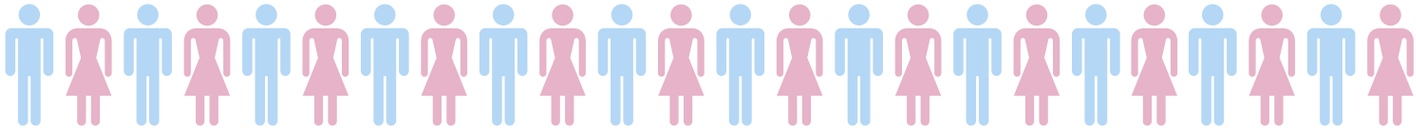
Convention on Elimination of all forms of Discrimination Against Women

CEDAWkit



United Nations Development Fund for Women

UNIFEM

Copyright 2006 by the United Nations Development Fund For Women

Arab States Regional Office UNIFEM

P.O. Box 830896 Amman – Jordan 11183

Tel: +962-6-5200060 Fax: +962-6-5678594

Website: www.unifem.org.jo

Email: admin.jordan@unifem.org

No part of this publication may be reproduced, stored in a retrieval system, or transmitted, in any form or by means, electronic, mechanical, photocopying, regarding, or otherwise, without the prior permission of the UNIFEM.

All rights reserved 2006.

The Findings, interpretations and conclusions expressed in this report are entirely those of the authors and should not be attributed in any manner to the United Nations Development Fund for Women.

Printed in the Hashemite Kingdom of Jordan

First Printing

Design: Advize | Grey

Foreword

Throughout my years at UNIFEM, as the Regional Programme Director of the Arab States Regional Office, I have become aware of the need and necessity to increase awareness in women's human rights issues on the social level as well as the legal level. Although we have witnessed great change in the region with regard to women's human rights, there is still much to be accomplished.

It has become apparent that the generation of data and information with regard to women's rights is vital and needed; there seemed to be a lack in general knowledge of women's rights, and particularly the Convention on the Elimination of All forms of Discrimination against Women (CEDAW). With that in mind, and 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, a dedicated team has compiled this CEDAW Kit, which I am pleased to present to our readers.

The CEDAW Kit aims to provide the reader with a basic knowledge on CEDAW, CEDAW in Arab States and the convention follow-up mechanisms, to help non- governmental organizations (NGOs), women's rights activists and any partners interested in women's human rights to lobby for implementation of CEDAW at the national level. The kit will also provide a basis for those who work to promote women's human rights through international conventions to initiate discussions and dialogues to minimize the reservations made by Arab countries.

Through this comprehensive kit, we are pleased to provide our partners and readers the opportunity to improve their understanding of CEDAW and build effective coalitions for adoption of the convention at all levels.

Haifa Abu Ghazaleh

Regional Programme Director

Arab States Regional Office

Introduction:

This manual was produced to form a reference framework aiming to provide the parties interested in women's status with information enabling them to follow up the implementation of the Convention on Elimination of All Forms of Discrimination Against Women (CEDAW), with particular regard, the NGOs which undertake the task of assisting their countries prepare the periodic reports presented to the CEDAW Committee in pursuance with Article 18 of the Convention.

The NGOs can direct criticism on the government's official report and prepare a shadow report containing their viewpoints regarding the measures and procedures undertaken by the government to implement the Convention's provisions. Furthermore, the NGOs can attend the Committee meetings held for studying the reports, avail themselves of the Committee's debates with the governments of their countries and of the general remarks aimed to improve women's status in their societies and to eliminate any form of discrimination against them. This may drive these governments to withdraw their reservations on the Convention.

In countries that have not acceded to the Convention yet, the NGOs can use it as a framework to improve women's status and respect their human rights in accordance with the Convention, and they can prompt their governments to ratify the Convention.

This manual contains the following:

- Information on the Convention and the related general recommendations issued during the meetings of the relevant Committee in the UN, and information that helps explaining, clarifying and deepening some of the Convention's articles. It also contains directions to the States Parties regarding implementing the Convention's follow up method. It denotes the importance of including more details in their reports regarding women's status in their countries and the specific measures taken for some issues that the Committee considered an impediment for the implementation of the Convention.
- Provisions of instruments complementary to the Convention, such as the Optional Protocol annexed to it, the International Declaration for the Elimination of Violence against Women, some of the provisions of the Platform for Action of the Beijing 4th World Conference on Women as it contains a procedural scheme for translating the Convention provisions.
- All information regarding the methods of following up the Convention and drafting both the official and shadow reports.
- A specimen of an official report and a shadow report
- A framework of a joint report made by the government of a State Party and some of the NGOs.
- Some relevant information and statistics were added to the manual regarding women's status in the different Arab countries in various domains, which may indicate the importance of the Convention for the advancement of our Arab Region.
- The stance of the Arab States toward the Convention and their reservations on some of its articles.

Team work:

1. Preparing: Dr. Haifa Abu Ghazaleh, Regional Programme Director

   Mrs. Maya Morsy, UNIFEM Programme Coordinator, Egypt

2. Preparing and editing: Mrs. Amal Mahmoud, Development and GenderConsultant

3. Data collecting: Mai Khaled

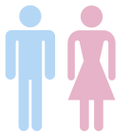
4. Editing: Shatha Mahmoud, Programme Manager

   Farah Al-Kasim, Programme Assistant

5. Translation: Amal Ibrahim Eltarzi

   Sahar Soliman

   Khaled Elbahy



CEDAW

CEDAW

a. What does it stand for?

It stands for the Convention on the Elimination of all Forms of Discrimination Against Women.

b. When was it adopted?

CEDAW was adopted by the UN General Assembly on 18 December 1979 and entered into force 3 September 1981.

c. Why was it adopted?

CEDAW was established and adopted to recognize, protect and preserve women's human rights. Its main objective is to eliminate all kinds of discrimination practiced against women on the basis of gender. It seeks to achieve equality between both sexes in all aspects of life, be it private or public, through providing equal opportunity in, and access to, all the different areas and fields of a society. The Convention also recognizes the significance of women becoming active and productive participants in society, and aims at reflecting this recognition upon individuals, institutions and governments in all regions.

d. What is the Convention's definition of "discrimination"?

The Convention defines "discrimination" as follows: "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."

e. What are the States' commitments upon signature and ratification of the Convention?

1. To incorporate the principle of equality of men and women in their legal system, abolish all discriminatory laws and adopt appropriate ones prohibiting discrimination against women;

2. To establish tribunals and other public institutions to ensure the effective protection of women against discrimination;

3. To ensure elimination of all acts of discrimination against women by persons, organizations or enterprises.

f. What is the difference between signature, ratification, accession and succession?

- Signature establishes the consent of the state to be bound by a treaty. It is not legally binding, it is a declaration of intention.

- Ratification defines the international act whereby a state indicates its consent to be bound by a treaty if the states parties intend to voice their consent by such an act. The principle of ratification grants the states the necessary time to obtain the required approval to the treaty on the domestic level and to enact the necessary legislation to provide domestic effect to that treaty. Ratification is the last step, preceded by signature and followed by depositing instruments of ratification after the country has obtained the necessary approval from legislative authority. The convention becomes binding 30 days after depositing the instruments of ratification.

- Accession is the act whereby a state accepts the offer or the opportunity to become a party to a treaty already negotiated and signed by other states. It has the same legal effect as ratification. Accession usually occurs after the treaty has entered into force.

- Succession takes place when one state is replaced by another in the responsibility for the international relations of territory. Generally, a newly independent state which makes a notification of succession is considered a party to a treaty from the date of succession or from the date of entry into force of the treaty, whichever is the later date.

All of these acts imply a state party's commitment to the terms of the convention and agreement to be legally bound to the terms.

g. What is states' reporting?

States that accept and ratify the Convention are obliged to submit a report to the Secretary-General within a year of their ratification date. The report should include legislative, judicial, administrative or other measures that the State has adopted to implement the Convention. Subsequent reports should be submitted at least every four years, or upon the Committee's request.

h. What is the UN Committee on the Elimination of Discrimination Against Women and what is the job thereof?

- The Convention's Committee is a body of 23 experts on women's issues from around the world. This Committee was established in 1982, a year after CEDAW has entered into force. The 23 Committee members are elected by the State Parties, and their term lasts for four years.
- The Committee's main responsibility is to monitor and ensure the States Parties commitment and implementation of the Convention's articles.
- The Committee meets twice every year to review and discuss states' initial and subsequent reports. These reports are represented by Government representatives who discuss and cover the action plan suggested and considered by the concerned state.
- The Government representatives and the CEDAW experts discuss the report. This discussion allows the experts to comment, make suggestions and recommend focusing attention on a specific aspect or area concerning women. This also allows the representatives achieve better understanding and clearer comprehension of anti-discrimination policies and the means of applying them.

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)

Text of Convention

The States Parties to the present Convention,

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

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

Noting that the States Parties to the International Covenants on Human Rights have the obligation to ensure the equal 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 women,

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

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

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

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

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

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

Affirming that the strengthening of international peace and security, the relaxation of international tension, mutual co-operation 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 women,

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

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

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

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

Have agreed on the following:

PART I

Article 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.

See:

General Recommendation no.19: violence against women.

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.

See:

General Recommendation no.12: Women protection against violence and inclusion of relevant information in the periodical reports.

General Recommendation no.16: Unpaid women workers in rural and urban family enterprises.

General Recommendation no.19: violence 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 en sure 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.

See:

General recommendation no.18: Disabled women.

General Recommendation no.19: violence against women.

General Recommendation no.23: discrimination against woman in political and public life and temporary measures to overcome the obstacles.

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.

See:

General Recommendation no.5: special temporary measure.

General Recommendation no.8: Measure to support women representation for their government.

General Recommendation no.25: on article 4, paragraph 1, of the Convention on the Elimination of All Forms of Discrimination against Women, on temporary special measures

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.

See:

General Recommendation no.3: stereotype concepts regarding women.

General Recommendation no.12: Women protection against violence and inclusion of relevant information in the periodical reports.

General Recommendation no.19: violence against women.

General Recommendation no.21: equality in marriage and family relations.

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.

General Recommendation no.19: violence against 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.

See:

General Recommendation no.23: discrimination against woman in political and public life and temporary measures to overcome the obstacles.

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.

See:

General Recommendation no.8: Measure to support women representation for their government.

General Recommendation no.10: promotion of the convention and publications of reports.

General Recommendation no.23: discrimination against woman in political and public life and temporary measures to overcome the obstacles.

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.

See:

General Recommendation no.21: equality in marriage and family relations.

PART III

Article 10

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

(a) The same conditions for career and vocational guidance, for access to studies and for the achievement of diplomas in educational establishments of all categories in rural as well as in urban areas; this equality shall be ensured in pre-school, general, technical, professional and higher technical education, as well as in all types of vocational training;

(b) Access to the same curricula, the same examinations, teaching staff with qualifications of the same standard and school premises and equipment of the same quality;

(c) The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging coeducation and other types of education which will help to achieve this aim and, in particular, by the revision of textbooks and school programmes and the adaptation of teaching methods;

(d) The same opportunities to benefit from scholarships and other study grants;

(e) The same opportunities for access to programmes of continuing education, including adult and functional literacy programmes, particulary 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.

See:

General Recommendation no.14: Female circumcision.

General Recommendation no.19: violence against women.

Article 11

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

(a) The right to work as an inalienable right of all human beings;

(b) The right to the same employment opportunities, including the application of the same criteria for selection in matters of employment;

(c) The right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to receive vocational training and retraining, including apprenticeships, advanced vocational training and recurrent training;

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

treatment in the evaluation of the quality of work;

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

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

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

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

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

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

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

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

See:

General Recommendation no.12: Women protection against violence and inclusion of relevant information in the periodical reports.

General Recommendation no.13: Equal remuneration for work of equal value

General Recommendation no.16: Unpaid women workers in rural and urban family enterprises.

General Recommendation no.17: Measurement and quantification of the unremunerated domestic activities of women and their recognition in the gross national product.

General Recommendation no.19: violence against women.

Article 12

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

2. Notwithstanding the provisions of paragraph I 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.

See:

General Recommendation no.12: Women protection against violence and inclusion of relevant information in the periodical reports.

General Recommendation no.14: Female circumcision.

General Recommendation no.15: Avoidance of discrimination against women in national strategies for the prevention of AIDS.

General Recommendation no.19: violence against women.

General Recommendation no.24: women and health.

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 women the right:

(a) To participate in the elaboration and implementation of development planning at all levels;

(b) To have access to adequate health care facilities, including information, counselling and services in family planning;

(c) To benefit directly from social security programmes;

(d) To obtain all types of training and education, formal and non-formal, including that relating to functional literacy, as well as, inter alia, the benefit of all community and extension services, in order to increase their technical proficiency;

(e) To organize self-help groups and co-operatives in order to obtain equal access to economic opportunities through employment or self employment;

(f) To participate in all community activities;

(g) To have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes;

(h) To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.

See:

General Recommendation no.19: violence against women.

PART IV

Article 15

1. States Parties shall accord to women equality with men before the law.

2. States Parties shall accord to women, in civil matters, a legal capacity identical to that of men and the same opportunities to exercise that capacity. In particular, they shall give women equal rights to conclude contracts and to administer property and shall treat them equally in all stages of procedure in courts and tribunals.

3. States Parties agree that all contracts and all other private instruments of any kind with a legal effect which is directed at restricting the legal capacity of women shall be deemed null and void.

4. States Parties shall accord to men and women the same rights with regard to the law relating to the movement of persons and the freedom to choose their residence and domicile.

See:

General Recommendation no.21: equality in marriage and family relations.

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.

See:

General Recommendation no.12: Women protection against violence and inclusion of relevant information in the periodical reports.

General Recommendation no.19: violence against women.

General Recommendation no.21: equality in marriage and family relations.

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.

See:

General Recommendation no.7: Venue of the committee meeting.

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 fulfillment of obligations under the present Convention.

See:

General Recommendation no.1: Reports.

General Recommendation no.2: Reports.

General Recommendation no.7: Venue of the committee meeting.

General Recommendation no.9: statistic data regarding woman's status.

General Recommendation no.11: provision of necessary technical consultative services for reports submittal.

General Recommendation no.12: Women protection against violence and inclusion of relevant information in the periodical reports.

General Recommendation no.14: Female circumcision.

General Recomendation no.16: Unpaid women workers in rural and urban family enterprises.

General Recommendation no.17: Measurement and quantification of the unremunerated domestic activities of women and their recognition in the gross national product.

General Recommendation no.18: Disabled women.

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. (amendment, status of ratification)

See:

General Recommendation no.7: Venue of the committee meeting.

General Recommendation no.22: Amendment of the dates of the committee meetings and their duration.

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 for that State.

Article 24

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

See:

General Recommendation no.6: the national mechanisms to follow-up the effect of the government policies on women.

Article 25

1. The present Convention shall be open for signature by all States.

2. The Secretary-General of the United Nations is designated as the depositary of the present Convention.

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

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

Article 26

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

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

Article 27

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

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

Article 28

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

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

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

See:

General Recommendation no.4: Reconsideration of the reservations of the states that ratified the convention.

General Recommendation no.10: promotion of the convention and publications of reports.

General Recommendation no.20: validity of reservations on the convention and its legal effect on the convention provisions.

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 I 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.

General Recommendation No. 1

(fifth session, 1986)

Initial reports submitted under article 18 of the Convention should cover the situation up to the date of submission. Thereafter, reports should be submitted at least every four years after the first report was due and should include obstacles encountered in implementing the Convention fully and the measures adopted to overcome such obstacles.

General Recommendation No. 2

(sixth session, 1987)

The Committee on the Elimination of Discrimination against Women, Bearing in mind that the Committee had been faced with difficulties in its work because some initial reports of States parties under article 18 of the Convention did not reflect adequately the information available in the State party concerned in accordance with the guidelines, Recommends:

(a) That the States parties, in preparing reports under article 18 of the Convention, should follow the general guidelines adopted in August 1983 (CEDAW/C/7) as to the form, content and date of reports;

(b) That the States parties should follow the general recommendation adopted in 1986 in these terms:

"Initial reports submitted under article 18 of the Convention should cover the situation up to the date of submission. Thereafter, reports should be submitted at least every four years after the first report was due and should include obstacles encountered in implementing the Convention fully and the measures adopted to overcome such obstacles."

(c) That additional information supplementing the report of a State party should be sent to the Secretariat at least three months before the session at which the report is due to be considered.

General Recommendation No. 3

(sixth session, 1987)

The Committee on the Elimination of Discrimination against Women, Considering that the Committee on the Elimination of Discrimination against Women has considered 34 reports from States parties since 1983, Further considering that, although the reports have come from States with different levels of development, they present features in varying degrees showing the existence of stereotyped conceptions of women, owing to socio-cultural factors, that perpetuate discrimination based on sex and hinder the implementation of article 5 of the Convention, Urges all States parties effectively to adopt education and public information programs, which will help eliminate prejudices and current practices that hinder the full operation of the principle of the social equality of women.

General Recommendation No. 4

(sixth session, 1987)

The Committee on the Elimination of Discrimination against Women, Having examined reports from States parties at its sessions, Expressing concern in relation to the significant number of reservations that appeared to be incompatible with the object and purpose of the Convention, Welcomes the decision of the States parties to consider reservations at its next meeting in New York in 1988, and to that end suggests that all States parties concerned reconsider such reservations with a view to withdrawing them.

General Recommendation No. 5

(seventh session, 1988)

Temporary Special Measures

The Committee on the Elimination of Discrimination against Women, Taking note that the reports, the introductory remarks and the replies by States parties reveal that while significant progress has been achieved in regard to repealing or modifying discriminatory laws, there is still a need for action to be taken to implement fully the Convention by introducing measures to promote de facto equality between men and women, Recalling article 4.1 of the Convention, Recommends that States Parties make more use of temporary special measures such as positive action, preferential treatment or quota systems to advance women's integration into education, the economy, politics and employment.

General Recommendation No. 6

(seventh session, 1988)

Effective National Machinery and Publicity

The Committee on the Elimination of Discrimination against Women, Having considered the reports of States parties to the Convention on

the Elimination of All Forms of Discrimination against Women, Noting United Nations General Assembly resolution 42/60 of 30 November 1987, Recommends that States parties:

1. Establish and/or strengthen effective national machinery, institutions and procedures, at a high level of Government, and with adequate resources, commitment and authority to:

(a) Advise on the impact on women of all government policies;

(b) Monitor the situation of women comprehensively;

(c) Help formulate new policies and effectively carry out strategies and measures to eliminate discrimination;

2. Take appropriate steps to ensure the dissemination of the Convention, the reports of the States parties under article 18 and the reports of the Committee in the language of the States concerned;

3. Seek the assistance of the Secretary-General and the Department of Public Information in providing translations of the Convention and the reports of the Committee;

4. Include in their initial and periodic reports the action taken in respect of this recommendation.

General Recommendation No. 7

(seventh session, 1988)

Resources

The Committee on the Elimination of Discrimination against Women, Noting General Assembly resolutions 40/39, 41/108 and in particular 42/60, paragraph 14, which invited the Committee and the States parties to consider the question of holding future sessions of the Committee at Vienna, Bearing in mind resolution 42/105 and, in particular paragraph 11, which requests the Secretary-General to strengthen co-ordination between the United Nations Centre for Human Rights and the Centre for Social Development and Humanitarian Affairs of the Secretariat in relation to the implementation of human rights treaties and servicing treaty bodies, Recommends to the States parties:

1. That they continue to support proposals for strengthening the co-ordination between the Centre for Human Rights at Geneva and the Centre for Social Development and Humanitarian Affairs at Vienna, in relation to the servicing of the Committee;

2. That they support proposals that the Committee meet in New York and Vienna;

3. That they take all necessary and appropriate steps to ensure that adequate resources and services are available to the Committee to assist it in its functions under the Convention and in particular that full-time staff are available to help the Committee to prepare for its sessions and during its session;

4. That they ensure that supplementary reports and materials are submitted to the Secretariat in due time to be translated into the official languages of the United Nations in time for distribution and consideration by the Committee.

General Recommendation No. 8

(Seventh session, 1988)

Implementation of article 8 of the Convention

The Committee on the Elimination of Discrimination against Women, Having considered the reports of States parties submitted in accordance with article 18 of the Convention, Recommends that States parties take further direct measures in accordance with article 4 of the Convention to ensure the full implementation of article 8 of the Convention and to ensure to women on equal terms with men and without any discrimination the opportunities to represent their Government at the international level and to participate in the work of international organizations.

General Recommendation No. 9

(Eighth session, 1989)

Statistical data concerning the situation of women

The Committee on the Elimination of Discrimination against Women, Considering that statistical information is absolutely necessary in order to understand the real situation of women in each of the States parties to the Convention, Having observed that many of the States parties that present their reports for consideration by the Committee do not provide statistics, Recommends that States parties should make every effort to ensure that their national statistical services responsible for planning national censuses and other social and

economic surveys formulate their questionnaires in such a way that data can be disaggregated according to gender, with regard to both absolute numbers and percentages, so that interested users can easily obtain information on the situation of women in the particular sector in which they are interested.

General Recommendation No. 10

(Eighth session, 1989)

Tenth anniversary of the adoption of the Convention on the Elimination of All Forms of Discrimination against Women

The Committee on the Elimination of Discrimination against Women, Considering that 18 December 1989 marks the tenth anniversary of the adoption of the Convention on the Elimination of All Forms of Discrimination against Women, Considering further that in those 10 years the Convention has proved to be one of the most effective instruments that the United Nations has adopted to promote equality between the sexes in the societies of its States Members, Recalling general recommendation No. 6 (seventh session, 1988) on effective national machinery and publicity, Recommends that, on the occasion of the tenth anniversary of the adoption of the Convention, the States parties should consider:

1. Undertaking programs including conferences and seminars to publicize the Convention on the Elimination of All Forms of Discrimination against Women in the main languages of and providing information on the Convention in their respective countries;

2. Inviting their national women's organizations to cooperate in the publicity campaigns regarding the Convention and its implementation and encouraging non-governmental organizations at the national, regional and international levels to publicize the Convention and its implementation;

3. Encouraging action to ensure the full implementation of the principles of the Convention, and in particular article 8, which relates to the participation of women at all levels of activity of the United Nations and the United Nations system;

4. Requesting the Secretary-General to commemorate the tenth anniversary of the adoption of the Convention by publishing and disseminating, in co-operation with the specialized agencies, printed and other materials regarding the Convention and its implementation in all official languages of the United Nations, preparing television documentaries about the Convention, and making the necessary resources available to the Division for the Advancement of Women, Centre for Social Development and Humanitarian Affairs of the United Nations Office at Vienna, to prepare an analysis of the information provided by States parties in order to update and publish the report of the Committee (A/CONF.116/13), which was first published for 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.

General Recommendation No. 11

(Eighth session, 1989)

Technical advisory services for reporting obligations

The Committee on the Elimination of Discrimination against Women, Bearing in mind that, as at 3 March 1989, 96 States had ratified the Convention on the Elimination of All Forms of Discrimination against Women, Taking into account the fact that by that date 60 initial and 19 second periodic reports had been received, Noting that 36 initial and 36 second periodic reports were due by 3 March 1989 and had not yet been received, Welcoming the request in General Assembly resolution 43/115, paragraph 9, that the Secretary-General should arrange, within existing resources and taking into account the priorities of the programme of advisory services, further training courses for those countries experiencing the most serious difficulties in meeting their reporting obligations under international instruments on human rights, Recommends to States parties that they should encourage, support and co-operate in projects for technical advisory services, including training seminars, to assist States parties on their request in fulfilling their reporting obligations under article 18 of the Convention.

General Recommendation No. 12

(Eighth session, 1989)

Violence against women

The Committee on the Elimination of Discrimination against Women, Considering that articles 2, 5, 11, 12 and 16 of the Convention require the States parties to act to protect women against violence of any kind occurring within the family, at the work place or in any other area of social life, Taking into account Economic and Social Council resolution 1988/27, Recommends to the States parties that they should include in their periodic reports to the Committee information about:

1. The legislation in force to protect women against the incidence of all kinds of violence in everyday life (including sexual violence, abuses in the family, sexual harassment at the work place etc.);

2. Other measures adopted to eradicate this violence;

3. The existence of support services for women who are the victims of aggression or abuses;

4. Statistical data on the incidence of violence of all kinds against women and on women who are the victims of violence.

General Recommendation No. 13

(Eighth session, 1989)

Equal remuneration for work of equal value

The Committee on the Elimination of Discrimination against Women, Recalling International Labor Organization Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value, which has been ratified by a large majority of States parties to the Convention on the Elimination of All Forms of Discrimination against Women, Recalling also that it has considered 51 initial and five second periodic reports of States parties since 1983, Considering that although reports of States parties indicate that, even though the principle of equal remuneration for work of equal value has been accepted in the legislation of many countries, more remains to be done to ensure the application of that principle in practice, in order to overcome the gender- segregation in the labor market, Recommends to the States parties to the Convention on the Elimination of All Forms of Discrimination against Women that:

1. In order to implement fully the Convention on the Elimination of All forms of Discrimination of against Women, those States parties that have not yet ratified ILO Convention No. 100 should be encouraged to do so;

2. They should consider the study, development and adoption of job evaluation systems based on gender-neutral criteria that would facilitate the comparison of the value of those jobs of a different nature, in which women presently predominate, with those jobs in which men presently predominate, and they should include the results achieved in their reports to the Committee on the Elimination of Discrimination against Women;

3. They should support, as far as practicable, the creation of implementation achinery and encourage the efforts of the parties to collective agreements, where they apply, to ensure the application of the principle of equal remuneration for work of equal value.

General Recommendation No. 14

(ninth session, 1990)

Female circumcision

The Committee on the Elimination of Discrimination against Women, Concerned about the continuation of the practice of female circumcision and other traditional practices harmful to the health of women, Noting with satisfaction that Governments, where such practices exist, national women's organizations, non-governmental organizations, and bodies of the United Nations system, such as the World Health Organization and the United Nations Children's Fund, as well as the Commission on Human Rights and its Sub- Commission on Prevention of Discrimination and Protection of Minorities, remain seized of the issue having particularly recognized that such traditional practices as female circumcision have serious health and other consequences for women and children, Taking note with interest the study of the Special Rapporteur on Traditional Practices Affecting the Health of Women and Children, and of the study of the Special Working Group on Traditional Practices, Recognizing that women are taking important action themselves to identify and to combat practices that are prejudicial to the health and well-being of women and children, Convinced that the important action that is being taken by women and by all interested groups needs to be supported and encourage by Governments, Noting with grave concern that there are continuing cultural, traditional and economic pressures which help to perpetuate harmful practices, such as female circumcision, Recommends that States parties:

(a) Take appropriate and effective measures with a view to eradicating the practice of female circumcision. Such measures could include:

(i) The collection and dissemination by universities, medical or nursing associations, national women's organizations or other bodies of basic data about such traditional practices;

(ii) The support of women's organizations at the national and local levels working for the elimination of female circumcision and other practices harmful to women;

(iii) The encouragement of politicians, professionals, religious and community leaders at all levels, including the media and the arts, to co-operate in influencing attitudes towards the eradication of female circumcision;

(iv) The introduction of appropriate educational and training programmes and seminars based on research findings about the problems arising from female circumcision;

(b) Include in their national health policies appropriate strategies aimed at eradicating female circumcision in public health care. Such strategies could include the special responsibility of health personnel, including traditional birth attendants, to explain the harmful effects of female circumcision;

(c) Invite assistance, information and advice from the appropriate organizations of the United Nations system to support and assist efforts being deployed to eliminate harmful traditional practices;

(d) Include in their reports to the Committee under articles 10 and 12 of the Convention on the Elimination of All Forms of Discrimination against Women information about measures taken to eliminate female circumcision.

General Recommendation No. 15

(ninth session, 1990)

Avoidance of discrimination against women in national strategies for the prevention and control of acquired immunodeficiency syndrome (AIDS)

The Committee on the Elimination of Discrimination against Women, Having considered information brought to its attention on the potential effects of both the global pandemic of acquired immunodeficiency syndrome (AIDS) and strategies to control it on the exercise of the rights of women, Having regard to the reports and materials prepared by the World Health Organization and other United Nations organizations, organs and bodies in relation to human immunodeficiency virus (HIV), and, in particular, the note by the Secretary-General to the Commission on the Status of Women on the effects of AIDS on the advancement of women and the Final Document of the International Consultation on AIDS and Human Rights, held at Geneva from 26 to 28 July 1989, Noting World Health Assembly resolution WHA 41.24 on the avoidance of discrimination in relation to HIV-infected people and people with AIDS of 13 May 1988, resolution 1989/11 of the Commission on Human Rights on non-discrimination in the field of health, of 2 March 1989, and in particular the Paris Declaration on Women, Children and AIDS, of 30 November 1989, Noting that the World Health Organization has announced that the theme of World Aids Day, 1 December 1990, will be "Women and Aids", Recommends:

(a) That States parties intensify efforts in disseminating information to increase public awareness of the risk of HIV infection and AIDS, especially in women and children, and of its effects on them;

(b) That programmes to combat AIDS should give special attention to the rights and needs of women and children, and to the factors relating to the reproductive role of women and their subordinate position in some societies which make them especially vulnerable to HIV infection;

(c) That States parties ensure the active participation of women in primary health care and take measures to enhance their role as care providers, health workers and educators in the prevention of infection with HIV;

(d) That all States parties include in their reports under article 12 of the Convention information on the effects of AIDS on the situation of women and on the action taken to cater to the needs of those women who are infected and to prevent specific discrimination against women in response to AIDS.

General Recommendation No. 16

(Tenth session, 1991)

Unpaid women workers in rural and urban family enterprises

The Committee on the Elimination of Discrimination against Women, Bearing in mind articles 2 (c) and 11 (c), (d) and (e) of the Convention on the Elimination of All Forms of Discrimination against Women and general recommendation No. 9 (eighth session, 1989) on statistical data concerning the situation of women, Taking into consideration that a high percentage of women in the States parties work without payment, social security and social benefits in enterprises owned usually by a male member of the family, Noting that the reports presented to the Committee on the Elimination of Discrimination against Women generally do not refer to the problem of unpaid women workers of family enterprises, Affirming that unpaid work constitutes a form of women's exploitation that is contrary to the Convention, Recommends that States parties:

(a) Include in their reports to the Committee information on the legal and social situation of unpaid women working in family enterprises;

(b) Collect statistical data on women who work without payment, social security and social benefits in enterprises owned by a family member, and include these data in their report to the Committee;

(c) Take the necessary steps to guarantee payment, social security and social benefits for women who work without such benefits in enterprises owned by a family member.

General Recommendation No. 17

(Tenth session, 1991)

Measurement and quantification of the unremunerated domestic activities of women and their recognition in the gross national product

The Committee on the Elimination of Discrimination against Women, Bearing in mind article 11 of the Convention on the Elimination of All Forms of Discrimination against Women, Recalling paragraph 120 of the Nairobi Forward-looking Strategies for the Advancement

of Women, Affirming that the measurement and quantification of the unremunerated domestic activities of women, which contribute to development in each country, will help to reveal the de facto economic role of women, Convinced that such measurement and quantification offers a basis for the formulation of further policies related to the advancement of women, Noting the discussions of the Statistical Commission, at its twenty-fifth session, on the current revision of the System of National Accounts on the development of statistics on women, Recommends that States parties:

(a) Encourage and support research and experimental studies to measure and value the unremunerated domestic activities of women; for example, by conducting time-use surveys as part of their national household survey programmes and by collecting statistics disaggregated by gender on time spent on activities both in the household and on the labor market;

(b) Take steps, in accordance with the provisions of the Convention on the Elimination of All Forms of Discrimination against Women and the Nairobi Forward-looking Strategies for the Advancement of Women, to quantify and include the unremunerated domestic activities of women in the gross national product;

(c) Include in their reports submitted under article 18 of the Convention information on the research and experimental studies undertaken to measure and value unremunerated domestic activities, as well as on the progress made in the incorporation of the unremunerated domestic activities of women in national accounts.

General Recommendation No. 18

(tenth session, 1991)

Disabled women

The Committee on the Elimination of Discrimination against Women, Taking into consideration particularly article 3 of the Convention on the Elimination of All Forms of Discrimination against Women, Having considered more than 60 periodic reports of States parties, and having recognized that they provide scarce information on disabled women, Concerned about the situation of disabled women, who suffer from a double discrimination linked to their special living conditions, Recalling paragraph 296 of the Nairobi Forward-looking Strategies for the Advancement of Women, in which disabled women are considered as a vulnerable group under the heading "areas of special concern", Affirming its support for the World Programme of Action concerning Disabled Persons (1982), Recommends that States parties provide information on disabled women in their periodic reports, and on measures taken to deal with their particular situation, including special measures to ensure that they have equal access to education and employment, health services and social security, and to ensure that they can participate in all areas of social and cultural life.

General Recommendation No. 19

(11th session, 1992)

Violence against women

Background

1. Gender-based violence is a form of discrimination that seriously inhibits women's ability to enjoy rights and freedoms on a basis of equality with men.

2. In 1989, the Committee recommended that States should include in their reports information on violence and on measures introduced to deal with it (General recommendation 12, eighth session).

3. At its tenth session in 1991, it was decided to allocate part of the eleventh session to a discussion and study on article 6 and other articles of the Convention relating to violence towards women and the sexual harassment and exploitation of women. That subject was chosen in anticipation of the 1993 World Conference on Human Rights, convened by the General Assembly by its resolution 45/155 of 18 December 1990.

4. The Committee concluded that not all the reports of States parties adequately reflected the close connection between discrimination against women, gender-based violence, and violations of human rights and fundamental freedoms. The full implementation of the Convention required States to take positive measures to eliminate all forms of violence against women.

5. The Committee suggested to States parties that in reviewing their laws and policies, and in reporting under the Convention, they should have regard to the following comments of the Committee concerning gender-based violence.

General comments

6. The Convention in article 1 defines discrimination against women. The definition of discrimination includes gender-based violence, that is, violence that is directed against a woman because she is a woman or that affects women disproportionately. It includes acts that inflict physical, mental or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty. Gender-based violence may breach specific provisions of the Convention, regardless of whether those provisions expressly mention violence.

7. Gender-based violence, which impairs or nullifies the enjoyment by women of human rights and fundamental freedoms under general international law or under human rights conventions, is discrimination within the meaning of article 1 of the Convention. These rights and freedoms include:

(a) The right to life;

(b) The right not to be subject to torture or to cruel, inhuman or degrading treatment or punishment;

(c) The right to equal protection according to humanitarian norms in time of international or internal armed conflict;

(d) The right to liberty and security of person;

(e) The right to equal protection under the law;

(f) The right to equality in the family;

(g) The right to the highest standard attainable of physical and mental health;

(h) The right to just and favourable conditions of work.

8. The Convention applies to violence perpetrated by public authorities. Such acts of violence may breach that State's obligations under general international human rights law and under other conventions, in addition to breaching this Convention.

9. It is emphasized, however, that discrimination under the Convention is not restricted to action by or on behalf of Governments (see articles 2(e), 2(f) and 5). For example, under article 2(e) the Convention calls on States parties to take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise. Under general international law and specific human rights covenants, States may also be responsible for private acts if they fail to act with due diligence to prevent violations of rights or to investigate and punish acts of violence, and for providing compensation.

Comments on specific articles of the Convention

Articles 2 and 3

10. Articles 2 and 3 establish a comprehensive obligation to eliminate discrimination in all its forms in addition to the specific obligations under articles 5-16.

Articles 2(f), 5 and 10(c)

11. Traditional attitudes by which women are regarded as subordinate to men or as having stereotyped roles perpetuate widespread practices involving violence or coercion, such as family violence and abuse, forced marriage, dowry deaths, acid attacks and female circumcision. Such prejudices and practices may justify gender-based violence as a form of protection or control of women. The effect of such violence on the physical and mental integrity of women is to deprive them the equal enjoyment, exercise and knowledge of human rights and fundamental freedoms. While this comment addresses mainly actual or threatened violence the underlying consequences of these forms of gender-based violence help to maintain women in subordinate roles and contribute to the low level of political participation and to their lower level of education, skills and work opportunities.

12. These attitudes also contribute to the propagation of pornography and the depiction and other commercial exploitation of women as sexual objects, rather than as individuals. This in turn contributes to gender-based violence.

Article 6

13. States parties are required by article 6 to take measures to suppress all forms of traffic in women and exploitation of the prostitution of women.

14. Poverty and unemployment increase opportunities for trafficking in women. In addition to established forms of trafficking there are new forms of sexual exploitation, such as sex tourism, the recruitment of domestic labour from developing countries to work in developed countries and organized marriages between women from developing countries and foreign nationals. These practices are incompatible with the equal enjoyment of rights by women and with respect for their rights and dignity. They put women at special risk of violence and abuse.

15. Poverty and unemployment force many women, including young girls, into prostitution. Prostitutes are especially vulnerable to violence because their status, which may be unlawful, tends to marginalize them. They need the equal protection of laws against rape and other forms of violence.

16. Wars, armed conflicts and the occupation of territories often lead to increased prostitution, trafficking in women and sexual assault of women, which require specific protective and punitive measures.

Article 11

17. Equality in employment can be seriously impaired when women are subjected to gender-specific violence, such as sexual harassment in the workplace.

18. Sexual harassment includes such unwelcome sexually determined behaviour as physical contact and advances, sexually coloured remarks, showing pornography and sexual demand, whether by words or actions. Such conduct can be humiliating and may constitute a health and safety problem; it is discriminatory when the woman has reasonable grounds to believe that her objection would disadvantage her in connection with her employment, including recruitment or promotion, or when it creates a hostile working environment.

Article 12

19. States parties are required by article 12 to take measures to ensure equal access to health care. Violence against women puts their health and lives at risk.

20. In some States there are traditional practices perpetuated by culture and tradition that are harmful to the health of women and children. These practices include dietary restrictions for pregnant women, preference for male children and female circumcision or genital mutilation.

Article 14

21. Rural women are at risk of gender-based violence because traditional attitudes regarding the subordinate role of women that persist in many rural communities. Girls from rural communities are at special risk of violence and sexual exploitation when they leave the rural community to seek employment in towns.

Article 16 (and article 5)

22. Compulsory sterilization or abortion adversely affects women's physical and mental health, and infringes the right of women to decide on the number and spacing of their children.

23. Family violence is one of the most insidious forms of violence against women. It is prevalent in all societies. Within family relationships women of all ages are subjected to violence of all kinds, including battering, rape, other forms of sexual assault, mental and other forms of violence, which are perpetuated by traditional attitudes. Lack of economic independence forces many women to stay in violent relationships. The abrogation of their family responsibilities by men can be a form of violence, and coercion. These forms of violence put women's health at risk and impair their ability to participate in family life and public life on a basis of equality.

Specific recommendation

24. In light of these comments, the Committee on the Elimination of Discrimination against Women recommends that:

(a) States parties should take appropriate and effective measures to overcome all forms of gender-based violence, whether by public or private act;

(b) States parties should ensure that laws against family violence and abuse, rape, sexual assault and other gender-based violence give adequate protection to all women, and respect their integrity and dignity. Appropriate protective and support services should be provided for victims. Gender-sensitive training of judicial and law enforcement officers and other public officials is essential for the effective implementation of the Convention;

(c) States parties should encourage the compilation of statistics and research on the extent, causes and effects of violence, and on the effectiveness of measures to prevent and deal with violence;

(d) Effective measures should be taken to ensure that the media respect and promote respect for women;

(e) States parties in their reports should identify the nature and extent of attitudes, customs and practices that perpetuate violence against women and the kinds of violence that result. They should report on the measures that they have undertaken to overcome violence and the effect of those measures;

(f) Effective measures should be taken to overcome these attitudes and practices. States should introduce education and public information programmes to help eliminate prejudices that hinder women's equality (recommendation No. 3, 1987);

(g) Specific preventive and punitive measures are necessary to overcome trafficking and sexual exploitation;

(h) States parties in their reports should describe the extent of all these problems and the measures, including penal provisions, preventive and rehabilitation measures that have been taken to protect women engaged in prostitution or subject to trafficking and other forms of sexual exploitation. The effectiveness of these measures should also be described;

(i) Effective complaints procedures and remedies, including compensation, should be provided;

(j) States parties should include in their reports information on sexual harassment, and on measures to protect women from sexual

harassment and other forms of violence of coercion in the workplace;

(k) States parties should establish or support services for victims of family violence, rape, sexual assault and other forms of gender-based violence, including refuges, specially trained health workers, rehabilitation and counseling;

(l) States parties should take measures to overcome such practices and should take account of the Committee's recommendation on female circumcision (recommendation No. 14) in reporting on health issues;

(m) States parties should ensure that measures are taken to prevent coercion in regard to fertility and reproduction, and to ensure that women are not forced to seek unsafe medical procedures such as illegal abortion because of lack of appropriate services in regard to fertility control;

(n) States parties in their reports should state the extent of these problems and should indicate the measures that have been taken and their effect;

(o) States parties should ensure that services for victims of violence are accessible to rural women and that where necessary special services are provided to isolated communities;

(p) Measures to protect them from violence should include training and employment opportunities and the monitoring of the employment conditions of domestic workers;

(q) States parties should report on the risks to rural women, the extent and nature of violence and abuse to which they are subject, their need for and access to support and other services and the effectiveness of measures to overcome violence;

(r) Measures that are necessary to overcome family violence should include:

(i) Criminal penalties where necessary and civil remedies in cases of domestic violence;

(ii) Legislation to remove the defence of honour in regard to the assault or murder of a female family member;

(iii) Services to ensure the safety and security of victims of family violence, including refuges, counseling and rehabilitation programmes;

(iv) Rehabilitation programmes for perpetrators of domestic violence;

(v) Support services for families where incest or sexual abuse has occurred;

(s) States parties should report on the extent of domestic violence and sexual abuse, and on the preventive, punitive and remedial measures that have been taken;

(t) States parties should take all legal and other measures that are necessary to provide effective protection of women against gender-based violence, including, inter alia:

(i) Effective legal measures, including penal sanctions, civil remedies and compensatory provisions to protect women against all kinds of violence, including inter alia violence and abuse in the family, sexual assault and sexual harassment in the workplace;

(ii) Preventive measures, including public information and education programmes to change attitudes concerning the roles and status of men and women;

(iii) Protective measures, including refuges, counseling, rehabilitation and support services for women who are the victims of violence or who are at risk of violence;

(u) States parties should report on all forms of gender-based violence, and such reports should include all available data on the incidence of each form of violence and on the effects of such violence on the women who are victims;

(v) The reports of States parties should include information on the legal, preventive and protective measures that have been taken to overcome violence against women, and on the effectiveness of such measures.

General Recommendation No. 20

(11th session, 1992)

Reservations to the Convention

1. The Committee recalled the decision of the fourth meeting of States parties on reservations to the Convention with regard to article 28.2, which was welcomed in General recommendation No. 4 of the Committee.

2. The Committee recommended that, in connection with preparations for the World Conference on Human Rights in 1993, States parties should:

(a) Raise the question of the validity and the legal effect of reservations to the Convention in the context of reservations to other human rights treaties;

(b) Reconsider such reservations with a view to strengthening the implementation of all human rights treaties;

(c) Consider introducing a procedure on reservations to the Convention comparable with that of other human rights treaties.

General Recommendation No. 21

(13th session, 1994)

Equality in marriage and family relations

1. The Convention on the Elimination of All Forms of Discrimination against Women (General Assembly resolution 34/180, annex) affirms the equality of human rights for women and men in society and in the family. The Convention has an important place among international treaties concerned with human rights.

