li> </ul>
Article 21 [Committee’s “concluding comments”]	<p>Committee reports annually to the General Assembly:</p> <ul style="list-style-type: none"> <li>• its <u>suggestions and general recommendations</u>, after examining Article 18 reports</li> <li>• states often add introductions to Committee comments</li> </ul>
Article 24 [reservations]	<ul style="list-style-type: none"> <li>• reservations incompatible with the object and purpose of the Convention are not permitted</li> </ul>

Note: The UN adopted CEDAW in 1979 and it entered into force in 1981.

Numerous states have made key reservations relevant to VAW, specifically to **Art. 2**, which weakens their obligations generally under CEDAW; to **Art. 2(f)**, which concerns the elimination of discriminatory regulations, customs and practices; and to **Art. 16(c)**, which guarantees equal rights and responsibilities in marriage and in its dissolution.

Please also see draft list of countries and their reservations to articles relating to family, as well as Art. 2.

<b>General Recommendations that mention VAW</b> <i>(Gen. Recs. are guides to interpreting CEDAW, but are not legally binding)*</i>	
Gen. Rec. 12 (1989) “Violence against women” [VAW reporting]	<ul style="list-style-type: none"> <li>• <u>report</u> VAW legislation and other <u>measures</u></li> <li>• report VAW <u>support</u> services</li> <li>• report VAW <u>incidence</u></li> </ul>
Gen. Rec. 14 (1990) “Female circumcision”	<ul style="list-style-type: none"> <li>• calls for: <ul style="list-style-type: none"> <li>▪ <u>measures</u> &amp; public/private <u>awareness raising</u></li> <li>▪ seeking <u>UN advice</u></li> <li>▪ <u>reporting</u> progress/obstacles on FGM</li> </ul> </li> </ul>
Gen. Rec. 19 (1992) “Violence against women” [CEDAW incorporates GBV]	<ul style="list-style-type: none"> <li>• CEDAW definition of “<u>discrimination</u>” includes <u>gender-based violence</u>, because it: <ul style="list-style-type: none"> <li>▪ disproportionately affects women, and</li> <li>▪ impairs HR and fundamental freedoms</li> </ul> </li> <li>• <u>due diligence</u> standard</li> <li>• <u>List</u>: family violence, tradition, trafficking (sex, labor, marriage), conflict zones, pornography, sexual harassment, reproductive rights</li> <li>• prevention, support, protection, prosecution, and compensation for VAW</li> <li>• <u>report</u> on VAW measures and incidence</li> </ul>
Gen. Rec. 25 (2004) [spec. meas.] Gen. Rec. 26 (2008) [migrants] Gen. Rec. 27 (2010) [elderly]	<ul style="list-style-type: none"> <li>• “Temporary special measures”</li> <li>• “Women migrant workers”</li> <li>• “Older women and protection of their HR”</li> </ul>
Gen. Rec. 28 (2010) “Core obligations of states parties under Article 2 of the Convention on the Elimination...” [Article 2 obligations]	<ul style="list-style-type: none"> <li>• <u>de jure</u> and <u>de facto</u> equal rights</li> <li>• recommends <u>national action plan</u></li> <li>• <u>due diligence</u> to prevent, investigate, prosecute, and punish GBV</li> <li>• <u>no reservations to Art. 2</u> allowed, in principle, because Art. 2 is a core CEDAW obligation</li> </ul>

Note: Gen. Recs.’ year of adoption shown in parentheses.