2. Other conventions and declarations also confer great significance on the family and woman's status within it. These include the Universal Declaration of Human Rights (General Assembly resolution 217/A (III)), the International Covenant on Civil and Political Rights (resolution 2200 A (XXI), annex), the Convention on the Nationality of Married Women (resolution 1040 (XI), annex), the Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages (resolution 1763 A (XVII), annex) and the subsequent Recommendation thereon (resolution 2018 (XX)) and the Nairobi Forward-looking Strategies for the Advancement of Women.

3. The Convention on the Elimination of All Forms of Discrimination against Women recalls the inalienable rights of women which are already embodied in the above-mentioned conventions and declarations, but it goes further by recognizing the importance of culture and tradition in shaping the thinking and behavior of men and women and the significant part they play in restricting the exercise of basic rights by women.

Background

4. The year 1994 has been designated by the General Assembly in its resolution 44/82 as the International Year of the Family. The Committee wishes to take the opportunity to stress the significance of compliance with women's basic rights within the family as one of the measures which will support and encourage the national celebrations that will take place.

5. Having chosen in this way to mark the International Year of the Family, the Committee wishes to analyze three articles in the Convention that have special significance for the status of women in the family:

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.

Comment

6. Nationality is critical to full participation in society. In general, States confer nationality on those who are born in that country. Nationality can also be acquired by reason of settlement or granted for humanitarian reasons such as statelessness. Without status as nationals or citizens, women are deprived of the right to vote or to stand for public office and may be denied access to public benefits and a choice of residence. Nationality should be capable of change by an adult woman and should not be arbitrarily removed because of marriage or dissolution of marriage or because her husband or father changes his nationality.

Article 15

1. States parties shall accord to women equality with men before the law.

2. States parties shall accord to women, in civil matters, a legal capacity identical to that of men and the same opportunities to exercise that capacity. In particular, they shall give women equal rights to conclude contracts and to administer property and shall treat them equally in all stages of procedure in courts and tribunals.

3. States parties agree that all contracts and all other private instruments of any kind with a legal effect which is directed at restricting the legal capacity of women shall be deemed null and void.

4. States parties shall accord to men and women the same rights with regard to the law relating to the movement of persons and the freedom to choose their residence and domicile.

Comment

7. When a woman cannot enter into a contract at all, or have access to financial credit, or can do so only with her husband's or a male relative's concurrence or guarantee, she is denied legal autonomy. Any such restriction prevents her from holding property as the sole owner and precludes her from the legal management of her own business or from entering into any other form of contract. Such restrictions seriously limit the woman's ability to provide for herself and her dependents.

8. A woman's right to bring litigation is limited in some countries by law or by her access to legal advice and her ability to seek redress from the courts. In others, her status as a witness or her evidence is accorded less respect or weight than that of a man. Such laws or customs limit the woman's right effectively to pursue or retain her equal share of property and diminish her standing as an independent, responsible and valued member of her community. When countries limit a woman's legal capacity by their laws, or permit individuals or institutions to do the same, they are denying women their rights to be equal with men and restricting women's ability to provide for themselves and their dependents.

9. Domicile is a concept in common law countries referring to the country in which a person intends to reside and to whose jurisdiction she will submit. Domicile is originally acquired by a child through its parents but, in adulthood, denotes the country in which a person normally resides and in which she intends to reside permanently. As in the case of nationality, the examination of States parties' reports demonstrates that a woman will not always be permitted at law to choose her own domicile. Domicile, like nationality, should be capable of change at will by an adult woman regardless of her marital status. Any restrictions on a woman's right to choose a domicile on the same basis as a man may limit her access to the courts in the country in which she lives or prevent her from entering and leaving a country freely and in her own right.

10. Migrant women who live and work temporarily in another country should be permitted the same rights as men to have their spouses, partners and children join them.

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.

Comment

Public and private life

11. Historically, human activity in public and private life has been viewed differently and regulated accordingly. In all societies women who have traditionally performed their roles in the private or domestic sphere have long had those activities treated as inferior.

12. As such activities are invaluable for the survival of society, there can be no justification for applying different and discriminatory laws or customs to them. Reports of States parties disclose that there are still countries where de jure equality does not exist. Women are thereby prevented from having equal access to resources and from enjoying equality of status in the family and society. Even where de jure equality exists, all societies assign different roles, which are regarded as inferior, to women. In this way, principles of justice and equality contained in particular in article 16 and also in articles 2, 5 and 24 of the Convention are being violated.

Various forms of family

13. The form and concept of the family can vary from State to State, and even between regions within a State. Whatever form it takes, and whatever the legal system, religion, custom or tradition within the country, the treatment of women in the family both at law and in private must accord with the principles of equality and justice for all people, as article 2 of the Convention requires.

Polygamous marriages

14. States parties' reports also disclose that polygamy is practised in a number of countries. Polygamous marriage contravenes a woman's right to equality with men, and can have such serious emotional and financial consequences for her and her dependents that such marriages ought to be discouraged and prohibited. The Committee notes with concern that some States parties, whose constitutions guarantee equal rights, permit polygamous marriage in accordance with personal or customary law. This violates the constitutional rights of women, and breaches the provisions of article 5 (a) of the Convention.

Article 16 (1) (a) and (b)

15. While most countries report that national constitutions and laws comply with the Convention, custom, tradition and failure to enforce these laws in reality contravene the Convention.

16. A woman's right to choose a spouse and enter freely into marriage is central to her life and to her dignity and equality as a human being. An examination of States parties' reports discloses that there are countries which, on the basis of custom, religious beliefs or the ethnic origins of particular groups of people, permit forced marriages or remarriages. Other countries allow a woman's marriage to be arranged for payment or preferment and in others women's poverty forces them to marry foreign nationals for financial security. Subject to reasonable restrictions based for example on woman's youth or consanguinity with her partner, a woman's right to choose when, if, and whom she will marry must be protected and enforced at law.

Article 16 (1) (c)

17. An examination of States parties' reports discloses that many countries in their legal systems provide for the rights and responsibilities of married partners by relying on the application of common law principles, religious or customary law, rather than by complying with the principles contained in the Convention. These variations in law and practice relating to marriage have wide-ranging consequences for women, invariably restricting their rights to equal status and responsibility within marriage. Such limitations often result in the husband being accorded the status of head of household and primary decision maker and therefore contravene the provisions of the Convention.

18. Moreover, generally a de facto union is not given legal protection at all. Women living in such relationships should have their equality of status with men both in family life and in the sharing of income and assets protected by law. Such women should share equal rights and responsibilities with men for the care and raising of dependent children or family members.

Article 16 (1) (d) and (f)

19. As provided in article 5 (b), most States recognize the shared responsibility of parents for the care, protection and maintenance of children. The principle that "the best interests of the child shall be the paramount consideration", has been included in the Convention on the Rights of the Child (General Assembly resolution 44/25, annex) and seems now to be universally accepted. However, in practice, some countries do not observe the principle of granting the parents of children equal status, particularly when they are not married. The children of such unions do not always enjoy the same status as those born in wedlock and, where the mothers are divorced or living apart, many fathers fail to share the responsibility of care, protection and maintenance of their children.

20. The shared rights and responsibilities enunciated in the Convention should be enforced at law and as appropriate through legal concepts of guardianship, wardship, trusteeship and adoption. States parties should ensure that by their laws both parents, regardless of their marital status and whether they live with their children or not, share equal rights and responsibilities for their children.

Article 16 (1) (e)

21. The responsibilities that women have to bear and raise children affect their right of access to education, employment and other activities related to their personal development. They also impose inequitable burdens of work on women. The number and spacing of their children have a similar impact on women's lives and also affect their physical and mental health, as well as that of their children. For these reasons, women are entitled to decide on the number and spacing of their children.

22. Some reports disclose coercive practices which have serious consequences for women, such as forced pregnancies, abortions or sterilization. Decisions to have children or not, while preferably made in consultation with spouse or partner, must not nevertheless be limited by spouse, parent, partner or Government. In order to make an informed decision about safe and reliable contraceptive measures, women must have information about contraceptive measures and their use, and guaranteed access to sex education and family planning services, as provided in article 10 (h) of the Convention.

23. There is general agreement that where there are freely available appropriate measures for the voluntary regulation of fertility, the health, development and well-being of all members of the family improves. Moreover, such services improve the general quality of life and health of the population, and the voluntary regulation of population growth helps preserve the environment and achieve sustainable economic and social development.

Article 16 (1) (g)

24. A stable family is one which is based on principles of equity, justice and individual fulfillment for each member. Each partner must therefore have the right to choose a profession or employment that is best suited to his or her abilities, qualifications and aspirations, as provided in article 11 (a) and (c) of the Convention. Moreover, each partner should have the right to choose his or her name, thereby preserving individuality and identity in the community and distinguishing that person from other members of society. When by law or custom a woman is obliged to change her name on marriage or at its dissolution, she is denied these rights.

Article 16 (1) (h)

25. The rights provided in this article overlap with and complement those in article 15 (2) in which an obligation is placed on States to give women equal rights to enter into and conclude contracts and to administer property.

26. Article 15 (l) guarantees women equality with men before the law. The right to own, manage, enjoy and dispose of property is central to a woman's right to enjoy financial independence, and in many countries will be critical to her ability to earn a livelihood and to provide adequate housing and nutrition for herself and for her family.

27. In countries that are undergoing a programme of agrarian reform or redistribution of land among groups of different ethnic origins, the right of women, regardless of marital status, to share such redistributed land on equal terms with men should be carefully observed.

28. In most countries, a significant proportion of the women are single or divorced and many have the sole responsibility to support a family. Any discrimination in the division of property that rests on the premise that the man alone is responsible for the support of the women and children of his family and that he can and will honorably discharge this responsibility is clearly unrealistic. Consequently, any law or custom that grants men a right to a greater share of property at the end of a marriage or de facto relationship, or on the death of a relative, is discriminatory and will have a serious impact on a woman's practical ability to divorce her husband, to support herself or her family and to live in dignity as an independent person.

29. All of these rights should be guaranteed regardless of a woman's marital status.

Marital property

30. There are countries that do not acknowledge that right of women to own an equal share of the property with the husband during a marriage or de facto relationship and when that marriage or relationship ends. Many countries recognize that right, but the practical ability of women to exercise it may be limited by legal precedent or custom.

31. Even when these legal rights are vested in women, and the courts enforce them, property owned by a woman during marriage or on divorce may be managed by a man. In many States, including those where there is a community-property regime, there is no legal requirement that a woman be consulted when property owned by the parties during marriage or de facto relationship is sold or otherwise disposed of. This limits the woman's ability to control disposition of the property or the income derived from it.

32. In some countries, on division of marital property, greater emphasis is placed on financial contributions to property acquired during a marriage, and other contributions, such as raising children, caring for elderly relatives and discharging household duties are diminished. Often, such contributions of a non-financial nature by the wife enable the husband to earn an income and increase the assets. Financial and non-financial contributions should be accorded the same weight.

33. In many countries, property accumulated during a de facto relationship is not treated at law on the same basis as property acquired during marriage. Invariably, if the relationship ends, the woman receives a significantly lower share than her partner. Property laws and customs that discriminate in this way against married or unmarried women with or without children should be revoked and discouraged.

Inheritance

34. Reports of States parties should include comment on the legal or customary provisions relating to inheritance laws as they affect the status of women as provided in the Convention and in Economic and Social Council resolution 884 D (XXXIV), in which the Council recommended that States ensure that men and women in the same degree of relationship to a deceased are entitled to equal shares in the estate and to equal rank in the order of succession. That provision has not been generally implemented.

35. There are many countries where the law and practice concerning inheritance and property result in serious discrimination against women. As a result of this uneven treatment, women may receive a smaller share of the husband's or father's property at his death than would widowers and sons. In some instances, women are granted limited and controlled rights and receive income only from the deceased's property. Often inheritance rights for widows do not reflect the principles of equal ownership of property acquired during marriage. Such provisions contravene the Convention and should be abolished.

Article 16 (2)

36. In the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, States are urged to repeal existing laws and regulations and to remove customs and practices which discriminate against and cause harm to the girl child. Article 16 (2) and the provisions of the Convention on the Rights of the Child preclude States parties from permitting or giving validity to a marriage between persons who have not attained their majority. In the context of the Convention on the Rights of the Child, "a child means every human being below the age of eighteen years unless, under the law applicable to the child, majority is attained earlier". Notwithstanding this definition, and bearing in mind the provisions of the Vienna Declaration, the Committee considers that the minimum age for marriage should be 18 years for both man and woman. When men and women marry, they assume important responsibilities. Consequently, marriage should not be permitted before they have attained full maturity and capacity to act. According to the World Health Organization, when minors, particularly girls, marry and have children, their health can be adversely affected and their education is impeded. As a result their economic autonomy is restricted.

37. This not only affects women personally but also limits the development of their skills and independence and reduces access to employment, thereby detrimentally affecting their families and communities.

38. Some countries provide for different ages for marriage for men and women. As such provisions assume incorrectly that women have a different rate of intellectual development from men, or that their stage of physical and intellectual development at marriage is immaterial, these provisions should be abolished. In other countries, the betrothal of girls or undertakings by family members on their behalf is permitted. Such measures contravene not only the Convention, but also a woman's right freely to choose her partner.

39. States parties should also require the registration of all marriages whether contracted civilly or according to custom or religious law. The State can thereby ensure compliance with the Convention and establish equality between partners, a minimum age for marriage, prohibition of bigamy and polygamy and the protection of the rights of children.

Recommendations

Violence against women

40. In considering the place of women in family life, the Committee wishes to stress that the provisions of General Recommendation 19 (eleventh session) concerning violence against women have great significance for women's abilities to enjoy rights and freedoms on an equal basis with men. States parties are urged to comply with that general recommendation to ensure that, in both public and family life, women will be free of the gender-based violence that so seriously impedes their rights and freedoms as individuals.

Reservations

41. The Committee has noted with alarm the number of States parties which have entered reservations to the whole or part of article 16, especially when a reservation has also been entered to article 2, claiming that compliance may conflict with a commonly held vision of the family based, inter alia, on cultural or religious beliefs or on the country's economic or political status.

42. Many of these countries hold a belief in the patriarchal structure of a family which places a father, husband or son in a favourable position. In some countries where fundamentalist or other extremist views or economic hardships have encouraged a return to old values and traditions, women's place in the family has deteriorated sharply. In others, where it has been recognized that a modern society depends for its economic advance and for the general good of the community on involving all adults equally, regardless of gender, these taboos and reactionary or extremist ideas have progressively been discouraged.

43. Consistent with articles 2, 3 and 24 in particular, the Committee requires that all States parties gradually progress to a stage where, by its resolute discouragement of notions of the inequality of women in the home, each country will withdraw its reservation, in particular to articles 9, 15 and 16 of the Convention.

44. States parties should resolutely discourage any notions of inequality of women and men which are affirmed by laws, or by religious or private law or by custom, and progress to the stage where reservations, particularly to article 16, will be withdrawn.

45. The Committee noted, on the basis of its examination of initial and subsequent periodic reports, that in some States parties to the Convention that had ratified or acceded without reservation, certain laws, especially those dealing with family, do not actually conform to the provisions of the Convention.

46. Their laws still contain many measures which discriminate against women based on norms, customs and socio-cultural prejudices. These States, because of their specific situation regarding these articles, make it difficult for the Committee to evaluate and understand the status of women.

47. The Committee, in particular on the basis of articles l and 2 of the Convention, requests that those States parties make the necessary efforts to examine the de facto situation relating to the issues and to introduce the required measures in their national legislations still containing provisions discriminatory to women.

Reports 48. Assisted by the comments in the present general recommendation, in their reports States parties should:

(a) Indicate the stage that has been reached in the country's progress to removal of all reservations to the Convention, in particular reservations to article 16;

(b) Set out whether their laws comply with the principles of articles 9, 15 and 16 and where, by reason of religious or private law or custom, compliance with the law or with the Convention is impeded.

Legislation

49. States parties should, where necessary to comply with the Convention, in particular in order to comply with articles 9, 15 and 16, enact and enforce legislation.

Encouraging compliance with the Convention

50. Assisted by the comments in the present general recommendation, and as required by articles 2, 3 and 24, States parties should introduce measures directed at encouraging full compliance with the principles of the Convention, particularly where religious or private law or custom conflict with those principles.

General Recommendation No. 22

(14th session, 1995)

Amending article 10 of the Convention

The Committee on the Elimination of Discrimination against Women, Noting that the States parties to the Convention on the Elimination of All Forms of Discrimination against Women, at the request of the General Assembly, will meet during 1995 to consider amending article 20 of the Convention, Recalling its previous decision, taken at its tenth session, to ensure effectiveness in its work and prevent the building up of an undesirable backlog in the consideration of reports of States parties, Recalling that the Convention is one of the international human rights instruments that has been ratified by the largest number of States parties, Considering that the articles of the Convention address the fundamental human rights of women in all aspects of their daily lives and in all areas of society and the State, Concerned about the workload of the Committee as a result of the growing number of ratifications, in addition to the backlog of reports pending consideration, as reflected in annex I, Concerned also about the long lapse of time between the submission of reports of States parties and their consideration, resulting in the need for States to provide additional information for updating their reports, Bearing in mind that the Committee on the Elimination of Discrimination against Women is the only human rights treaty body whose meeting time is limited by its Convention, and that it has the shortest duration of meeting time of all the human rights treaty bodies, as reflected in annex II, Noting that the limitation on the duration of sessions, as contained in the Convention, has become a serious obstacle to the effective performance by the Committee of its functions under the Convention;

1. Recommends that the States parties favourably consider amending article 20 of the Convention in respect of the meeting time of the Committee, so as to allow it to meet annually for such duration as is necessary for the effective performance of its functions under the Convention, with no specific restriction except for that which the General Assembly shall decide;

2. Recommends also that the General Assembly, pending the completion of an amendment process, authorize the Committee to meet exceptionally in 1996 for two sessions, each of three weeks' duration and each being preceded by pre-session working groups;

3. Recommends further that the meeting of States parties receive an oral report from the chairperson of the Committee on the difficulties faced by the Committee in performing its functions;

4. Recommends that the Secretary-General make available to the States parties at their meeting all relevant information on the workload of the Committee and comparative information in respect of the other human rights treaty bodies.

General Recommendation No. 23

(16th session, 1997)

Article 7 (political and public life)

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.

Background

1. The Convention on the Elimination of All Forms of Discrimination against Women places special importance on the participation of women in the public life of their countries. The preamble to the Convention states in part:

"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".

2. The Convention further reiterates in its preamble the importance of women's participation in decision-making as follows:

"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".

3. Moreover, in article 1 of the Convention, the term "discrimination against women" is interpreted to 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".

4. Other conventions, declarations and international analyses place great importance on the participation of women in public life and have set a framework of international standards of equality. These include the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the Convention on the Political Rights of Women, the Vienna Declaration, paragraph 13 of the Beijing Declaration and Platform for Action, general recommendations 5 and 8 under the Convention, general comment 25 adopted by the Human Rights Committee, the recommendation adopted by the Council of the European Union on balanced participation of women and men in the decision-making process and the European Commission's "How to Create a Gender Balance in Political Decision-making".

5. Article 7 obliges States parties to take all appropriate measures to eliminate discrimination against women in political and public life and to ensure that they enjoy equality with men in political and public life. The obligation specified in article 7 extends to all areas of public and political life and is not limited to those areas specified in subparagraphs (a), (b) and (c). The political and public life of a country is a broad concept. It refers to the exercise of political power, in particular the exercise of legislative, judicial, executive and administrative powers. The term covers all aspects of public administration and the formulation and implementation of policy at the international, national, regional and local levels. The concept also includes many aspects of civil society, including public boards and local councils and the activities of organizations such as political parties, trade unions, professional or industry associations, women's organizations, community-based organizations and other organizations concerned with public and political life.

6. The Convention envisages that, to be effective, this equality must be achieved within the framework of a political system in which each citizen enjoys the right to vote and be elected at genuine periodic elections held on the basis of universal suffrage and by secret ballot, in such a way as to guarantee the free expression of the will of the electorate, as provided for under international human rights instruments, such as article 21 of the Universal Declaration of Human Rights and article 25 of the International Covenant on Civil and Political Rights.

7. The Convention's emphasis on the importance of equality of opportunity and of participation in public life and decision-making has led the Committee to review article 7 and to suggest to States parties that in reviewing their laws and policies and in reporting under the Convention, they should take into account the comments and recommendations set out below.

Comments

8. Public and private spheres of human activity have always been considered distinct, and have been regulated accordingly. Invariably, women have been assigned to the private or domestic sphere, associated with reproduction and the raising of children, and in all societies these activities have been treated as inferior. By contrast, public life, which is respected and honoured, extends to a broad range of activity outside the private and domestic sphere. Men historically have both dominated public life and exercised the power to confine and subordinate women within the private sphere.

9. Despite women's central role in sustaining the family and society and their contribution to development, they have been excluded from political life and the decision-making process, which nonetheless determine the pattern of their daily lives and the future of societies. Particularly in times of crisis, this exclusion has silenced women's voices and rendered invisible their contribution and experiences.

10. In all nations, the most significant factors inhibiting women's ability to participate in public life have been the cultural framework of values and religious beliefs, the lack of services and men's failure to share the tasks associated with the organization of the household and with the care and raising of children. In all nations, cultural traditions and religious beliefs have played a part in confining women to the private spheres of activity and excluding them from active participation in public life.

11. Relieving women of some of the burdens of domestic work would allow them to engage more fully in the life of their communities. Women's economic dependence on men often prevents them from making important political decisions and from participating actively in public life. Their double burden of work and their economic dependence, coupled with the long or inflexible hours of both public and political work, prevent women from being more active.

12. Stereotyping, including that perpetrated by the media, confines women in political life to issues such as the environment, children and health, and excludes them from responsibility for finance, budgetary control and conflict resolution. The low involvement of women in the professions from which politicians are recruited can create another obstacle. In countries where women leaders do assume power this can be the result of the influence of their fathers, husbands or male relatives rather than electoral success in their own right.

Political systems

13. The principle of equality of women and men has been affirmed in the constitutions and laws of most countries and in all international instruments. Nonetheless, in the last 50 years, women have not achieved equality, and their inequality has been reinforced by their low level of participation in public and political life. Policies developed and decisions made by men alone reflect only part of human experience and potential. The just and effective organization of society demands the inclusion and participation of all its members.

14. No political system has conferred on women both the right to and the benefit of full and equal participation. While democratic systems have improved women's opportunities for involvement in political life, the many economic, social and cultural barriers they continue to face have seriously limited their participation. Even historically stable democracies have failed to integrate fully and equally the opinions and interests of the female half of the population. Societies in which women are excluded from public life and decision-making cannot be described as democratic. The concept of democracy will have real and dynamic meaning and lasting effect only when political decision-making is shared by women and men and takes equal account of the interests of both. The examination of States parties' reports shows that where there is full and equal participation of women in public life and decision-making, the implementation of their rights and compliance with the Convention improves.

Temporary special measures

15. While removal of de jure barriers is necessary, it is not sufficient. Failure to achieve full and equal participation of women can be unintentional and the result of outmoded practices and procedures which inadvertently promote men. Under article 4, the Convention encourages the use of temporary special measures in order to give full effect to articles 7 and 8. Where countries have developed effective temporary strategies in an attempt to achieve equality of participation, a wide range of measures has been implemented, including recruiting, financially assisting and training women candidates, amending electoral procedures, developing campaigns directed at equal participation, setting numerical goals and quotas and targeting women for appointment to public positions such as the judiciary or other professional groups that play an essential part in the everyday life of all societies. The formal removal of barriers and the introduction of temporary special measures to encourage the equal participation of both men and women in the public life of their societies are essential prerequisites to true equality in political life. In order, however, to overcome centuries of male domination of the public sphere, women also require the encouragement and support of all sectors of society to achieve full and effective participation, encouragement which must be led by States parties to the Convention, as well as by political parties and public officials. States parties have an obligation to ensure that temporary special measures are clearly designed to support the principle of equality and therefore comply with constitutional principles which guarantee equality to all citizens.

Summary

16. The critical issue, emphasized in the Beijing Platform for Action, is the gap between the de jure and de facto, or the right as against the reality of women's participation in politics and public life generally. Research demonstrates that if women's participation reaches 30 to 35 per cent (generally termed a "critical mass"), there is a real impact on political style and the content of decisions, and political life is revitalized.

17. In order to achieve broad representation in public life, women must have full equality in the exercise of political and economic power; they must be fully and equally involved in decision-making at all levels, both nationally and internationally, so that they may make their contribution to the goals of equality, development and the achievement of peace. A gender perspective is critical if these goals are to be met and if true democracy is to be assured. For these reasons, it is essential to involve women in public life to take advantage of their contribution, to assure their interests are protected and to fulfil the guarantee that the enjoyment of human rights is for all people regardless of gender. Women's full participation is essential not only for their empowerment but also for the advancement of society as a whole.

The right to vote and to be elected (article 7, para. (a))

18. The Convention obliges States parties in constitutions or legislation to take appropriate steps to ensure that women, on the basis of equality with men, enjoy the right to vote in all elections and referendums, and to be elected. These rights must be enjoyed both de jure and de facto.

19. The examination of the reports of States parties demonstrates that, while almost all have adopted constitutional or other legal provisions that grant to both women and men the equal right to vote in all elections and public referendums, in many nations women continue to experience difficulties in exercising this right.

20. Factors which impede these rights include the following:

(a) Women frequently have less access than men to information about candidates and about party political platforms and voting procedures, information which Governments and political parties have failed to provide. Other important factors that inhibit women's full and equal exercise of their right to vote include their illiteracy, their lack of knowledge and understanding of political systems or about the impact that political initiatives and policies will have upon their lives. Failure to understand the rights, responsibilities and opportunities for change conferred by franchise also means that women are not always registered to vote;

(b) Women's double burden of work, as well as financial constraints, will limit women's time or opportunity to follow electoral campaigns and to have the full freedom to exercise their vote;

(c) In many nations, traditions and social and cultural stereotypes discourage women from exercising their right to vote. Many men influence or control the votes of women by persuasion or direct action, including voting on their behalf. Any such practices should be prevented;

(d) Other factors that in some countries inhibit women's involvement in the public or political lives of their communities include restrictions on their freedom of movement or right to participate, prevailing negative attitudes towards women's political participation, or a lack of confidence in and support for female candidates by the electorate. In addition, some women consider involvement in politics to be distasteful and avoid participation in political campaigns.

21. These factors at least partially explain the paradox that women, who represent half of all electorates, do not wield their political power or form blocs which would promote their interests or change government, or eliminate discriminatory policies.

22. The system of balloting, the distribution of seats in Parliament, the choice of district, all have a significant impact on the proportion of women elected to Parliament. Political parties must embrace the principles of equal opportunity and democracy and Endeavour to balance the number of male and female candidates.

23. The enjoyment of the right to vote by women should not be subject to restrictions or conditions that do not apply to men or that have a disproportionate impact on women. For example, limiting the right to vote to persons who have a specified level of education, who possess a minimum property qualification or who are literate is not only unreasonable, it may violate the universal guarantee of human rights. It is also likely to have a disproportionate impact on women, thereby contravening the provisions of the Convention.

The right to participate in formulation of government policy (article 7, para. (b))

24. The participation of women in government at the policy level continues to be low in general. Although significant progress has been made and in some countries equality has been achieved, in many countries women's participation has actually been reduced.

25. Article 7 (b) also requires States parties to ensure that women have the right to participate fully in and be represented in public policy formulation in all sectors and at all levels. This would facilitate the mainstreaming of gender issues and contribute a gender perspective to public policy-making.

26. States parties have a responsibility, where it is within their control, both to appoint women to senior decision-making roles and, as a matter of course, to consult and incorporate the advice of groups which are broadly representative of women's views and interests.

27. States parties have a further obligation to ensure that barriers to women's full participation in the formulation of government policy are identified and overcome. These barriers include complacency when token women are appointed, and traditional and customary attitudes that discourage women's participation. When women are not broadly represented in the senior levels of government or are inadequately or not consulted at all, government policy will not be comprehensive and effective.

28. While States parties generally hold the power to appoint women to senior cabinet and administrative positions, political parties also have a responsibility to ensure that women are included in party lists and nominated for election in areas where they have a likelihood of electoral success. States parties should also endeavor to ensure that women are appointed to government advisory bodies on an equal basis with men and that these bodies take into account, as appropriate, the views of representative women's groups. It is the Government's fundamental responsibility to encourage these initiatives to lead and guide public opinion and change attitudes that discriminate against women or discourage women's involvement in political and public life.

29. Measures that have been adopted by a number of States parties in order to ensure equal participation by women in senior cabinet and administrative positions and as members of government advisory bodies include: adoption of a rule whereby, when potential appointees are equally qualified, preference will be given to a woman nominee; the adoption of a rule that neither sex should constitute less than 40 per cent of the members of a public body; a quota for women members of cabinet and for appointment to public office; and consultation with women's organizations to ensure that qualified women are nominated for membership in public bodies and offices and the development and maintenance of registers of such women in order to facilitate the nomination of women for appointment to public bodies and posts. Where members are appointed to advisory bodies upon the nomination of private organizations, States parties should encourage these organizations to nominate qualified and suitable women for membership in these bodies.

The right to hold public office and to perform all public functions (article 7, para. (b))

30. The examination of the reports of States parties demonstrates that women are excluded from top-ranking positions in cabinets, the civil service and in public administration, in the judiciary and in justice systems. Women are rarely appointed to these senior or influential positions and while their numbers may in some States be increasing at the lower levels and in posts usually associated with the home or the family, they form only a tiny minority in decision-making positions concerned with economic policy or development, political affairs, defence, peacemaking missions, conflict resolution or constitutional interpretation and determination.

31. Examination of the reports of States parties also demonstrates that in certain cases the law excludes women from exercising royal powers, from serving as judges in religious or traditional tribunals vested with jurisdiction on behalf of the State or from full participation in the military. These provisions discriminate against women, deny to society the advantages of their involvement and skills in these areas of the life of their communities and contravene the principles of the Convention.

The right to participate in non-governmental and public and political organizations (article 7, para. (c))

32. An examination of the reports of States parties demonstrates that, on the few occasions when information concerning political parties is provided, women are under-represented or concentrated in less influential roles than men. As political parties are an important vehicle in decision-making roles, Governments should encourage political parties to examine the extent to which women are full and equal participants in their activities and, where this is not the case, should identify the reasons for this. Political parties should be encouraged to adopt effective measures, including the provision of information, financial and other resources, to overcome obstacles to women's full participation and representation and ensure that women have an equal opportunity in practice to serve as party officials and to be nominated as candidates for election.

33. Measures that have been adopted by some political parties include setting aside for women a certain minimum number or percentage of positions on their executive bodies, ensuring that there is a balance between the number of male and female candidates nominated for election, and ensuring that women are not consistently assigned to less favourable constituencies or to the least advantageous positions on a party list. States parties should ensure that such temporary special measures are specifically permitted under anti-discrimination legislation or other constitutional guarantees of equality.

34. Other organizations such as trade unions and political parties have an obligation to demonstrate their commitment to the principle of gender equality in their constitutions, in the application of those rules and in the composition of their memberships with gender-balanced representation on their executive boards so that these bodies may benefit from the full and equal participation of all sectors of society and from contributions made by both sexes. These organizations also provide a valuable training ground for women in political skills, participation and leadership, as do non-governmental organizations (NGOs).

Article 8 (international level)

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.

Comments

35. Under article 8, Governments are obliged to ensure the presence of women at all levels and in all areas of international affairs. This requires that they be included in economic and military matters, in both multilateral and bilateral diplomacy, and in official delegations to international and regional conferences.

36. From an examination of the reports of States parties, it is evident that women are grossly under-represented in the diplomatic and foreign services of most Governments, and particularly at the highest ranks. Women tend to be assigned to embassies of lesser importance to the country's foreign relations and in some cases women are discriminated against in terms of their appointments by restrictions pertaining to their marital status. In other instances spousal and family benefits accorded to male diplomats are not available to women in parallel positions. Opportunities for women to engage in international work are often denied because of assumptions about their domestic responsibilities, including that the care of family dependants will prevent them accepting appointment.

37. Many permanent missions to the United Nations and to other international organizations have no women among their diplomats and very few at senior levels. The situation is similar at expert meetings and conferences that establish international and global goals, agendas and priorities. Organizations of the United Nations system and various economic, political and military structures at the regional level have become important international public employers, but here, too, women have remained a minority concentrated in lower-level positions.

38. There are few opportunities for women and men, on equal terms, to represent Governments at the international level and to participate in the work of international organizations. This is frequently the result of an absence of objective criteria and processes for appointment and promotion to relevant positions and official delegations.

39. The globalization of the contemporary world makes the inclusion of women and their participation in international organizations, on equal terms with men, increasingly important. The integration of a gender perspective and women's human rights into the agenda of all international bodies is a government imperative. Many crucial decisions on global issues, such as peacemaking and conflict resolution, military expenditure and nuclear disarmament, development and the environment, foreign aid and economic restructuring, are taken with limited participation of women. This is in stark contrast to their participation in these areas at the non-governmental level.

40. The inclusion of a critical mass of women in international negotiations, peacekeeping activities, all levels of preventive diplomacy, mediation, humanitarian assistance, social reconciliation, peace negotiations and the international criminal justice system will make a difference. In addressing armed or other conflicts, a gender perspective and analysis is necessary to understand their differing effects on women and men.

RECOMMENDATIONS

Articles 7 and 8

41. States parties should ensure that their constitutions and legislation comply with the principles of the Convention, and in particular with articles 7 and 8.

42. States parties are under an obligation to take all appropriate measures, including the enactment of appropriate legislation that complies with their Constitution, to ensure that organizations such as political parties and trade unions, which may not be subject directly to obligations under the Convention, do not discriminate against women and respect the principles contained in articles 7 and 8.

43. States parties should identify and implement temporary special measures to ensure the equal representation of women in all fields covered by articles 7 and 8.

44. States parties should explain the reason for, and effect of, any reservations to articles 7 or 8 and indicate where the reservations reflect traditional, customary or stereotyped attitudes towards women's roles in society, as well as the steps being taken by the States parties to change those attitudes. States parties should keep the necessity for such reservations under close review and in their reports include a timetable for their removal.

Article 7

45. Measures that should be identified, implemented and monitored for effectiveness include, under article 7, paragraph (a), those designed to:

(a) Achieve a balance between women and men holding publicly elected positions;

(b) Ensure that women understand their right to vote, the importance of this right and how to exercise it;

(c) Ensure that barriers to equality are overcome, including those resulting from illiteracy, language, poverty and impediments to women's freedom of movement;

(d) Assist women experiencing such disadvantages to exercise their right to vote and to be elected.

46. Under article 7, paragraph (b), such measures include those designed to ensure:

(a) Equality of representation of women in the formulation of government policy;

(b) Women's enjoyment in practice of the equal right to hold public office;

(c) Recruiting processes directed at women that are open and subject to appeal.

47. Under article 7, paragraph (c), such measures include those designed to:

(a) Ensure that effective legislation is enacted prohibiting discrimination against women;

(b) Encourage non-governmental organizations and public and political associations to adopt strategies that encourage women's representation and participation in their work.

48. When reporting under article 7, States parties should:

(a) Describe the legal provisions that give effect to the rights contained in article 7;

(b) Provide details of any restrictions to those rights, whether arising from legal provisions or from traditional, religious or cultural practices;

(c) Describe the measures introduced and designed to overcome barriers to the exercise of those rights;

(d) Include statistical data, disaggregated by sex, showing the percentage of women relative to men who enjoy those rights;

(e) Describe the types of policy formulation, including that associated with development programmes, in which women participate and the level and extent of their participation;

(f) Under article 7, paragraph (c), describe the extent to which women participate in non-governmental organizations in their countries, including in women's organizations;

(g) Analyse the extent to which the State party ensures that those organizations are consulted and the impact of their advice on all levels of government policy formulation and implementation;

(h) Provide information concerning, and analyse factors contributing to, the under-representation of women as members and officials of political parties, trade unions, employers organizations and professional associations.

Article 8

49. Measures which should be identified, implemented and monitored for effectiveness include those designed to ensure a better gender balance in membership of all United Nations bodies, including the Main Committees of the General Assembly, the Economic and Social Council and expert bodies, including treaty bodies, and in appointments to independent working groups or as country or special rapporteurs.

50. When reporting under article 8, States parties should:

(a) Provide statistics, disaggregated by sex, showing the percentage of women in their foreign service or regularly engaged in international representation or in work on behalf of the State, including membership in government delegations to international conferences and nominations for peacekeeping or conflict resolution roles, and their seniority in the relevant sector;

(b) Describe efforts to establish objective criteria and processes for appointment and promotion of women to relevant positions and official delegations;

(c) Describe steps taken to disseminate widely information on the Government's international commitments affecting women and official documents issued by multilateral forums, in particular, to both governmental and non-governmental bodies responsible for the advancement of women;

(d) Provide information concerning discrimination against women because of their political activities, whether as individuals or as members of women's or other organizations.

General Recommendation No. 24

(20th session, 1999)

(article 12 : Women and health)

Introduction

1. The Committee on the Elimination of Discrimination against Women, affirming that access to health care, including reproductive health is a basic right under the Convention on the Elimination of Discrimination against Women, determined at its 20th session, pursuant to article 21, to elaborate a general recommendation on article 12 of the Convention.

Background

2. States parties' compliance with article 12 of the Convention is central to the health and well-being of women. It requires States to eliminate discrimination against women in their access to health care services, throughout the life cycle, particularly in the areas of family planning, pregnancy, confinement and during the post-natal period. The examination of reports submitted by States parties pursuant to article 18 of the Convention demonstrates that women's health is an issue that is recognized as a central concern in promoting the health and well-being of women. For the benefit of States parties and those who have a particular interest in and concern with the issues surrounding women's health, the present general recommendation seeks to elaborate the Committee's understanding of article 12 and to address measures to eliminate discrimination in order to realize the right of women to the highest attainable standard of health.

3. Recent United Nations world conferences have also considered these objectives. In preparing this general recommendation, the Committee has taken into account relevant programmes of action adopted at United Nations world conferences and, in particular, those of the 1993 World Conference on Human Rights, the 1994 International Conference on Population and Development and the 1995 Fourth World Conference on Women. The Committee has also noted the work of the World Health Organization (WHO), the United Nations Population Fund (UNFPA) and other United Nations bodies. It has also collaborated with a large number of non-governmental organizations with a special expertise in women's health in preparing this general recommendation.

4. The Committee notes the emphasis which other United Nations instruments place on the right to health and to the conditions which enable good health to be achieved. Among such instruments are the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Racial Discrimination.

5. The Committee refers also to its earlier general recommendations on female circumcision, human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS), disabled women, violence against women and equality in family relations, all of which refer to issues which are integral to full compliance with article 12 of the Convention.

6. While biological differences between women and men may lead to differences in health status, there are societal factors which are determinative of the health status of women and men and which can vary among women themselves. For that reason, special attention should be given to the health needs and rights of women belonging to vulnerable and disadvantaged groups, such as migrant women, refugee and internally displaced women, the girl child and older women, women in prostitution, indigenous women and women with physical or mental disabilities.

7. The Committee notes that the full realization of women's right to health can be achieved only when States parties fulfil their obligation to respect, protect and promote women's fundamental human right to nutritional well-being throughout their life span by means of a food supply that is safe, nutritious and adapted to local conditions. Towards this end, States parties should take steps to facilitate physical and economic access to productive resources especially for rural women, and to otherwise ensure that the special nutritional needs of all women within their jurisdiction are met.

Article 12

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

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

8. States parties are encouraged to address the issue of women's health throughout the woman's lifespan. For the purposes of this general recommendation, therefore, women includes girls and adolescents. This general recommendation will set out the Committee's analysis of the key elements of article 12.

Key elements

Article 12 (1)

9. States parties are in the best position to report on the most critical health issues affecting women in that country. Therefore, in order to enable the Committee to evaluate whether measures to eliminate discrimination against women in the field of health care are appropriate, States parties must report on their health legislation, plans and policies for women with reliable data disaggregated by sex on the incidence and severity of diseases and conditions hazardous to women's health and nutrition and on the availability and cost-effectiveness of preventive and curative measures. Reports to the Committee must demonstrate that health legislation, plans and policies are based on scientific and ethical research and assessment of the health status and needs of women in that country and take into account any ethnic, regional or community variations or practices based on religion, tradition or culture.

10. States parties are encouraged to include in their reports information on diseases, health conditions and conditions hazardous to health that affect women or certain groups of women differently from men, as well as information on possible intervention in this regard.

11. Measures to eliminate discrimination against women are considered to be inappropriate if a health care system lacks services to prevent, detect and treat illnesses specific to women. It is discriminatory for a State party to refuse to legally provide for the performance of certain reproductive health services for women. For instance, if health service providers refuse to perform such services based on conscientious objection, measures should be introduced to ensure that women are referred to alternative health providers.

12. States parties should report on their understanding of how policies and measures on health care address the health rights of women from the perspective of women's needs and interests and how it addresses distinctive features and factors which differ for women in comparison to men, such as:

(a) Biological factors which differ for women in comparison with men, such as their menstrual cycle and their reproductive function and menopause. Another example is the higher risk of exposure to sexually transmitted diseases which women face;

(b) Socio-economic factors that vary for women in general and some groups of women in particular. For example, unequal power relationships between women and men in the home and workplace may negatively affect women's nutrition and health. They may also be exposed to different forms of violence which can affect their health. Girl children and adolescent girls are often vulnerable to sexual abuse by older men and family members, placing them at risk of physical and psychological harm and unwanted and early pregnancy. Some cultural or traditional practices such as female genital mutilation also carry a high risk of death and disability;

(c) Psychosocial factors which vary between women and men include depression in general and post-partum depression in particular as well as other psychological conditions, such as those that lead to eating disorders such as anorexia and bulimia;

(d) While lack of respect for the confidentiality of patients will affect both men and women, it may deter women from seeking advice and treatment and thereby adversely affect their health and well-being. Women will be less willing, for that reason, to seek medical care for diseases of the genital tract, for contraception or for incomplete abortion and in cases where they have suffered sexual or physical violence.

13. The duty of States parties to ensure, on a basis of equality between men and women, access to health care services, information and education implies an obligation to respect, protect and fulfil women's rights to health care. States parties have the responsibility to ensure that legislation and executive action and policy comply with these three obligations. They must also put in place a system which ensures effective judicial action. Failure to do so will constitute a violation of article 12.

14. The obligation to respect rights requires States parties to refrain from obstructing action taken by women in pursuit of their health goals. States parties should report on how public and private health care providers meet their duties to respect women's rights to have access to health care. For example, States parties should not restrict women's access to health services or to the clinics that provide those services on the ground that women do not have the authorization of husbands, partners, parents or health authorities, because they are unmarried or because they are women. Other barriers to women's access to appropriate health care include laws that criminalize medical procedures only needed by women and that punish women who undergo those procedures.

15. The obligation to protect rights relating to women's health requires States parties, their agents and officials to take action to prevent and impose sanctions for violations of rights by private persons and organizations. Since gender-based violence is a critical health issue for women, States parties should ensure:

(a) The enactment and effective enforcement of laws and the formulation of policies, including health care protocols and hospital procedures to address violence against women and abuse of girl children and the provision of appropriate health services;

(b) Gender-sensitive training to enable health care workers to detect and manage the health consequences of gender-based violence;

(c) Fair and protective procedures for hearing complaints and imposing appropriate sanctions on health care professionals guilty of sexual abuse of women patients;

(d) The enactment and effective enforcement of laws that prohibit female genital mutilation and marriage of girl children.

16. States parties should ensure that adequate protection and health services, including trauma treatment and counseling, are provided for women in especially difficult circumstances, such as those trapped in situations of armed conflict and women refugees.

17. The duty to fulfil rights places an obligation on States parties to take appropriate legislative, judicial, administrative, budgetary, economic and other measures to the maximum extent of their available resources to ensure that women realize their rights to health care. Studies such as those which emphasize the high maternal mortality and morbidity rates worldwide and the large numbers of couples who would like to limit their family size but lack access to or do not use any form of contraception provide an important indication for States parties of possible breaches of their duties to ensure women's access to health care. The Committee asks States parties to report on what they have done to address the magnitude of women's ill-health, in particular when it arises from preventable conditions, such as tuberculosis and HIV/AIDS. The Committee is concerned at the growing evidence that States are relinquishing these obligations as they transfer State health functions to private agencies. States parties cannot absolve themselves of responsibility in these areas by delegating or transferring these powers to private sector agencies. States parties should therefore report on what they have done to organize governmental processes and all structures through which public power is exercised to promote and protect women's health. They should include information on positive measures taken to curb violations of women's rights by third parties, to protect their health and the measures they have taken to ensure the provision of such services.

18. The issues of HIV/AIDS and other sexually transmitted disease are central to the rights of women and adolescent girls to sexual health. Adolescent girls and women in many countries lack adequat eaccess to information and services necessary to ensure sexual health. As a consequence of unequal power relations based on gender, women and adolescent girls are often unable to refuse sex or insist on safe and responsible sex practices. Harmful traditional practices, such as female genital mutilation, polygamy, as well as marital rape, may also expose girls and women to the rist of contracting HIV/AIDS and other sexually transmitted diseases. Women in prostitution are also particularly vulnerable to these diseases. States parties should ensure, without prejudice and discrimination, the right to sexual health information, education and services for all women and girls, including those who have been trafficked, including those who have been trafficked, even if they are not legally resident in the country. In particular, States parties should ensure the rights of female and male adolescents to sexual and reproductive health education by properly trained personnel in specially designed programmes that respect their rights to privacy and confidentiality.

19. In their reports States parties should identify the test by which they assess whether women have access to health care on a basis of equality of men and women in order to demonstrate compliance with article 12. In applying these tests, States parties should bear in mind the provisions of article 1 of the Convention. Reports should therefore include comments on the impact that health policies, procedures, laws and protocols have on women when compared with men.

20. Women have the right to be fully informed, by properly trained personnel, of their options in agreeing to treatment or research, including likely benefits and potential adverse effects of proposed procedures and available alternatives.

21. States parties should report on measures taken to eliminate barriers that women face in gaining access to health care services and what measures they have taken to ensure women timely and affordable access to such services. Barriers include requirements or conditions that prejudice women's access such as high fees for health care services, the requirement for preliminary authorization by spouse, parent or hospital authorities, distance from health facilities and absence of convenient and affordable public transport.

22. States parties should also report on measures taken to ensure access to quality health care services, for example, by making them acceptable to women. Acceptable services are those which are delivered in a way that ensures that a woman gives her fully informed consent, respects her dignity, guarantees her confidentiality and is sensitive to her needs and perspectives. States parties should not permit forms of coercion, such as non-consensual sterilization, mandatory testing for sexually transmitted diseases or mandatory pregnancy testing as a condition of employment that violate women's rights to informed consent and dignity.

23. In their reports, States parties should state what measures they have taken to ensure timely access to the range of services which are related to family planning, in particular, and to sexual and reproductive health in general. Particular attention should be paid to the health education of adolescents, including information and counselling on all methods of family planning.

24. The Committee is concerned about the conditions of health care services for older women, not only because women often live linger than men and are more likely than men to suffer from disabling and degenerative chronic diseases, such as osteoporosis and dementia, but because they often have the responsibility for their ageing spouses. Therefore, States parties should take appropriate measures to ensure the access of older women to health services that address the handicaps and disabilities associated with ageing.

25. Women with disabilities, of all ages, often have difficulty with physical access to health services. Women with mental disabilities are particularly vulnerable, while there is limited understanding, in general, of the broad range of risks to mental health to which women are disproportionately susceptible as a result of gender discrimination, violence, poverty, armed conflict, dislocation and other forms of social deprivation. States parties should take appropriate measures to ensure that health services are sensitive to the needs of women with disabilities and are respectful of their human rights and dignity.

Article 12 (2)

26. Reports should also include what measures States parties have taken to ensure women appropriate services in connection with pregnancy, confinement and the post-natal period. Information on the rates at which these measures have reduced maternal mortality and morbidity in their countries, in general, and in vulnerable groups, regions and communities, in particular, should also be included.

27. States parties should include in their reports how they supply free services where necessary to ensure safe pregnancies, childbirth and post-partum periods for women. Many women are at risk of death or disability from pregnancy-related causes because they lack the funds to obtain or access the necessary services, which include ante-natal, maternity and post-natal services. The Committee notes that it is the duty of States parties to ensure women's right to safe motherhood and emergency obstetric services and they should allocate to these services the maximum extent of available resources.

Other relevant articles in the Convention

28. When reporting on measures taken to comply with article 12, States parties are urged to recognize its interconnection with other articles in the Convention that have a bearing on women's health. Those articles include article 5 (b), which requires States parties to ensure that family education includes a proper understanding of maternity as a social function; article 10, which requires States parties to ensure equal access to education, thus enabling women to access health care more readily and reducing female students' drop-out rates, which are often due to premature pregnancy; article 10(h) which provides that States parties provide to women and girls specific educational information to help ensure the well-being of families, including information and advice on family planning; article 11, which is concerned, in part, with the protection of women's health and safety in working conditions, including the safeguarding of the reproductive function, special protection from harmful types of work during pregnancy and with the provision of paid maternity leave; article 14 (2) (b), which requires States parties to ensure access for rural women to adequate health care facilities, including information, counselling and services in family planning, and (h), which obliges States parties to take all appropriate measures to ensure adequate living conditions, particularly housing, sanitation, electricity and water supply, transport and communications, all of which are critical for the prevention of disease and the promotion of good health care; and article 16 (1) (e), which requires States parties to ensure that women have the same rights as men to decide freely and responsibly on the number and spacing of their children and to have access to information, education and means to enable them to exercise these rights. Article 16 (2) also proscribes the betrothal and marriage of children, an important factor in preventing the physical and emotional harm which arise from early childbirth.

Recommendations for government action

29. States parties should implement a comprehensive national strategy to promote women's health throughout their lifespan. This will include interventions aimed at both the prevention and treatment of diseases and conditions affecting women, as well as responding to violence against women, and will ensure universal access for all women to a full range of high-quality and affordable health care, including sexual and reproductive health services.

30. States parties should allocate adequate budgetary, human and administrative resources to ensure that women's health receives a share of the overall health budget comparable with that for men's health, taking into account their different health needs.

31. States parties should also, in particular:

(a) Place a gender perspective at the centre of all policies and programmes affecting women's s health and should involve women in the planning, implementation and monitoring of such policies and programmes and in the provision of health services to women;

(b) Ensure the removal of all barriers to women's access to health services, education and information, including in the area of sexual and reproductive health, and, in particular, allocate resources for programmes directed at adolescents for the prevention and treatment of sexually transmitted diseases, including HIV/AIDS;

(c) Prioritize the prevention of unwanted pregnancy through family planning and sex education and reduce maternal mortality rates through safe motherhood services and prenatal assistance. When possible, legislation criminalizing abortion could be amended to remove punitive provisions imposed on women who undergo abortion;

(d) Monitor the provision of health services to women by public, non-governmental and private organizations, to ensure equal access and quality of care;

(e) Require all health services to be consistent with the human rights of women, including the rights to autonomy, privacy, confidentiality, informed consent and choice;

(f) Ensure that the training curricula of health workers includes comprehensive, mandatory, gender-sensitive courses on women's health and human rights, in particular gender-based violence.

General recommendation No. 25

(on article 4, paragraph 1, on temporary special measures)

Introduction

1. The Committee on the Elimination of Discrimination against Women decided at its twentieth session (1999), pursuant to article 21 of the Convention, to elaborate a general recommendation on article 4, paragraph 1, of the Convention on the Elimination of All Forms of Discrimination against Women. This new general recommendation would build, inter alia, on earlier general recommendations, including general recommendation No. 5 (seventh session, 1988), on temporary special measures, No. 8 (seventh session, 1988), on implementation of article 8 of the Convention, and No. 23 (sixteenth session, 1997), on women in public life, as well as on reports of States parties to the Convention and on the Committee's concluding comments to those reports.

2. With the present general recommendation, the Committee aims to clarify the nature and meaning of article 4, paragraph 1, in order to facilitate and ensure its full utilization by States parties in the implementation of the Convention. The Committee encourages States parties to translate this general recommendation into national and local languages and to disseminate it widely to the legislative, executive and judicial branches of government, including their administrative structures, as well as civil society, including the media, academia, and human rights and women's associations and institutions

Background: the object and purpose of the Convention

3. The Convention is a dynamic instrument. Since the adoption of the Convention in 1979, the Committee, as well as other actors at the national and international levels, have contributed through progressive thinking to the clarification and understanding of the substantive content of the Convention's articles and the specific nature of discrimination against women and the instruments for combating such discrimination.

4. The scope and meaning of article 4, paragraph 1, must be determined in the context of the overall object and purpose of the Convention, which is to eliminate all forms of discrimination against women with a view to achieving women's de jure and de facto equality with men in the enjoyment of their human rights and fundamental freedoms. States parties to the Convention are under a legal obligation to respect, protect, promote and fulfil this right to non-discrimination for women and to ensure the development and advancement of women in order to improve their position to one of de jure as well as de facto equality with men.

5. The Convention goes beyond the concept of discrimination used in many national and international legal standards and norms. While such standards and norms prohibit discrimination on the grounds of sex and protect both men and women from treatment based on arbitrary, unfair and/or unjustifiable distinctions, the Convention focuses on discrimination against women, emphasizing that women have suffered, and continue to suffer from various forms of discrimination because they are women.

6. A joint reading of articles 1 to 5 and 24, which form the general interpretative framework for all of the Convention's substantive articles, indicates that three obligations are central to States parties' efforts to eliminate discrimination against women. These obligations should be implemented in an integrated fashion and extend beyond a purely formal legal obligation of equal treatment of women with men.

7. Firstly, States parties' obligation is to ensure that there is no direct or indirect discrimination against women in their laws and that women are protected against discrimination committed by public authorities, the judiciary, organizations, enterprises or private individuals in the public as well as the private spheres by competent tribunals as well as sanctions and other remedies. Secondly, States parties' obligation is to improve the de facto position of women through concrete and effective policies and programmes. Thirdly, States parties' obligation is to address prevailing gender relations and the persistence of gender-based stereotypes that affect women not only through individual acts by individuals but also in law, and legal and societal structures and institutions.

8. In the Committee's view, a purely formal legal or programmatic approach is not sufficient to achieve women's de facto equality with men, which the Committee interprets as substantive equality. In addition, the Convention requires that women be given an equal start and that they be empowered by an enabling environment to achieve equality of results. It is not enough to guarantee women treatment that is identical to that of men. Rather, biological as well as socially and culturally constructed differences between women and men must be taken into account. Under certain circumstances, non-identical treatment of women and men will be required in order to address such differences. Pursuit of the goal of substantive equality also calls for an effective strategy aimed at overcoming underrepresentation of women and a redistribution of resources and power between men and women.

9. Equality of results is the logical corollary of de facto or substantive equality. These results may be quantitative and/or qualitative in nature; that is, women enjoying their rights in various fields in fairly equal numbers with men, enjoying the same income levels, equality in decision-making and political influence, and women enjoying freedom from violence.

10. The position of women will not be improved as long as the underlying causes of discrimination against women, and of their inequality, are not effectively addressed. The lives of women and men must be considered in a contextual way, and measures adopted towards a real transformation of opportunities, institutions and systems so that they are no longer grounded in historically determined male paradigms of power and life patterns.

11. Women's biologically determined permanent needs and experiences should be distinguished from other needs that may be the result of past and present discrimination against women by individual actors, the dominant gender ideology, or by manifestations of such discrimination in social and cultural structures and institutions. As steps are being taken to eliminate discrimination against women, women's needs may change or disappear, or become the needs of both women and men. Thus, continuous monitoring of laws, programmes and practices directed at the achievement of women's de facto or substantive equality is needed so as to avoid a perpetuation of non-identical treatment that may no longer be warranted.

12. Certain groups of women, in addition to suffering from discrimination directed against them as women, may also suffer from multiple forms of discrimination based on additional grounds such as race, ethnic or religious identity, disability, age, class, caste or other factors. Such discrimination may affect these groups of women primarily, or to a different degree or in different ways than men. States parties may need to take specific temporary special measures to eliminate such multiple forms of discrimination against women and its compounded negative impact on them.

13. In addition to the Convention on the Elimination of All Forms of Discrimination against Women, other international human rights instruments and policy documents adopted in the United Nations system contain provisions on temporary special measures to support the achievement of equality. Such measures are described in different terminology, and the meaning and interpretation given to such measures also differs. It is the Committee's hope that the present general recommendation on article 4, paragraph 1, will contribute to a clarification of terminology.

14. The Convention, targets discriminatory dimensions of past and current societal and cultural contexts which impede women's enjoyment of their human rights and fundamental freedoms. It aims at the elimination of all forms of discrimination against women, including the elimination of the causes and consequences of their de facto or substantive inequality. Therefore, the application of temporary special measures in accordance with the Convention is one of the means to realize de facto or substantive equality for women, rather than an exception to the norms of non-discrimination and equality.

The meaning and scope of temporary special measures in the Convention on the Elimination of All Forms of Discrimination against Women

Article 4, paragraph 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.

Article 4, paragraph 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. A. Relationship between paragraphs 1 and 2 of article 4

15. There is a clear difference between the purpose of the "special measures" under article 4, paragraph 1, and those of paragraph 2. The purpose of article 4, paragraph 1, is to accelerate the improvement of the position of women to achieve their de facto or substantive equality with men, and to effect the structural, social and cultural changes necessary to correct past and current forms and effects of discrimination against women, as well as to provide them with compensation. These measures are of a temporary nature. 16. Article 4, paragraph 2, provides for non-identical treatment of women and men due to their biological differences. These measures are of a permanent nature, at least until such time as the scientific and technological knowledge referred to in article 11, paragraph 3, would warrant a review.

B. Terminology

17. The travaux préparatoires of the Convention use different terms to describe the "temporary special measures" included in article 4, paragraph 1. The Committee itself, in its previous general recommendations, used various terms. States parties often equate "special measures" in its corrective, compensatory and promotional sense with the terms "affirmative action", "positive action", "positive measures", "reverse discrimination", and "positive discrimination". These terms emerge from the discussions and varied practices found in different national contexts.4 In the present general recommendation, and in accordance with its practice in the consideration of reports of States parties, the Committee uses solely the term "temporary special measures", as called for in article 4, paragraph 1. C. Key elements of article 4, paragraph 1

18. Measures taken under article 4, paragraph 1, by States parties should aim to accelerate the equal participation of women in the political, economic, social, cultural, civil or any other field. The Committee views the application of these measures not as an exception to the norm of non-discrimination, but rather as an emphasis that temporary special measures are part of a necessary strategy by States parties directed towards the achievement of de facto or substantive equality of women with men in the enjoyment of their human rights and fundamental freedoms. While the application of temporary special measures often remedies the effects of past discrimination against women, the obligation of States parties under the Convention to improve the position of women to one of de facto or substantive equality with men exists irrespective of any proof of past discrimination. The Committee considers that States parties that adopt and implement such measures under the Convention do not discriminate against men.

19. States parties should clearly distinguish between temporary special measures taken under article 4, paragraph 1, to accelerate the achievement of a concrete goal for women of de facto or substantive equality, and other general social policies adopted to improve the situation of women and the girl child. Not all measures that potentially are, or will be, favourable to women are temporary special measures. The provision of general conditions in order to guarantee the civil, political, economic, social and cultural rights of women and the girl child, designed to ensure for them a life of dignity and non-discrimination, cannot be called temporary special measures.

20. Article 4, paragraph 1, explicitly states the "temporary" nature of such special measures. Such measures should therefore not be deemed necessary forever, even though the meaning of "temporary" may, in fact, result in the application of such measures for a long period of time. The duration of a temporary special measure should be determined by its functional result in response to a concrete problem and not by a predetermined passage of time. Temporary special measures must be discontinued when their desired results have been achieved and sustained for a period of time.

21. The term "special", though being in conformity with human rights discourse, also needs to be carefully explained. Its use sometimes casts women and other groups who are subject to discrimination as weak, vulnerable and in need of extra or "special" measures in order to participate or compete in society. However, the real meaning of "special" in the formulation of article 4, paragraph 1, is that the measures are designed to serve a specific goal.

22. The term "measures" encompasses a wide variety of legislative, executive, administrative and other regulatory instruments, policies and practices, such as outreach or support programmes; allocation and/or reallocation of resources; preferential treatment; targeted recruitment, hiring and promotion; numerical goals connected with time frames; and quota systems. The choice of a particular "measure" will depend on the context in which article 4, paragraph 1, is applied and on the specific goal it aims to achieve.

23. The adoption and implementation of temporary special measures may lead to a discussion of qualifications and merit of the group or individuals so targeted, and an argument against preferences for allegedly lesser-qualified women over men in areas such as politics, education and employment. As temporary special measures aim at accelerating achievement of de facto or substantive equality, questions of qualification and merit, in particular in the area of employment in the public and private sectors, need to be reviewed carefully for gender bias as they are normatively and culturally determined. For appointment, selection or election to public and political office, factors other than qualification and merit, including the application of the principles of democratic fairness and electoral choice, may also have to play a role.

24. Article 4, paragraph 1, read in conjunction with articles 1, 2, 3, 5 and 24, needs to be applied in relation to articles 6 to 16 which stipulate that States parties "shall take all appropriate measures". Consequently, the Committee considers that States parties are obliged to adopt and implement temporary special measures in relation to any of these articles if such measures can be shown to be necessary and appropriate in order to accelerate the achievement of the overall, or a specific goal of, women's de facto or substantive equality.

Recommendations to States parties

25. Reports of States parties should include information on the adoption, or lack thereof, of temporary special measures in accordance with article 4, paragraph 1, of the Convention, and States parties should preferably adhere to the terminology "temporary special measures", to avoid confusion.

26. States parties should clearly distinguish between temporary special measures aimed at accelerating the achievement of a concrete goal of women's de facto or substantive equality, and other general social policies adopted and implemented in order to improve the situation of women and the girl child. States parties should bear in mind that not all measures which potentially are or would be favourable to women qualify as temporary special measures.

27. States parties should analyse the context of women's situation in all spheres of life, as well as in the specific, targeted area, when applying temporary special measures to accelerate achievement of women's de facto or substantive equality. They should evaluate the potential impact of temporary special measures with regard to a particular goal within their national context and adopt those temporary special measures which they consider to be the most appropriate in order to accelerate the achievement of de facto or substantive equality for women.

28. States parties should explain the reasons for choosing one type of measure over another. The justification for applying such measures should include a description of the actual life situation of women, including the conditions and influences which shape their lives and opportunities or that of a specific group of women, suffering from multiple forms of discrimination and whose position the State party intends to improve in an accelerated manner with the application of such temporary special measures. At the same time, the relationship between such measures and general measures and efforts to improve the position of women should be clarified.

29. States parties should provide adequate explanations with regard to any failure to adopt temporary special measures. Such failures may not be justified simply by averring powerlessness, or by explaining inaction through predominant market or political forces, such as those inherent in the private sector, private organizations, or political parties. States parties are reminded that article 2 of the Convention, which needs to be read in conjunction with all other articles, imposes accountability on the State party for action by these actors.

30. States parties may report on temporary special measures under several articles. Under article 2, States parties are invited to report on the legal or other basis for such measures, and their justification for choosing a particular approach. States parties are further invited to give details about any legislation concerning temporary special measures, and in particular whether such legislation provides for the mandatory or voluntary nature of temporary special measures.

31. States parties should include, in their constitutions or in their national legislation, provisions that allow for the adoption of temporary special measures. The Committee reminds States parties that legislation, such as comprehensive anti-discrimination acts, equal opportunities acts or executive orders on women's equality, can give guidance on the type of temporary special measures that should be applied to achieve a stated goal, or goals, in given areas. Such guidance can also be contained in specific legislation on employment or education. Relevant legislation on non-discrimination and temporary special measures should cover governmental actors as well as private organizations or enterprises.

32. The Committee draws the attention of States parties to the fact that temporary special measures may also be based on decrees, policy directives and/or administrative guidelines formulated and adopted by national, regional or local executive branches of government to cover the public employment and education sectors. Such temporary special measures may include the civil service, the political sphere and the private education and employment sectors. The Committee further draws the attention of States parties to the fact that such measures may also be negotiated between social partners of the public or private employment sector or be applied on a voluntary basis by public or private enterprises, organizations, institutions and political parties.

33. The Committee reiterates that action plans for temporary special measures need to be designed, applied and evaluated within the specific national context and against the background of the specific nature of the problem which they are intended to overcome. The Committee recommends that States parties provide in their reports details of any action plans which may be directed at creating access for women and overcoming their under representation in certain fields, at redistributing resources and power in particular areas, and/or at initiating institutional change to overcome past or present discrimination and accelerate the achievement of de facto equality. Reports should also explain whether such action plans include considerations of unintended potential adverse side-effects of such measures as well as on possible action to protect women against them. States parties should also describe in their reports the results of temporary special measures and assess the causes of the possible failure of such measures.

34. Under article 3, States parties are invited to report on the institution(s) responsible for designing, implementing, monitoring, evaluating and enforcing such temporary special measures. Such responsibility may be vested in existing or planned national institutions, such as women's ministries, women's departments within ministries or presidential offices, ombudspersons, tribunals or other entities of a public or private nature with the requisite mandate to design specific programmes, monitor their implementation, and evaluate their impact and outcomes. The Committee recommends that States parties ensure that women in general, and affected groups of women in particular, have a role in the design, implementation and evaluation of such programmes. Collaboration and consultation with civil society and non-governmental organizations representing various groups of women is especially recommended.

35. The Committee draws attention to and reiterates its general recommendation No. 9, on statistical data concerning the situation of women, and recommends that States parties provide statistical data disaggregated by sex in order to measure the achievement of progress towards women's de facto or substantive equality and the effectiveness of temporary special measures.

36. States parties should report on the type of temporary special measures taken in specific fields under the relevant article(s) of the Convention. Reporting under the respective article(s) should include references to concrete goals and targets, timetables, the reasons for choosing particular measures, steps to enable women to access such measures, and the institution accountable for monitoring implementation and progress. States parties are also asked to describe how many women are affected by a measure, how many would gain access and participate in a certain field because of a temporary special measure, or the amount of resources and power it aims to redistribute to how many women, and within what time frame.

37. The Committee reiterates its general recommendations 5, 8 and 23, wherein it recommended the application of temporary special measures in the fields of education, the economy, politics and employment, in the area of women representing their Governments at the international level and participating in the work of international organizations, and in the area of political and public life. States parties should intensify, within their national contexts, such efforts especially with regard to all facets of education at all levels as well as all facets and levels of training, employment and representation in public and political life. The Committee recalls that in all instances, but particularly in the area of health, States parties should carefully distinguish in each field between measures of an ongoing and permanent nature and those of a temporary nature.

38. States parties are reminded that temporary special measures should be adopted to accelerate the modification and elimination of cultural practices and stereotypical attitudes and behavior that discriminate against or are disadvantageous for women. Temporary special measures should also be implemented in the areas of credit and loans, sports, culture and recreation, and legal awareness. Where necessary, such measures should be directed at women subjected to multiple discrimination, including rural women.

39. Although the application of temporary special measures may not be possible under all the articles of the Convention, the Committee recommends that their adoption be considered whenever issues of accelerating access to equal participation, on the one hand, and accelerating the redistribution of power and resources, on the other hand, are involved as well as where it can be shown that these measures will be necessary and most appropriate under the circumstances.

Source: http://www.un.org/womenwatch/daw/cedaw/

States Parties

Up to March 2005, 98 countries had signed the Convention and 180 countries had made ratifications, accessions and successions

98 Signatures/180 ratifications, accessions and successions
(Latest Signature: San Marino, 26 September 2003
Latest Accession: Monaco, 18 March 2005)

State	Date of signature	Date of receipt of the instrument of ratification, accession or succession	Articles to which reservations have been made
Afghanistan	14 August 1980	5 March 2003	
Albania		11 May 1994	
Algeria		22 May 1996	2/9(2)/15(4)/16/ 29(1)
Andorra		15 January 1997	29(1)
Angola		17 September 1986	
Antigua and Barbuda		1 August 1989	
Argentina	17 July 1980	15 July 1985	29(1)
Armenia		13 September 1993	
Australia	17 July 1980	28 July 1983	11(2)
Austria	17 July 1980	31 March 1982	11
Azerbaijan		10 July 1995	
Bahamas		6 October 1993	2(a)/9(2)/16(h)/ 29(1)
Bahrain		18 June 2002	2/9(2)/15(4)/16/ 29(1)
Bangladesh		6 November 1984	2
Barbados	24 July 1980	16 October 1980	
Belarus	17 July 1980	4 February 1981	
Belgium	17 July 1980	10 July 1985	
Belize	7 March 1990	16 May 1990	
Benin	11 November 1981	12 March 1992	
Bhutan	17 July 1980	31 August 1981	
Bolivia	30 May 1980	8 June 1990	
Bosnia & Herzegovina		1 September 1993	
Botswana		13 August 1996	
Brazil	31 March 1981	1 February 1984	29(1)
Bulgaria	17 July 1980	8 February 1982	
Burkina Faso		14 October 1987	
Burundi	17 July 1980	8 January 1992	
Cambodia	17 October 1980	15 October 1992	
Cameroon	6 June 1983	23 August 1994	
Canada	17 July 1980	10 December 1981	
Cape Verde		5 December 1980	
Central African Republic		21 June 1991	
Chad		9 June 1995	
Chile	17 July 1980	7 December 1989	
China	17 July 1980	4 November 1980	29(1)
Colombia	17 July 1980	19 January 1982	

Comoros		31 October 1994	
Congo	29 July 1980	26 July 1982	
Costa Rica	17 July 1980	4 April 1986	
Cote d'Ivoire	17 July 1980	18 December 1995	
Croatia		9 September 1992	
Cuba	6 March 1980	17 July 1980	29
Cyprus		23 July 1985	
Czech Republic		22 February 1993	
Democratic People's Republic of		27 February 2001	2(f)/9(2)/29(1)
Democratic Republic of the Congo	17 October 1986	16 November 1986	
Denmark	17 July 1980	21 April 1983	
Djibouti		2 December 1998	
Dominica	15 September 1980	15 September 1980	
Dominican Republic	17 July 1980	2 September 1982	
Ecuador	17 July 1980	9 November 1981	
Egypt	16 July 1980	18 September 1981	2/9(2)/16/29(2)
El Salvador	14 November 1980	19 August 1981	29(1)
Equatorial Guinea		23 October 1984	
Eritrea		5 September 1995	
Estonia		21 October 1991	
Ethiopia	8 July 1980	10 December 1981	29(1)
Fiji		28 August 1995	
Finland	17 July 1980	4 September 1986	
France	17 July 1980	14 December 1983	5(b)/14(2)(C)(H)/16(1)(g)/29(1)
Gabon	17 July 1980	21 January 1983	
Gambia	29 July 1980	16 April 1993	
Georgia		26 October 1994	
Germany	17 July 1980	10 July 1985	
Ghana	17 July 1980	2 January 1986	
Greece	2 March 1982	7 June 1983	
Grenada	17 July 1980	30 August 1990	
Guatemala	8 June 1981	12 August 1982	
Guinea	17 July 1980	9 August 1982	
Guinea-Bissau	17 July 1980	23 August 1985	
Guyana	17 July 1980	17 July 1980	
Haiti	17 July 1980	20 July 1981	
Honduras	11 June 1980	3 March 1983	
Hungary	6 June 1980	22 December 1980	
Iceland	24 July 1980	18 June 1985	
India	30 July 1980	9 July 1993	29(1)
Indonesia	29 July 1980	13 September 1984	29(1)
Iraq		13 August 1986	2(f)(g)/9(1)(2)/16/29(1)
Ireland		23 December 1985	/11(1)/13(a)/ 16(1)(d)(f)

Israel	17 July 1980	3 October 1991	7(b)/16/29(1)
Italy	17 July 1980	10 June 1985	
Jamaica	17 July 1980	19 October 1984	29(1)
Japan	17 July 1980	25 June 1985	
Jordan	3 December 1980	1 July 1992	9(2)/15(4)/ 16(1)(c)(d)(g)
Kazakhstan		26 August 1998	
Kenya		9 March 1984	
Kiribati		17 March 2004	
Kuwait		2 September 1994	7(a)/9(2)/16(f)/ 29(1)
Kyrgyzstan		10 February 1997	
Lao Peoples Democratic Rep.	17 July 1980	14 August 1981	
Latvia		14 April 1992	
Lebanon		21 April 1997	9(2)/16(1)(c)(d)(f)(g)/ 29(1)
Lesotho	17 July 1980	22 August 1995	2
Liberia		17 July 1984	
Libyan A. Jamahiriya		16 May 1989	2/16(c)(d)
Liechtenstein		22 December 1995	1
Lithuania		18 January 1994	
Luxembourg	17 July 1980	2 February 1989	7/16(1)(g)
Madagascar	17 July 1980	17 March 1989	
Malawi		12 March 1987	
Malaysia		5 July 1995	5(a)/7(b)/9(2)/ 16(a)(c)(f)(g)/16(2)
Maldives		1 July 1993	7(a)/16
Mali	5 February 1985	10 September 1985	11(1)/13/15/ 16(1)(e)
Malta		8 March 1991	11/13/15/16
Mauritania		10 May 2001	
Mauritius		9 July 1984	29(1)
Mexico	17 July 1980	23 March 1981	
Micronesia		1 September 2004	2(f)/5/11(1)(d)/ 11(2)(b)/16/29(1)
Monaco		18 March 2005	
Mongolia	17 July 1980	20 July 1981	
Morocco		21 June 1993	2/9(2)/15(4)/16/29
Mozambique		16 April 1997	
Myanmar		22 July 1997	29
Namibia		23 November 1992	
Nepal	5 February 1991	22 April 1991	
Netherlands	17 July 1980	23 July 1991	
New Zealand	17 July 1980	10 January 1985	2(f)/5(a)
Nicaragua	17 July 1980	27 October 1981	
Niger		8 October 1999	2(d)(f)/5(a)/15(4)/16(1)(c)(e)(g)/29(1)
Nigeria	23 April 1984	13 June 1985	
Norway	17 July 1980	21 May 1981	
Oman		February 2006	9(2)/ 15 (4)/ 16(1) (c,g)/ 29 (1)

Pakistan		12 March 1996	29(1)
Panama	26 June 1980	29 October 1981	
Papua New Guinea		12 January 1995	
Paraguay		6 April 1987	
Peru	23 July 1981	13 September 1982	
Philippines	15 July 1980	5 August 1981	
Poland	29 May 1980	30 July 1980	
Portugal	24 April 1980	30 July 1980	
Republic of Korea	25 May 1983	27 December 1984	9/16(1)(g)
Republic of Moldova		1 July 1994	
Romania	4 September 1980	7 January 1982	
Russian Federation	17 July 1980	23 January 1981	
Rwanda	1 May 1980	2 March 1981	
Saint Kitts and Nevis		25 April 1985	
Saint Lucia		8 October 1982	
St. Vincent & the Grenadines		4 August 1981	
Samoa		25 September 1992	
San Marino	26 September 2003	10 December 2003	
Sao Tome and Principe	31 October 1995	3 June 2003	
Saudi Arabia	7 September 2000	7 September 2000	9(2)/29(1)
Senegal	29 July 1980	5 February 1985	
Serbia and Montenegro		12 Mar 2001	
Seychelles		5 May 1992	
Sierra Leone	21 September 1988	11 November 1988	
Singapore		5 October 1995	2/11(1)/16/29(1)
Slovakia		28 May 1993	
Slovenia		6 July 1992	
Solomon Islands		6 May 2002	
South Africa	29 January 1993	15 December 1995	
Spain	17 July 1980	5 January 1984	
Sri Lanka	17 July 1980	5 October 1981	
Suriname		1 March 1993	
Swaziland		26 March 2004	
Sweden	7 March 1980	2 July 1980	
Switzerland	23 January 1987	27 March 1997	15(2)/16(1)(g)(h)
Syrian Arab Republic		28 March 2003	2/9(2)/15(2)/15(4)/ 16(1)(c)(d)(f)(g)/29(1)
Tajikistan		26 October 1993	
Thailand		9 August 1985	16/29(1)
The former Yugoslav Republic of Macedonia		18 January 1994	
Timor-Leste		16 April 2003	
Togo		26 September 1983	
Trinidad and Tobago	27 June 1985	12 January 1990	29(1)
Tunisia	24 July 1980	20 September 1985	9(2)/16(c)(d)(f)(g)(h)/ 29(1)
Turkey		20 December 1985	9(1)/29(1)

Turkmenistan		1 May 1997	
Tuvalu		6 October 1999	
Uganda	30 July 1980	22 July 1985	
Ukraine	17 July 1980	12 March 1981	
United Arab Emirates		6 October 2004	
United Kingdom of Great Britain & Northern Ireland	22 July 1981	7 April 1986	1/4(1)/9/11/13/15/ 16(1)(b)(f)
United Republic of Tanzania	17 July 1980	20 August 1985	
United States of America	17 July 1980		
Uruguay	30 March 1981	9 October 1981	
Uzbekistan		19 July 1995	
Vanuatu		8 September 1995	
Venezuela	17 July 1980	2 May 1983	29(1)
Viet Nam	29 July 1980	17 February 1982	29(1)
Yemen		30 May 1984	29(1)
Zambia	17 July 1980	21 June 1985	
Zimbabwe		13 May 1991	

Sources: http://www.un.org/womenwatch/daw/cedaw/

Reservations

· The Arab Countries which signed and/or ratified and/or accessed to the Convention on the Elimination of All Forms of Discrimination against Women

· Reservations of the Arab Countries on the Convention on the Elimination of All Forms of Discrimination against Women according to the ratification or accession year

State	Date of signature	Date of ratification or accession	Reservation						
			Article 2	Article 7	Article 9	Article 15	Article 16	Article 29	Total
Mauritania	-	10/5/2001 accession	-	-	-	-	-	-	-
Jordan	3/12/1980	1/7/1992 ratification	-	-	9/2	15/4	16/1(c),(d),(g)	-	3
Algeria	-	22/5/1996 accession	2	-	9/2	15/4	16	29/1	5
Comoros	-	31/10/1994 accession	-	-	-	-	-	-	
Iraq	-	13/8/1986 accession	2 (f),(g)	-	9/1 9/2	-	16	1/29	4
Kuwait	-	2/9/1994 accession	-	7 (a)	9/2	-	16/1 (f)	29/1	4
Morocco	-	21/6/1993 accession	2	-	9/2	15/4	16	29/1	5
Tunisia	24/6/1980	20/9/1985 accession	-	-	9/2	15/4	16/1 (c),(d),(f), (g),(h)	29/1	4
Lebanon	-	21/4/1997 accession	-	-	9/2	-	16/1 (c)(d)(f)(g)	29/1	2
Libyan A. Jamahiriya	-	16/5/1989 accession	2	-	-	-	1/16 (c),(d)	-	2
Egypt	16/7/1980	18/9/1981 ratification	2	-	9/2	-	16	29/1	4
United Arab Emirates	-	6/10/2004 accession	-	-	-	-	-	-	-
Yemen	-	30/5/1984 accession	-	-	-	-	-	29/1	1
Djibouti	-	2/12/1998 accession	-	-	-	-	-	-	-
Saudi Arabia	7/9/2000	7/9/2000 ratification	-	-	9/2	-	-	29/1	2
Bahrain	18/6/2002	18/7/2002 accession	2	-	9/2	15/4	16	29/1	5
Syrian Arab Republic	-	25/2/2002	2	-	9/2	15/4	16/1 (c),(d),(f),(g) 16/2	29/1	5
Oman February 2006					9/2	15/4	16/1	29/1	4
Total			7	1	12	7	12	12	51

Algeria:

Algeria acceded to CEDAW on 22 May 1996, and declared reservations on the following articles:

Article	Justification for reservation/declaration
Article(2): On non-discriminatory procedures	Algeria has declared compliance with this Article as long as it does not contradict the Algerian Family Code.
Article(9)/2: On nationality	This Article contradicts the Algerian Nationality law, and Family Code. The law states that children acquire their father's nationality. If a child wishes to be granted his mother's nationality (Algerian), conditions for obtaining permission of the Ministry of Justice must be fulfilled.
Article(15)/4: On equality before law and civil matters, including freedom to choose residence and domicile.	Algeria has declared compliance with this Article as long as the interpretation thereof does not contradict Article(37)/4 of the Algerian Family Code.
Article(16): On equality in marriage and family life	Algeria has declared compliance with this Article as long as the Article does not contradict the Algerian Family Code on what is related to marriage contracts and divorce.
Article(29)/1: On arbitration between states and referral to the International Court of Justice	Algeria attached a condition to comply with this Article, which is to obtain the permission of both parties for referral to the Court

Bahrain:

Bahrain signed CEDAW on 18 June 2003, acceded on 18 July 2002, and declared reservations on the following articles:

Article	Justification on reservation/declaration
Article(2): On non-discriminatory measures	Some paragraphs of this Article contradict the the Islamic Shari'a Law
Article(9)/2: On nationality	
Article(15)/4: On equality before law and civil matters, including freedom to choose residence and domicile.	This Article contradicts the Islamic Shari'a Laws, the State's religion. The Shari'a Laws deny women the right to travel alone, choose residence and choose domicile.
Article(16): On equality in marriage and family life	This Article contradicts the Islamic Shari'a Law.
Article(29)/1: On arbitration between states and referral to the International Court of Justice	

Comoros:

Comoros acceded to CEDAW on 31 October 1994, and had no reservation on any of the Convention's articles.

Djibouti:
Djibouti acceded to CEDAW on 2 December 1998, and had no reservation on any of the Convention's articles.

United Arab Emirates:
Emirates acceded to CEDAW on 6 October 2004, and had no reservation on any of the Convention's articles.

Mauritania:
Mauritania acceded to CEDAW on 10 May 2001, and declared general reservations on any article that might contradict the Islamic Shari'a Law or the State's National Laws.

Libyan A. Jamahiriya:
Libyan A. Jamahiriya acceded to CEDAW on 16 May 1989, and declared general reservations on any article that might contradict the Islamic Shari'a Law in any way.

Egypt:

Egypt signed CEDAW on 16 July 1980, ratified it on 18 September 1981, and declared reservations on the following articles:

Article	Justification for reservation/declaration
Article(2): On non-discriminatory measures	Egypt declared compliance with this Article as long as it does not contradict the Islamic Shari'a Laws.
Article(9)/2: On nationality	Egypt declared that a child (male or female) carrying two nationalities shall encounter problems in the future. Furthermore, when a woman marries a foreigner, she accepts the marriage knowing that she is not permitted to grant her children her nationality.
Article(16): On equality in marriage and family life	Egypt declared that Islamic Shari'a Laws already set out and apply the conditions, rights and responsibilities related to marriage and divorce. Egypt applies the Shari'a Laws in these matters.
Article(29)/1: On arbitration between states and referral to the International Court of Justice	Egypt does not wish to comply with this Article in order to avoid restrictions imposed by the arbitration.

Iraq:

Iraq acceded to CEDAW on 13 August 1986, and declared reservations on the following articles:

Article	Justification for reservation/declaration
Article(2): On non-discriminatory measures	
Article(9)/2: On nationality	Iraq applies the Shari'a Laws in this matter, which grant women equal rights with men, and provide both parties with a fair balance thereof.
Article(29)/1: On arbitration between states and referral to the International Court of Justice	Iraq declared that its accession to the Convention does not, in any way, mean developing relations, of any kind, with the State of Israel.

Jordan:

Jordan signed CEDAW on 3 December 1980, ratified it on 1 July 1992, and declared reservations on the following articles:

Article	Justification for reservation/declaration
Article(9)/2: On nationality	This Article contradicts the Jordanian Nationality Law. The Jordanian Law states that the children of a Jordanian woman are not Jordanians, unless they file or ask for the nationality.
Article(15)/4: On equality before law and civil matters, including freedom to choose residence and domicile.	This Article contradicts the Islamic Shari'a Laws. The Shari'a does not permit women freedom of movement, residency or domicile. (1)
Article(16/1)/c,d,g.(16/2): On equality in marriage and family life	This Article contradicts the Jordanian Personal Status Law that is based on the Islamic Shari'a Laws.

(1): Some of the Jordanian Fiqh (Islamic Jurisprudence) scholars, like Dr. Samaha Abd Al Azeez Al-Khayyat, do not consider Article 15 as contradictory to the Shari'a, since Islam has clearly permitted women to ask for those rights stated in this Article when concluding their marriage contracts.

Kuwait:
Kuwait acceded to CEDAW on 2 September 1994, and declared reservations on the following articles:

Article	Justification to reservation/declaration
Article(7)/1: On political and public life	This Article contradicts the Kuwaiti Voting Law that restricts the right to vote to men, excluding women.
Article(9)/2: On nationality	This Article contradicts the Kuwaiti Nationality Law in which children are granted their father's nationality.
Article(16/1)/f: On equality in marriage and family life	This Article contradicts the Islamic Shari'a Law, which is the State's religion.
Article(29)/1: On arbitration between states and referral to the International Court of Justice	Kuwait does not consider itself bound to this Article.

Lebanon:
Lebanon acceded to CEDAW on 21 April 1997, and declared reservations on the following articles:

Article	Justification to reservation/declaration
Article(9)/2: On nationality	
Article(16/1)/c,d,f,g: On equality in marriage and family life	
Article(29)/1: On arbitration between states and referral to the International Court of Justice	

Libya:
Libya acceded to CEDAW on 16 May 1989, and declared reservations on the following articles:

Article	Justification to reservation/declaration
Article(2): On non-discriminatory measures	Libya declared compliance with this Article as long as it does not contradict the Islamic Shari'a Law in relation to Inheritance Law.
Article(16/1)/c,d: On equality in marriage and family life	Libya declared compliance with this Article as long as Paragraphs c and d thereof do not contradict the Islamic Shari'a Laws.

Morocco:

Morocco acceded to CEDAW on 21 June 1993, and declared reservations on the following articles:

Article	Justification to reservation/declaration
Article(2): On non-discriminatory measures	Morocco declared compliance with this Article as long as it does not contradict the Moroccan Personal Status Law that is based on the Islamic Shari'a Laws.
Article(9)/2: On nationality	The Moroccan Nationality Law grants the child his/her mother's nationality if: 1.Father is unknown. 2. Father is stateless. Two years after becoming of age, a child can be granted his/her mother's nationality under the condition of making Morocco his/her place of residency. In all other cases Morocco considers itself not bound to this Article.

Article(15)/4: On equality before law and civil matters, including freedom to choose residence and domicile	Morocco declared compliance with this article as long as it does not contradict Articles (34 and 36) of the Moroccan Personal Status Law related to the rights of a woman to choose residency and domicile.
Article(16): On equality in marriage and family life	This Article contradicts the Islamic Shari'a Laws which determined the rights and responsibilities of both genders in terms of marriage and divorce.
Article(29)/1: On arbitration between states and referral to the International Court of Justice	Morocco is not bound to this Article unless all parties permit the referral to the Court. (1)

Saudi Arabia:

Saudi Arabia signed and ratified CEDAW on 7 September 2000, and declared reservations on the following articles:

Article	Justification for reservation/declaration
Article(9)/2: On nationality	This Article contradicts the Islamic Shari'a laws.
Article(29)/1: On arbitration between states and referral to the International Court of Justice	

In addition to these specific reservations, Saudi Arabia declared general reservations on any Article that might contradict the Islamic Shari'a Laws in any way.

Syria:

Syria acceded to CEDAW on 28 March 2003, and declared reservations on the following articles:

Article	Justification for reservation/declaration
Article(2): On non-discriminatory measures	Syria declared complied with this Article so long it does not contradict the Islamic Shari'a Laws.
Article(9)/2: On nationality	This Article contradicts the Syrian Nationality Law that does not grant the mother the right to give her nationality to her children.
Article(15)/4: On equality before law and civil matters, including freedom to choose residence and domicile.	This Article contradicts the Syrian Personal Status Law concerning the movements of persons and freedom to choose their residence and domicile. The Syrian law does not grant women the same rights as men in that regard, where women are expected to submit to their husband's decision in this respect, to preserve the family and raise their children in the best environment possible.
Article(16/1)/c,d,f,g.(16/2): On equality in marriage and family life	This Article glaringly contradicts the Syrian Personal Status Law. 1. A woman cannot conclude her marriage contract herself, while a man can. 2. Polygamy is permitted to men in Islam, consequently in the Syrian law, but not to women.
Article(29)/1: On arbitration between states and referral to the International Court of Justice	Syria declared reservation on this Article to avoid abiding by any law or decision passed by the International Court.

Tunisia:

Tunisia signed CEDAW on 24 July 1980, ratified it on 20 September 1985, and declared reservations on the following articles:

Article	Justification to reservation/declaration
Article(9)/2: On nationality	This Article contradicts part(4) of the Tunisian Nationality law.
Article(15)/4: On equality before law and civil matters, including freedom to choose residence and domicile	Tunisia abides to this Article as long as the interpretation thereof does not contradict parts (23 and 61) of the Tunisian Personal Status Law.
Article(16/1)c,d,f,g.h/(16/2): On equality in marriage and family life	Tunisia does not abide to Article (16) of the convention. Paragraphs (g) and (h) specifically contradict the Tunisian Personal Status Law.
Article(29)/1: On arbitration between states and referral to the International Court of Justice	Tunisia only abides to this Article if the parties involved permit the referral to the Court.

Yemen:

Yemen acceded to CEDAW on 30 May 1984, and declared reservations on the following articles:

Article	Justification to reservation/declaration
Article(29)/1: On arbitration between states and referral to the International Court of Justice	Yemen does not abide to this Article.

The Concept of the Reservations in the International Law

Definition:

States wishing to accede to International treaties are entitled to express reservations to exclude and not to be bound by one or more articles. The Vienna Convention for International Treaties of 1969 granted this right to the States where it defined "the Reservation" in Article 19 as: "A unilateral statement, however phrased or named, made by a State, when signing, ratifying, accepting, approving or acceding to a treaty, whereby it purports to exclude or to modify the legal effect of certain provisions of the treaty in their application to that state".

One of the remarks of the General Committee for Human Rights (No. 24 [52]) states that:

"Declarations indicating a State's understanding of a certain text with the purport of excluding or modifying the legal effects of the convention on such state deem to be reservations too".

This means that a "declaration" related to the Convention or one of its Articles, made by a State Party when signing the Convention, whereby this State aims to determine the scope of understanding of a certain text in the Convention, places limitation to the extent of adherence to this convention, the matter which is a reservation in itself.

Conditions for Accepting Reservations and the Way of Submitting them

Article 19 of Vienna Convention states that a state may express reservations, when signing a convention, as long as it is not incompatible with the object and purpose of the Convention. This principle is reflected in specific provisions found in many conventions. Article 28 (2) of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) states that: "A reservation incompatible with the object and purpose of the present Convention shall not be permitted".

Many States expressed some reservations when signing and ratifying the CEDAW. Although this causes shortcoming in the procedural implementation of the Convention, and may sometimes empty it from its content and objectives, it succeeded to obtain the adherence of a large number of States to the Convention to push forward the process of establishing equality between both genders and to eliminate discrimination against women. Besides, Article 28 of the CEDAW which grants the States the right to reservations (on condition that it is not incompatible with the object and purpose of the Convention), states that these reservations may be withdrawn at any time by notification to this effect addressed to the Secretary-General. This paves the way to obtain full adherence to the Convention at a later date.

The Committee for the Elimination of Discrimination against Women adopted this method in its 3rd Session of 1993 and demanded the States Parties to review restricting the scope of the reservations, to draft them with high precision, to ensure that they are not incompatible with the object and purpose of the Convention, to consider withdrawing them periodically, and to include this in their international reports presented to the Committee. The Beijing Declaration issued at the 4th World Conference on Women in September 1995 expressed the importance of avoiding reservations as much as possible to protect women's human rights. It also recommended the States to restrict the scope of any reservation in a precise and narrow manner, to ensure that the reservations are not incompatible with the object and purpose of the Convention and with the International Law for Treaties, and to regularly review them with the aim to withdraw them. Many States have effectively withdrawn their reservations on the Conventions, like Bangladesh, Australia, Austria, Belgium, Canada, etc.

The Discussion of the Arab Reservations

Although 18 Arab Sates ratified the Convention, only 3 States did not have any reservations on any of its Articles, while the rest has expressed a number of reservations, which were confined in 6 Articles as follows:

1- Article 2 regarding the non-discriminatory procedures

2- Article 7 regarding the public and political life

3- Article 9 regarding the nationality

4- Article 15 regarding equality before the Law, civil affairs and freedom to choose the domicile

5- Article 16 regarding equality in marriage and family life

6- Article 29 regarding intergovernmental arbitration and referral to the International Court of Justice

Some States like Saudi Arabia recorded a general reservation on the Convention articles, whereas its justifications were concentrated on the following reasons:

1- Contradiction with the Islamic Shari'a Law

2- Contradiction with the provisions of some of the National Laws

· The information in reference show that Article 29, which deals with settling disputes, as a procedural mechanism is the most, Article that received reservations. Articles 2, 9 and 16, which are core aspects of the Convention regarding elimination of discrimination against women, attract most of the attention whether wholly or partially, the matter that represents a contradiction with the Convention Article 28 as well as Article 19 of the Vienna Convention for International Treaties.

· Articles 2 and 16 are key articles in the Convention and making reservations on them is contradictory to the object and directive principles of the Convention. Moreover, a number of Arab States provided no reasons or explanations for these reservations. Some of the States used the same justification with no precise explanation and without determining the possible effects thereof on women. Accordingly, the Arab States' reservations are deemed void for damaging the object and purpose of the Convention. These were reservations related to the basic human rights and its guarantees, set forth in all sources of the International Law in various treaties that had been ratified by these same States. Many States in the world raised objection to the Arab States' reservations for being a threat to the principles of the International Conventional Treaties. However, they chose to adopt the stance of the Committee of the Covenant for Political and Civil Rights of 1994, Article 81: "As a natural result, the rejected reservations do not represent the absolute non-compliance of the States Parties with the Convention, but an impediment to its execution, which means that the Convention shall be in effect on the State regardless of its reservations". Therefore, they considered the reservations (including the Arab reservations), which are incompatible with the object and purpose of the Convention void and with no effect, keeping the Convention in force for the States holding reservations. The States holding reservations, including the Arab States, presented their periodic reports to the Convention Committee, which accepted them. No state had objected to the membership of the States holding reservations.

· The reservations made by Bahrain, Egypt, Iraq, Kuwait, Libya, Morocco, Saudi Arabia and Syria were justified as being in contradiction with the Islamic Shari'a, while some other States like Algeria, Jordan, Lebanon and Tunisia raised reservations on the same two Articles not for being in contradiction with the Islamic Shari'a but with their National Legislations.

· Some other States outside the Region introduced reservations on the Convention articles for the same reasons, like Bangladesh, Malaysia, the Maldives and Singapore. This indicates that there is no systematic method adopted by the States holding reservations where the Islamic Shari'a is the reason for their reservations, and there is no consistent explanation among the States in and outside the region regarding the application of the Islamic Shari'a as grounds for contradiction with the Convention provisions.

· With regard to the reservations made by Algeria, Kuwait, Morocco and Tunisia on Articles 2, 7, 9(2), 15(4) and 16 for being incompatible with their National Legislation, these States did not suggest any expiration date for these reservations whereby their National Legislations are reviewed in a reasonable time, to ensure compatibility with the International Law. It is clear that using National Legislations as a pretext for not fulfilling the obligations imposed by the International Law is a prohibited matter, as Article 27 of the Vienna Convention states that: "A party may not invoke the provisions of its internal law as justification for its failure to perform a treaty. This rule is without prejudice to article 46". The CEDAW Committee indicated in its Session of 1994 when examining the preliminary periodic reports that many provisions in the National Legislations in the region are characterised with discrimination against women, and instead of reforming these provisions, these States made reservations on the Convention to maintain their National Legislations, which prevent the elimination discrimination against women. Therefore, the Committee appealed to the States Parties in many occasions to review these reservations either in the general recommendations or during debating the States Parties' reports.

· Bahrain, Lebanon, Jordan, Iraq, Syria and Oman raised reservations on Articles 2(f,g), 9(2), 15(4) and 16(a,c,d,f,g) without providing specific reasons.

The Impacts of Raising Reservations

The CEDAW Committee stressed that the States must take into account the total effects of all the reservations made, as well as the effect of each reservation on the Convention's credibility, so that it is decided whether a certain reservation is compatible with the object and purpose of the Convention or not. In particular, the States must not systematically reduce their obligations so that they do not transcend the existing obligations of their National Law, which would represent an impediment to reach one day the international standards of human rights. Therefore, the States must present periodical reports regarding the effects of their reservations on women's life and the precise explanation for maintaining these reservations.

The Committee particularly states that Articles 2 and 16 contain two fundamental provisions of the Convention and considers that Article 2 is a key article as regards the object and purpose of the Convention, whereas conventional, religious or cultural practices cannot justify the infringement of the Convention.

Equally the Committee is convinced that the reservations made on Article 16, whether for national, conventional, religious or cultural reasons do not conform to the Convention and are not accepted and must be reviewed, modified or withdrawn.

References:

· Amnesty International Report

· CEDAW Committee Meeting - Session 16 (January 1997)

· Beijing Declaration and Platform of Action – 4th World Conference on Women (September 1995)

Arab League

Syria
Morocco
Tunisia
Lebanon
Iraq
Palestinian areas
Kuwait
Jordan
UAE
Qatar
Algeria
Libya
Egypt
Bahrain
Oman
Saudi Arabia
Mauritania
Yemen
Sudan
Djibouti
Somalla
Africa
Comoros
Reservation
Article 7
Article 9
Article 15
Article 29
Article 2
Article 16
General Reservation
Ratification
Accession

"Comparison of CEDAW & Beijing for Action"

Article 2 from CEDAW Convention

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.

Beijing Platform of Action

I. Human Rights of Women

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

· By Governments:

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;

Article 5 from CEDAW Convention

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.

Beijing Platform of Action

B. Education and Training of Women

Strategic objective B.4.:

Develop non-discriminatory education and training

Actions to be taken

· By Governments, educational authorities and other educational and academic institutions:

Elaborate recommendations and develop curricula, textbooks and teaching aids free of gender-based stereotypes for all levels of education, including teacher training.

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, and society; in this context, promote equality, cooperation, mutual respect and shared responsibilities between girls and boys.

L. The Girl-child

Strategic objective L.2.:

Eliminate negative cultural attitudes and practices against girls

Actions to be taken

· By Governments:

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;

D. Violence against Women

Strategic objective D.1.:

Take integrated measures to prevent and eliminate violence against women

Actions to be taken

· 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:

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.

Strategic objective D.2.:

Study the causes and consequences of violence against women and the effectiveness of preventive measures

Actions to be taken

· By Governments, regional organizations, the United Nations, other international organizations, research institutions, women's and youth organizations and non-governmental organizations, as appropriate:

Encourage the media to examine the impact of gender role stereotypes, including those perpetuated by commercial advertisements which foster gender-based violence and inequalities.

F. Women and the Economy

Strategic objective F.6.:

Promote harmonization of work and family responsibilities for women and men

Actions to be taken

· By Governments:

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;

J. Women and the Media

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

· By Governments:

Support women's education, training and employment to promote and ensure women's equal access to all areas and levels of the media;

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;

· 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.

· By Governments, as appropriate, or national machinery for the advancement of women:

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.

· By non-governmental organizations and media professional associations:

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;

Train women to make greater use of information technology for communication and the media.

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.

Strategic objective J.2.

Promote a balanced and non-stereotyped portrayal of women in the media

Actions to be taken

· By Governments and international organizations, to the extent consistent with freedom of expression:

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;

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;

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;

· By the mass media and advertising organizations:

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;

· By the media, non-governmental organizations and the private sector, in collaboration, as appropriate, with national machinery for the advancement of women:

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.

Produce and/or disseminate media materials on women leaders, inter alia, as leaders, to provide role models, particularly to young women;

Article 6 from CEDAW Convention

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

Beijing Platform of Action

D. Violence against Women

Strategic objective D.3.

Eliminate trafficking in women and assist victims of violence due to prostitution and trafficking

Actions to be taken

· By Governments of countries of origin, transit and destination, regional and international organizations, as appropriate:

Consider the ratification and enforcement of international conventions on trafficking in persons and on slavery;

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 labor;

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;

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;

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.

I. Human Rights of Women

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

· By Governments:

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;

Article 7 from CEDAW Convention

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.

Beijing Platform of Action

G. Women in Power and Decision-making

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

· By Governments:

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.

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;

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;

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;

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.

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;

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;

Aim at gender balance in the lists of national candidates nominated for election or appointment to United Nations bodies.

· By political parties:

Consider examining party structures and procedures to remove all barriers that directly or indirectly discriminate against the participation of women;

Consider developing initiatives that allow women to participate fully in all internal policy-making structures and appointive and electoral nominating processes;

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.

· 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:

Take positive action to build a critical mass of women leaders, executives and managers in strategic decision-making positions;

Create or strengthen, as appropriate, mechanisms to monitor women's access to senior levels of decision-making;

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;

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.

Develop communications strategies to promote public debate on the new roles of men and women in society, and in the family.

Encourage and support the participation of women's non-governmental organizations in United Nations conferences and their preparatory processes;

Aim at and support gender balance in the composition of delegations to the United Nations and other international forums.

· By the United Nations:

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.

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;

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.

· By women's organizations, non-governmental organizations, trade unions, social partners, producers, and industrial and professional organizations:

Build and strengthen solidarity among women through information, education and sensitization activities;

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;

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

· 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

Provide leadership and self-esteem training to assist women and girls, particularly those with special needs.

Have transparent criteria for decision-making positions and ensure that the selecting bodies have a gender-balanced composition;

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;

Provide gender-sensitive training for women and men to promote non-discriminatory working relationships and respect for diversity in work and management styles;

Develop mechanisms and training to encourage women to participate in the electoral process, political activities and other leadership areas.

Article 10 from CEDAW Convention

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

(a) The same conditions for career and vocational guidance, for access to studies and for the achievement of diplomas in educational establishments of all categories in rural as well as in urban areas; this equality shall be ensured in pre-school, general, technical, professional and higher technical education, as well as in all types of vocational training;

(b) Access to the same curricula, the same examinations, teaching staff with qualifications of the same standard and school premises and equipment of the same quality;

(c) The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging coeducation and other types of education which will help to achieve this aim and, in particular, by the revision of textbooks and school programmes and the adaptation of teaching methods;

(d) The same opportunities to benefit from scholarships and other study grants;

(e) The same opportunities for access to programmes of continuing education, including adult and functional literacy programmes, particulary 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.

Beijing Platform of Action

Strategic objective B.1.:

Ensure equal access to education

Actions to be taken

· By Governments:

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.

· 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;

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.

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.

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;

Make available non-discriminatory and gender-sensitive professional school counseling and career education programmes to encourage girls to pursue academic and technical curricula in order to widen their future career opportunities;

Encourage ratification of the International Covenant on Economic, Social and Cultural Rights where they have not already done so.

Strategic objective B.2.:

Eradicate illiteracy among women

Actions to be taken

By Governments, national, regional and international bodies, bilateral and multilateral donors and non-governmental organizations:

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.

Eliminate the gender gap in basic and functional literacy, as recommended in the World Declaration on Education for All (Jomtien);

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

By Governments, in cooperation with employers, workers and trade unions, international and non-governmental organizations, including women's and youth organizations, and educational institutions:

Develop and implement education, training and retraining policies for women, especially young women and women re-entering the labor market.

Provide recognition to non-formal educational opportunities for girls and women in the educational system;

Provide information to women and girls on the availability and benefits of vocational training, training programmes in science and technology.

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;

Develop curricula and teaching materials and formulate and take positive measures to ensure women better access to and participation in technical and scientific areas.

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

By Governments, educational authorities and other educational and academic institutions:

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;

Take actions to ensure that female teachers and professors have the same opportunities as and equal status with male teachers and professors.

Take positive measures to increase the proportion of women gaining access to educational policy- and decision-making.

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;

Develop leadership training and opportunities for all women to encourage them to take leadership roles.

Develop human rights education programmes that incorporate the gender dimension at all levels of education.

Remove legal, regulatory and social barriers, where appropriate, to sexual and reproductive health education within formal education programmes regarding women's health issues.

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.

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

· By Governments:

Provide the required budgetary resources to the educational sector, with reallocation within the educational sector to ensure increased funds for basic education, as appropriate;

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.

· By Governments and, as appropriate, private and public institutions, foundations, research institutes and non-governmental organizations:

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;

Provide funding for special programmes, such as programmes in mathematics, science and computer technology, to advance opportunities for all girls and women.

· By multilateral development institutions, including the World Bank, regional development banks, bilateral donors and foundations:

Consider increasing funding for the education and training needs of girls and women as a priority in development assistance programmes;

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.

· By international and intergovernmental organizations, especially the United Nations Educational, Scientific and Cultural Organization, at the global level:

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.

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.

Conduct an international campaign promoting the right of women and girls to education.

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

· By Governments, educational institutions and communities:

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;

Provide support for child care and other services to enable mothers to continue their schooling.

Article 11 from CEDAW Convention

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

(a) The right to work as an inalienable right of all human beings;

(b) The right to the same employment opportunities, including the application of the same criteria for selection in matters of employment;

(c) The right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to receive vocational training and retraining, including apprenticeships, advanced vocational training and recurrent training;

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

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

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

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

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

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

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

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

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

Beijing Platform of Action

A. Women and Poverty

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

· By Governments:

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.

F. Women and the Economy

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

· By Governments:

Enact and enforce legislation to guarantee the rights of women and men to equal pay for equal work or work of equal value;

Adopt and implement laws against discrimination based on sex in the labour market, especially considering older women workers.

Eliminate discriminatory practices by employers and take appropriate measures in consideration of women's reproductive role and functions.

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;

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.

Ensure that all corporations, including transnational corporations, comply with national laws and codes, social security regulations, applicable international agreements, instruments and conventions.

Adjust employment policies to facilitate the restructuring of work patterns in order to promote the sharing of family responsibilities;

Enact and enforce equal opportunity laws, take positive action and ensure compliance by the public and private sectors through various means;

Strategic objective F.2.:

Facilitate women's equal access to resources, employment, markets and trade

Actions to be taken

· By Governments:

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.

Strengthen the incentive role of the State as employer to develop a policy of equal opportunities for women and men;

Ensure equal access for women to effective job training, retraining, counseling and placement services that are not limited to traditional employment areas.

Remove policy and regulatory obstacles faced by women in social and development programmes that discourage private and individual initiative;

Safeguard and promote respect for basic workers' rights, including the prohibition of forced labor and child labor, 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.

· By Governments and non-governmental organizations:

Pay special attention to women's needs when disseminating market, trade and resource information and provide appropriate training in these fields;

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.

Strategic objective F.3.:

Provide business services, training and access to markets, information and technology, particularly to low-income women

Actions to be taken

· By Governments in cooperation with non-governmental organizations and the private sector:

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.

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.

· By local, national, regional and international business organizations 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

· By Governments:

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;

Adopt policies to extend or maintain the protection of labour laws and social security provisions for those who do paid work in the home;

Recognize and encourage the contribution of research by women scientists and technologists;

· By financial intermediaries, national training institutes, credit unions, non-governmental organizations, women's associations, professional organizations and the private sector, as appropriate:

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;

Give adequate attention to providing technical assistance, advisory services, training and retraining for women connected with the entry to the market economy;

Encourage community organizations and public authorities to establish loan pools for women entrepreneurs, drawing on successful small-scale cooperative models.

· By the private sector, including transnational and national corporations:

Adopt policies and establish mechanisms to grant contracts on a non-discriminatory basis;

Recruit women for leadership, decision-making and management and provide training programmes, all on an equal basis with men;

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

· By Governments, employers, employees, trade unions and women's organizations:

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,

Enact and enforce laws and develop workplace policies against gender discrimination in the labor 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.

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;

Develop and promote employment programmes and services for women entering and/or re-entering the labor market.

Eliminate occupational segregation, especially by promoting the equal participation of women in highly skilled jobs and senior management positions.

Recognize collective bargaining as a right and as an important mechanism for eliminating wage inequality for women and to improve working conditions;

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;

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 labor laws and standards, and encourage job.

Ensure that strategies to eliminate child labor also address the excessive demands made on some girls for unpaid work in their household and other households.

Review, analyze 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;

Strategic objective F.6.:

Promote harmonization of work and family responsibilities for women and men

Actions to be taken

· By Governments:

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;

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;

Ensure, through legislation, incentives and/or encouragement, opportunities for women and men to take job-protected parental leave.

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;

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.

· By Governments, the private sector and non-governmental organizations, trade unions and the United Nations, as appropriate:

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;

Enact and enforce laws against sexual and other forms of harassment in all workplaces.

Article 12 from CEDAW Convention

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

2. Notwithstanding the provisions of paragraph I 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.

Beijing Platform of Action

C. Women and Health

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

· By Governments, in collaboration with non-governmental organizations and employers' and workers' organizations and with the support of international institutions:

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 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.

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 and policies.

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.

Provide more accessible, available and affordable primary health- care services of high quality, including sexual and reproductive health care.

Redesign health information, services and training for health workers so that they are gender-sensitive.

Ensure that all health services and workers conform to human rights and to ethical, professional and gender-sensitive.

Take all appropriate measures to eliminate harmful, medically unnecessary.

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 impact of unsafe abortion 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 counseling.

Give particular attention to the needs of girls, especially the promotion of healthy behavior, including physical activities; take specific measures for closing the gender gaps in morbidity and mortality where girls are disadvantaged.

Ensure that girls and women of all ages with any form of disability receive supportive services.

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;

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.

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.

Promote and ensure household and national food security, as appropriate, and implement programmes aimed at improving the nutritional status of all girls and women.

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;

Strategic objective C.2.:

Strengthen preventive programmes that promote women's health

Actions to be taken

· By Governments, in cooperation with non-governmental organizations, the mass media, the private sector and relevant international organizations, including United Nations bodies, as appropriate:

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.

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;

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.

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

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.

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.

Ensure that health and nutritional information and training form an integral part of all adult literacy programmes and school curricula from the primary level;

Ensure that medical school curricula and other health-care training include gender-sensitive, comprehensive and mandatory courses on women's health;

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

· By Governments, international bodies including relevant United Nations organizations, bilateral and multilateral donors and non-governmental organizations:

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;

Review and amend laws and combat practices, as appropriate, that may contribute to women's susceptibility to HIV infection and other sexually transmitted diseases.

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;

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;

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.

Give all women and health workers all relevant information and education about sexually transmitted diseases.

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;

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.

Strategic objective C.4.:

Promote research and disseminate information on women's health

Actions to be taken

· By Governments, the United Nations system, health professions, research institutions, non-governmental organizations, donors, pharmaceutical industries and the mass media, as appropriate:

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;

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;

Increase the number of women in leadership positions in the health professions, including researchers and scientists, to achieve equality at the earliest possible date;

Increase financial and other support from all sources for preventive, appropriate biomedical, behavioural, epidemiological and health service research on women's health issues.

Strategic objective C.5.:

Increase resources and monitor follow-up for women's health

Actions to be taken

· By Governments at all levels and, where appropriate, in cooperation with non-governmental organizations, especially women's and youth organizations:

Increase budgetary allocations for primary health care and social services, 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;

Develop innovative approaches to funding health services through promoting community participation and local financing increase, that address women's specific health needs.

Develop local health services, promoting the incorporation of gender-sensitive community-based participation and self-care and specially designed preventive health programmes.

Establish, as appropriate, ministerial and inter-ministerial mechanisms for monitoring the implementation of women's health policy and programme reforms.

· By Governments, the United Nations and its specialized agencies, international financial institutions, bilateral donors and the private sector, as appropriate:

Formulate policies favorable to investment in women's health.

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;

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.

Article 13 from CEDAW Convention

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.

Beijing Platform of Action

A. Women and Poverty

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:

· By Governments:

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;

Pursue and implement sound and stable macroeconomic and sectoral policies that are designed and monitored with the full and equal participation of women.

Restructure and target the allocation of public expenditures to promote women's economic opportunities and equal access to productive resources.

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;

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;

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;

· By multilateral financial and development institutions:

Seek to mobilize new and additional financial resources that are adequate with a view to contributing towards the goal of poverty eradication and targeting women living in poverty.

Strengthen analytical capacity in order to more systematically strengthen gender perspectives and integrate them into the design and implementation of lending programmes

Create an enabling environment that allows women to build and maintain sustainable livelihoods.

· By national and international non-governmental organizations and women's groups:

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, recognizing that social development is primarily the responsibility of Governments.

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.

Include in their activities women with diverse needs.

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 and to extend those services in order to reach the rural and remote areas that are not covered by government institutions;

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

· By Governments:

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;

Strategic objective A.3.:

Provide women with access to savings and credit mechanisms and institutions

Actions to be taken

· By commercial banks, specialized financial institutions and the private sector in examining their policies:

Use credit and savings methodologies that are effective in reaching women in poverty

Open special windows for lending to women.

Simplify banking practices.

Ensure the participation and joint ownership, where possible, of women clients in the decision-making of institutions providing credit and financial services.

· 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.

· By Governments and multilateral financial institutions, as appropriate:

Support institutions that meet performance standards in reaching large numbers of low-income women and men.

· 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

· By Governments, intergovernmental organizations, academic and research institutions and the private sector:

Develop conceptual and practical methodologies for incorporating gender perspectives into all aspects of economic policy-making, including structural adjustment planning and programmes;

Apply these methodologies in conducting gender-impact analyses of all policies and programmes, including structural adjustment programmes, and disseminate the research findings.

· By national and international statistical organizations:

economic performance from a gender perspective;

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.

Article 14 from CEDAW Convention

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 women the right:

(a) To participate in the elaboration and implementation of development planning at all levels;

(b) To have access to adequate health care facilities, including information, counseling 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.

Beijing Platform of Action

A. Women and Poverty

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:

· By Governments:

Ensure access to free or low-cost legal services, including legal literacy, especially designed to reach women living in poverty;

Strategic objective A.3.

Provide women with access to savings and credit mechanisms and institutions

Actions to be taken

· By Governments:

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.

B. Education and Training of Women

Strategic objective B.4.:

Develop non-discriminatory education and training

Actions to be taken

· By Governments, educational authorities and other educational and academic institutions:

Promote education, training and relevant information programmes for rural and farming women through the use of affordable and appropriate technologies and the mass media.

Provide non-formal education, especially for rural women, in order to realize their potential with regard to health, micro-enterprise, agriculture and legal rights;

C. Women and Health

Strategic objective C.5.:

Increase resources and monitor follow-up for women's health

Actions to be taken

· By Governments at all levels and, where appropriate, in cooperation with non-governmental organizations, especially women's and youth organizations:

Increase budgetary allocations for primary health care and social services, 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;

F. Women and the Economy

Strategic objective F.2.:

Facilitate women's equal access to resources, employment, markets and trade

Actions to be taken

· By Governments:

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;

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;

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;

Establish appropriate mechanisms and encourage intersectoral institutions that enable women's cooperatives to optimize access to necessary services.

· By Governments, central banks and national development banks, andprivate banking institutions, as appropriate:

Structure services to reach rural and urban women involved in micro, small and medium-scale enterprises.

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.

· By multilateral funders and regional development banks, as well as bilateral and private funding agencies, at the international, regional and subregional levels:

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;

· 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.

· 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

· By Governments in cooperation with non-governmental organizations and the private sector:

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;

Strategic objective F.4.:

Strengthen women's economic capacity and commercial networks

Actions to be taken

· By financial intermediaries, national training institutes, credit unions, non-governmental organizations, women's associations, professional organizations and the private sector, as appropriate:

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;

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;

K. Women and the Environment

Strategic objective K.1.:

Involve women actively in environmental decision-making at all levels

Actions to be taken

· By Governments, at all levels, including municipal authorities, as appropriate:

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.

· By non-governmental organizations and the private sector:

Facilitate the access of women agriculturists, fishers and pastoralists to knowledge, skills, marketing services and environmentally sound technologies.

Strategic objective K.2.:

Integrate gender concerns and perspectives in policies and programmes for sustainable development

Actions to be taken

· By Governments:

Integrate rural women's traditional knowledge and practices of sustainable resource use and management in the development of environmental management and extension programmes;

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…

Ensure that clean water is available and accessible to all by the year 2000 and that environmental protection and conservation plans.

Article 15 from CEDAW Convention

1. States Parties shall accord to women equality with men before the law.

2. States Parties shall accord to women, in civil matters, a legal capacity identical to that of men and the same opportunities to exercise that capacity. In particular, they shall give women equal rights to conclude contracts and to administer property and shall treat them equally in all stages of procedure in courts and tribunals.

3. States Parties agree that all contracts and all other private instruments of any kind with a legal effect which is directed at restricting the legal capacity of women shall be deemed null and void.

4. States Parties shall accord to men and women the same rights with regard to the law relating to the movement of persons and the freedom to choose their residence and domicile.

Beijing Platform of Action

I. Human Rights of Women

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

· By Governments:

Work actively towards ratification of or accession to and implement international and regional human rights treaties;

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;

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;

Consider drawing up national action plans identifying steps to improve the promotion and protection of human rights, including the human rights of women

Create or strengthen independent national institutions for the protection and promotion of these rights, including the human rights of women

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;

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;

· By relevant organs, bodies and agencies of the United Nations system, all human rights bodies of the United Nations system:

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;

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;

Develop a comprehensive policy programme for mainstreaming the human rights of women throughout the United Nations system

Include information on gender-based human rights violations in their activities and integrate the findings into all of their programmes and activities

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;

Encourage incorporation of a gender perspective in national programmes of action and in human rights and national institutions, within the context of human rights advisory services programmes;

Provide training in the human rights of women for all United Nations personnel and officials.

Strategic objective I.2.:

Ensure equality and non-discrimination under the law and in practice

Actions to be taken

· By Governments:

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;

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;

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;

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.

Strengthen and encourage the development of programmes to protect the human rights of women in the national institutions on human rights

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;

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;

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

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;

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

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

Strengthen existing or establish readily available and free or affordable alternative administrative mechanisms and legal aid programmes to assist disadvantaged women

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;

paying special attention to ensure non-discrimination and equal enjoyment of all human rights and fundamental freedoms by women and girls with disabilities.

Strategic objective I.3.:

Achieve legal literacy

Actions to be taken

· By Governments and non-governmental organizations, the United Nations and other international organizations, as appropriate:

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.

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;

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;

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;

Promote education on the human and legal rights of women in school curricula at all levels of education.

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.

Article 16 from CEDAW Convention

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.

Beijing Platform of Action

L. The Girl-child

Strategic objective L.1.:

Eliminate all forms of discrimination against the girl child

Actions to be taken

· By Governments:

· 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;

Eliminate the injustice and obstacles in relation to inheritance faced by the girl child so that all children may enjoy their rights without discrimination

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;

Develop and implement comprehensive policies, plans of action and programmes for the survival, protection and development

Ensure the desegregation 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.

Strategic objective L.2.:

Eliminate negative cultural attitudes and practices against girls

Actions to be taken

· By Governments:

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;

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;

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;

Take steps so that tradition and religion and their expressions are not a basis for discrimination against girls.

· By Governments and, as appropriate, international and non-governmental organizations:

Promote an educational setting that eliminates all barriers that impede the schooling of married and/or pregnant girls and young mothers

Eliminate all forms of discrimination against the girl child and the root causes of son preference, which result in harmful and unethical practices

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,

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

By Governments and international and non-governmental organizations:

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;

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;

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;

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

· By Governments:

Ensure universal and equal access to and completion of education for all girls and boys.

Take steps to integrate functional literacy and numeracy programmes, particularly for out-of-school girls in development programmes;

Increase enrolment and improve retention rates of girls by allocating appropriate budgetary resources and by enlisting the support of the community and parents.

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;

Take actions to ensure that female teachers and professors have the same possibilities and status as male teachers and professors.

· By Governments and international and non-governmental organizations:

Provide education and skills training to increase girls' opportunities for employment and access to decision-making processes;

Ensure access to appropriate education and skills-training for girl children with disabilities for their full participation in life;

Promote the full and equal participation of girls in extracurricular activities, such as sports, drama and cultural activities.

Strategic objective L.5.:

Eliminate discrimination against girls in health and nutrition

Actions to be taken

· By Governments and international and non-governmental organizations:

Provide public information on the removal of discriminatory practices against girls in food allocation, nutrition and access to health services;

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;

Ensure education and dissemination of information to girls, especially adolescent girls, regarding the physiology of reproduction, reproductive and sexual health.

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;

Develop information and training programmes for health planners and implementors on the special health needs of the girl child;

Take all the appropriate measures with a view to abolishing traditional practices prejudicial to the health of children,

Strategic objective L.6.:

Eliminate the economic exploitation of child labour and protect young girls at work

Actions to be taken

· By Governments:

In conformity with article 32 of the Convention on the Rights of the Child, 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;

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;

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;

Strengthen, where necessary, legislation governing the work of children and provide for appropriate penalties or other sanctions to ensure effective enforcement of the legislation;

Strategic objective L.7.:

Eradicate violence against the girl child

Actions to be taken

· By Governments and, as appropriate, international and non-governmental organizations:

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;

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;

Strategic objective L.8.:

Promote the girl child's awareness of and participation in social, economic and political life

Actions to be taken

· By Governments and international and non-governmental organizations:

Provide access for girls to training, information and the media on social, cultural, economic and political issues and enable them to articulate their views;

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

· By Governments, in cooperation with non-governmental organizations:

Formulate policies and programmes to help the family, in its supporting, educating and nurturing roles, with particular emphasis on the elimination of intra-family discrimination against the girl child;

Educate and encourage parents and caregivers to treat girls and boys equally and to ensure shared responsibilities between girls and boys in the family.

Article 18 from CEDAW Convention

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 fulfillment of obligations under the present Convention.

Beijing Platform of Action

I. Human Rights of Women

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

· By Governments:

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;

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, [32] and by promoting efficient working methods;

Article 24 from CEDAW Convention

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.

Beijing Platform of Action

H. Institutional Mechanisms for the Advancement of Women

Strategic objective H.1.:

Create or strengthen national machineries and other governmental bodies

Actions to be taken

· By Governments:

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.

Provide staff training in designing and analyzing data from a gender perspective;

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;

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;

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:

· By Governments:

Seek to ensure that before policy decisions are taken, an analysis of their impact on women and men, respectively, is carried out;

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.

Promote national strategies and aims on equality between women and men in order to eliminate obstacles to the exercise of women's rights. Work with members of legislative bodies, as appropriate, to promote a gender perspective in all legislation and policies;

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.

· By national machinery:

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;

Establish direct links with national, regional and international bodies dealing with the advancement of women;

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

· 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:

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;

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;

Improve data collection on the full contribution of women and men to the economy, including their participation in the informal sector(s);

Improve concepts and methods of data collection on the measurement of poverty among women and men, including their access to resources;

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;

Improve concepts and methods of data collection on the participation of women and men with disabilities, including their access to resources.

· By Governments:

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;

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;

Use more gender-sensitive data in the formulation of policy and implementation of programmes and projects.

· By the United Nations:

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;

Promote the further development of statistical methods to improve data that relate to women in economic, social, cultural and political development;

Prepare a new issue of The World's Women at regular five-year intervals and distribute it widely;

Assist countries, upon request, in the development of gender policies and programmes;

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.

· 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.

Beijing Platform of Action

D. Violence against Women

Strategic objective D.1.:

Take integrated measures to prevent and eliminate violence against women

Actions to be taken

· By Governments:

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;

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;

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;

Work actively to ratify and/or implement international human rights norms and instruments as they relate to violence against women,

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.

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.

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;

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;

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;

Ensure that women with disabilities have access to information and services in the field of violence against women;

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;

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.

Allocate adequate resources within the government budget and mobilize community resources for activities related to the elimination of violence against women.

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;

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 in relation to violence against women.

· 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:

Provide well-funded shelters and relief support for girls and women subjected to violence.

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;

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.

Disseminate information on the assistance available to women and families who are victims of violence;

Provide, fund and encourage counseling and rehabilitation programmes for the perpetrators of violence.

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.

· By Governments, employers, trade unions, community and youth organizations and non-governmental organizations, as appropriate:

Develop programmes and procedures to eliminate sexual harassment and other forms of violence against women in all educational institutions, workplaces and elsewhere;

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;

Develop counseling, 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;

· 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.

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

· By Governments, regional organizations, the United Nations, other international organizations, research institutions, women's and youth organizations and non-governmental organizations, as appropriate:

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;

Disseminate findings of research and studies widely;

The Relation Between the CEDAW and the Beijing Platform for Action

The agreement to issue the CEDAW took place in one of the international conferences periodically conducted to study and debate means for effectuating women's participation in development, being one of the most significant hindrance to sustained development in the world. During the World Conference of the International Women's Year held in Mexico City in 1975, a motion to draft a concept to achieve this objective was brought forward, and was then adopted during the UN General Assembly Meeting of 1979 and entered into force as from September 1981 after the ratification of 20 states.

Despite the declaration, adoption and accession of most of the world states to this Convention, and despite the remarkable progress in women's status in many places in the world, this progress remained extremely limited in proportion with the objective solicited by the Convention, which is the realization of equality between men and women in the whole world. Women's status remained far below the aspirations of the International Community in many places in the world. The existence of qualitative and inconsistent gaps in different domains, such as education, employment, social security, participation in decision-making, economy and health, remained untreated. Poverty rates, particularly among women, have swollen, which represented a double threat to development from one side, and to women's human rights from another side. This led to the 3rd Conference on Women in Nairobi in 1985 to concretize the Nairobi ambitious strategies,

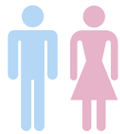
which introduced aspiring objectives to elevate women's status in order to achieve peace, equality and development in the world.

In 1995 the 4th Conference on Women took place in Beijing to evaluate the progress achieved in women's status in the world. Nevertheless, indications and statistics demonstrated the continuous presence of gaps, having great impacts on the development, whereas women's participation is still insignificant and the returned benefit from development remains minimal. Moreover, violations of women's rights are still committed and discrimination against women is disseminated at a large scale in numerous countries, the matter that engaged the Conference with the task of establishing a plan and an agenda to empower women, with the aim of removing all obstacles impeding them from effective participation in all walks of public and private life, by granting them their complete and equitable share in making economic, social, cultural and political decisions.

The Platform for Action introduced at this Conference is a procedural translation of the Convention's articles, whereas it contains a detailed action plan for the elimination of discrimination against women and the realization of equality between women and men in all domains considered crucial by the Platform to build a lasting, just and advanced society, and to establish political, social, economic, cultural and environmental security for all nations. The Platform specified the abovementioned issues in 10 domains as follows: poverty, women's education and health, violence against women, effects of armed tendencies on women, women and economy, women's participation in decision-making fields, women's human rights, stereotypical portrayal of women in the media, inequality in managing human resources and environment protection, discrimination against the girl child, and institutional mechanisms for the advancement of women's status.

We may find that, reading the content of the Convention; it deals with numerous fields in its various articles, which have defined the concept of discrimination against women in each field. It has also demanded the states for a clear commitment to take all necessary measures to remove this discrimination. However the Beijing Platform has added more definition to the detailed steps which realize the same objective, by naming certain parties to work within the framework of partnership to execute this plan, such concerned parties are the Governments, the International Community, and the Civil Society including the NGOs and the Private Sectors.

The interconnection of the Convention and the Beijing Platform for Action complements the necessary awareness framework to enable the NGOs to perform the role assigned to them, whether on the front of supporting the exerted efforts for the advancement of women's status and the effectuation of her human rights, or on the front of following up the concerned parties' performance of their role and driving for more achievements to realize equality on the political, legislative and programming fronts.



Themes

Themes

Economic

"There can be no real individual freedom in the presence of economic insecurity."

Chester Bowles (1901 - 1986)

Economic rights:

Facts & Statistics

The gap between the wages of men and women is still ranging from 30% to 40%. Women are deprived of the opportunity to be trained or promoted and are still working in low-paid sectors.[1]

Globalization leads to two deep changes in women's work: Firstly, through the continuous expansion in the private sector where they represent the workforce majority and deprived women are not granted their basic right according to the required social standards. Secondly, through the introduction of practices from the private sector to the public sector, which is called "The Woman Example". These practices increase the competition in the business sector, such as complete flexibility, non-stereotypical work, part-time work, on-call work, working from home, partial contract, uninsured self-employment, etc. According to the statistics of the Development, Economic and Social Organization, the number of female employees in such jobs is increasing considerably. [1]

In the occupied Palestinian Territories, the 1996 Labor Force Survey indicated that average female wages were around 60% of male wages.[2]

A study carried out in Lebanon in the 1990s revealed that wages of female workers in industrial and commercial establishment were around 80% of male wages.[3]

According to a recently released World Bank report on gender a Development in the Middle East and North Africa (MENA), only 32% of women in the region are active participants in the labor Force. This rate is the lowest in the world, compared to some 80% in East Asia and Pacific, 70% in Europe and Central Asia, and 65% in Sub-Saharan Africa.[2]

In 1997, the consensus had shown that women's labor-force participation rate in economic activity was significantly lower than that of men, and still it continues to be. Examples: In Algeria women's participation is 16.7% while men's is 46.9%. In Oman, women's participation is 8.6% while men's is 42.9%. [3]

In some Arab states, the youth unemployment rate of males is actually higher than that of female. For example in 1998, in Egypt, female youth unemployment was 59.9% while males' was 63.1%. On the other hand, in other states the contrary is true. For example, in 1997, in Qatar, males' unemployment rate was 44.2% while females' was 45.4%. [3]

In Morocco, women are more likely to be unemployed. Even the employed, they tend to be discriminated against in terms of their wages. In the industrial sector, men receive wages 30-40% higher than that of women. In the textile sector, women's wages are usually 50% of the minimum wage. Furthermore, some women, especially the marginalized and impoverished women, are discriminated against in terms of their general working conditions.

Thousands of African and Latin Americans work as home cleaners in the United States, with salaries beneath the minimum wage and without any benefits or privileges.

In Africa and India, women are prohibited to have ownership over any form of wealth. Women are also excluded from receiving inheritance and are not to administer any inheritance issues and legalities.

What is the analysis and background of women's economic rights?

In every country in the world, no matter what political rule it follows, be it communist, democratic, or dictatorial, women's economic rights were ignored and incompletely recognized. This is due to assigning stereotypical and social roles to each gender, and assuming the home and family is a woman's responsibility.

While women take care of their families, children and homes, they are also responsible for 60-80% of the food production in the developing countries. Some of these women work for free, and others receive very low wages with no benefits, despite the world's dependence on their valuable economic participation and production.

Where does CEDAW come in?

CEDAW has strongly emphasized the importance of granting women and men equal economic rights and opportunities, in a number of articles.

In article(15):

1- States Parties shall accord to women equality with men before the law.

2- States Parties shall accord to women, in civil matters, a legal capacity identical to that of men and the same opportunities to exercise that capacity. In particular, they shall give women equal rights to conclude contracts and to administer property and shall treat them equally in all stages of procedure in courts and tribunals.

3- States Parties agree that all contracts and all other private instruments of any kind with a legal effect which is directed at restricting the legal capacity of women shall be deemed null and void.

4- States Parties shall accord to men and women the same rights with regard to the law relating to the movement of persons and the freedom to choose their residence and domicile."

The Convention has also mentioned economic rights in article (16)/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".

The above articles clearly show how much significance and urgency CEDAW assigns for gender equality in the economic sphere. As expected, the Committee of CEDAW monitors and reviews states' reports to follow up each state's condition and what measures will it be implementing to better off women's situation in that particular state.

Furthermore, CEDAW emphasizes the importance of sharing family, children and home responsibilities. Article (16)/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."

This leads to the conclusion that both men and women have the right and responsibility to take care of their private life and also work in the public sphere as well. These articles show that there should not be any discrimination against women in terms of responsibility and right assignment.

Nowadays, more people, institutions and governments are involved in and concerned with women's economic rights and issues. More countries are moving this particular issue to the heart of their plans and agendas, to ensure gender equality in the economic sphere. With these efforts and the implementation of CEDAW's articles, more states should be able to eliminate discrimination against women in terms of economic rights, privileges, and opportunities.

1 Document of the International campaign against poverty & violence

2 Arab woman progress report, UNIFEM 2005

3 source: Arab Human Development Report: Creating Opportunity for Future Generations. (p.158,159).

EMPLOYED POPULATION BY ECONOMIC SECTOR

(Percentages)

Country	Agriculture		Industry		Services	
	Women	Men	Women	Men	Women	Men
Jordan (2002)	7.8	92.2	8.1	91.9	15.9	84.1
Bahrain (1991)	1.4	98.6	4.2	95.8	22.2	77.8
Syria (2001)	31.7	68.3	5.0	95.0	14.7	85.3
Iraq (1987)	14.3	85.7	8.2	91.8	11.6	88.4
Oman (2000)	11.6	88.4	17.2	82.8	13.4	86.6
Palestine (1997)	12.3	87.7	3.9	96.1	15.3	84.7
Qatar (2001)	0.0	100.0	1.1	98.9	23.1	96.9
Kuwait (1985)	0.9	99.1	1.5	89.5	27.6	72.4
Lebanon (1997)	12.1	87.9	10.5	89.5	27.6	72.4
Egypt (2001)	-	-	8.6	91.4	21.0	79.0
Yemen (1999)	40	60	6	94	7	93

Source: Compiled form ESCWA Gender Statistics, 2003.

Proportion Of Women In The Labor Force, 1980-2003

Country	1980	1994	2000	2003
Jordan	14.7	11	24.0	28.1
UAE	5.1	9	13.0	32.1
Bahrain	10.9	12	21.0	34.5
Tunisia	28.9	24	32.0	37.7
Algeria	21.4	10	28.0	31.6
Comoros	43.1	38	43.0	62.3
Syria	-	18	27.0	29.5
Djibouti	-	40	-	-
Sudan	26.9	-	30.0	35.7
Somalia	43.4	-	43.0	
Iraq	17.3	22	20.0	-
Oman	-	-	-	20.3
Palestine	-	-	-	9.6
Qatar	6.7	7	16.0	42.6
Kuwait	13.1	23	23.0	36.2
Lebanon	22.6	27	30.0	30.7
Libya	18.6	10	23.0	25.9
Morocco	33.5	21	35.0	41.9
Egypt	26.5	23	30.0	36.0
Mouritania	45.0	23	43.0	63.1
Saudi Arabia	7.6	7	18.0	22.4
Yemen	32.5	12	28.0	30.9
Arab country			29.0	33.3

Source: International labor Office, Bureau of Statistics, Economically Active Population 1950-2010, fourth edition(Geneva, 1996), and ESCWA, Survey of Economic and Social Development in the ESCWA Region 1999-2000,p.136

Unemployment and Child Labor

Country	(%) Unemployment average 1999-2002			(%) Child labor (5-14years) 1999-2001					Poorer than 20% of population	illiterate women
	Total	Male	Female	Total	Male	Female	Urban	Rural		
Jordan	14.5	13.4	20.8	00	00	00	00	00	00	00
UAE	2.3	2.2	2.6	00	00	00	00	00	00	00
Bahrain	6.2	4.2	2.0	5	6	3	00	00	00	5
Algeria	29.8	33.9	29.7	00	00	00	00	00	00	00
Saudi Arabia	4.6	3.9	9.1	00	00	00	00	00	00	00
Sudan	00	00	00	13	14	12	7	19	25	16
Somalia	00	00	00	32	29	36	25	36	38	35
Iraq	00	00	00	8	11	5	6	12	12	9
Kuwait	0.8	0.8	0.6	00	00	00	00	00	00	00
Morocco	11.6	11.6	12.5	00	00	00	00	00	00	00
Yemen	11.5	12.5	8.2	00	00	00	00	00	00	00
Tunisia	14.9	00	00							
Comoros	00	00	00	27	27	28	28	27	32	29
Syria	11.7	8.3	24.1	00	00	00	00	00	00	00
Palestine	31.3	33.5	17.1	00	00	00	00	00	00	00
Lebanon	00	00	00	6	8	4	00	00	00	13
Egypt	9.2	5.6	22.6	6	6	5	3	8	12	8

Source: UNICEF_http://www.unicef.org/files/table9 _english.xls

Percentage of Women in Labor Force(2000), Percentage in Paid Non-Agricultural Sector (2003), and Unemployment Rate by Gender in Different years

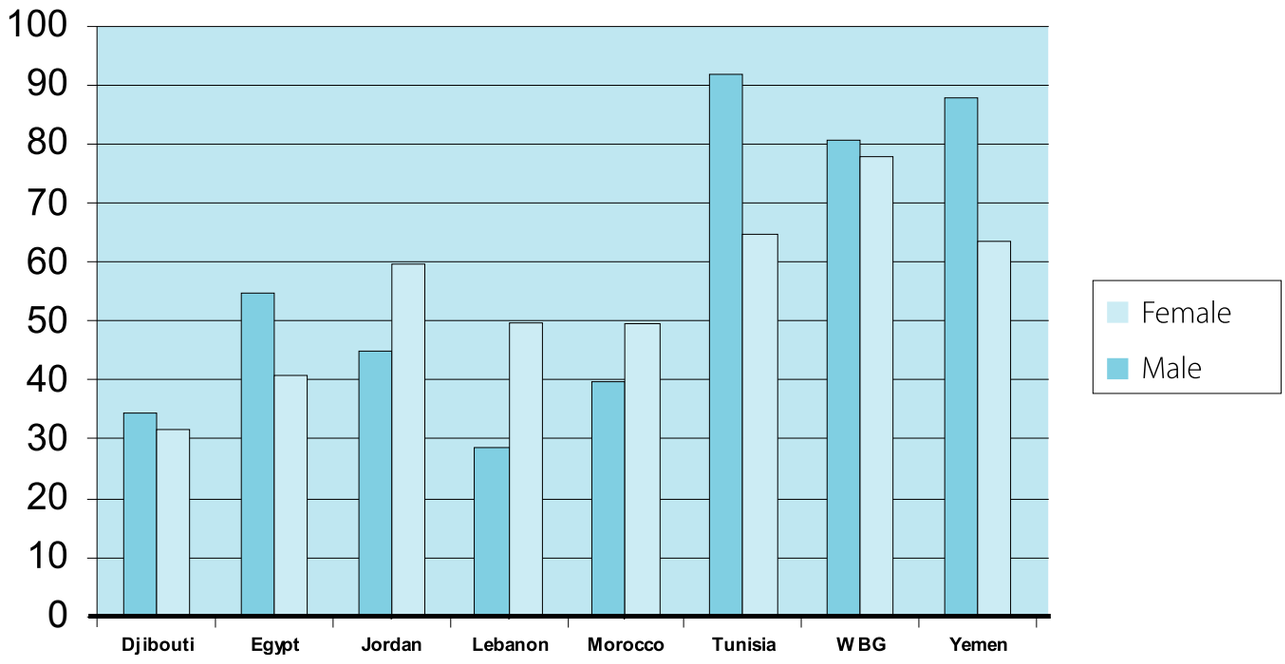
Countries	of women in labor force%	in paid non- agricultural sector%	Unemployment rate		
			female	male	year
Algeria	28	12			
Bahrain	21	13	11.8		1991
Comoros	43			5.2	
Egypt	30	20	19.9		1998
Iraq	20		7.1	5.1	1987
Jordan	24	21	21.0	3.5	2000
Kuwait	23	23	0.7	12.3	1999
Lebanon	30		7.2	0.8	1997
Libya	23				
Mauritania	43				
Morocco	35	27			
Oman	17	25	37.0	14.2	1996
Palestine		16	20.2	17.1	1997
Qatar	16	15	5.2	1.8	1997
Saudi Arabia	18	14			
Somalia	43				
Sudan	30				
Syria	27	17	10.5	8.6	1998
Tunisia	32				
UAE	13	14	2.4	1.7	1995
Yemen	28	7	8.2	12.5	1999

Source: ESCWA 20033b, UNIFEM report (Progress of Arab Women2004)

Informal Sector Work as Percentage of Labor Force Participation in Arab Countries

Source: world bank 2003, UNIFEM report (Progress of Arab Women2004)

Informal Sector Work as Percentage of Labor Force Participation in Arab Countries



Source: world bank 2003, UNIFEM report (Progress of Arab Women2004)

Gender-related development index in the Human development reports from 2001 to 2005

HDI rank	(Gender-related development index (GDI										HDI rank minus GDI rank				
	rank					value									
	2001	2002	2003	2004	2005	2001	2002	2003	2004	2005	2001	2002	2003	2004	2005
Qatar	48	48	..	..	..	0.788	0.794	..	..	..	-2	-1	..	..	..
United Arab Emarates	45	47	49	..	..	0.798	0.798	0.802	..	..	-2	-4	-3	..	..
Bahrain	41	40	40	39	41	0.814	0.822	0.829	23.505	0.837	-2	-2	-4	-2	-2
Kuwait	40	44	45	42	39	0.815	0.804	0.831	20.979	0.843	2	-2	-1	-1	1
Libya	61	61	..	..	..	0.748	0.753	..	..	..	-4	-4	..	..	..
Oman	77	78	71	68	60	0.715	0.722	0.736	0.747	0.759	-10	-10	-4	-7	-4
Saudi Arabia	75	72	68	72	65	0.719	0.731	0.743	0.739	0.749	-11	-10	-6	-9	-5
Lebanon	66	69	70	64	68	0.741	0.739	0.737	0.737	0.745	-5	-4	0	2	-4
Tunisia	80	81	76	77	69	0.700	0.709	0.727	0.734	0.743	1	0	-2	-2	0
Jordan	81	48	75	76	73	0.698	0.701	0.729	0.734	0.740	-1	-1	-2	-2	-3
Palestine			..	..				..	..				..	..	
Algeria	91	90	88	89	82	0.673	0.679	0.687	0.688	0.706	-1	-2	-1	-2	-3
Syria	90	93	93	88	84	0.677	0.669	0.668	0.689	0.702	-3	-2	-3	-3	-2
Egypt	97	99	99	99	..	0.620	0.628	0.634	0.634	..	-2	-2	-1	-1	..
Morocco	101	102	102	100	97	0.579	0.585	0.590	0.604	0.616	0	0	0	0	-1
Comoros	113	114	108	108	101	0.503	0.505	0.521	0.510	0.541	0	1	0	0	0
Sudan	129	116	116	115	110	0.413	0.478	0.483	0.485	0.495	-4	1	-5	-4	-2
Djibouti	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Yemen	131	128	127	126	121	0.410	0.426	0.424	0.4	0.436	-10	-7	-6	-5	-4
Mouritnia	126	127	125	124	118	0.428	0.429	0.445	0.456	0.471	0	1	1	0	0

Gender empowerment measure in the Human development reports from 2001 to 2005

HDI rank	Gender empowerment measure (GEm)										Seats in parliament held by women a (% of total)				
	rank					value									
	2001	2002	2003	2004	2005	2001	2002	2003	2004	2005	2001	2002	2003	2004	2005
Qatar	_	_	_	_	_	_	_	_	_	_	_	_	_	_	_
UAE	_	_	65	_	_	_	_	0.315	_	_	0.0	0.0	0.0	0.0	0.0
Bahrain	_	_	_	66	68	_	_	_	0.395	0.393	_	_	6.3	7.5	7.5
Kuwait	_	_	_	_	_	_	_	_	_	_	0.0	0.0	0.0	0.0	0.0
Libya	_	_	_	_	_	_	_	_	_	_	_	_	_	_	_
Oman	_	_	_	_	_	_	_	_	_	_	_	_	_	_	7.8
Saudi Arabia	_	_	_	77	78	_	_	_	0.207	0.253	_	_	∞	0.0	0.0
Lebanon	_	_	_	_	_	_	_	_	_	_	2.3	2.3	2.3	2.3	2.3
Tunisia	_	_	_	_	_	_	_	_	_	_	11.5	11.5	11.5	11.5	22.8
Jordan	_	_	_	_	_	_	_	_	_	_	2.5	3.3	3.3	7.9	7.9
Palestine			_	_	_	_	_	_	_	_			_	_	_
Algeria	_	_	_	_	_	_	_	_	_	_	4.0	4.0	6.0	_	5.3
Syria	_	_	_	_	_	_	_	_	_	_	10.4	10.4	10.4	12.0	12.0
Egypt	64	65	68	75	77	0.258	0.26	0.253	0.266	0.274	2.4	2.4	2.4	3.6	4.3
Morocco	_	_	_	_	_	_	_	_	_	_	0.7	0.5	6.1	_	6.4
Comoros	_	_	_	_	_	_	_	_	_	_	_	-1.0	_	_	3.0
Sudan	_	_	_	_	_	_	_	_	_	_	9.7	9.7	9.7	9.7	9.7
Djibouti	_	_	_	_	_	_	_	_	_	_	0.0	0.0	3.0	10.8	10.8
Yemen	_	_	70	78	80	_	_	0.127	0.123	0.123	0.7	0.7	0.7	0.3	0.3
Mouritania	_	_	_	_	_	_	_	_	_	_	3.0	3.0	3.0	4.4	4.4

HDI rank	Female legislators, senior officials and managers b (% of total)					Female professional and technical workers b (% of total)					ratio of estimated female to male earned income c				
	2001	2002	2003	2004	2005	2001	2002	2003	2004	2005	2001	2002	2003	2004	2005
Qatar	_	_	_	_	_	_	_	_	_	_	_	_	_	_	_
UAE	_	8	8	8	8	_	25	25	25	25	_	_	0.21	_	_
Bahrain	9	_	_	10	10	20	_	_	19	19	_	_	_	0.34	0.31
Kuwait	_	_	_	_	_	_	_	_	_	_	_	_	_	0.34	0.35
Libya	_	_	_	_	_	_	_	_	_	_	_	_	_	_	_
Oman	_	_	_	_	_	_	_	_	_	_	_	_	_	0.22	0.19
Saudi Arabia	_	_	_	1	31	_	_	_	31	6	_	_	_	0.21	0.21
Lebanon	_	_	_	_	_	_	_	_	_	_	_	_	_	0.31	0.31
Tunisia	_	_	_	_	_	_	_	_	_	_	_	_	_	0.36	0.37
Jordan	_	_	_	_	_	_	_	_	_	_	_	_	_	0.31	0.31
Palestine			11	10	12			32	33	34			_	_	_
Algeria	_	_	_	_	_	_	_	_	_	_	_	_	_	0.31	0.31
Syria	_	_	_	_	_	_	_	_	_	_	_	_	_	0.28	0.29
Egypt	11	10	10	9	9	29	31	29	30	31	0.37	0.38	0.39	0.38	0.26
Morocco	_	_	_	_	_	_	_	_	_	_	_	_	_	0.40	0.40
Comoros	_	_	_	_	_	_	_	_	_	_	_	_	_	0.56	0.55
Sudan	_	_	_	_	_	_	_	_	_	_	_	_	_	0.32	0.32
Djibouti	_	_	_	_	_	_	_	_	_	_	_	_	_	_	_
Yemen	_	_	4	4	4	_	_	15	15	15	_	_	0.30	0.30	0.31
Mouritania	_	_	_	_	_	_	_	_	_	_	_	_	_	0.56	0.56

∞ The country has never had a parliament.

Themes

Education

"Only the educated are free."

Epictetus (55 AD - 135 AD), Discourses

Education:

Facts & Statistics

Out of 862 million illiterates worldwide, two-thirds of them are women.

In 2003, the adult illiteracy rate in the Arab region was27 % for males and 49% for females.

8 million children in the Arab region are denied schooling. 5 million are girls. 1

As of 2003 in Djibouti, the primary school enrolment rate is 35% for boys, while it is 26% for girls. Djibouti had the biggest gap between the enrolments of the two genders in the Arab region. 1

Girls are less likely to repeat school years. In the Arab region only 6% of girls repeat a year of school, while slightly 9% of boys do. 1

In the Arab region more girls than boys are enrolled in secondary level schooling. In Jordan for example, 78% of girls were enrolled, while 73% of boys were. 1

Women's participation in tertiary education is markedly less than that of men in Iraq, Djibouti, Morocco and the Palestinian Autonomous Territories. 1

The female primary gross enrollment ratio exceeded 85% for more than half of the Arab countries and was higher than 75% for three quarters of the countries. Only three Arab countries (Djibouti-Sudan- Yemen) are still facing a major challenge with more than half of girls deprived of primary education.

What is the analysis and background of women's situation in education?

Although it is evident that the education level and enrolment rates of women in education have improved and increased in the past 20 years, yet it cannot be ignored that 2/3 of the world's illiterates are actually women.

In some cases around the world women are denied the right to study and become educated, due to social and traditional perceptions. Such societies tend to believe that a woman's place is at home, taking care of her family and children. Assigning this traditional and stereotypical social role prohibits a lot of women from overcoming illiteracy.

In other cases girls drop out of school because of the pressures of responsibility expected of her to meet at home, early marriage, pregnancy, house chores, etc … Some girls tend to drop out of schools or higher educational institutes due to the fact that they are more likely to be victims of sexual assaults, confidence destruction, and self-esteem deterioration as a result of being perceived as inferior and more vulnerable.

Girls who are actually educated and get to complete their education, usually fit into a trend in regard to their choice of major or field of study. There are several vocations or occupations related exclusively to one of the sexes. This could be said to be the consequence of stereotypical ideas and mentalities of parents, teachers, and administrators.

Where does CEDAW come in?

Although non of the signatory States Parties have made reservations upon the CEDAW article that tackles education and granting equal educational opportunities to both men and women, yet the discrepancies in the enrolment rates are evident between the two genders in most countries around the world.

Article(10) of the Convention states:

"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

---

Source: http://portal.unesco.org

Source: Escw Gender Statistics 2003

Arab woman progress report, UNIFEM 2005

establishments of all categories in rural as well as in urban areas; this equality shall be ensured in preschool, general, technical, professional and higher technical education, as well as in all types of vocational training;

(b) Access to the same curricula, the same examinations, teaching staff with qualifications of the same standard and school premises and equipment of the same quality;

(c) The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging coeducation and other types of education which will help to achieve this aim and, in particular, by the revision of textbooks and school programmes and the adaptation of teaching methods;

(d) The same opportunities to benefit from scholarships and other study grants;

(e) The same opportunities for access to programmes of continuing education including adult and functional literacy programmes, particularly those aimed at reducing, at the earliest possible time, any gap in education existing between men and women;

(f) The reduction of female student drop-out rates and the organization of programmes for girls and women who have left school prematurely;

(g) The same opportunities to participate actively in sports and physical education;

(h) Access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning."

The Convention Committee would fulfill its role when it monitors the states and their application of the CEDAW articles. The Committee can also make recommendations to different states, when reviewing the states' reports, in order to benefit women and improve their situation in education, and in other avenues as well.

Education is considered one of the most basic human rights and one of the most significant developmental aspects of an individual's life, therefore, it is essential to ensure equal educational opportunities to both men and women.

ILLITERACY RATES (15-25) IN THE ARAB COUNTRIES

Countries	Women	Men	Both Women and Men
Jordan	13.4	4.2	8.6
UAE	18.5	24.0	22.2
Bahrain	15.0	8.1	10.9
Tunisia	35.7	16.0	25.8
Algeria	39.1	21.1	30.1
Syria	36.1	10.3	23.1
Djibouti	41.6	22.0	32.1
Sudan	49.5	28.4	39.0
Iraq	75.6	44.1	59.6
Oman	32.8	17.0	24.2
Qatar	15.0	18.6	17.5
Kuwait	18.3	15.0	16.5
Lebanon	17.8	6.9	12.6
Libya	28.1	7.6	17.5
Morocco	60.6	35.9	48.3
Egypt	53.1	31.7	42.3
Mouritania	68.1	48.2	58.3
Saudi Arabia	29.2	15.4	21.3
Yemen	69.9	29.5	49.7
Arab countries	49.0	27.0	37.6

Source: ESCW Gender Statistics.2003

LITERACY RATES, AGES 15+ AND GENDER EQUALITY INDEX, 1990-2000

Country	Literacy rates for those ages 15 and over						Gender equality index		
	1990		1995		2000		1990	1995	2000
	Women	Men	Women	Men	Women	Men	Women/Men	Women/Men	Women/Men
Jordan	71.7	89.9	80.1	90.5	84.4	94.9	0.80	0.89	0.89
UAE	71.0	71.5	75.1	73.2	79.5	75.2	0.99	1.03	1.06
Bahrain	74.8	86.9	79.5	89.2	82.7	91.0	0.86	0.89	0.91
Tunisia	46.4	71.7	53.0	76.0	60.1	81.4	0.65	0.70	0.74
Algeria	39.1	66.4	45.2	71.1	51.3	75.1	0.59	0.64	0.68
Syria	47.5	81.9	54.1	85.4	60.4	88.3	0.85	0.63	0.59
Djibouti	27.4	55.5	32.8	60.4	38.4	65.0	0.49	0.54	0.56
Sudan	31.2	58.6	38.3	63.5	46.0	68.3	0.53	0.60	0.67
Somalia	-	-	-	-	-	-	-	-	-
Iraq	-	-	-	-	-	-	-	-	-
Oman	38.4	67.9	50.6	74.6	61.7	80.4	0.57	0.68	0.77
Palestine	-	-	-	-	-	-	-	-	-
Qatar	76.1	77.4	80.0	79.0	83.2	80.5	0.98	1.01	1.03
Kuwait	72.8	79.5	76.0	82.3	79.9	84.3	0.92	0.92	0.95
Lebanon	73.2	88.5	77.0	90.5	80.4	92.3	0.83	0.85	0.87
Libya	50.9	83.0	59.8	87.4	67.6	90.9	0.61	0.68	0.73
Egypt	33.6	60.3	38.5	63.5	43.7	66.6	0.56	0.61	0.66
Morocco	25.0	52.7	30.7	57.7	37.0	61.9	0.47	0.53	0.58
Saudi Arabia	50.6	77.6	59.7	80.8	67.2	84.1	0.65	0.74	0.80
Mouritania	23.9	46.4	26.7	48.7	29.5	50.6	0.52	0.55	0.58
Yemen	13.0	55.4	18.4	62.1	25.0	67.4	0.23	0.30	0.37
Arab region	37.4	65.9	43.4	69.7	49.4	73.9	0.57	0.62	0.67

Source: UNESCO.Statistical Yearbook, 1999.

Inequality between male and female in education

Country	Knowledge of reading and writing among adults 2002		Knowledge of reading and writing among youth 2002		Net total of primary registered pupils 2001-2002		Net total of secondary registered pupils 2001-2002		Total registered students in higher education 2001-2002	
	Female average (as percentage for females of (15years or more	Female average (as percentage (of male average	Female average (as percentage of females at (15-24years	Female average (as percentage (of male average	Female percentage (%)	Female to male percentage	Female percentage (%)	Female to male percentage	Female percentage (%)	Female to male percentage
Jordan	85.9	9	99.5	100	92	1.01	81	03.1	31	1.02
UAE	7.80	107	95.0	108	80	97.0	74	1.05	000	00
Bahrain	84.2	92	98.9	100	91	1.01	86	1.12	28	1.86
Algeria	59.6	76	85.6	91	94	0.97	64	1.06	00	00
Saudi Arabia	69.5	83	91.6	96	57	0.92	51	0.93	26	1.49
Sudan	49.1	69	74.2	88	42	0.83	00	00	6	0.92
Somalia	00	00	00	00	00	00	00	00	00	00
Iraq	00	00	00	00	00	00	00	00	00	00
Kuwait	81.0	96	93.9	102	84	0.99	79	1.05	32	2.58
Morocco	38.3	61	61.3	79	85	0.93	28	0.83	9	0.80
Yemen	28.5	41	50.9	60	47	0.66	21	0.46	5	0.28
Tunisia	63.1	76	90.6	93	97	0.99	69	1.04	21	0.97
Comoros	49.1	77	52.2	79	50	0.84	00	00	1	0.73
Djibouti	00	00	00	00	30	0.77	13	0.63	1	0.80
Syria	74.2	82	93.0	96	96	0.95	37	0.91	50	50
Oman	65.4	80	97.3	98	75	1.01	68	1.0	60	1.67
Palestine	00	00	00	00	95	1.01	83	1.06	30	0.98
Qatar	82.3	97	95.8	102	94	0.98	80	1.06	34	2.69
Lebanon	00	00	00	00	89	0.99	00	00	48	1.14
Libya	70.7	77	94.0	94	00	00	00	00	61	1.09
Egypt	43.6	65	66.9	85	88	0.96	79	0.95	00	00
Mouritania	31.3	61	41.8	73	65	0.96	13	0.83	1	0.27

source: Http://unstats.un.org/unsd/demographic/ww2000/table6a.htm:World Women2000
http://www.ipu.org/wmn-elcassif-htm:inter-parliamentaryUnion
Human development report 2004.

Themes

Legislation

"Even when laws had been drawn, they must not remain unchanged."

Aristotle (384 BC - 322 BC), Politics

Legislative laws:

Facts & Statistics

11 out of the 17 CEDAW Arab States Parties declared their reservation upon article (9)/2 of the Convention. This Article ensures the right for women to grant their nationality to their children. These Arab States made reservations thereon for contradicting their Personal Status law or Nationality laws.

In Pakistan, acid is sold without any restrictions. The government does not punish those who use acid to punish or kill women. These women are usually punished or killed because they did not follow specific cultural and social norms.

The tax legislation of the Government of Malta, in certain circumstances, considers the income of a married woman her husband's, and is taxed as such.

Abortion is prohibited in Jordan according to the Penal Code, Law No.16. This law states that any person operating abortion is subject to 1 to 3 years imprisonment. In case a woman carries out abortion or allows someone else to perform it she shall imprisoned from 6 months to 3 years.

What is the analysis and background of discriminatory legislative laws?

Legislative laws could be discriminatory on the basis of gender in several different ways:

1) Laws could be discriminatory against women as stated in the state's constitution. Such laws include the Personal Status Laws or Nationality Laws of a certain state.

2) Laws could be non-discriminatory as stated in the constitution of a certain state but actually discriminate against women in their application.

3) Some constitutions state that all citizens are equal regardless of gender, language, race, etc. Nevertheless, the constitution actually includes specific articles that grant men rights while women are denied the very same rights.

4) Some constitutions grant women rights as they grant men, nevertheless, tradition and social ideas impose discrimination against women.

5) Some legislative laws are derived from a certain religion. These legislations impose discriminatory laws based on religious ideas or systems.

What is the CEDAW role?

Once a state is a CEDAW signatory, this state is bound by certain obligations that include changing, developing or revising laws and constitution articles discriminating against women. States are expected to report to the Convention's Committee, identifying and describing the current status of women and the measures taken or to be taken to change and improve the situation to eliminate any gender-based discrimination against women.

CEDAW also monitors and obliges states to actually implement existing, modified or new non-discriminatory laws. This is to ensure the application of the Convention's articles and a better life for women, a life of equality and freedom. The application of the Convention's articles must be achieved as part of the state's actual legislation, as well as part of the written constitutions and legislative laws of such state.

Source: Adolescent Rights and Gender-Based Violence in Legislation in Jordan (Nov.2002)

Themes

Armed Conflict

"What difference does it make to the dead, the orphans and the homeless, whether the mad destruction is wrought under the name of totalitarianism or the holy name of liberty or democracy?"

Mahatma Gandhi (1869 - 1948), "Non-Violence in Peace and War"

Women in armed conflicts:

Facts & Statistics

Al Aqsa Intifada that had erupted in September 2001 had a drastic and devastating effect on women. Women suffered and continue to suffer from unemployment, death of family members, financial hardships, loss of shelter, psychological traumas, immobility, poverty, death and injury, miscarriages and stillbirth, displacement and domestic violence.

In 1992 in Yugoslavia, thousands of Bosnian Muslim and Croat women and girls were taken and raped every night. They were denied any medical attention and care to injuries caused from sexual abuse and beatings.

In Northern Uganda, the Lord's Resistance Army capture children and give them as rewards to men who follow orders. Those girls are forced into "marriages" and are to be the property of those men, where they are sexually controlled, and subjected to rape and other types of domestic violence.1

In Sierra Leone's 8 year conflict, women are systematically and continuously being raped, abducted and subjected to sexual slavery. Women and girls are the victims of extreme brutality.

An abducted 14 year old girl was stabbed in the vagina by a rebel combatant because she did not accept to have sex with him. 1

What is the analysis and background of women's situation in armed conflicts?

Women are continuously targeted and victimized in armed conflicts around the world. They are abused or tortured in several different ways, such as abduction, rape, physical abuse or torture, sexual slavery, imprisonment, murder, etc… Targeting them could be either because of their assumed strength and resistance to the current situation, or because of their assumed weakness, therefore they are taken advantage of and used to satisfy the perpetrator's personal need or used as a tool of war.

Also, abusing women during an armed conflict has been said to be used as a strategy to punish and dominate the civilians, or could happen as a result of the lack of authority and control over soldiers or combatants.

Armed conflicts could also increase the incidence of domestic violence. Studies have shown that men, as a result of feeling helpless and insecure, they tend to abuse and hurt their wives and daughters at home.

Furthermore, armed conflicts most often lead to having a big number of male and female refugees. Studies have shown that 80% of the refugees and displaced people around the world are women and children. In this situation, female refugees are also subjected to different forms of violence and abuse.

Where does CEDAW come in?

Even with the importance of the Convention and its role to achieve gender equality and to eliminate discrimination against women, yet CEDAW has been and still is ignored by states and countries during armed conflicts and wars.

The Committee of the Convention has made its recommendation #19, which was a general statement tackling gender equality, but further stresses the importance of preserving and protecting women, from any kind of discrimination based on gender, specifically in an armed conflict, be it national or international.

The Committee is also responsible for monitoring the States Parties and ensuring their commitment in regards to reporting, providing information, and taking measures and implementing them to actually eliminate discrimination against women, in ordinary situations as well as in armed conflicts.

Source: www.amnestyusa.org/women/fact_sheets/

Themes

Tradition

"Society is one vast conspiracy for carving one into the kind of statue likes, and then placing it in the most convenient niche it has."

Randolph Bourne, Youth and Life

Traditional Practices

Facts & Statistics

135 million girls undergo Female Genital Mutilation around the world. This traditional practice often draws about complications, inflammations, and other health problems. In some cases, it even causes death or increases the possibility of complications or death during giving birth

In countries like China, India and Korea , aborting female foetus is common

A study conducted in 1984 in Bombay has shown that 7999 out of the 8000 abortions carried out in one clinic, during that year, were abortions of female fetuses

In India, parents sometimes burry their infant daughters alive during the first week of the girls' lives due to favouring boys, and to the belief that girls come with misfortune and low value

1 out of every 100-200 girls or women in China suffers from Anorexia Nervosa. The reason behind it is to fit into the stereotypical image of women in their culture and society

In some regions around the world, girls are mistreated in terms of health, nutrition, breastfeeding, etc.

In India, there are still cases where the husband or mother-in-law hurts or kills the bride if she fails to pay her dowry to her husband.

What is the analysis and background of traditional practices and discrimination against women?

In different places around the world, traditional practices still continue for 4 decade and to this day, despite the fact that they may be harmful and destructive to a certain segment of society, in most cases women.

Some societies justify particular practices on the basis of religion or culture. Although it is important to recognize and respect every culture, beliefs and practices, however, Harmful practices that even sometimes kill a girl or a woman must not be accepted.

In most cases, those specific cultures tend to strongly insist on keeping and preserving such traditional practices. If they were not connected to a certain faith or religion, it would be connected to certain cultural belief that it is important to preserve them as a gesture of respect to their ancestors. This fact makes it difficult to implement radical and sudden changes. Nevertheless, efforts should continue to try and eventually eradicate such practices.

What is the CEDAW role?

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.

This paragraph of the Convention's article clearly states that States Parties must ensure the elimination of any discrimination practised against women in the name of tradition or in view of any stereotypical perceptions upon which the concept of considering women inferior is based.

Source: the original CEDAW kit

Source:www.amnestyusa.org/women/fact_sheets/

The Convention Committee emphasize the importance of Article(5) thereof by adopting recommendation (14) in 1990 which stresses the States Parties to eradicate Female Genital Mutilation and any other traditional practices that may hurt or harm the health of a girl or woman. The Committee has also obliged the States to report on the situation concerning this issue and include the measures taken or to be taken in this regard.

Most of these customary and harmful traditions are not derived from any law or religion. Rather, they are related and connected solely to traditional and societal ideas. Although this requires much time and effort to change these tradition and beliefs, the world had witnessed a lot of traditional changes, transformations, and sometimes even abolitions. Therefore, it is possible, and rather essential, to concentrate on those practices that particularly concern women. The fact that they are concerning women, those practices will take more time and effort to be changed and eradicated, and therefore it is important to recognize the role the CEDAW may play and the vital change its implementation may bring about.

Themes

Reproductive Rights

"The emotional, sexual, and psychological stereotyping of females begins when the doctor says: 'It's a girl.'"

Shirley Chisholm.

Reproductive and sexual rights:

Facts & Statistics

70,000 women die each year as a consequence of unsafe abortion (500 women a day).

Approximately 135 million women and girls have undergone female circumcisions. 2 million women and girls are at the same risk each year (6,000 a day).

1 out of every 6 newly born infants is a teenager's child. Teen pregnancies are very widespread in the USA. Most of these teenage mothers fall pregnant from older male partners and not teenage boys of their age.1

80% of prostitute women in Kenya are suffering from AIDS. 1

3 million people around the world do not have access to contraceptives for birth control. 50 % of the pregnancies around the world are unplanned. 1

USA in 2001, 248,000 people were victims of rape, attempted rape or sexual assault. Nine of every 10 victims were female. 1

More than half of the Arab countries considered have a maternal mortality ratio (MMR) exceeding 75 per 100000 live births, and as much as a third of Arab countries have an (MMR) exceeding 200 per 100000 live births (the international standers not more than 5 per 100000 live births).

In Egypt, 6000 women missed their lives per year as an implication of Gender bias.3

What are reproductive and sexual rights?

Safe and satisfying sexual life

Fertility and ability to have children

Healthy pregnancy and birth delivery

Birth control without any health risks

Sustained healthy growth of foetus, infant and mother.

What is the CEDAW role?

CEDAW emphasizes the fact that women's reproductive rights are part and parcel of human rights. It obliges the States Parties to eliminate discrimination against women in the health care and family planning sectors. States Parties' governments are to be committed to adopt laws that grant women the right to decide freely and responsibly on how many children to have, and how long the intervals between each child and the next are. Women should also be informed and made aware of their rights through access to information, education, and means to ensure the practice and preservation of those rights.

The most sensitive and controversial issue is abortion, while most people oppose it and take a strong stand against it. Most frequently when a woman decides to have an abortion she ultimately has it. Although CEDAW does not specifically deal with the abortion issue, the monitoring committee is bound to enquire into abortion rights in the concerned reporting state.

Some of the CEDAW States Parties have expressed their reservation on Article(16) that deals with marriage and family issues and rights. This Article is the most significant in terms of granting women their sexual and reproductive rights. Therefore, declaring reservations upon this article is considered problematic.

Source: from original CEDAW kit

Source: www.amnestyusa.org

Arab woman progress report, UNIFEM 2005

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."

Nevertheless, the fact that governments' laws and policies are changing and improving in regard to other aspects of life, strengthens optimism and hope of improving other laws regarding the most significant and intimate aspects of the individual's life; Private, familial and sexual life.

LIFE EXPECTANCY AT BIRTH, 1980-2005

Country	Women		Men	
	1980-1985	2000-2005	1980-1985	2000-2005
Jordan	65.8	72.5	61.9	69.7
UAE	71.4	78.4	67.1	74.1
Bahrain	71.4	76.3	67.1	72.1
Tunisia	63.6	72.2	62.6	69.6
Algeria	62.0	71.8	60.0	68.7
Comoros	55.0	62.2	51.0	59.4
Syria	64.4	73.1	60.8	70.6
Djibouti	46.4	73.1	60.8	70.6
Sudan	50.6	41.6	43.5	39.4
Somalia	44.6	50.5	41.4	47.4
Iraq	63.3	66.5	61.5	63.5
Oman	64.5	73.2	61.6	70.2
Palestine	66.6	74.0	62.7	70.8
Qatar	69.8	72.1	65.4	69.4
Kuwait	73.7	79.0	69.6	74.9
Lebanon	68.0	75.1	63.9	71.9
Libya	64.2	73.3	60.6	69.2
Morocco	60.1	70.5	56.7	66.8
Egypt	57.8	69.9	55.3	66.7
Mouritania	49.1	54.1	45.9	50.9
Saudi Arabia	64.1	73.7	61.4	71.1
Yemen	49.4	69.9	48.9	60.7
Arab region	61.2	68.2	58.0	65.1

Health indicators

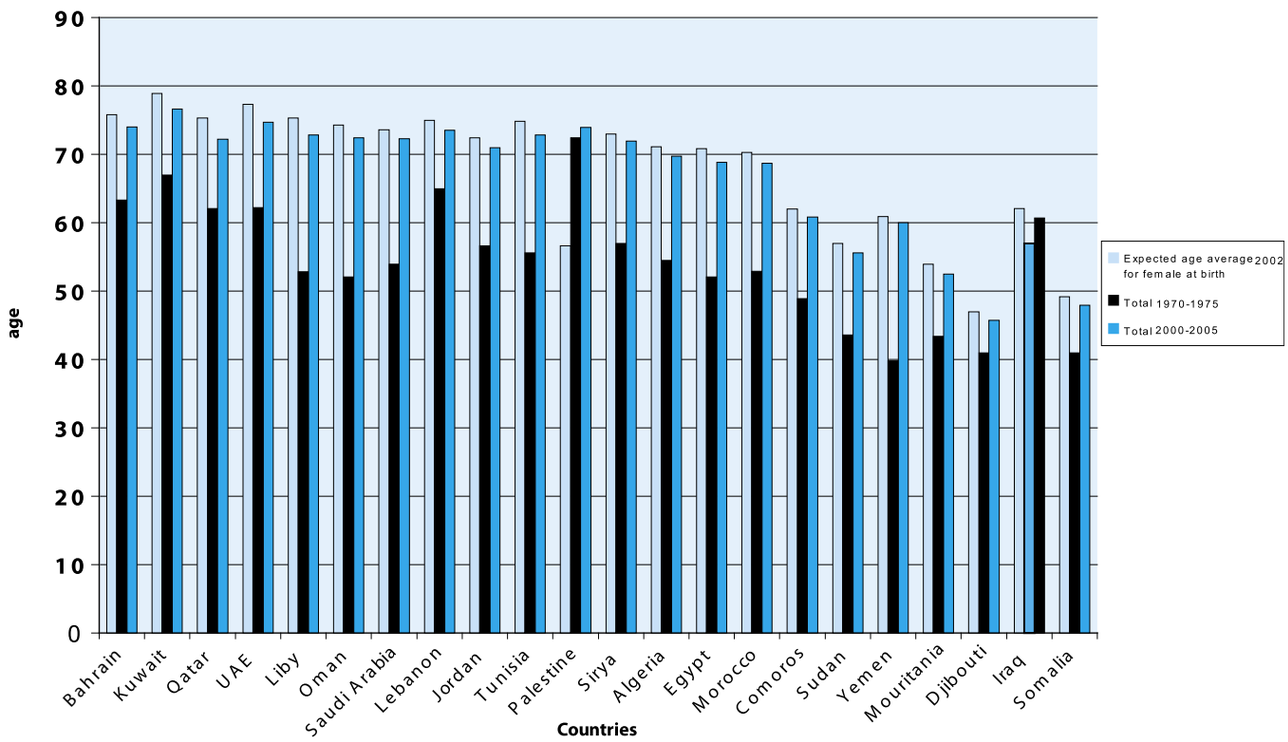
country	Expected no. of years of health deficiency at birth 2002		Tuberculosis cases (per 100000 person) 2002	Malaria cases (per 100000 person) 2000	Number of physicians (per 100000 person) 1990-2003	Expenditure on health (in Us$) 2001	Smokers average (percent of adults) 2000	
	Men	Women					Men	Women
Jordan	9.0	10.9	6	3	205	412	48	10
UAE	7.8	10.9	26	00	177	921	18	1
Bahrain	7.9	10.1	68	00	169	664	00	00
Algeria	7.9	9.6	51	2	85	169	44	7
Saudi Arabia	8.6	11.0	59	32	153	591	22	1
Sudan	7.8	9.4	346	13.934	16	39	24	1
Somalia	6.9	8.1	00	00	00	00	00	00
Iraq	10.3	11.6	00	00	00	00	00	00
Kuwait	8.2	10.6	53	00	160	612	30	2
Morocco	9.4	11.9	100	(0)	49	199	35	2
Yemen	10.8	11.5	145	15.160	22	69	60	29
Tunisia	8.2	10.3	26	1	70	463	62	8
Comoros	7.8	9.6	121	1.930	7	29	00	00
Djibouti	6.1	7.4	1.161	715	13	90	00	00
Syria	8.5	10.5	54	(0)	142	427	51	10
Oman	8.3	11.1	13	27	137	343	16	2
Palestine	00	00	38	00	84	00	00	00
Qatar	8.2	10.0	70	00	220	782	00	00
Lebanon	8.4	10.4	15	00	274	673	46	35
Libya	8.1	10.5	20	2	120	239	00	00
Egypt	7.4	8.8	38	(0)	218	153	35	2
Mouritania	6.9	8.2	437	11.150	14	45	00	00

Source: Human Development Report
Unicef:who.TheWORLD-HEALTH REPORT 2004:HTTP://WWW.WHO -NT/WHR/2004/ANNEX/TOPIC/ANNEX4.XLS

Reproductive health

country	HIV/AIDS patients (% of age group 15-49) 2003	HIV / AIDS female adults patients (% of total adult) end of 2001	Pregnant women who received maternity care (%) 1996	Births attended by skilled midwives (%) 1996	Post natal death average (per 100000 alive birth) around 2000	Maternity leave duration
Jordan	00	00	80	87	41	10 weeks
UAE	00	00	95	96	54	45 days
Bahrain	0.2	00	96	94	28	45 days
Algeria	0.1	00	58	77	140	14 weeks
Saudi Arabia	00	00	78	90	23	10 weeks
Sudan	2.3	56	54	86	590	8 weeks
Somalia	00	00	40	2	1100	14 weeks
Iraq	00	00	59	54	250	62 days
Kuwait	00	00	99	99	5	70 days
Morocco	0.1	15	45	40	220	12 weeks
Yemen	0.1	15	26	16	570C	60 days
Tunisia	0.17	00	71	90	120	30 days
Comoros	00	00	69	24	480	14 weeks
Djibouti	00	00	67	79	730	14 weeks
Syria	0.17	00	33	76	160	75 days
Oman	0.1	15	98	92	87	00
Palestine	00	00	00	00	00	00
Qatar	00	00	100	97	7	40-60 days
Lebanon	0.1	00	85	45	150	40 days
Libya	0.3	16	100	76	97	50 days
Egypt	0.17	10	53	46	84	50 days
Mouritania	0.6	00	49	40	1000	14 weeks

Expected age average



Source: Human Development Report UNSD:http://unstats.un.org/unsd/demographic/products/indwm/table3b.htm2004
UNSD:http://unstats.un.org/unsd/demographic/Products/indwm/table5clx.htm

Family and Fertility indicators

Country	Family size average 1991-1994	Percentage of matriarchal family 1991-1994	Percentage of use of contraceptives by married women	Fertility average (birth / woman) 1991-1995	Fertility average (birth / woman) 2000-2005	Number of birth for every 1000 women age group 15-19 years 2000-2005
Jordan	6.9	00	53	4.9	3.6	27
UAE	00	00	28	3.8	2.8	51
Bahrain	5.6	00	62	3.4	2.7	18
Algeria	7.0	11	52	4.1	2.8	16
Saudi Arabia	7.4	00	32	5.8	4.5	38
Sudan	6.3	13	8	5.3	4.4	55
Somalia	00	00	1	7.3	7.3	213
Iraq	7.3	00	14	5.7	4.8	38
Kuwait	6.5	5	50	3.2	2.7	31
Morocco	6.0	15	50	3.6	2.7	25
Yemen	5.8	12	21	7.8	7.0	111
Tunisia	5.4	11	60	3.1	2.0	7
Comoros	6.2	25	21	5.8	4.9	59
Djibouti	6.6	18	00	6.3	5.7	64
Syria	6.0	00	36	4.6	3.3	34
Oman	7.0	00	24	6.5	5.0	66
Palestine	00	00	00	6.5	5.6	94
Qatar	5.6	00	43	4.1	3.2	20
Lebanon	4.8*	12.5*	61	2.8	2.2	25
Libya	00	00	40	4.1	3.0	7
Egypt	4.9	13	56	4.0	3.3	47
Mouritania	00	00	8	8	6.1	5.8

The table belongs to 1997 according to the survey results on family living status in 1997.
Source: UNSD - http://unstats:un.org/unsd/demographic/childbr.htm
World Women 2000http://unstats.un.org/unsd/demographic/ww2000/table2b.htm

Themes

Political Participation

"Woman is the companion of man, gifted with equal mental capacity."

Mohandas K. Gandhi

Political participation:

Facts & Statistics

In Jan. 2006, the proportion of seats held by Arab women in National Parliaments was 6.8%, which is lower than corresponding proportions found in Asia (15.9%) and Sub-Saharan Africa (16.6%) and in the pacific at 13.9%.

Women attain only 5 to 10 % of the official political positions.

As of 2006, women form only 16.3% of the parliament composition world-wide, and only 6.8% in the Arab world. It has increased from 12% world wide and 3.6% in the Arab world since 1997.

Women in Saudi Arabia have not yet been granted the right to vote.

Women attain a fifth of the executive administrative positions in the United Nations.

In ministries around the world, women only attained 6% of this political body in 1994, it has increased since then, but not significantly.

What is the analysis and background of women's political situation?

Women continue to form a smaller percentage of any country's political and public positions. This is the result of the discrimination against women in that respect that ultimately resulted in having the vast majority of women around the world politically inexperienced. In the past 30 years, women started being able to practice their right to vote. Switzerland granted this right to women in 1971, and Jordan only did it in 1989.

Women who have broke themselves free from the social norms often face discrimination, and in some cases violence, on the basis of gender. A lot of these women, be it in developed or developing countries, are still considered outcasts till this day.

This discrimination has been and still is based on the perception of gender and social roles. Women are expected to care of and attend to her family. Furthermore, a women is perceived as inferior, in most if not all, aspects. This in turn leaves more opportunity, confidence, and qualifications to men than women in regard to political participation.

Where does CEDAW come in?

Article (7) of the Convention emphasizes the importance of gender equality in the political and public participation. The article specifically states: 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."

CEDAW has gone a step further by suggesting that this right cannot possibly be granted or achieved unless the traditional and cultural rules, that are discriminatory on the basis of gender, have been revised and altered. CEDAW also stresses that civil and political rights cannot possibly be detached or separated from the social and economic rights.

Furthermore, CEDAW also recommends and suggests an achievable work plan to the States Parties, concerning attaining political equality between the two genders. States that signed and conceded or ratified the convention are expected to be committed to the convention and to the application of its articles. The CEDAW Committee is the monitoring board that works to ensure each state's commitment through receiving and reviewing the state's reports.

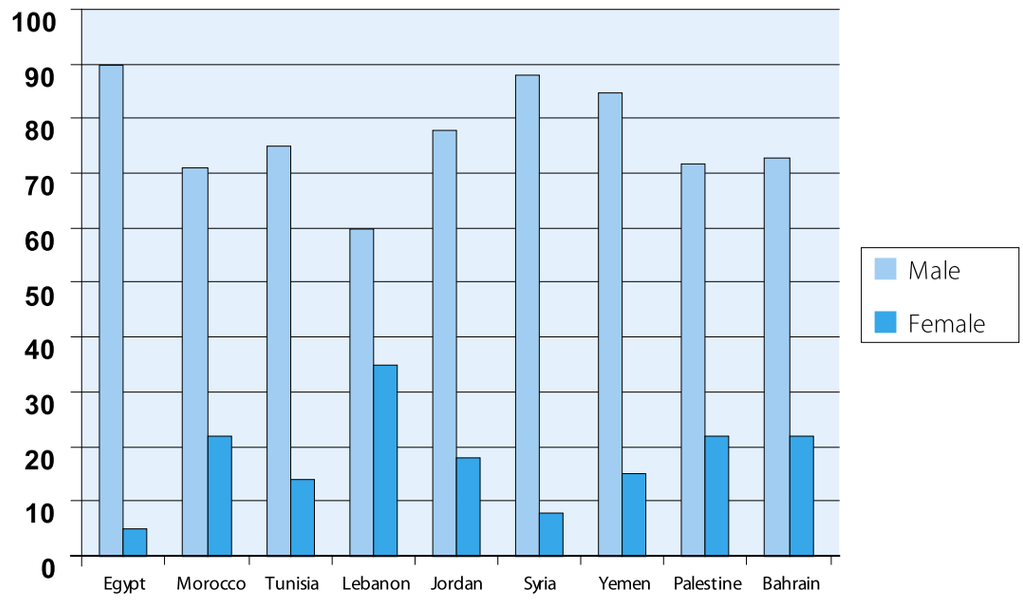
Source: Inter-parliamentary Union, www.ipu.org

Women Political Participation

Country	Parliament seats occupied by women as percentage of the total		The year when women obtained the right of suffrage	The year when the 1st woman was elected/ appointed in the current parliamentary system	Women in posts of decision making on a ministerial level (% of total) 1998	Women in posts of decision making on a sub-ministerial level (%of total) 1998
	People council	Shoura council				
Jordan	5.5	12.7	1974	1979	2	0
UAE	0	00	-	-	0	0
Bahrain	0	15	1973	-	0	1
Saudi Arabia	0	00	-	-	0	0
Sudan	9.7	00	1964	1964	0	0
Somalia	00	00	00	00	0	0
Iraq	00	00	1980	1980	0	0
Kuwait	0	00	-	-	0	7
Morocco	10.8	1.1	1963	1993	0	8
Yemen	0.3	00	1967	1990	0	0
Tunisia	11.5	1.1	1959	-	3	10
Comoros	00	00	1956	1993	7	0
Djibouti	10.8	00	1986	2003	0	3
Syria	12.0	00	1953	1973	8	0
Oman	-	00	-	-	-	4
Palestine	00	00	00	00	00	00
Qatar	-	00	-	-	0	0
Lebanon	2.3	00	1952	1991	0	0
Libya	00	00	1964	00	00	00
Egypt	2.4	2.4	1956	1957	6	4
Moretania	3.7	5.7	1961	1975	4	6

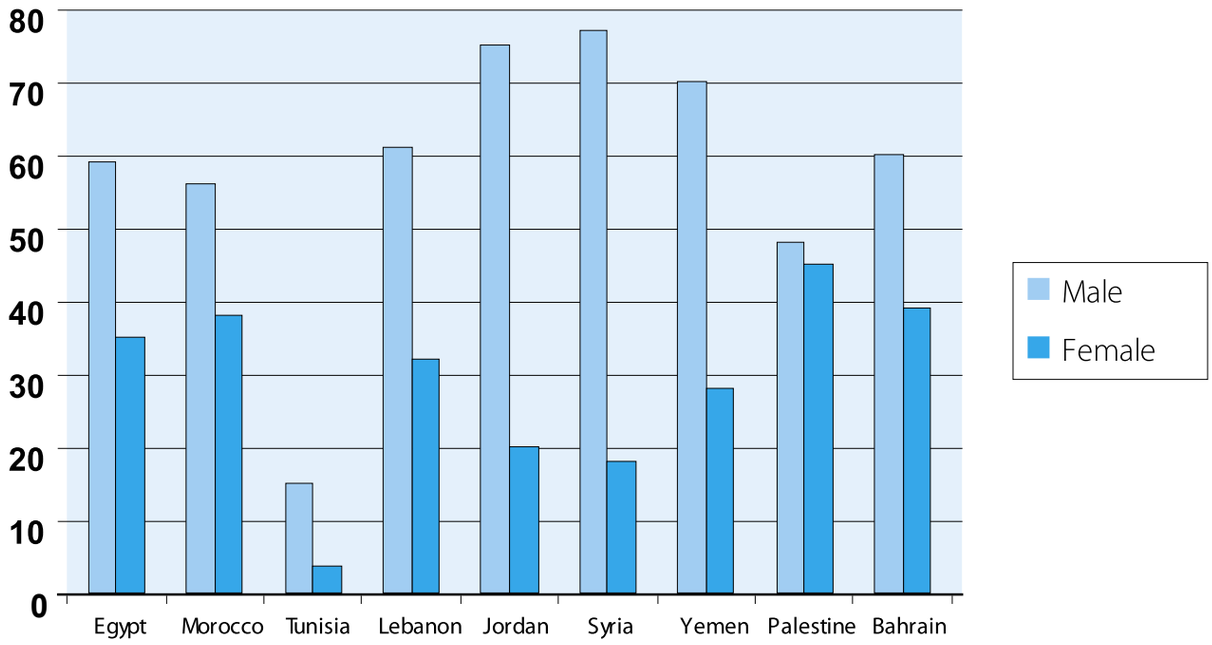
Percentage of Women's Membership in NGOs in the Arab World
Source: Network of Arab NGOs Database, UNIFEM report (Progress of Arab Women2004)
Women's Participate in Arab Broad Members Percentage 2004
Source: Network of Arab NGOs Database, UNIFEM report (Progress of Arab Women2004)

Percentage of Women's Membership in NGOs in the Arab World



Source: Network of Arab NGOs Database, UNIFEM report (Progress of Arab Women2004)

Women's Participate in Arab Broad Members Percentage 2004



Source: Network of Arab NGOs Database, UNIFEM report (Progress of Arab Women2004)

Political participation

Countries	The year when women gained right to suffrage	The year when women gained right to be elected	The year when the 1st woman was elected	Women average on ministerial level	Women average in people council 1990	Women average in people council 2004	Women average in shoura council
Bahrain	1973	1973	-	..	..	0	15
Kuwait	-	-	-	0	..	0	-
Qatar	-	-	-	0	..	-	-
UAE	-	-	-	..	..	-	-
Libya	1964	1964	..	12.5	..	..	-
Oman	-	-	-	..	..	-	-
Saudi Arabia	-	-	-	..	..	-	-
Lebanon	1952	1952	1991	0	..	2.3	-
Jordan	1974	1974	1989	0	..	5.5	12.7
Tunisia	1957-1959	1957-1959	1959	10	4	11.5	-
Palestine	..	..	..	..	..	..	..
Syria	1949-1953	1953	1973	11.1	9	12	-
Algeria	1962	1962	1962	0	2	6.2	..
Egypt	1956	1956	1957	6.1	4	2.4	5.7
Morocco	1963	1963	1993	..	..	10.8	..
Comoros	1956	1956	1993	..	..	-	-
Sudan	1964	1964	1964	5.1	..	9.7	-
Yemen	1967	1967	1990	..	4	0.3	-
Mauritania	1961	1961	1975	13.6	..	3.7	5.4
Djibouti	1946	1986	2003	5	..	10.8	-
Iraq	1980	1980	1980	1	11	-	-
Somalia	..	..	..	..	4	-	-

Themes

VAW

"There is no reason for women to consider themselves subordinate or inferior to men."

Mohandas K. Gandhi

Violence against Women:

Facts & Statistics

Globalization led to confirm women's exposures to all forms of violence. It is worth mentioning the globalization in women's trafficking and prostitution as result of poverty, in addition to the increase of sex tourism and the expansion of international sex industry.

According to the UN Special Rapporteur concerned with violence against women: "By exploiting women in international industries, using deception, coercion, temptation, or sale, women find themselves in subservient situations, whether as prostitutes, domestic workers, workers in industrial institutions under unfair conditions, or simply as wives.[1]

In Russia, 14000 women die each year at the hands of their husbands or other relatives[2]

5000 women and girls around the world die each year in the name of "honor"[2]

It is estimated that 97% of women and girls in Egypt have undergone female genital mutilation.[3]

According to the Jordanian criminal statistical report, honor crimes constitute 9,3% of the total crimes committed in the kingdom.[4]

In Iraq according to the statistics recorded by a study conducted by the REWAN Women's information acultural Center (RWICC), about 3979 women were killed in the north as a result of domestic violence in 1980s.[4]

At least one out of three women has been beaten, coerced into sex or abused in her life-time, whereas the perpetrator is usually a family member or an acquaintance. [5]

The European Council mentioned that domestic violence is the main reason for death and disability of women aged between 16 to 44 years. The rates of death cases and injuries caused by violence are more than the rates of cancer illnesses or car accidents.[5]

More than 60 million women are "missing" from the world today as a result of sex-selective abortion and female infanticide. A most recent statistic on population in China in 2000 revealed that the ratio between female and male newborn babies are 100:119, while the natural biological ratio is 100:103.[5]

The UN Special Rapporteur concerned with violence against women stated that 85% of victims of domestic violence in the U.S.A in 1999 were women. [5]

The World Health Organization mentioned that nearly 70% of females are killed by their male partners.[5]

In Afghanistan, girls and women are coerced to marry and are subject to criminal punishment if they show any resistance.[5]

In U.S.A one in three women is exposed to sexual assault in her life.[5]

In South Africa the number of reported rape cases has increased, however police estimates indicate that one in 35 rape incidents is actually reported.[5]

In France, it is estimated that 8000 out of 25000 rape incidents are reported every year.[5]

In Guatemala, women who attempt to obtain the union recognition in packing factories owned by multinational companies (known as Mackilla) are subject to abduction and battery by the factory owners and are forced to work long hours in unhealthy conditions.[5]

These statistics do not represent the whole picture, as women do not usually report many of the violence cases committed against them due to their feeling of guilt, their fear not to be believed or to encounter more violence

---

1- Document of the International campaign against poverty & violence
2- Source: www.amnestyusa.org/women/fact_sheets/
3- Source: www.amnesty.org/ailib/intcam/femgen/fgm9.htm
4- Arab woman progress report, UNIFEM 2005
5- Source: report: It's in our hands: Stop violence against women 2004 http://web.amnesty.org/actforwomen/reports-index-eng

What are the different forms of violence?

1) Physical Violence: Stripping the dignity of the body of a woman or girl.

2) Sexual Violence: Having a woman or a girl participate unwillingly and without her consent in any sexual activity.

3) Psychological Violence: Abusing a woman emotionally by undermining her dignity, confidence and sense of self-esteem.

4) Financial Violence: Denying a woman access to financial resources.

5) Social Violence: Abusing women and girls in the name of tradition, social norms or an ideology.

6) Spiritual Violence: Depriving women from participating in the spiritual life around them in the name of socio-religious beliefs and traditions.

What is the CEDAW role?

Violence against women is universally considered a violation of her basic human rights. CEDAW has shown its commitment to minimize and eliminate the problem of violence by enabling its Committee make a recommendation (Recommendation 19) that requires each state to report statistics on violence against women, on services available for the victims of violence and on legislative measures taken or to be taken in that regard.

CEDAW has acknowledged and dealt with the issue of violence against women, and considered it a serious violation of the basic human rights. This has created a set of standards by which governments and leaders should abide.

Themes

Rights of the Child

"If we don't stand up for children, then we don't stand for much."

Marian Wright Edelman.

CRC:

Violations of girls' rights:

One of the most prevalent reasons behind high female mortality rates within the first five years of life, is the parents' mistreatment to their female children. It has been shown that girls, in some areas, are treated inferiorly in terms of breastfeeding, nutrition, and immunization. This mistreatment often leads to serious health problems, physical or mental disabilities, and sometimes even death.

More girls are denied health and medical care than are boys. Consequently the mortality rate of girls is higher than that of boys. A study was conducted, in 43 out of the 45 countries that were studied, the mortality rate was 1 boy to every 4 girls.

Where does CRC come in?

Article 24 of the convention ,which states:

1. States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. States Parties shall strive to ensure that no child is deprived of his or her right of access to such health care services.

2. States Parties shall pursue full implementation of this right and, in particular, shall take appropriate measures:

(a) To diminish infant and child mortality;

(b) To ensure the provision of necessary medical assistance and health care to all children with emphasis on the development of primary health care;

(c) To combat disease and malnutrition, including within the framework of primary health care, through, inter alia, the application of readily available technology and through the provision of adequate nutritious foods and clean drinking-water, taking into consideration the dangers and risks of environmental pollution;

(d) To ensure appropriate pre-natal and post-natal health care for mothers;

(e) To ensure that all segments of society, in particular parents and children, are informed, have access to education and are supported in the use of basic knowledge of child health and nutrition, the advantages of breastfeeding, hygiene and environmental sanitation and the prevention of accidents;

(f) To develop preventive health care, guidance for parents and family planning education and services.

3. States Parties shall take all effective and appropriate measures with a view to abolishing traditional practices prejudicial to the health of children.

4. States Parties undertake to promote and encourage international co-operation with a view to achieving progressively the full realization of the right recognized in the present article. In this regard, particular account shall be taken of the needs of developing countries.

Other violations:

High numbers of girls are victims of rape, sexual abuse, sexual exploitation, and prostitution. These could lead to the transmission of sexually transmitted diseases, especially AIDS, and to higher numbers of girls with low immunity, health and other psychological problems.

Where does CRC come in?

Articles 19 and 34 of the convention, which state:

Article 19

1. States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.

2. Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.

Article 34

States Parties undertake to protect the child from all forms of sexual exploitation and sexual abuse. For these purposes, States Parties shall in particular take all appropriate national, bilateral and multilateral measures to prevent:

(a) The inducement or coercion of a child to engage in any unlawful sexual activity;

(b) The exploitative use of children in prostitution or other unlawful sexual practices;

(c) The exploitative use of children in pornographic performances and materials.

More violations of girls' rights:

Girls, more commonly in several developing countries, and economically exploited, employed under inhumane, harmful and tiresome conditions, and mistreated physically or psychologically while working.

Where does CRC come in?

Article 32 of the convention, which states:

1. States Parties recognize the right of the child to be protected 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.

2. States Parties shall take legislative, administrative, social and educational measures to ensure the implementation of the present article. To this end, and having regard to the relevant provisions of other international instruments, States Parties shall in particular:

(a) Provide for a minimum age or minimum ages for admission to employment;

(b) Provide for appropriate regulation of the hours and conditions of employment;

(c) Provide for appropriate penalties or other sanctions to ensure the effective enforcement of the present article.

Yet another violation:

A big number of girls are denied the right to education. Boys' enrolment rate is higher than that of girls' in several different countries.

Where does CRC come in?

Articles 28 and 29 of the convention, which state:

Article 28

1. States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:

(a) Make primary education compulsory and available free to all;

(b) Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;

(c) Make higher education accessible to all on the basis of capacity by every appropriate means;

(d) Make educational and vocational information and guidance available and accessible to all children;

(e) Take measures to encourage regular attendance at schools and the reduction of drop-out rates.

2. States Parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the present Convention.

3. States Parties shall promote and encourage international cooperation in matters relating to education, in particular with a view to contributing to the elimination of ignorance and illiteracy throughout the world and facilitating access to scientific and technical knowledge and modern teaching methods. In this regard, particular account shall be taken of the needs of developing countries.

Article 29

1. States Parties agree that the education of the child shall be directed to:

(a) The development of the child's personality, talents and mental and physical abilities to their fullest potential;

(b) The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;

(c) The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own;

(d) The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin;

(e) The development of respect for the natural environment.

2. No part of the present article or article 28 shall be construed so as to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject always to the observance of the principle set forth in paragraph 1 of the present article and to the requirements that the education given in such institutions shall conform to such minimum standards as may be laid down by the State.

Violations of girls' rights

In some cultures or countries, parents tend to abort their female fetuses.

In some cultures or countries, parents tend to murder their female infants, usually in the first week of the infant's life.

In some cultures or countries, girls undergo female genital mutilation. They usually operate FGM between the ages of 4 and 8.

In some areas, specifically in the developing countries, girls under the age of 15 are getting married.

Where does CRC come in?

CRC tackles them in general terms but does not specifically mention these particular practices or violations.

These violations are still taking place in several areas in the world, and they are often based on or related to culture, tradition and/or religion. These practices are extremely harmful to young girls and suggest grave violations of the basic human rights.

CRC is a convention that attempts at preserving and protecting children's rights, and obliges states parties to commit themselves to take any and all measures to implement the convention's articles and consequently offer children their rights and protect them from any harm. Although the convention was clear on how to protect children, nevertheless it has not tackled some specific cases or practices to ensure their eradication.

The above practices (abortion or murder of female fetuses and infants, female genital mutilation, and early marriages) have not been specifically mentioned in the convention's articles.

Although signatories should automatically realize that such practices are obviously a violation of the convention and of basic human rights. Nevertheless, CRC would be more powerful if these specific inhumane practices were mentioned, and signatories were called on to eradicate them and put them to an end.

CEDAW, on the other hand, in article(16) has tackled early marriages. The article calls on states parties to specify a minimum age for marriage and to make all marriages' registry obligatory. The article goes further to state that any marriage of a child is legally ineffective.

Article 16/2. 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.

Both ,CEDAW and CRC, are conventions determined to grant, protect and preserve the human rights of women and children respectively. Both conventions have played vital roles in changing and improving the lives of women and children by taking this significant step of adopting such conventions and obliging states parties to implement their articles by taking any necessary measures to be able to achieve the conventions' objectives.

They are two conventions that are interdependent and actually complimentary to each other. We should never forget that a girl's rights, are in the future, a women's rights. In order for a woman to live a decent life without facing any discrimination on the basis of gender, she must live a life of freedom, dignity, good health, and development as a child.

It is an unbreakable life cycle, girl to women, that should be preserved and nourished to ensure a productive life of equality for every female individual in this world.

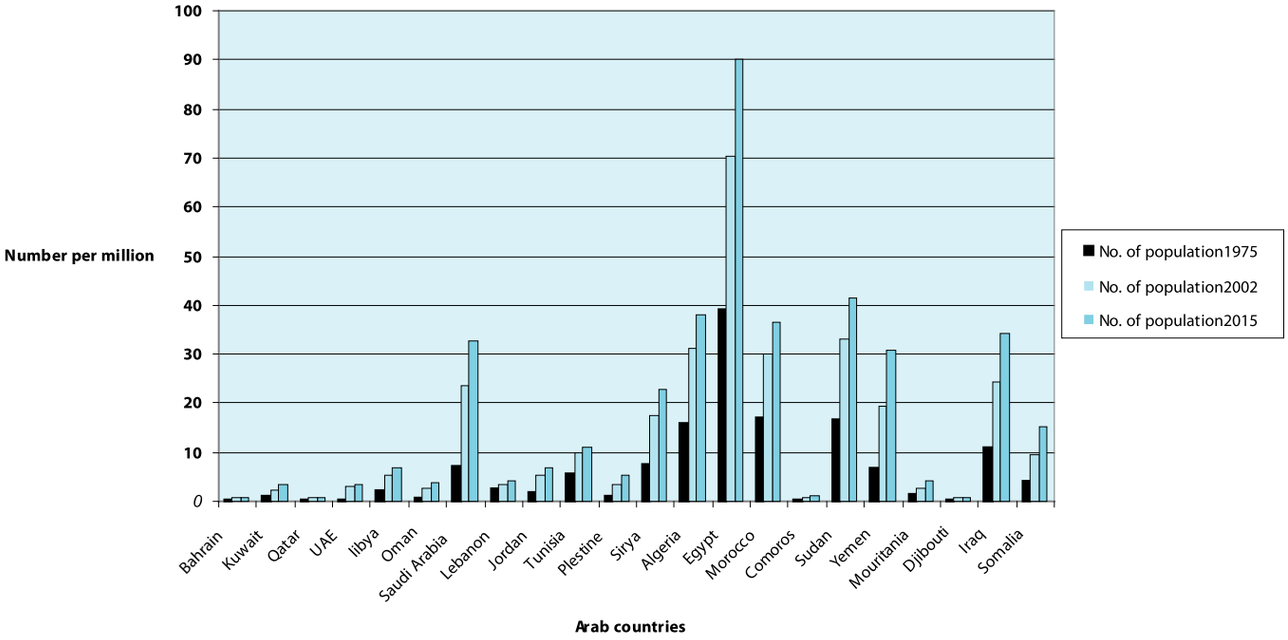
Population

Country	Total population (1000) 2004	(%) .Percentage of M. to F 2004	Annual Average growth 2000-2005	(%) Urban population 2003	Population less than 15 years 2004	Population density 2002
Jordan	5.613	108	2.66	79	37	58
UAE	3.051	185	1.94	85	25	38
Bahrain	739	135	2.17	90	29	983
Saudi Arabia	24.919	116	2.92	88	39	10
Algeria	32.339	102	1.67	59	32	13
Sudan	34.333	101	2.17	39	39	10
Somalia	10.312	99	4.17	35	48	15
Iraq	25.856	103	2.68	67	41	55
Kuwait	2.595	151	3.46	96	26	131
Morocco	31.064	100	1.62	57	31	66
Yemen	20.732	103	3.52	26	48	35
Tunisia	9.937	101	1.07	64	27	63
Comoros	790	101	2.83	35	42	163
Djibouti	712	99	1.58	84	43	30
Syria	18.223	102	2.38	50	37	92
Oman	2.935	134	2.93	78	37	8
Palestine	3.685	104	3.57	71	46	00
Qatar	619	172	1.54	92	26	55
Lebanon	3.708	96	1.56	87	28	434
Libya	5.659	107	1093	86	30	3
Egypt	73.389	100	1.99	42	34	67
Mauritania	2.980	98	2.98	62	43	3

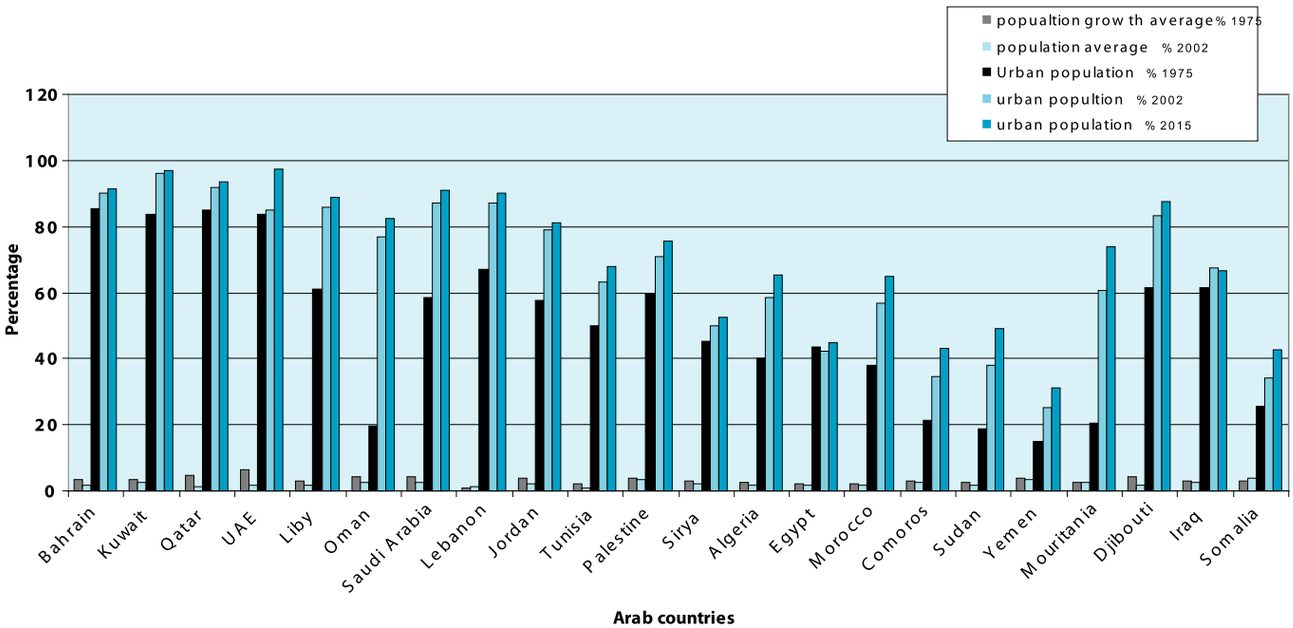
Demographic indicator

Countries	Expected age average at birth		Expected age average at birth for female	Fertility average		Urban popula-%tion			Population growth aver-% age		Number of population		
	total		2002										
	2000-2005 total	1970-1975 total		2000-2005	1970-1975	2015	2002	1975	Population growth aver-age% 2002	Population growth aver-age% 1975	Number of population 2015	Number of population 2002	Number of population 1975
Bahrain	74	63.3	75.8	2.7	5.9	91.4	89.9	85.8	1.8	3.5	0.9	0.7	0.3
Kuwait	76.6	67	78.9	2.7	6.9	96.9	96.2	83.8	2.4	3.3	3.4	2.4	1
Qatar	72.2	62.1	75.3	3.2	6.8	93.6	91.8	84.8	1.3	4.7	0.7	0.6	0.2
UAE	74.7	62.2	77.3	2.8	6.4	87.2	85	83.6	1.5	6.5	3.6	2.9	0.5
Libya	72.8	52.8	75.3	3	7.6	89	86	60.9	1.8	3	6.9	5.4	2.4
Oman	72.4	52.1	74.3	5	7.2	82.6	77	19.6	2.7	4.1	3.9	2.8	0.9
Saudi Arabia	72.3	53.9	73.6	4.5	7.3	91.1	87.2	58.3	2.5	4.4	32.7	23.5	7.3
Lebanon	73.5	65	75	2.2	4.9	90.1	87.2	67	1.2	1	4.2	3.6	2.8
Jordan	71	56.5	72.4	3.6	7.8	81.1	78.9	57.8	2.1	3.7	7	5.3	1.9
Tunisia	72.8	55.6	74.8	2	6.2	68.1	63.4	49.9	1	2	11.1	9.7	5.7
Palestine	73.9	72.4	56.6	5.6	7.7	75.6	70.8	59.6	3.3	3.7	5.3	3.4	1.3
Syria	71.9	57	73	3.3	7.5	52.4	50.1	45.1	2.2	3.1	23	17.4	7.5
Algeria	69.7	54.5	71.1	2.8	7.4	65.3	58.3	40.3	1.5	2.5	38.1	31.3	16
Egypt	68.8	52.1	70.8	3.3	5.7	44.9	42.1	43.5	1.9	2.2	90	70.5	39.3
Morocco	68.7	52.9	70.3	2.7	6.9	64.8	56.8	37.8	1.5	2	36.5	30.1	17.3
Comoros	60.8	48.9	62	4.9	7.1	43	34.4	21.2	2.6	3.2	1	0.7	0.3
Sudan	55.6	43.6	57	4.4	6.7	49.3	38	18.9	1.8	2.5	41.4	32.9	16.7
Yemen	60	39.8	60.9	7	8.4	31.3	25.3	14.8	3.6	3.8	30.7	19.3	6.9
Mouritania	52.5	43.4	53.9	5.8	6.5	73.9	60.5	20.3	2.7	2.5	4	2.8	1.4
Djibouti	45.7	41	47	5.7	7.2	87.6	83.3	61.6	1.5	4.3	0.8	0.7	0.2
Iraq	60.7	57	62.1	4.8	7.1	66.8	67.4	61.4	2.6	3	34.2	24.5	11
Somalia	47.9	41	49.2	7.3	7.3	42.7	34.3	25.5	3.7	3.1	15.3	9.5	4.1

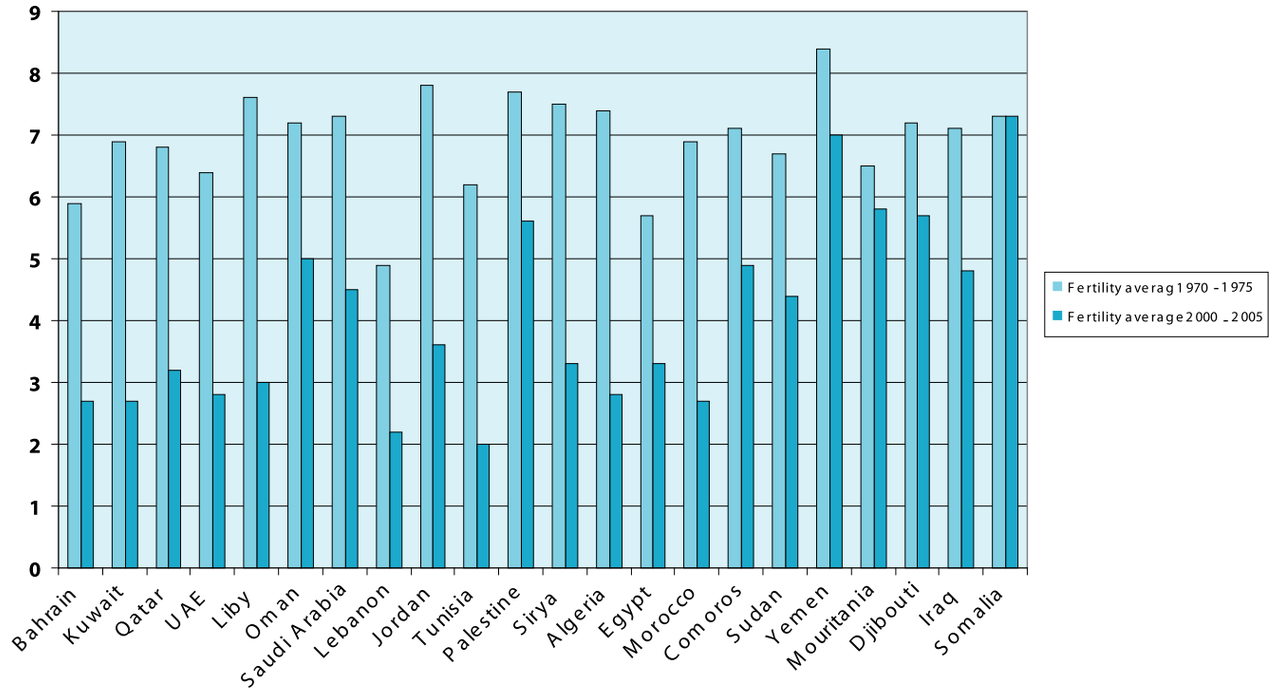
Number of population



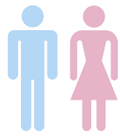
population growth and distribuation



Fertility average



Source: population department in the UN secretary http://unstats.un.org/unsd/demographic/products/socind/population.htm
http://www. unicef.org/files/table6_english.xls-UNICEF
Tthe international bank http://www.worldbank.org data/wdi2004/tables/- table11.pdf



Countries

Countries

Bahrain

Women in the Legislations of Kingdom of Bahrain

The Constitution

Article 1

Citizens, both men and women, are entitled to participate in public affairs and may enjoy political rights, including the right to vote and to stand for elections, in accordance with this Constitution and the conditions and principles laid down by law. No citizen can be deprived of the right to vote or to nominate oneself for elections except by law.

Article 5

a- The family is the basis of society, deriving its strength from religion, morality and love of the homeland. The law preserves its lawful entity, strengthens its bonds and values, under its aegis extends protection to mothers and children, tends the young and protects them from exploitation and safeguards them against moral, bodily and spiritual neglect. The State cares in particular for the physical, moral and intellectual development of the young.

b- The State guarantees reconciling the duties of women towards the family with their work in society, and their equality with men in political, social, cultural, and economic spheres without breaching the provisions of Islamic canon law (Shari'a).

Article 16

a- Public jobs are a national service entrusted to their incumbents, and State employees shall have the public interest in mind when performing their jobs. Foreigners shall not be entrusted with public posts except in those cases specified by law.

b- Citizens are equal in the assumption of public posts in accordance with the conditions specified by law.

Article 18

People are equal in human dignity, and citizens are equal before the law in public rights and duties. There shall be no discrimination among them on the basis of sex, origin, language, religion or creed.

Political participation:

Decree Law No. 14 of 2002 - Exercising Political Rights

Article 1

Male or female citizens shall be entitled to exercise the following political rights:

1- To express opinions on every referendum, pursuant to the provisions set forth in the Constitution.

2- To vote for members of parliament.

Citizens shall personally exercise the political rights mentioned herein on the conditions stipulated in this Law.

Decree Law No. 15 of 2002 - The Parliament (Nuwab) & Consultative (Shura) Councils

Article 3

Without prejudice to the provisions set forth in the law for exercising political rights, the person appointed as a member in the consultative council shall fulfil the following requirements:

a) To be a Bahraini national and to enjoy all of his or her political and civil rights.

b) To be enrolled in the electoral register.

c) To have attained, on the day of appointment, the age of 35.

d) To have wide experience or to have performed very significant services for the patriot, such as:

1- Member of the Royal Family.

2- Former ministers.

3- Former ambassadors and delegate ministers.

4- Former members of the judicial authorities.

5- Retired senior officers.

6- Former senior civil servants.

7- Prominent scientists, businessmen and professionals.

8- Former members of parliament.

9- Persons who have earned people's trust.

Municipalities Law Issued by Decree Law No. 35 of 2001

Article 7

Male or female candidates for membership of the municipality council shall fulfil the following requisites:

a) To be a Bahraini national.

b) To have attained the age of 30.

c) To be proficient in the Arabic Language.

d) To enjoy all of his or her political and civil rights.

e) To be enrolled in the electoral register in the constituency in which he or she nominates himself or herself and to reside in the municipality in question during his or her membership.

Decree Law No. 3 of 2002 - The Election System for Members of the Municipality Council

Article 2

Male or female Bahraini citizens shall be entitled to the right to vote for members of the municipality council if the following requirements are met:

1- To have attained the age of 21 on the voting day

2- To be fully competent to vote

3- To be resident in such constituency consistent with the address mentioned in their housing card, and in case he or she is resident abroad, last residence address in Bahrain for him or her and for his or her family shall be his or her constituency.

Citizens of countries of the Arab Gulf Cooperation Council who meet the requirements mentioned herein may take part in the municipality council election if he or she has a permanent residence address in Bahrain or owns lands or properties in the country.

Work Relations

The Labour Law in the Public Sector Issued by Decree Law No. 23 of 1976

Article 1

"Worker" means any person, male or female, employed for remuneration of any kind in the service of an employer and under his control or supervision.

"Employer" means any person or body corporate employing one or more workers for remuneration of any kind.

Article 59

No female shall be employed between the hours of 8 p.m. and 7 a.m. except employment in infirmaries and other institutions for which the conditions of work therein shall be prescribed in an Order to be made by the Minister for Labour and Social Affairs.

Article 60

It is prohibited to employ any female in industries or occupations which are dangerous or unhealthy for her unborn child. Such industries and occupations shall be prescribed in an Order to be made by the Minister for Health in agreement with the Minister for Labour and Social Affairs.

Article 61

A female worker shall be entitled to maternity leave on full pay for forty-five days which shall not be deducted from her annual leave provided she produces a medical certificate attested by the Ministry of Health stating the expected date of her confinement. Such maternity leave shall include the period before and after confinement. Further, she may have an additional leave without pay for fifteen days.

Article 62

When a female worker returns to her employment after maternity leave she shall be entitled to a period or periods of rest in order to suckle her newly born child and the total of such periods shall not exceed one hour each day and shall be in addition to the normal intervals of rest granted to all the workers.

Article 63

No employer is permitted to terminate the service of a female worker on the grounds of her marriage or during her leave due to pregnancy and confinement. The Minister for Labour and Social Affairs shall make an Order prescribing the occupations and jobs in respect of which an employer may offer alternative employment to a female worker because of her marriage.

Article 64

A female worker shall forfeit her entitlements under the provisions of this Chapter if it is proved that she was found to have been employed by another employer during her approved leave of absence. The former employer may deprive her of her wages for the period of the leave or recover the amount already paid to her.

Article 65

The Minister for Labour and Social Affairs may make an Order for any other regulations in respect of the employment of females and their conditions of work.

The Commercial Law Issued by Decree No. 7 of 1987

Article 14

1- Such objection or withdrawal shall have no effect to the date when this announcement is placed.

2- Such objection or withdrawal shall have no effect on the rights acquired by a third party whose dealing was performed in good intention.

3- The law of the state, to which a foreign married woman belongs, shall regulate her competence to perform commercial activities.

4- It is presumed that the foreign wife who performs commercial activities has her husband's permission to do so. If the applied law allows the husband to object his wife's work or withdraw a previous permission, then the objection must be registered or the withdrawal must be recorded in the Commercial Register and published in the Official Gazette.

Article 15

1- It is presumed that the foreign wife has been married on the basis of funds' separation unless otherwise stipulated between the two spouses.

2- A third party may not contest such stipulation if it was recorded in the Commercial Register and an abstract thereof published in the Official Gazette.

3- A third party may prove, in case of failure to complete the registration procedures mentioned in the preceding clause, that the marriage has been effectuated according to a financial system more beneficial than that of funds' separation.

4- A ruling issued by a different court than the Bahraini courts to separate the spouses' funds shall not be considered to the date when this ruling is recorded in the Commercial Register and an abstract thereof is published in the Official Gazette.

The Penal code Issued by Decree Law No. 15 of 1976

Article 20

The act of murder in self defence or in defence of personal funds shall be forbidden with the exception of the following cases:

1- An act of which one shall fear death or grievous injuries.

1-This text was amended according to Article 1 of Decree Law No. 7 of 1985 of the amendment of the Penal Law Decree No. 15 of 1976 which stated the following before the amendment:

2- Anyone who has sexual intercourse with a young girl who has attained the age of 7 but has not completed 16, with her consent, shall be punished with imprisonment for a period not exceeding 7 years. If the victim has attained the age of 16 and has not completed 21 then the punishment is imprisonment.

3- The second and third clauses were added to this Article pursuant to Royal Decree No. 36 of 2004

4- This Article was replaced pursuant to Amiri Decree No. 55 of 2001

5- This Article was replaced pursuant to Royal Decree No. 36 of 2003

2- The felony of rape, sexual assault or trespassing on personal freedom.

3- The felony of damaging, setting fire or theft.

4- The crime of entering abodes or their extensions at night.

Article 316

An adulterous spouse shall be punished with imprisonment of maximum 2 years. It is presumed that the adulterous partner is aware of this marital status at the time of committing this crime, unless otherwise proven.

Article 323

No punishment for the attempt of abortion.

Article 324

1- Anyone, male or female, who incites or helps in anyway to be engaged in debauchery or prostitution, shall be punished with imprisonment.

2- If the victim is less than 18 years old then the punishment shall be maximum 5 years of imprisonment.

Article 326

A punishment of maximum 5 years of imprisonment shall apply to:

1- Anyone, male of female, who relies partly or wholly on his earning from debauchery or prostitution.

2- Anyone who relies partly or wholly on the earning of someone else from debauchery or prostitution, by influencing, controlling or tempting him or her to practise debauchery or prostitution, be it voluntarily and without anything in return, or against protection or for not harassing him or her.

3- Anyone who protects a person engaged in debauchery or prostitution for any kind of benefit.

Article 327

If the offender in the cases mentioned in the preceding three Articles is the victim's husband, a person in a degree of kinship precluding marriage or a tutor, the minimum and maximum punishment shall be doubled but it shall not exceed 15 years.

Article 344

Anyone who has sexual intercourse with a woman without her consent shall be punished with life imprisonment. The punishment shall be death sentence or life imprisonment if the victim is less than 16 years old. It is presumed that the victim has not given her consent if she is less than 14 years old.

Article 345

A punishment of maximum 20 years of imprisonment shall be imposed on anyone who has sexual intercourse with a girl who is 14 years old and did attain 16 years.

A punishment of maximum 10 years of imprisonment shall be imposed on anyone who has sexual intercourse with a girl who is 16 years old and did attain 21 years.

Article 351

A punishment of maximum 3 months of imprisonment or a fine not exceeding 20 Dinars shall be imposed on anyone who harasses a woman or a girl in an intimidating way, by saying or by doing, in public areas.

Same punishment shall be imposed on anyone who does the same by phone.

Article 353

Anyone who commits any of the crimes stated in the preceding Articles shall not be punished if he marries the victim. If a final sentence is pronounced before the marriage contract, its execution shall be stopped and its criminal effects shall cease.

Amiri Decree law No. 44 of 2001 amended by Royal Decree law No. 36 of 2004

Article 1

A council shall be established and called "The Supreme Council for Women" under the authority of HRH the King in the capacity of a corporate

body. The council shall be deemed the point of reference to all official entities with regard to women's affairs and its Headquarters shall be located in ElRefae City.

The council shall be competent to express opinions and take decisions related to women, be it directly or indirectly.

All official entities shall take the council's opinion before any decision or action is taken.

Article 2

Her RH Sheikha Sabeeka bent Ibrahim Al-Khalifa shall chair the council which comprises of not less than 16 members of prominent female figures who are highly experienced in women's affairs and in different activities related to this field. The duration of their membership shall be an extendable period of 3 years. A Royal decree shall be issued to appoint the council members and her RH shall be entitled to select a vice chairman for the council.

Article 3

The Supreme Council for Women shall be concerned with the following:

1- Proposals for general policy in the domain of development and evolution of women's affairs in civil and constitutional institutions.

2- To enable women to play their roles in the public life and to incorporate their efforts in the universal development programmes subject to non discrimination against them.

3- To lay down a national draft law to elevate women's status and to solve the problems they face in all domains.

4- To effectuate the principles mentioned in the National Charter and the Constitution of the Kingdom of Bahrain regarding women's status, and to establish appropriate mechanisms in this respect with the cooperation of the ministries, the official institutions and the civil society organisations.

5- To monitor and assess the implementation of the general policy related to women and to present proposals and comments to the competent authorities.

6- To present proposals for the amendment of present legislations related to women, and to give opinions and recommendations regarding draft laws, regulations and resolutions necessary to promote women's status before submittal to the competent authorities.

7- To follow up the implementation of laws, regulations, resolutions and international treaties related to women in order to ensure their execution and to guarantee non discrimination against women, and to monitor the execution of programmes adopted in government plans and schemes regarding women.

8- To participate with the authorities and committees formed by the government in all women-related issues, be it directly or indirectly.

9- To represent Bahraini women in international and Arab forums and organisations concerned with women's affairs and to take part in cooperation treaties and joint programmes.

10- To establish a centre for the documentation of information, data and studies related to women, and to carry out studies and researches in this field.

11- To conduct conferences, seminars and debating meetings to explore women-related topics.

12- To render the society aware of the role, rights and duties of women by using the appropriate mechanisms.

13- To issue newsletters, magazines, and printed and electronic materials related to the council's objectives and competences.

14- To deal with issues and missions assigned to the council by the King.

General remarks:

Women in the Legislations of Kingdom of Bahrain

Through reading the Bahraini constitution, it is clear that woman had took all her rights that were written on papers whether it is political rights, economical rights, cultural rights or social rights since the constitution, in its second Article, describes Bahrain as state that stands on justice and protects Arabic and Islamic Inheritance. Freedom, equality, security, education, social solidarity equal opportunities between citizens are all guaranteed. The state protects family and works on strengthening the family values through ensuring her heritage right and protecting maternity and childhood and guarantee adaptation between women duties towards the family and her work in the society and gave her equality with man in the political, social, cultural and economical fields without any contradiction to Islamic Sharia which represent the main source for legislation. But in real life we find that there is a big gap between law and reality for several reasons, the most important of them is that there is no real changes in the social concepts and values in the man's mind and his below look to woman. Man is still look to woman as his object of delight, and she is not equal to him in rights and duties. Most of judges still look at woman with below look and accordingly this reflects on the treatment of woman in courts.

(Arab women forum)

Source: Arabe woman agenda 2006, Friedrich Ebert, Dr. Mouhamed Nour Farahat

Countries

Egypt

The Status of Women in Egyptian Legislations

The Constitution

Article 40 of the Constitution

Citizens stand equal before the law, they are equal in public rights and duties and there shall be no discrimination on the grounds of sex, origin, language, religion or creed.

Article 11 of the Constitution

The state shall ensure balance between women's duties towards the family and their work in the society and equality with men in the political, social, cultural and economic life without prejudice to the provisions of the Islamic Shari'a.

Political Participation:

Article 1 of Law No. 73 of 1956 (on exercising political rights) amended by Law No. 76 of 1976

Each Egyptian male and female reaching the age of eighteen is entitled to exercise the following political rights per se:

1. Express opinion in all referenda conducted in accordance with the provisions of the Constitution.

2. Express opinion in the referendum conducted to select a President for the Republic.

3. Elect members of the People's Assembly.

The officers and staff of the main, branch and additional Armed Forces and the officers and staff of the Police shall be exempt from exercising such right throughout their service at the Armed Forces or the Police.

Article 1 of Law No. 41 of 1979

The provision of Article 4 of Law No. 73 of 1956 regulating the political rights shall be replaced by the following provision:

"Voting schedules shall include all males and females entitled to exercise political rights. Moreover, those who are not Egyptians by origin shall not be entered into the schedules and those who acquired the Egyptian nationality should have spent at least five years as Egyptians."

Education:

Law No. 139 of 1981

Primary and preparatory education shall be mandatory and free of charge in the state educational institutions.

Article 1, paragraph 3 stipulates that education is a right to all citizens in the state schools for free. Pupils may not be requested to pay fees for the educational services they get.

Work Relations

Article 88 of Law No. 12 of 2003 (Law on Labor)

With prejudice to any of the provisions of the following articles, all provisions regulating laborers shall apply to working women, with no discrimination in cases of similar working conditions.

Article 89 of Law No. 12 of 2003 (Law on Labor)

The appropriate minister shall issue a decree identifying the conditions, works and occasions under which women may not be asked to work over the period of time from 7 am to 7pm.

Article 90 of Law No. 12 of 2003 (Law on Labor)

The appropriate minister issues a decree identifying the works health and morally harmful for women as well as the works which women may not perform.

Article 91 of Law No. 12 of 2003 (Law on Labor)

Working women who spent more than ten months or more serving the employer are entitled to 90-day maternity leave with a compensations equal to the entire wage including the period of time pre and post delivery, provided that they submit medical certificate illustrating the potential

date of delivery. Working women may not be asked to work during the forty five days subsequent to delivery. The maternity leave may not be granted more than twice throughout the service time of the working women.

Article 92 of Law No. 12 of 2003 (Law on Labor)

The employer shall not dismiss a female laborer or end her contract during the maternity leave set forth in the previous Article. The employer may deprive her of the compensation for the entire wage for the period of leave or retain what she was paid if it is proven that she worked during the leave for another employer without prejudice to the disciplinary procedures.

Article 70 of Law No. 12 of 1996 (Law on the Child)

Women working for the state, public sector, public enterprise sector and the private sector may have fully paid three-month maternity leave after delivery. In all cases, working women are not entitled to such leave more than thrice throughout their work period.

Article 70 of Law No. 47 of 1978 (state civil servants)

Working women are entitled to unpaid leaves for child care with the maximum of two years per child and thrice along their work period.

As an exception to the provisions of Articles 135 and 136 of the Social Insurance Law issued by Law No. 79 of 1975 and the amended laws, the administrative agency affords the insurance fees due on the working women as per the provisions of the present Law or give the working women wage compensation 25% of the salary they were supposed to receive at the start date of the leave according to testing thereof.

Article 72 of Law No. 12 of 1996 (Law on the Child)

Women working for the state, the public sector and the public enterprise sector are entitled to unpaid child care leave for two years. Child care leave may be given thrice throughout work period.

Article 94 of Law No. 12 of 2003 (Law on the Child)

Without prejudice to the provisions of the second paragraph of Article 72 of the of Law No. 12 of 1996 on the Child, women working for establishments employing more than 50 laborers may have unpaid child care leave for two years and may not get such leave more than twice during the work period.

Article 71 of Law No. 12 of 2003 (Law on the Child)

The working women breastfeeding their children for the two years after delivery may, in addition to the official break, have other two periods for such purpose of no less than half an hour each. The working women may join the two periods and they are part of the working hours and do not entail wage reduction.

The Penal Code:

Article 273 of Law No. 58 of 1937 (Penal Code)

An adulteress may not be trialed but upon a claim by her husband. However, if he husband commits adultery in the domicile in which he lives with his wife as illustrated in Article 277, his claim shall not be considered.

Article 289 of Law No. 58 of 1937 (Penal Code)

Whoever abducts a child without elusion or coercion who is not 16 years old per se or through others shall be sentenced from three to ten years. If the child abducted is a girl, the penalty shall be aggravated sentence. If abduction is accompanied by rape, the perpetrator is sentenced for life.

Article 260 of Law No. 58 of 1937 (Penal Code)

A person forcing a pregnant woman to fall through battery or other types of abuse shall be sentences for temporary hard labor.

Article 262 of Law No. 58 of 1937 (Penal Code)

A woman consenting to use medications or accepted use of the above mentioned means or enabled another to use such means to abort herself shall be penalized in the aforementioned manner.

Article 261 of Law No. 58 of 1937 (Penal Code)

A person forcing a pregnant woman to fall through drugs or the use of other means whether with her consent or not shall be sentenced.

Article 291 of the Penal Code – prior to the abolishment thereof – stipulated that "If an abductor marries the abducted legitimately, he may not be punished". The legislator's aim by such provision was to allow an opportunity not to expose the crime, this is in order to make up for the social and psychological damage the victim and her family undergo. Such marriage maintains stability and continuity for the newly formed family.

The implementation of the said provision proved to be of high abuse for women due to several reasons. The provision instead of making abduction a hateful crime, it rendered it desirable for abductors. It is a protection from a serious crime, namely abduction as well as rape. Legitimate marriages are easy and feasible. The victim women usually accept such marriages as a less bitter solution to make up for the social consequences of her abduction for her and the shame marring her family. For legitimate marriage, the dower is simple and the declaration of marriage is maintained through the presence of two witnesses. The abductor's being married to another woman does not hinder his marriage to the abducted. Such kind of marriage, in addition to being easy, is mostly incompatible. The perpetrator, after fleeing punishment, may divorce the victim according to his absolute will. Hence, the legislator's objective behind marriage is not maintained.

Due to the said reasons, the legislators abolished Article 291 so that the crime of abduction would be subject deterrent punishment to have the perpetrators shackled in all cases.

(Dr. Fawzeya Abdel Sattar – Women in Egyptian Legislation)

Discrimination against Women in the Egyptian Penal Code

Though the Penal Code stipulates special provisions to the protection of women as mentioned above, it has shortcomings as to the crime of adultery as follows:

1. Criminalization: A husband is not an adulterer unless adultery is committed in the marriage household. However, if it is committed by him outside the marriage household, it is not deemed a crime. Nevertheless, if adultery is committed by the wife anywhere, it is deemed a crime.

2. Penalty: The Penal Code stipulates a punishment for an adulterer husband less than that stipulated for an adulteress wife though the criminal act is the same. The law sentences the adulterer husband for not more than six months (Article 266), whereas an adulteress wife is sentenced up to two years (Article 274).

3. Suspension of Judgment Execution: As per the law a man is entitled to suspend a judgment issued against his adulteress wife upon his approval to maintain life with her (Article 274). However, a woman is not allowed by same Law to suspend a judgment against her adulterer husband upon consent to maintain life with him.

4. The impact of being furious on the penalty: Article 237 of the Penal Code blatantly discriminates against women; it stipulates that a husband who is stunned by his wife and her partner and kills them accordingly, receives a mitigated punishment i.e. imprisonment instead of the punishment set for premeditated murder– life or temporary labor. Such is in consideration of the husband's being furious upon seeing such a scene.

Such a mitigated punishment is stipulated only for husbands i.e. a wife who murders her husband and his partner upon watching the adultery scene is punished by the life or temporary labor – the punishment set for premeditated murder, without taking into account her being furious by such a scene, as if women are of a different nature from men, or that they do not deserve any mercy or consideration for their feelings at the moment. Such provisions are but a flagrant violation of the principle of gender equality stipulated in the Constitution.

(Dr. Fawzeya Abdel Sattar – Women in Egyptian Legislation)

Jails Law:

Article 8 of Law No. 180 of 1949 (regulating prisons)

Female prisoners shall be fully separated from male prisoners.

Those imprisoned pending investigation shall be separated from the prisoners. Moreover, the prisoners below 25 years old shall be separated from the prisoners above such age.

Article 19 of Law No. 180 of 1949 (regulating prisons)

A pregnant prisoner shall be treated, as of the sixth month of pregnancy, as those imprisoned pending investigation as to food and labor until delivery and 40 days thereafter. A breastfeeding prisoner and her child shall receive the necessary health care in addition to appropriate food and clothing. A pregnant or breastfeeding prisoner may not be denied her food quota due to her behavior in the prison.

Article 20 of Law No. 180 of 1949 (regulating prisons)

Female prisoners shall have any children under two years old. If she does not want to keep the child with her and there is no father or kinsmen to look after the child, the prison administrator or his commander shall notify the governor to receive the child to be taken care of outside the prison in an orphanage. The prisoner shall be notified of the place of the child and shall have facilitations for regular visits as per the internal regulations.

Article 19 of Law No. 396 of 1956 (regulating prisons)

A pregnant prisoner shall be specially treated, as of the sixth month of pregnancy as to food and labor until delivery and 40 days thereafter. A breastfeeding prisoner and her child shall receive the necessary health care in addition to appropriate food and clothing. A pregnant or breastfeeding prisoner may not be denied her food quota for whatever reason.

Article 20 of Law No. 396 of 1956 (regulating prisons)

A female prisoner shall keep her child till the age of two years. If the child does not want to stay with her, the child shall be delivered to the father or whoever she selects of the kinsmen. If the child does not have a father or kinsmen, the prison administrator or his commander shall notify the governor to receive the child to be taken care of outside the prison in an orphanage. The prisoner shall be notified of the place of the child and shall have facilitations for regular visits as per the internal regulations.

Family Relations (Personal Status):

Children Nationality:

Law No. 154 of 2004

- Whoever is born to an Egyptian father or Egyptian mother shall be Egyptian.

- A person born to an Egyptian mother and a non-Egyptian father prior to the issuance of the present law, may notify the Minister of Interior of desire to have the Egyptian nationality and shall be deemed Egyptian by a ministerial decree to the same effect or after a year of the date of notification without a decree issued with the reasons of rejection.

Holding the Egyptian nationality entails the implementation of the provisions of the previous paragraph on the junior children. Adult offspring follow the aforementioned procedures to acquire the Egyptian nationality.

The Law stipulates that Egyptian women, Muslims or Christians, may request divorce from a judge due to several reasons, some of which apply to both and some are relevant either to Muslim or Christian women, namely:

The reasons of allowing divorce as per Law No. 25 of 1920 and the amendments thereto by Law No. 100 of 1985 and Law No. 1 of 2000:

1. Abusing the wife so that it is impossible to maintain life with such husband.

2. Not providing for Muslim women. Christian women, however, may not request divorce for such a reason.

3. Husband's imprisonment for three years. A wife is entitled to file a case for getting divorced one year after his imprisonment. For Christian Egyptian women, they may not get divorced until 7 years of imprisonment.

4. Deficiencies e.g. impotency and incurable diseases. The types of diseases are different for Muslim and Christian women. It is provided that the Muslim women shall not have explicitly or implicitly accepted deficiency – if otherwise, the judge shall reject granting divorce. It is provided for the Christian women that:

• The husband has been ill for three years.

• The disease is proven incurable (impotency, insanity and infectious diseases).

• She fears not to remain faithful to the marriage bond.

5. Being a nun/monk, for Christian Egyptians.

6. In case one of the two spouses converted from Christianity and there is no hope to reconvert to Christianity.

7. Adultery.

8. Khol' for Muslim Egyptian women only. It is possible for Christians from different sects.

9. Husband's absence for one year for Muslim women and 5 successive years of proven absence for Christian women.

The aforementioned are the conditions by virtue of which the legislator allowed Egyptian women to end the marriage contract. However, it is conditional that such be via judges and it is up to judges to decide divorce or reject except for the only case introduced by Article 20 of Law No. 1 of 2000 (Khol').

Law No. 1 of 2000 issuing a law regulating some of the Personal Status litigation procedures

Article 17

Cases filed on marriage contracts shall not be accepted if the wife is less than 16 years old and the husband is less than 18 years old at the time the case is filed. Upon denial, cases filed on marriage contracts shall not be accepted in cases post August 1, 1931 unless marriage is declared by an official document. Divorce or invalidation cases shall be accepted as per the various conditions in case marriage is documented by any writing. Divorce cases between spouses of the same religion shall not be considered unless their religion allows divorce.

Article 20

The spouses may agree on Khol' (women's self divorce). In case of non-agreement and the wife filed a case claiming khol' and divorced herself from her husband through waiving all her legitimate financial rights and paid back the dower he gave to her, the court shall decide that she gets divorced from him. The court shall not decide divorce through khol' unless after an attempt for reconciliation and in a period of time not exceeding 3 months and in the manner set forth in paragraph 2 of Article 18 and paragraphs 1 and 2 of Article 19 of the present Law and after the wife explicitly declares her dislike for living with her husband and that there are no potentials for continuation of the married life between them and that she fears not to maintain God's commandments due to such dislike for her husband. Khol's may not waive children custody, expenses or any of their rights. Through khol' an irrevocable divorce is in place. The judgment in all cases is irrevocable and may not be challenged in any way.

Article 21

Upon verification of divorce, nothing is accepted except for the testimonies and documents. Upon request of testimonies, the registrar shall inform the spouses of the consequences of divorce and calls both to nominate an arbiter from her and his family to reconcile them. In case both insist on divorce, or confirm that they are already divorced, or the husband confirms that he divorced her, divorce shall be documented with testimonies. All previous provisions shall be applicable in case the wife requests divorcing herself in case she is entitled to such right as documented in the marriage contract.

Article 22

Without prejudice to the right of the wife to prove revoking divorce by her divorcee by all means of documentation, upon denial, the husband's claim that he revoked divorce shall not be accepted unless he notifies her by an official document before 60 days for menstruating women and 90 days for women whose days of observance are by months as of the date of divorce document unless she is not pregnant or confirms she did not finish her observance period upon her notification of revoking divorce.

Article 63

Judgments stipulating annulment or invalidity of marriage contracts, or divorce, or getting divorced shall not be enforced until after the time allotted for challenge is over through cassation. In case such judgments are challenged on the legal timing, non-execution thereof shall be extended until the challenges are considered. The chief judge or a designee thereof shall set a date for considering the challenge directly before the court on a date not exceeding 60 days of submitting the challenge writ to the panel clerks. The General Prosecution shall deliver a memorandum presenting same opinion within 30 days at most prior to the date of hearing. In case the court challenged the judgment, it shall decide the issue.

Law No. 10 of 2004 on the establishment of Family Courts 2

Article (1)

Under the jurisdiction of each summary court, a family court shall be established, the headquarters of which shall be determined by the Minister of Justice.

Article (2)

A Family Court shall consist of three judges, one at least of whom shall be a chief judge in the Court of First Instance. Two experts, a social worker and a psychological expert, shall assist the Court in the cases enumerated in Article (11) of the present Law, one at least of whom shall be a chief judge in the Court of Appeal.

Article (3)

The Family Courts shall solely undertake the hearing of all personal status cases under the jurisdiction of the Summary Courts and the Courts of First Instance as per the provisions of the Law regulating some of the litigation procedures in the personal status cases issued by Law No. 1 of 2000.

Article (4)

A Prosecution specialized for family affairs shall be established to undertake the tasks assumed by the General prosecution before the Court. The Family Affairs Prosecution shall supervise the panel clerks of the Family Courts and the Appellate panels.

Article (5)

Under the jurisdiction of each Summary Court, one office or more for settlement of family disputes shall be established.

Article (8)

Settlement shall be maintained within 15 days as of the date of submission of request. Such period may not be exceeded unless by agreement among the litigants. In case reconciliation is maintained, the head of the office of settlement of family disputes shall document it in a report to be signed by the litigants and shall be attached to the report of the session in which reconciliation was achieved. The said report shall have the authority of all executable documents and shall end the dispute within the limits set during the reconciliation session. In case efforts fail to cordially settle all or some of the elements of dispute, and the applicant insists on proceeding with it, a report shall be drafted and signed by the litigants or their designees and attached there to shall be the reports of the specialists and a report by the head of the office. All documents shall be sent to the unit of the panel clerks in the relevant Family Courts before which a case shall be filed within 7 days of the date of request by any of the litigants in order to pursue judicial procedures in the cases not agreed upon by the parties of the dispute.

Article (10)

The sessions of the Family Courts and the appellate panels in places shall be separate from the court rooms of other courts.

Article (14)

Without prejudice to the provisions of Article 250 of the Civil and Commercial Procedures Law, the judgments and decisions issued by the appellate panels unchallengeable through the court of cassation.

Article (15)

At each Family Court, a special department for the execution of judgments and decisions of the Court or the appellate panels shall be established.

(The Official Gazette issued on March 18, 2004, Issue No. 12 Year 47)

1- Source: Arabe woman agenda 2006, Friedrich Ebert, Dr. Mouhamed Nour Farahat

2- Source: Arab Woman Forum http://www.awfarab.org/page/eg/home.htm

Committee on the Elimination of Discrimination Against Women (CEDAW)

Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

Combined fourth and fifth periodic reports of States parties

Egypt

INTRODUCTION

Egypt consistently demonstrates every respect for the full and effective implementation of international human rights treaties and conventions in all international and domestic forums. It also respects the diverse nature of societies and the heritage, cultural characteristics and prevailing values stemming from their historical development. These should not, however, conflict with the values that the international community protects by means of these instruments, as we stressed in the report of the 1993 Vienna World Conference on Human Rights.

This unshakeable policy represents Egypt's national view and its strategy with regard to human rights and freedoms at the domestic, regional and international levels. This view has been expressed in the Egyptian reservations to some provisions of the instruments in question, which have the purpose of ensuring their implementation while at the same time preserving the national particularities of Egyptian society along with those of its historical and cultural customs, characteristics and creeds that do not conflict with or infringe upon the instruments but are decidedly within the scope of the protection they provide to rights and freedoms.

At the beginning of the twentieth century, the cultural, historical and ideological resources of the Egyptian people were an important factor in paving the way for Egyptian women to launch the movement for their advancement. Supported by a historical background of positive participation in building civilization in the Nile Valley, Egyptian women have played a vital part in the revival and development process. They are capable of genuine partnership in confronting all life's challenges and using society's resources in order to promote the advancement of women and realize their current and future ambitions. The women's movement has been continuously supported and encouraged by all governmental and non-governmental institutions and by all groups and classes for the Egyptian people.

In the spirit of the foregoing, and further to the previous reports submitted by Egypt to the Committee, this report shall illustrate the efforts that continue to be made to strengthen the participation of Egyptian women in the development of their country, as described in two parts, namely:

Part One: General information on the situation of women in Egypt

Part Two: Information relating to the principles enshrined in the Convention and the provisions of each of its articles.

It should be noted that this combined report containing the fourth and fifth periodic reports for the period 1994 to 1998 does not contain a part devoted to questions and recommendations arising from consideration of Egypt's previous report in so far as consideration of Egypt's third periodic report (CEDAW/C/EGY/3) has not yet been completed, and the relevant part can be found therein.

In addition, in order to avoid repetition, certain sections of the present report will refer to the third periodic report.

PART ONE

GENERAL INFORMATION ON THE SITUATION OF WOMEN IN EGYPT

Section I: General Indicators

Section II: Government policy on the elimination of discrimination against women

Section III: Legal and other measures relating to the implementation of the Convention

Section IV: Authorities guaranteeing effective compliance with the principle of equality between men and women, and the means of redress available to women

Section V: Promotion of the exercise by women of all their fundamental rights and freedoms

Section VI: The legal status of the provisions of the Convention in the Egyptian legal system

Section VII: Dissemination of information on human rights instruments in Egypt

I.II.GENERAL INDICATORS

The following table shows the current situation with respect to a number of general indicators together with the figures as given in Egypt's third periodic report for purposes of comparison.

Item	Previous Situation	Current Situation	
1. Population	59 million (1993)	61.4 million (1996)	
2. Women as percentage	98.5 males for every	47.4(1996)	
	of population	100 females	
3. Number of political parties	13	15	
4. Number of ministers	34	32	
5. Number of women in	**Two (Ministry of Social**	**Two (Ministry of Social Affairs the Cabinet Affairs and Ministry of Scientific Research) and Ministry of Environmental Affairs)**	
6. Female illiteracy rate	57.41% (1992)	51% (1996)	
7. Rate of enrolment for	1998/99		
	compulsory education	91.41% (1992)	100.23% (boys)
			97.64% (girls)
			98.97% (total)
Girls			
8. Drop-out rates for	1990/91	1998/99	
a)Primary education	Girls	1.21%	
	Boys	0.7%	
	Total	3.85%	0.98%
b) Preparatory education	Girls	11.5%	3.73%
	Boys	9.9%	2.65%
	Total	10.8%	3.23%

The success of the Government and public sector in promoting the exercise by women of all their fundamental rights and freedoms can be seen in the above indicators, which highlight the reduction in female illiteracy and school drop-out rates and the raising of rates of enrolment for compulsory education to satisfactory levels as well as the continued appointment of women to ministerial positions in the country.

III.GOVERNMENT POLICY ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

At the beginning of the nineteenth century, Egypt began its modern renaissance by building a State influenced by Western culture. An enlightened movement was the standard-bearer for this goal in opposition to those who rejected progress. Throughout the changes of political system and authority in Egypt from the beginning of the nineteenth century to the present day, there has been sustained support for this enlightened movement, one of the most important goals of which was to guarantee the rights of women and encourage them to take their proper place in society.

Ever since Egyptian women began their renaissance movement at the beginning of this century, the Egyptian Government has taken whatever steps were necessary and appropriate to support, strengthen and develop all enlightened tendencies which supported and assisted that movement. The 1923 Egyptian Constitution gave expression to the clear inclination of the Egyptian Government and people when it stipulated, in article 19, that primary education was compulsory for Egyptian boys and girls. The 1956 Constitution reflected the achievements and success of the women's movement at that time at the local and international levels. It also took into account the provisions of the Convention on the Political Rights of Women, adopted by the General Assembly in 1952. In article 31, it laid down the principle of equality and non-discrimination on grounds of gender, origin, language, religion or ideology. In article 19, it established the obligation of the State to help women reconcile their duties to their families and their work.

Pursuant to this constitutional principle, in 1956 the law on the exercise of political rights stated that women had the right to vote and to stand for election to parliament and all local councils. In 1971, the present Egyptian Constitution made a commitment, awaited at that time by the people, to two human rights instruments: the international Covenant on Civil and Political Rights; and the International Covenant on Economic, Social and Cultural Rights. Articles 11 and 40 are in direct response to the principles of those instruments, and articles 10 and 11 respectively introduced the State's obligation to protect the mother and child and to guarantee the equality of men and women in the political, social, cultural and economic spheres.

Legislation was introduced pursuant to the aforesaid constitutional principles that confirmed the precepts of equality and non-discrimination against women. (The relevant legislation will be discussed in detail in chapter III of this part). At the practical level, these principles have found expression in a number of governmental and non-governmental organizations and institutions that endeavour to encourage and support the genuine enjoyment by women of all their rights and to develop their effective participation in all spheres on an equal footing with men. (This will be discussed in detail in chapter V of this part).

Egyptian women have made a number of significant gains as a result of State support in various areas of the women's movement. Similarly, the State's efforts to elaborate women-oriented development plans, particularly in education and the eradication of illiteracy, have, by controlling the population-growth rate, had an impact on the realization of one of the State's goals. As a result, Egypt has been awarded the United Nations Population Award.

Egyptian women's important and influential participation in the general workplace has culminated in appointments to two ministries in the current Cabinet and an increase in the number of women appointed to positions of authority in various sectors in the country, both governmental and non-governmental.

State efforts with regard to the eradication of female illiteracy and the lowering of school drop-out rates have had notable success. Female illiteracy has been reduced to acceptable levels and school drop-out rates have fallen.

III. LEGAL AND OTHER MEASURES RELATING TO THE

IMPLEMENTATION OF THE CONVENTION

In 1932, out of commitment to its vision of and national strategy concerning non-discrimination against women and their equality in all fields, and in accordance with the provisions of successive Egyptian constitutions since 1923, Egypt acceded to the International Agreement of 18 May 1904 for the Suppression of the White Slave Traffic and to the International Convention of 4 May 1910 for the Suppression of the White Slave Traffic, both of which were signed at Paris. In 1955, it acceded to the Protocol amending those instruments. In 1959, pursuant to Republican Decree No. 884, Egypt acceded to the Convention that replaced the two previous instruments, namely the convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, adopted by the General Assembly in 1949.

Subsequently, in 1967, Egypt signed the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights of 1966 and acceded thereto in 1971. Pursuant to Republican Decree No. 345 of 1981, it acceded to the Convention on the Political Rights of Women and, pursuant to Republican Decree No. 434 of 1981, it acceded to the Convention on the Elimination of All Forms of Discrimination against Women. At the time, and in accordance with the provisions of articles 28 and 29 of the Convention, Egypt made its reservations clear. The international instruments referred to above and the other human rights instruments to which Egypt has acceded form a legislative basis in the Egyptian legal system, since, with their publication in the Official Gazette following the necessary constitutional procedures, these instruments became Egyptian law in accordance with the provisions of article 151 of the present Constitution. (The Convention on the Elimination of All Forms of Discrimination against Women was published in Arabic in issue No. 51 of the Official Gazette on 17 December 1981, and came into effect as of 18 October 1981). Below we will refer to some of the relevant basic Egyptian laws.

1.Political rights

Article 130 of Law No. 73 of 1956 on the exercise of political rights stipulates that all Egyptian men and women over 18 years of age may personally exercise their specific political rights. Article 4, as amended by Law No. 4 of 1979, obliges men and women to register as voters. (This is in accordance with the Convention on the Political Rights of Women, and it preceded Egypt's accession thereto0.

2.The Labour Code

The law concerning private sector employment

Article 130 of Law No. 97 of 1959, concerning the Labour Code, stipulates that all its provisions apply to working women, with no distinction as to job. Law No. 137 of 1981 (the present Labour Code) does the same. In accordance with the International Labour Organization conventions concerning the employment of women, the law prohibits the employment of women in jobs that could damage their health or morals or in any other job to be specified by the relevant ministries. The Law requires any employer of more than 100 women to set up or share the cost of providing a nursery, and in article 174 it provides penalties for any infringement of the provisions regarding the employment of women.

The law concerning civilian employment in the State and public sectors

There are no provisions in the two laws regulating employment in the State of public sectors that prejudice the principle of equality between men and women. On the contrary, both laws accord women special privileges, allowing them to reconcile their duties to their families and their work.

Rights of working mothers

The distinction is made in a section of the Children's Act No. 12 of 1996 devoted to working women between the conditions of employment of women in the government and public sectors and those in the private sector. The Act further guarantees women the right to the following privileges:

The right to take three months' maternity leave on full pay three times during her working life (art. 70).

For the two years following the date of delivery, the right to take two rest breaks for one hour on fully pay in order to breastfeed her child (art. 71).

The right to take unpaid leave of two years on three occasions during her working life for the purpose of childcare (art. 72).

3.Education

Article 15 of Law No. 139 of 1981, concerning education, grants the right to eight years of free elementary education to all Egyptian children (boys and girls) from the age of six. It obliges the State to make provision for this right and the parents of guardians to implement the obligation, in accordance with the relevant international instruments. Penalties for any infringement of the provisions of the Law by the parents of the guardians, irrespective of whether the child is male or female, are stipulated in article 19 of the same Law.

4.Civil capacity

In accordance with the provisions of the Civil Code and related laws, all Egyptians, male and female alike, enjoy civil rights in conformity with the legally established provisions relating to capacity, from the point of view of the terms on which they can or cannot be invoked. In this respect, there is no discrimination and there are no restriction that apply to women and not to men. Marriage does not annul or otherwise affect these rights and does not place any restrictions on their exercise by women.

Laws of litigation

The right to litigate is guaranteed to both men and women on an equal basis without differentiation, discrimination or preferential treatment. The laws relating to litigation make no distinction in this respect: Egyptian women have the right of recourse to the law in all its forms and at all levels, the right to act as a witness in court and the right to benefit from the relevant court and legal assistance systems. Pursuant to Law No. 1 of 2000, concerning the regulation of certain rules and procedures relating to litigation in cases of personal status law, the capacity to litigate in matters of guardianship is guaranteed to any person over 15 years of age.

5.Social insurance

The laws relating to social insurance and pensions make no distinction between men and women with regard to the rights which they provide. Rather, in some cases, a women has the right to combine her own pension with that of her husband or her brother. Working women are accorded special privileges under the Children's Act No. 12 of 1996. governmental and public sector institutions are obliged to pay a woman's statutory social insurance contributing during any periods of unpaid special leave which she may take in order to raise her children.

6.Nationality law

In accordance with the provisions of the Nationality Law (Law No. 26 of 1975), anyone, male or female, who is born in Egypt to an Egyptian mother and whose father is of unknown nationality or is stateless is entitled to Egyptian nationality. Nationality is also granted to anyone who is born in Egypt to two parents of unknown nationality and to anyone who is born outside Egypt to an Egyptian mother and whose father is of unknown nationality or is stateless. A foundling in Egypt is deemed to have been born there failing proof to the contrary (arts. 2 and 3). This is in accordance with the Convention on the Reduction of Statelessness and with the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child, and it is intended to prevent dual nationality and resulting cases of conflict of laws at the international level. The provisions of this Law address the issue of nationality in the case of the marriage of a foreign man and an Egyptian woman or of an Egyptian man and a foreign woman by establishing the basic principle that Egyptian nationality may neither be imposed on a non-Egyptian woman without her consent nor withdrawn from her on termination of her marriage to an Egyptian unless she reverts to her original nationality. An Egyptian woman who marries a foreigner loses her nationality only if she wishes to do so and if the law of nationality of her husband's country confers nationality on her. She nevertheless has the right to retain her Egyptian nationality if she so wishes or to revert to it on termination of her marriage. The law also stipulates that the withdrawal or forfeiture of nationality in the cases specified shall have no effect on any person other than the individual involved.

Where the nationality of a minor has been changed to that of his or her father, the law provides that he or she may choose to revert to his or her original nationality on reaching maturity. The first National Conference on Women in Egypt, held in 1994, recommended that consideration should be given to alleviating the difficulties faced by the children of an Egyptian mother and an alien father. Accordingly, the Ministry of Education promulgated Decree No. 353 of 20 December 1994. This exempted immigrant students who were the offspring of divorced or widowed Egyptian mothers and who could demonstrate need from the payment the payment of fees in State schools, thereby according them full equality with Egyptians in regard to financial treatment. The Decree also provided for the reduction of such fees by one half for the children of Egyptian women in other categories.

7.Health care

None of the laws relating to health care or health insurance contains any reference to discrimination between men and women with respect to the care patients should receive or the benefits to which they are entitled.

The State makes every effort to guarantee the welfare of women and children through family planning services and special pre- and post-natal health care programmes.

Article 8 of the Children's Act No. 12 of 1996 makes it unlawful for any person other than a doctor or registered midwife to assist in the delivery of a baby, and stipulates the penalties for the infringement of such Act.

8.Penal Code

The Egyptian Penal Code (Law No. 58 of 1937) categorizes all violence or attacks against women as crimes and regards the age of the victim and the degree of consanguinity or affinity between the victim and the assailant as aggravating factors in the assessment of the penalties.

Article 267 provides a penalty of short-term hard labour for cases of sexual assault on women, to be increased to life imprisonment with hard labour in cases where the assailant is an ascendant or guardian of the victim or her supervisor, or is working in her home. The law introduces the death penalty for the abduction of a woman through deception or by force if the victim is sexually assaulted (art. 290, as amended by Law No. 215 of 1980). Efforts aimed at eradicating the phenomenon of female abduction culminated in the promulgation of Law No. 14 of 1999 which abrogates previous legislation offering a pardon to the abductor in the event of marriage to the victim concerned.

The law provides for a penalty of three to seven years' hard labour for the rape of a person, male or female, whether by use or force or intimidation. Where the victim is under 16 or the offender is the victim's ascendant, guardian or supervisor or works in the victim's home, the penalty is the legal maximum. Where both of these conditions are met, the penalty s life imprisonment with hard labour (art. 269 on penalties).

Egyptian law penalizes abortion resulting from beating or abuse or induced by drugs or other means. The first offence is punished by short-term hard labour and the second by a prison sentence. These penalties may be applied to the woman if she is a willing party or places herself in the hands of another. The penalty is increased to life imprisonment if the abortion is performed by a doctor or midwife (arts. 260-263 on penalties). Other forms of abuse, beating and violence are dealt with in articles 240 to 244 of the Penal Code, and they are categorized according to whether they are accidental or international and whether weapons or instruments are used and by the damage caused. The penalties for the acts in motion vary in severity in accordance with these criteria, and in this respect the law makes no distinction between men and women and its provisions apply without regard to marital status or consideration of kinship.

By articles 279 and 306 bis of the Penal Code, the legislature characterizes as a criminal anyone who commits an indecent act with a woman, even in private, or who does or says anything to a woman that offends her modesty. The penalty is imprisonment or a fine, and penalties are increased if the act is repeated within one year.

In order to combat the phenomenon of intimidation and the threat of use of force of violence against a wife, offspring or ascendants, the Egyptian legislature promulgated Law No. 6 of 1998 which criminalizes such acts, and stipulates a penalty therefore of at least two years' imprisonment, rising to five if the threat was made against a female or a minor of under 18 years of age.

9.Combating prostitution

Subsequent to Republican Decree No. 884 of 1959, by which Egypt acceded to the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, and pursuant to the provisions of the Convention, Law No. 10 of 1961, concerning the suppression of immorality, was promulgated. The Law characterizes as crimes incitement, procurement, enticement or seduction for the purpose of committing immoral acts of prostitution. Penalties are more severe when such acts are compounded by deception, force, intimidation or the abuse of power and when the victim is under 21 years of age (arts. 1 and 2 of the Law).

The Law also criminalizes enticement or procurement for the purpose of conveyance overseas or securing entry to the country of persons to be employed in prostitution (arts. 3 and 5). Penalties are increased in the aforesaid cases where the victim is under 16 or where the offender is the victim's ascendant, guardian or supervisor or works in the victim's home (art. 4).

The Law punishes: the provision of assistance to a woman in the practice of prostitution or the exploitation of the prostitution of others; attempts to commit the offences referred to, the keeping, management or rental of a building for such a purpose and investment of employment therein; and cases of recidivism (arts. 6 to 14 of the Law).

10.Commercial competence

The age of majority is the same for both civil and commercial purposes in Egyptian law (art. 44 of the Civil Code and art. 4 of the Commercial Code), namely 21 years of age for both men and women. This also applies to a woman's competence in this respect and to each spouse's individual property rights. The financial responsibilities of each remain separate.

Egyptian law requires a foreign spouse who engages in trade to declare the financial arrangements of his or her marriage.

11.Capacity for marriage and family responsibility

In Egypt, marriage is a consensual contract requiring the full and explicit assent of the woman. The minimum legal age for marriage is 18 for men and 16 for women. Since it is a matter that relates to personal status, it is also subject to the provisions of the religious laws of each of the parties as they relate to validity and termination.

By law, women may have custody of their male children until the age of 10 and of their female children until the age of 12. The law provides for the possibility of extending a woman's custody of a male child until he is 15 and of a female child until her marriage. A father has the right to see his child throughout the period of maternal custody, and he remains responsible for financial support. In accordance with the law of trusteeship, a woman may be the trustee or guardian of a minor, subject to legally specified circumstances and conditions.

IV. AUTHORITIES GUARANTEEING EFFECTIVE COMPLIANCE WITH THE

PRINCIPLE OF EQUALITY BETWEEN MEN AND WOMEN, AND THE

MEANS OF REDRESS AVAILABLE TO WOMEN

It is clear from the foregoing that, in accordance with the constitutional principles and legal precepts on which the Egyptian legal system is based, all State authorities are required in the performance of their functions to guarantee compliance with the principle of equality between men and women as embodied in article 40 of the present Constitution. Through its various bodies, the independent judicial authority provides women with full means of redress in accordance with the type of dispute and the parties involved, as set forth hereunder.

1.Supreme Constitutional Court

The legislative authority exercises its functions within the framework of compliance in the enactment of laws with the approved constitutional principles and provisions, including the principle of equality between men and women. The Supreme Constitution Court is the means by which women may seek redress in respect of laws or ordinances enacted by the legislature which are in contravention of such principles. It is an independent judicial body established in accordance with the provisions of articles 174 to 178 of the Constitution, and it is unique in having the power to decide on the constitutionality of laws and ordinances and to interpret legislative and judicial texts in a manner binding on all State authorities. The annulment of any text deemed unconstitutional is effected by the publication in the Official Gazette, within the legally specified period, of Supreme Court judgments (Law No. 48 of 1979 concerning the Supreme Constitutional Court).

The Supreme Constitutional Court has issued a number of judgments relating to human rights in general and to the principle of equality between men and women in particular. Several legislative texts have been declared unconstitutional, as has any special treatment with regard to access to higher education that entails the admission of members of specific groups in preference to others who are more qualified in terms of the established admissions criteria. Such action was deemed a violation of the principle of equality (judgment issued in case No. 106/1985, Constitutional Court, session of 29 June 1985).

The Court also found that article 134 of an ordinance concerning Orthodox Copts and article 109 of an ordinance concerning Armenian Orthodox Copts were unconstitutional in so far as the nursery age for children in both texts was lower than that stipulated under Muslim personal status law (judgment issued in case No. 74, session of 1 March 1998, and case No. 81 of session of 16 April 1998).

2.Administrative law (the Council of State)

In performing its functions with respect to the regulations and ordinances it issues, whether these affect members of the public individually or collectively and whether they concern services provides to citizens or formalities that citizens are obliged to complete, the executive authority is required to comply with established constitutional principles and legal norms, including the principle of equality between men and women. In this domain, women may seek redress under administrative law through the Council of State. This is an independent judicial body that decides administrative disputes and disciplinary actions (art. 172 of the Constitution). Law No. 47 of 1972, concerning the Council of State, assigns the tribunals of the Council of State the function of deciding on appeals brought by individuals or organizations for the annulment of administrative decisions and on applications for redress. Thy also review decisions relating to recruitment, promotion, salaries and allowances, separation, retirement and disciplinary action in the civil service.

The Law regards any refusal or failure of the administrative authorities to take a decision that they are required to take in accordance with the relevant laws and ordinances as itself constituting an administrative decision (art. 10 of the aforementioned Law). The Law also establishes the means and stages of appeal against judgments and the implementation of final rulings issued under the relevant provisions of administrative law. The rulings and decisions of administrative courts are binding on all, and failure to implement them is a crime punishable under the provisions of the Egyptian Penal Code (art. 123).

3.Civil and criminal law

Relations between individuals are regulated, within the framework of the Constitution, by objective and disinterested legal rules that

apply to all persons without differentiating between men and women. In accordance with Law No. 46 of 1972, the independent judicial authority, through its civil and criminal divisions, rules on all relevant disputes or crimes specified by the law. The judicial authority performs its function by applying the law to disputes brought before it in the light of existing constitutional principles, the Codes of Civil and Criminal Procedure and the rules governing the stages of appeal against judgments. The Law permits the aggrieved to take civil action for compensation before the criminal courts in cases involving statutory offences.

It should be noted that none of the laws relating to the administration of justice and capacity to take legal actions make any distinction between men and women with regard to the right of recourse and litigation or to the procedures and guarantees stipulated in their regard.

V. PROMOTION OF THE EXERCISE BY WOMEN OF ALL THEIR RIGHTS

AND FUNDAMENTAL FREEDOMS

In giving effect to Egypt's commitment to the principles enshrined in the Convention and to the Committee's recommendations (General Recommendation No. 6 of 1988) concerning the establishment of specialized and effective national agencies, perceptible progress has been made recently and there have been important and positive developments in Egypt that have strengthened the means available for the promotion of the enjoyment by women of all their basic rights. There have been developments at the international and local levels and in the governmental and non-governmental sectors, as will be show in detail hereunder.

1.Government action

Action by the government sector has been closely linked with Egypt's national policy for the advancement of women in all spheres. Such action has primarily had the goal of raising women's awareness of all the basic rights and fundamental freedoms guaranteed to them by the Constitution and the law with a view to ensuring the full and effective exercise of those rights and freedoms. The natural approach to such action was through advocacy of the following policies:

a)Enforcement of the laws relating to education at the compulsory and other levels so as to improve attendance rates and eliminate absenteeism by creating an appropriate link between educational institutions and the social milieu;

b)Modification and development of curricula by introducing the study of instruments relating to all human rights and fundamental freedoms at all levels of education;

c)A focus on the eradication of illiteracy among women, particularly in rural areas, linking literacy programmes with the given environment and using appropriate methods;

d)Development of suitable programmes that use the tremendous potential of radio and television and are adapted to the target audience in order to promote awareness of the rights of women in all spheres;

e)Encouragement of the nongovernmental sector to play a part in mobilizing voluntary efforts in developing the capacities necessary to train skilled personnel;

f)Encouragement of international cooperation at all levels and use of relevant international expertise and resources;

g)Creation of appropriate mechanisms at the national level to monitor plans in this domain and ensure the necessary coordination between all the ministries and State institutions concerned;

h)Establishment of research centres to facilitate the development of appropriate plans and programmes and channel resources in a scientific manner so that the desired goals can be achieved.

These major policy goals of government action have given rise to a number of effective mechanisms to support and monitor the advancement of women in securing the exercise of all their rights, namely:

a)The National Committee for Women, established in 1978 and reorganized in 1994 as the national agency responsible for Egyptian women's issues at the international and local levels;

b)The National Council for the Mother and Child, established in 1988 as the official agency responsible for child-related issues, including, of course, issues relating to women as mothers;

c)The Ministry of Population and Family Affairs to be responsible for such matters as family planning, mother and child health and health education, and the National Population Council, which is essentially concerned with these spheres;

d)The National Institute for Adult Education, set up in 1991 to promote literacy among adults of all ages;

e) Departments concerned with women's issues, established or strengthened at various times in the Ministries of Social Affairs, Health,

Agriculture and Foreign Affairs and in the Central Statistical Organization, given expanded functions and encouraged to exchange international experts with counterpart agencies.

The National Council for Women was established pursuant to Republican Decree No. 90 of 2000, issued on 8 February 2000, and replaces the National Committee for Women established in 1978. An independent national body, the Council has responsibility for promoting the advancement of women and designing the necessary policies and programmes for their effective participation in society and the overcoming of negative attitudes and problems which hamper the movement in society. It is also responsible for developing appropriate solutions to the obstacles that women continue to face, particularly in rural areas.

As a reflection of State policy with regard to women and as a result of the efforts of the aforesaid mechanisms, there was increased activity during the first half of 1994 in the domain of national action. A "National Dialogue" conference and a National Conference on Women were held and resulted in many important recommendations and translating them into programmes of action, decisions or laws, in accordance with the legal requirements for each of them. (The recommendations will be discussed in detail in part two of this report). The World Assembly on Education was held in Egypt in September 1994, and issues concerning women's education, particularly in rural areas, had a prominent place in the discussion and in the recommendations adopted.

In the same time-frame, the International Conference on Population and Development was held in Cairo. Many of the topics discussed there concerned women, and all the Egyptian governmental and non-governmental organizations concerned with women took part in the activities of the Conferences and contributed to its final documents.

Under the heading "Policies for the Advancement of Egyptian Women", the second National Conference on Egyptian Women was held in 1996. In 1997, the National Committee for Women, in cooperation with research agencies, trade unions and political parties, prepared the conceptual framework for the inclusion of a female component in the State's fourth Five year Plan covering the period 1997/98 to 2001/02. The framework, which reflects the real situation of women in Egypt, the indicators relating thereto, the goals that could be included in the Plan, and the policies that would support the realization of such goals, was then translated into programmes and projects by the ministries concerned. One section of the fourth Five Year Plan is devoted to mother- and childhood-oriented projects and investments, and another to projects for the advancement of women and investments for their implementation. The third National Conference of Egyptian Women, entitled "Advancement of Rural Women", was held in 1998, and discussed the promotion of literacy, education, health, education about reproductive health, the advancement of rural women, the development of micro-enterprises and the promotion of rural women's awareness of their political, social and legal rights.

All the agencies concerned with women, particularly the National Council for Women, are engaged in studying the conference's recommendations.

2.Action by non-governmental bodies

Law No. 152 of 1999, concerning non-governmental associations and bodies, supersedes Law No. 32 of 1964. It offers clear confirmation that the Government's policy of encouraging the non-governmental sector has had a noticeable impact on action by this sector. There has been an increase in the number of registered associations working in fields relating to the advancement of women, particularly those of family planning, the development of household resources (associations for "productive families"), the advancement of rural women, child-care, the care of the elderly, mother and child health care and various services.

In 1997, the number of registered associations had reached 14,748.

3.International cooperation

Through its official participation in all the relevant international and regional conferences, Egypt has sought to make a serious and effective contribution to international cooperation relating to women in all fields. It was quick to associate itself with the call for the convening of a Summit on the Economic Advancement of Rural Women and, in February 1992, it participated in the elaboration and adoption of the Geneva Declaration of Rural Women. The aforementioned government bodies concerned with women's affairs reached agreement with international institutions and organizations and specialized agencies on numerous programmes and plans for projects in the fields of education, health, agriculture, childhood issues, family planning, training, social welfare, income generation and the advancement of rural women.

The Egyptian delegations to the international conferences on human rights (Vienna, 1993), population and development (Cairo, 1994) and social development (Copenhagen, 1995) and the Fourth World Conference on Women (Beijing, 1995) took particular care that the respective final documents should include specific sections on the situation of women, the protection of women's rights, and the advancement of women.

VI. THE LEGAL STATUS OF THE PROVISIONS OF THE CONVENTION N THE

EGYPTIAN LEGAL SYSTEM

Because of the affinity of its provisions with those of the Egyptian Constitution, the Convention that is the subject of the present report, like the other international conventions on human rights and freedoms, has the benefit of two important features.

a)Because the provisions of the Convention regarding non-discrimination between men and women accord with the stipulations made in this respect in articles 11 and 40 of the Egyptian Constitution, the principle of equality did not merely become one legal rule among others when the Convention became part of Egypt's domestic law but became a constitutional precept to which all Egyptian laws must conform, given that they occupy a lower rank than the Constitution. Where such a law violates the principle of equality, the Constitution is violated and the law can be overturned by the Supreme Constitutional Court.

b)In accordance with article 151, paragraph 1, of the Constitution, the President of the Republic has the authority to conclude treaties and communicate them to the People's Assembly accompanied by an appropriate statement. After it is ratified and published in accordance with established procedures a treaty has the force of law. Thus with Egypt's ratification of the Convention relevant to this report and its publication in the Official Gazette, it became the law of the land and all the authorities are bound to implement it under the provisions of the Constitution. Since they took effect in Egypt as law on 18 October 1981, the provisions of the Convention in relation to other laws that are in effect in the country are subject to the established legal rules governing conflict of laws in its chronological aspect. These are applied by the judiciary when disputes of this kind are brought before it, binding rulings are issued, and failure or refusal to comply with these rulings is an offence punishable by law.

It is clear from the foregoing that, in Egypt, the provisions of the Convention have the protection afforded to a fundamental constitutional principle with regard to any legislation that is enacted in contravention thereof. As the law of the land, it also benefits from that fact that all authorities are obliged to apply its provisions. Anyone who suffers as a result of failure to apply those provisions may therefore have recourse to the law in accordance with the nature of the contravention and the procedures established for asserting the rights to which they give rise.

VII. PUBLICATION AND DISSEMINATION OF HUMAN RIGHTS

INSTRUMENTS IN EGYPT

In general terms, publication and dissemination of human rights instruments in Egypt is effected following the ratification of and accession to an instrument such as the one that forms the subject of this report. Publication in the Official Gazette, which issues the texts in Arabic of all laws, republican decrees and international conventions, is an important means by which the public is provided with information about laws and the date on which they take effect in the country. Series and special issues of the Gazette are sold to the public through designated outlets for the sale of government publications. Postal subscriptions are also possible. The selling price is negligible, and is set at below cost.

The Official Gazette is considered an important periodical by public and private libraries, which assiduously include it among the authoritative reference texts in their holdings. The Gazette is equally important to all persons working in the legal profession, and, pursuant to article 188 of the Constitution, laws must be published therein within two weeks of the date of their enactment. Save as otherwise provided, laws come into effect one month after the date of publication, and the provisions thereof can only be applied following the date on which the said laws come into effect (however, save in respect of the Penal Code, a majority of the People's Assembly may, in accordance with article 187 of the Constitution, make a contrary determination).

While publication in the Official Gazette is the means by which the Egyptian public is informed about laws, the dates of their enactment and the spheres to which they apply, the Gazette's primary audience is the legal professional. At the same time, however, international human rights instruments are of great importance for all sectors of Egyptian society. The Government is therefore particularly vigilant in complying with the provisions relating to awareness-raising and education about the said instrument. Its efforts to ensure that such instruments are implemented in a manner consistent with the lofty values which they express with regard to human rights and fundamental freedoms have focused primarily on social and educational mobilization as the only means of shaping the behaviour of future generations, instilling these values and rights in them, making them aware of the advantages that such values and rights offer to them and concerned about the consequences thereof.

Thus in Egypt today international human rights instruments such as the one that is considered in this report have become fundamental texts studied in Faculties of Law, the police force and national research centres. Those engaged in these studies will be directly involved in realizing their aims and implementing their provisions and will be the better equipped to defend them against others, using their talents to widen the sphere of influence of such instruments though the work that they undertake. At the same time, Egypt has carefully developed educational curricula at all levels so as to incorporate information about these instruments and the lofty aims and aspirations embodied therein.

It goes without saying that the State's efforts to eradicate illiteracy, in keeping with its national obligations under the Constitution, are an important and effective corollary to the publication of and promotion of awareness about human rights instruments. Such efforts make it easier for formerly illiterate persons to learn for themselves about their rights and to form an attachment thereto. Inevitably, increasing numbers of people will thus be able to find out about their rights and to defend them.

Trade unions and non-governmental associations, which are legally constituted bodies present throughout the country, also play a leading part in raising awareness about these rights and freedoms, using methods and procedures consistent with the circumstances and nature of each profession, job or place of work concerned. Government and non-governmental endeavours aimed at promoting adult literacy in cooperation with media and cultural services throughout the country also play an important role in promoting awareness and disseminating information relating to international human rights instruments among citizens in all groups and classes.

As a reflection of these ongoing efforts, the States has demonstrated its commitment to informing the citizens about all human rights instruments and ensuring the dissemination of this culture at all levels and in all parts of the country, using methods which ensure that present generations are made aware of these rights and preparing and shaping future generations to be bound by them.

Details of what has been done within the framework of introducing human rights instruments, including the one that is the subject of this report, in educational curricula at all levels are found in part two of this report in the comments relating to article 15 of the Convention.

PART TWO

SPECIFIC INFORMATION IN RELATION TO EACH PROVISION OF THE

CONVENTION

This part of the report will provide a detailed commentary on the Convention, article by article, noting any references made in part one of Egypt's Third periodic report where appropriate to avoid repetition.

Article 1

For the purposes of the present Convention, the term "discrimination against women" shall mean any distinction exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.

The 1971 Egyptian Constitution adduces the principle of equality and non-discrimination as basic to human rights and fundamental freedoms. Articles 8, 11 and 40 embody this principle in a clear and unequivocal manner. Article 8 provides that the State shall guarantee equality of opportunity to all citizens. Article 11 provides that the State shall enable a woman to reconcile her duties towards her family with her work in society and guarantee her equality with men in the spheres of political, social, cultural and economic life. Article 40 makes a general statement on the principle of equality to the effect that all citizens are equal before the law and stipulates that they are equal in respect of general rights and obligations without discrimination between them on the grounds of gender, ethnic origin, language, religion or belief. Similarly, articles 64 and 65 of the Constitution stipulate that the rule of law shall be the basis of State authority, that the State shall be subject to the law, and that the independence and immunity of the judiciary are the basic guarantees that safeguard rights and freedoms. In its judicial practice, the Supreme Constitutional Court has considered that the principle of equality before the law, as set forth in successive Egyptian constitutions since 1923, including the present Constitution, is intended to protect the rights and freedoms of citizens against forms of discrimination that would prejudice or restrict their exercise. The principle is therefore a means of establishing the same legal protection for all rights and freedoms, whether those enshrined in the Constitution or those accorded by the laws enacted by the legislature. The cases set out in article 40 of the Constitution, prohibiting discrimination on the basis of sex, ethnic origin, language, religion or belief, are not exhaustive and are mentioned only because they are the most common circumstances in real life. The principle of equality therefore applies to all forms of discrimination and to all rights freedoms, whether established by the Constitution or by the statute (ruling of 16 May 1992 in case No. 6/1 Q).

From these lofty constitutional principles, it is clear that the Egyptian legal system accords high priority to requiring all State authorities to guarantee women's equality with men in respect of all the rights and duties and all other areas of life, without restrictions and irrespective of their marital status. This is over and above the State's guarantee that women will be able to reconcile their domestic duties with their work in society while ensuring compliance with Islamic law in this regard out of respect for the requirements of religious freedom. In Egypt, family matters belong to the sphere of personal status and they and disputes in their regard are subject to the internal laws of the community to which family members belong. The Egyptian Constitution thus accords with article 1 of the Convention, defining discrimination against women, with the provisions of article 4 (2), concerning the protection of maternity, and with article 5 (b), concerning family education.

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

Reference has already been made, in the observations on article 1 of the Convention, to the provisions of the Constitution that relate to the obligation of the State to guarantee the equality of men and women in all fields. The Supreme Constitutional Court, which monitors the constitutionality of laws, provides these constitutional precepts with judicial protection against infraction by any legislation that may be enacted.

In part one, chapter II, section 8 of this report, references are given to the provisions of the Penal Code that punish cases of violence against women.

Reference is also made in part one, chapter II, to the fact that state policy with regard to women is based on promoting progress by women in the exercise of all their rights.

All Egyptian laws must comply with the previously mentioned constitutional principles requiring that legal precepts should apply to everyone without discrimination between men and women and that certain cases of discrimination should be categorized as crimes, as mentioned in part one, chapter II, of this report.

The laws relating to litigation guarantee the right of women and men to have recourse to the law on an equal footing, without formal or procedural restrictions and without any restrictions based on marital status. They give women the right to have recourse to the law in the event of any contravention of or departure from the relevant constitutional precepts, and women may seek constitutional redress to annul a statute that violates the principles, established by the Constitution, of their equality with men. Women may also seek redress and compensation under criminal law in the case where the violation of their rights and freedoms constitutes a criminal offence. In cases involving compensation, personal status or family matters, women may seek redress under civil law; and in those involving the annulment of or compensation for an administrative decision, they may approach the administrative courts.

In the judgments they issue, the members of the judiciary, in all categories and at all levels, are obliged to apply the laws in effect in the country. These include the Convention relevant to this report, since, as previously stated, it is regarded as being such a law. The judiciary is independent and enjoys certain immunities, and intervention in its affairs is forbidden. Its judgments may be enforced by power of compulsion under the legally established circumstances and conditions, and failure to comply with them is regarded as a crime (arts. 72, 115 and 178 of the Constitution).

In keeping with the aforesaid constitutional precepts and principles of law, and pursuant to the recommendations made by the National Conference on Women and the General Conference for National Dialogue, the relevant authorities are currently considering the following legislative matters:

1.Within the context of efforts to resolve the problem of the nationality of a child born to an Egyptian mother and a foreign father, the Minister of Education issued a decree (No. 353) on 20 December 1994 exempting immigrant students who are the offspring of divorced or widowed Egyptian mothers and who could demonstrate need from the payment of fees in State schools, thereby according them the same treatment as Egyptian nationals. The Decree also provided for the reduction of fees by one half in other cases.

2.With the enactment of the Children's Act No. 12 of 1996, certain practices that are widespread in less educated communities were made criminal offences. The Act makes it illegal for anyone except a doctor or registered midwife to deliver a baby and stipulates the penalties for its infringement.

3.Law No. 1 of 2000 seeks to simplify litigation procedures in cases of personal status law, alleviating the suffering of women by requiring the Nasser Bank to pay maintenance that has been awarded to them and raising income tax in order to ensure implementation of these provisions.

4.All penal laws (the Penal Code and the special laws that designate certain acts as criminal offences) specify criminal acts and their chief elements and the stipulated punishment. The judge nevertheless has the right, following a conviction, to impose an appropriate penalty that falls between the legally established minimum and maximum. The Code of Criminal Procedure also provides guarantees for all stages of indictment, trial and appeal in accordance with each type of crime and the legally established conditions. In none of the foregoing conditions is any reference made to a distinction or differentiation to be made between men and women.

5.The Code of Criminal Procedure does, however, single out women in its provisions relating to penalties in the case where a woman is pregnant. The Prisons Law contains the same provisions, and sentences with hard labour for women are served in prisons and not in the penal colonies where men are required to serve this punishment.

3. Difficulties relating to implementation of legislation concerning equality between men and women

The aforementioned constitutional and legislative principles, to which the legislature is committed, undoubtedly require efforts to overcome all the obstacles created by the negative aspects of some prevailing customs and concepts, the combination of which is impeding achievement of the desired development and progress. Accordingly, the Government has formulated national plans, programmes and

measures to overcome and eliminate those obstacles. In the light of the recommendations of the Beijing Conference concerning the need for government policies to take account of the views of women, a female component has been included I the Socio-Economic Development Plan with a view to ensuring gender equality and the advancement of women.

The purpose of the inclusion of a female component in the State's overall plan is to bridge the gender gap through the economic, social and political empowerment of women and the improvement of their education and health, which will increase the country's ability to mobilize its latent productive resources since women constitute half of the labour force. It will also help to increase investment and income growth rates and improve the human development indicators in various fields.

The conceptual framework of the female component, which was formulated by a group of researchers representing all ideological trends, academic institutes, universities, trade unions and private associations, covered the following aspects:

a)The indicators of the present situation of Egyptian women in various fields;

b)Definition of the aims of the advancement of women in the light of the present situation;

c)Proposal of a set of policies that the plan could adopt in order to help achieve those aims;

d)The need to accord priority to the categories in need of special care, namely rural women and female children.

The main achievements that the State has made in its endeavours to promote equality between men and women are as follows:

1.An increase in the proportional participation by women in the various fields of economic development, particularly industrial production, in order to help poor women;

2.Modification and adaptation of vocational education and training programmes in a manner consistent with the needs of women and the requirements of the labour market;

3.Support for small projects undertaken by poor women who are family providers, by facilitating their access to loans, education and training in order to improve their standard of living.

4.Encouragement and support of non-government associations the main aims of which include enhancement of socio-economic situation of women.

The national women's conferences that are held by specialized agencies every two years regularly evaluate those endeavours, determine the extent to which the relevant plans have been successful, identify and try to eliminate the obstacles impeding the achievement of those aims, and reset the priorities of those aims in the light of the indicators compiled by the specialized researchers or the actual problems which women face in their lives.

Article3

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.

The continued advancement of women and their exercise of all human rights and fundamental freedoms on an equal footing with men depends, as a matter of course, on the existence of mechanisms that promote such development, are conscious of its requirements and parameters and are capable of implementing and following up programmes and of dealing with problems.

In accordance with established constitutional principles and pursuant to existing national policies with regard to the advancement of women in all fields as well as the general recommendations of the Committee (general recommendation No. 6 of 1988 and recommendation No. 9 of 1989), the Egyptian State has established a number of institutions and agencies concerned with women's issues, as described hereunder.

1.The Women's Department of the Ministry of Social Affairs was established in 1977 pursuant to the recommendations of the World Conference of the International Women's Year, held in Mexico City in 1975. The Department develops the policies and programmes necessary for the advancement of urban and rural women, monitors reports of women's activities in the local news, gathers information on issues relating to women and their advancement in all fields, promotes positive and essential changes in prevailing attitudes and engages in international cooperation in that regard, and studies the recommendations of international and regional conferences on women. The Department has undertaken a number of local projects in pursuit of its goals, including a project on rural girl scouts and women's clubs and projects for the advancement of rural women that provide them with income-generating skills and train them in small-scale production. The Department has also established a documentation centre for women's issues.

2.The Ministry of Health has established a Department for Mother and Child Care. Among its concerns are the promotion of women's health, health education and the provision of the medical services necessary for women during pregnancy, delivery and while breastfeeding.

3.In cooperation with international organizations and agencies, the Ministry of Agriculture has set up a policy and coordination unit for women's agricultural activities. Its activities include the dissemination of agricultural information, the improvement of livestock, the provision of loans and the promotion of child-nutrition programmes with a view to raising health standards in rural communities.

4.In 1978, the national Committee for Women was established as a national planning and coordination mechanism. It brought together representatives of all relevant ministries, agencies and non-governmental women's organizations and was responsible for monitoring the implementation of national programmes and plans for the advancement of women, proposing measures to promote the participation of women in all aspects of life and elaborating and following up the necessary programmes.

Pursuant to a February 1994 decision of the Prime Minister, the Council was reorganized in order to consolidate and expand its work and affirm its national role.

5.In 1987, the Central Agency for Public Mobilization and Statistics established a division of research on women and children to conduct studies on relevant issues.

6.In 1988, with a view to achieving the more effective complemenrarity of the ministries concerned with mothers and children, the National Council for the Mother and Child was established under the chairmanship of the Prime Minister and with members drawn from the relevant ministries. Its functions include the review of legislation relating to women and children and the formulation of the necessary plans for the advancement of children and women, with particular emphasis on rural women.

7.In 1992, the Ministry of Foreign Affairs established a Department of Human Rights and International social and Humanitarian Affairs whose jurisdiction includes activities relating to women and women's rights at the international level, the United Nations and its treaty bodies and specialized agencies and social issues relating to the family and to mothers and children.

8.The Ministry of Population and the Family was established in 1993. Its functions as they relate to the advancement of women include family-planning projects, mother and child health, public awareness campaigns and health education. The Supreme Council for Population was subsequently established as an independent body with special responsibility for the discharging of these functions.

9.The non-governmental sector has made gains as a result of the State policy of encouraging the numerous organizations working in different fields of relevance to women's issues. There are now more than 420 such organizations, working mainly in the governorates of Cairo and Alexandria. Organizations involved in social work in the broadest sense of the term, of which there were 14,748 in 1997, also engage in numerous activities that are of interest to women. All of the mechanisms mentioned thus far have had notable successes in their fields of activity since they were established, and these will be cited in the commentary on the relevant articles of the Convention.

10.The success achieved by those working for the advancement of women culminated in June 1994 with the convening by the reorganized National Committee for Women, with Mrs. Suzanne Mubarak, wife of the President of the Republic, as its President, of the first National Conference on Women in Egypt. All official and non-governmental organizations concerned with women at the national or regional levels took part in the Conference, and it adopted the first Declaration on Women in Egypt. The Declaration contains many recommendations that are currently being studied by the relevant State bodies prior to the preparation of the plans and programmes necessary for their implementation. Focusing on policies for the advancement of women, the second National Conference on Women in Egypt was held in 1996, while the third Conference of 1998 was devoted to rural women's advancement. At the time of writing, preparations were under way for the fourth Conferences, to be held in March 2000.

11.The National Women's Council was established pursuant to Republican Decree No. 90 of 8 February 2000 and takes the place of the National Women's Committee. Its functions are described hereunder.

a)Recommendation of a general policy targeted at society at large and constitutional institutions in the sphere of the advancement of women, their economic and social empowerment and the inclusion of their work in the overall development programme.

b)Elaboration of a draft national plan for the advancement of women and the solution of problems related thereto.

c)Monitoring and evaluation of the implementation of general policies on women and submission of proposals and comments to specialized agencies in this domain.

d)Expression of views on draft laws and decrees concerning women prior to their submission to the relevant authority, and preparation of proposals relating to draft laws and decrees necessary for the advancement of women.

e)Submission of views concerning all agreements relating to women.

f)Representation of women at international events and in international organizations responsible for issues relating to women.

g)Establishment of a documentation centre responsible for gathering information public statements, studies and research on women and for undertaking research and studies in this field.

h)Convening of conferences, congresses and round tables to discuss women-specific issues;

i)Organization of training sessions to promote awareness of the role of women in society and their rights and duties;

j) Publication of periodicals and other printed matter relating to the aims and functions of the Council.

These achievements by the governmental and non-governmental sectors reflect the high degree of importance which now attaches to the advancement of women, the erosion of obstacles and entrenched attitudes and the opening up of all spheres to women so that they may play their part in the country in the service of their society.

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.

I.Temporary special measures

Reference is made to Egypt's Third periodic report, particularly with respect to the areas set forth hereunder.

II.Measures aimed at protecting maternity

In Egypt there are numerous laws and government regulations concerning measures aimed at recognizing and protecting women as mothers, the most salient of which are described hereunder.

1.State recognition for mothers

The standing Committee for the Observance of Mother's Day was established in 1969 to select exemplary mothers at the governorate and national levels and award valuable prizes to the winners. The State also sponsors an annual official observance of the Day and presents awards.

2.Motherhood and the labour laws

In conformity with the principles enunciated in articles 10 and 11 of the Constitution, namely that the State shall guarantee the protection of motherhood and that women shall be enabled to reconcile their duties to their families with their work responsibilities, the laws governing employment in both public and private sectors provide certain rights for women. The Children's Act No. 12 of 1996 systematizes the laws governing the conditions of employment of women in various jobs, as described hereunder.

The right to take three months' maternity leave on full pay on three occasions during her working life (art. 2).

The right to take two rest breaks of one hour on full pay for the two years following delivery for breastfeeding (art.71).

The right, during her working life, to take three periods of two years' leave without pay for the purpose of child rearing (art. 72).

With regard to special privileges for working women, Prime Ministerial Decree No. 187 of 2000 stipulates that a woman may, if she so wishes, apply for permission to work half the official number of working days, retaining the right to pay half the taxes and receive half of the collective benefits and overtime pay accruing to her colleagues, and the management shall be required to accede to her request.

3.Laws relating to criminal proceedings and prisons

a)The possibility of postponing the imposition of penalties involving imprisonment until two months after childbirth; and, in the case where pregnancy becomes evident during a period of imprisonment, the treatment of the prisoner as if she was in protective custody (art. 485, Criminal Proceedings);

b)The possibility of postponing the imposition of a penalty involving imprisonment of the wife in the case where both spouses are sentenced and they have a young child (art. 488, Criminal Proceedings);

c)The requirement that a pregnant prisoner should be treated well, particularly with respect to nutrition, work and sleep, and that the necessary health care should be provided to ensure that this is done (art. 19 of the Prisons Law);

d)The right of a female prisoner to keep her child with her until it reaches the age of two (art. 20 of the Prisons Law).

4.Laws concerning insurance and pensions (Law No. 79 of 1975)

The Law gives a widow the right to the pension of her deceased husband or to an allowance from her former husband in the case where she has been divorced without her consent. In the latter case, the marriage shall be considered as continuing to exist for a certain period of time, provided that she does nt remarry, and the allowance is restored should she be divorced again.

5.Health care

As soon as she becomes pregnant, a woman is entitled to benefit from the comprehensive health care provided by the Ministry of Health network of health centres and offices and by the non-governmental organizations scattered throughout the country. The required inoculations are provided to pregnant women and to children, as are the requisite health care, health education and family-planning services. In 1998, such services were provided to approximately 98 per cent of the population. The Egyptian Government has made important gains in this field by means of health promotion plans and programmes, and has participated in media information campaigns. Major indicators of the gains made, as given in 1997 and 1998 Demographic Health Surveys, are as follows:

a)A drop in the fertility rate from 5.28 per cent in 1980 to 3.4 per cent in 1998, and an increase in the percentage of women using contraception from 24.2 in 1980 to 51.8 in 1998;

b)A 128.8 per cent rise in life expectancy at birth fr mothers from 52 in 1980 to 66.4 in 1998;

c)A rise in the percentage of expectant mothers who had been immunized to 70.1 per cent in 1998, a five-fold increase over the 1988 level;

d)A rise in the percentage of children immunized from 68 in 1985 to 84.3 in 1998;

e)A decrease in maternal mortality from 320 per 100,000 in 1986 to 174 in 1993;

f)A drop in the percentage of expectant mothers suffering from anaemia from 20 in 1986 to 16 in 1991.

The "National Dialogue" conference, held in March 1994, and the first National Conference on Women, held in June 1994, made a number of recommendations in this regard, and the relevant national authorities are studying these closely and seeking ways and means of implementing them

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 of 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.

Government policy on customs and practices constituting social and cultural patterns that hinder the advancement of women and strengthening of their role in society takes two main approaches:

a) Education and public-awareness activities;

b) Rural development.

The State's efforts in this field have achieved notable success. By 1996, female illiteracy had declined from 62 per cent in 1986 to 51 per cent; female enrolment in elementary education rose from 91.41 per cent in 1992 to 97.64 per cent in 1998; and the figures for females as a percentage of all those enrolled had risen to 46.7 per cent at the elementary level, 46.7 per cent at the preparatory level and 49.7 per cent at the secondary level. The electronic media in parallel with the educational system, play an important role with their public-awareness programmes on harmful practices and fallacies with regard to women or the family and on health and the environment. These programmes are directed mainly at rural areas where illiteracy is prevalent and are presented in a simplified manner appropriate to their audience in order to convey the necessary message.

These plans have also had tangible results in the field of family planning, in promoting health education and in increasing the number of women and children immunized. Similarly, the efforts made by non-governmental organizations have been successful in encouraging income-generating activities, modifying patterns of consumption as they relate to nutrition and health care. All in all, such efforts have brought about considerable progress towards eliminating many harmful customs and practices, particularly in the fields of health care and family planning, and there has also been tangible progress with regard to everyday practices relating to child raising, child nutrition, the use of leisure by the members of the household and the development of a spirit of voluntarism through programmes serving the community.

Efforts to increase public awareness through media campaigns have also achieved notable success in lowering school drop-out rates, reducing population-growth rates and restricting female circumcision, a practice that continues in some remote areas.

Among the issues to which the State is currently paying special attention with a view to remedial action are the negative attitude of women towards engaging in political activity, the employment of rural women in the household or in temporary seasonal work and the marriage of under-age girls. The first National Conference on Women studied these questions and put forward ideas for proposed solutions that the State is considering with a view to taking appropriate measures for their implementation.

In the context of the efforts made in this regard, the Ministry of Education has modified school curricula to include in them coverage of all the human-rights instruments and rid them of any flaws caused by partiality, prejudice or the stereotyping of roles on the basis of gender and in order to ensure that family education includes a proper understanding of the roles of men and women in the family and of motherhood. With respect to violence against women in the home, in the workplace or in any other area of life, the Egyptian Penal Code ensures that women are fully protected against all forms of violence, whether assaults on the person or on honour, and against anyone who violates their modesty, even in private. The Penal Code also provides severe penalties in cases where the victim is a minor or where the offender is an ascendant or guardian of the victim or works in her home. Reference is made to the relevant articles in part one, chapter III, section 8 of this report.

Violence against women is a sensitive issue that has been raised inn various countries, including developed countries. Although Egypt has some surveys and statistics concerning violence, they do not accurately reflect the true situation, as many acts of violence are not officially reported. Moreover, in addition to sexual and physical violence, violence against women includes all forms of behaviour that demean or disparage women, affirm their dependence and prevent them from asserting their identity in a natural way.

Forms of violence against women

Family violence

This is directed against girl children, who are prevented from playing and are forced to help with domestic tasks and serve their brothers. There is evident discrimination in the treatment of male and female children, without any regard for the adverse psychological effects of this discrimination.

Social violence against female children

This violence is illustrated by the phenomenon of the early marriage of girls under the legal age on the basis of short-term civil contracts. This phenomenon is widespread in the rural and least developed areas.

The phenomenon of female circumcision is a cruel and violent procedure practiced against girls without their consent and without them being aware of its adverse future consequences. This phenomenon, which was once widespread in the rural and least developed areas, has largely been wiped out thanks to assiduous government measures, and now persists only in the remotest areas.

Measures taken to combat practices that are detrimental to women

a) Law No. 1 of 2000, concerning the regulation of certain procedures relating to litigation in matter of personal status law, has been enacted to speed up the litigation procedure in this area of law with a view to ensuring that divorced women receive their entitlements, that wives are protected against violence on the part of their husbands and that relief is provided to women in distress by requiring the Nasser Bank to pay any maintenance that has been awarded to them, and raising the level of income tax in order to procure the resources needed to provide them with support in accordance with the law;

b)Women's issues have been incorporated in the current Five-Year Plan, which contains a component devoted to Egyptian women;

c)The Ministry of Education has issued an ordinance prohibiting beating or the infliction of physical harm at the pre-university stage of education;

d)The Ministry of Health and Population has issued and ordinance prohibiting circumcision operations on females in hospitals and private clinics;

e)The number of classes for the eradication of illiteracy has been increased and young girls are encouraged to enroll therein;

Some projects have been implemented to deal with the effects of violence against women. The Ministry of Social Affairs, in collaboration with the United Nations Children's Fund is conducting a campaign to stimulate public awareness of all acts of violence that are detrimental to women, including circumcision and beating. Rural women are being provided with the skills and know-how needed to encourage them to engage more extensively in cultural and income-generating activities. Their role in social development is being promoted through the collective mobilization of their endeavours with a view to increasing their income and developing their skills in a manner conducive to self-reliance and improvement of their living conditions.

The Ministry of Insurance and Social Affairs, the United Nations Educational, Scientific and Cultural Organization, the United Nations Population Fund and the World Health Organization have signed an agreement under the terms of which they will endeavour, in particular, to eliminate female circumcision and early marriage in view of the detrimental effects of these two customs on the physical and psychological health of female children.

Article 6

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

In order to avoid repetition, reference is made to the detailed response concerning this item contained in Egypt's third periodic report.

Article 7

States Parties shall take all appropriate measure 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.

The Egyptian Constitution makes provisions for the three rights stipulated in this article and they are regulated by relevant laws, as set forth hereunder.

I.Voting and eligibility for election

Article 62 of the Egyptian Constitution stipulates that citizens have the right to vote, to stand for election and to express their opinions in referendums, in accordance with the provisions of the law, and it states that participation in public life is a national duty. The legislation relating to this constitutional principle is described below.

1.Law No. 73 of 1956 accords the right to vote to all Egyptian citizens, male and female, over 18 years of age, so that they may express their opinion in referendums, in electing the President of the Republic and in voting for members of the People's Assembly, the Advisory Council and local councils. Article 4 of the Law was amended by Law No. 41 of 1979 to make it mandatory for both male and female citizens to register to vote on reaching the age stipulated, the registration of women previously having been optional. Penalties are imposed on those who fail to vote without good reason or deliberately do not register (arts. 1, 4, 39 and 40).

2.law No. 40 of 1977, regulating political parties, makes it an offence to impose conditions for membership that discriminate on the basis of creed, racial origin, gender or social status (art. 5 (4)).

3.In keeping with the principle of equality, Law No. 38 of 1972, concerning the People's Assembly, establishes no conditions that would prevent women from standing for election to the Assembly and states only that a candidate must be on the electoral roll, as is required of all male and female citizens over 18 (art. 5).

4.Law No. 120 of 1980, concerning the Advisory Council, also contains no provisions that would prevent women for standing for election to the Council and imposes only those conditions that apply to membership of the People's Assembly (art. 6).

5.Law No. 41 of 1979, on the system of local government, applies the same principles to local council elections at all levels (art. 7). When it was first enacted, it established that between 10 and 20 per cent of council seats at various levels should be allocated to women.

Here, the legislature adopted a series of measures aimed at supporting and strengthening women's participation in public life, with Law No. 21 of 1979 allocating 30 seats in legislative council constituencies to women. On the grounds that the allocation of seats effectively circumscribed the role of women, these measures were repealed. Law No. 188 of 1986, on the People's Assembly, and Law No. 145 of 1988, on local councils, then offered women the opportunity to compete for all seats.

Women succeeded in winning an umber of seats in the general elections following the repeal of the relevant law, although there was still a marked discrepancy between the number of seats held by men and those held by women. In 1995, women won 9 seats in the People's Assembly. The current Deputy Speaker of the Assembly is a woman, while 15 seats in the Advisory Council and 437 in local councils were held by women in 1998. Egyptian women play a prominent role in the work of the Inter-Parliamentary Union, and have presided over a number of its committees and conferences. There have also been women members of all Egyptian parliamentary delegations whether on official visits or to international conferences.

II.Public office and public functions

In conformity with the general principle established in article 40 of the Constitution, article 14 thereof, accords all citizens, male and female and without discrimination or prejudice, the right to public employment. The legislation relating to State employees and public-sector workers contains nothing that violates the constitutional principle of equality between men and women, and it may rather be seen as according certain advantages to women out of regard for their role as mothers and providers of childcare without thereby prejudicing their employment status. Women have made considerable progress in gaining access to government employment, and the percentage of women in government posts rose from 30 per cent in 1992 to 45 per cent in 1996. The percentage of senior posts held by women in

government also rose, from 11.8 in 1992 to 15 in 1996, as a direct result of the success of programmes for female education and literacy and because women are now obtaining advanced academic degrees. The steady increase in the numbers of women working in government testifies to the commitment of State agencies to the principle of equality.

In the October 1999 cabinet reshuffle, the posts of Minister of the Environment and Minister of Social Affairs both went to women. For the first time, in 1998, a woman was appointed president of a judicial body (the Office of the Administrative Prosecutor).

III.Trade union membership

According to the latest trade union survey (1996-2001), there are now some 700 women trade unionists, accounting for 39 per cent of the total. The percentage of women holding senior posts on trade union councils has reached 15.8.

IV.The non-governmental sector

Article 55 of the Constitution states that citizens, whether men or women, shall have the right to establish associations in the manner laid down by the law. Law No. 153 of 1999, concerning non-governmental associations, and the previous Law No. 32 of 1964 contain nothing in the way of restrictions that would prevent women from establishing private associations or institutions in any sphere of activity or restrictions that relate to the marital status of women seeking to do so.

The State's policy has been to encourage women to establish private associations that provide services to women and seek to promote their social, cultural and economic advancement and their health, facilitate their integration in society and enhance their role in and their contribution to the community. Through the Ministry of Social Affairs the Stat has helped to support the services offered by the non-governmental sector, and its efforts have helped to promote the establishment of the following facilities:

a)Nurseries and child day-care centres for working mothers and others;

b)Offices offering advisory services;

c)Family-planning centres;

d)Services centres for working women (meals, clothing and cleaning);

e)Centres to train young girls in needlework;

f)Vocational training centres for handicrafts;

g)Rehabilitation centres for young girls suffering from physical and mental disabilities;

h)Women's clubs for development training.

As of 1997, there were some 330 associations working in the field of women's services and a further 14,748 offering social services in the wider sense of the term. These associations are active in all fields and work in cooperation with the Government and the relevant international organizations.

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.

Women began to be recruited by the Egyptian diplomatic service in the 1960's, and they have occupied progressively higher positions up to that of ambassador. In 1998, there were 143 women diplomats at all levels, representing 15.3 per cent of all those employed in the service.

Women have achieved notable success in the field at the international and regional (inter-Arab and inter-African) levels, have repeatedly represented Egypt in a skilful manner at all kinds of international meetings and have frequently been elected as members or chairpersons of committees of international organizations and their subsidiary bodies. Some 18 per cent of those employed in international and regional organizations and bodies in Egyptian diplomatic missions are women.

Women head diplomatic missions in a number of Egyptian embassies, and Egypt participated in the conferences on women held in Mexico City in 1975, in Copenhagen in 1980 and in Nairobi in 1985. The wife of the President of the Republic represented Egypt at the adoption of the Geneva Conference on Women held in Beijing in September 1995.

In keeping with the Committee's general recommendation No. 8 of 1988, Egypt sees to it that women are included in all its delegations to international meetings and conferences.

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 of 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.

Article 5m of the Constitution states that Egyptian nationality shall be regulated by law. The Nationality Law, Law No. 26 of 1975, is in conformity with all the provisions of the relevant international instruments in this regard, and it seeks to reduce instances of statelessness and avoid cases of dual nationality in order to mitigate the effects of conflicts of laws at the international level. The approach taken by the Egyptian legislature has been to systemize the rules governing Egyptian nationality by combining the principles of nationality by parentage and those of nationality by place of birth (jus sanguinis and jus soli).

The provisions of Law No. 26 abide by the principle of full equality between men and women in all matters relating to the bestowal, revocation and forfeiture of nationality, and they regulate the effects of marriage on the nationality of either spouse and of their children. The provisions of the Law are reviewed in detail hereunder.

1.An Egyptian national is whoever is born to an Egyptian father or whoever is born in Egypt to an Egyptian mother and whose father is of unknown nationality or is stateless, or whose paternity is not legally determined, or to parents of unknown nationality. A foundling in Egypt is deemed to have been born there failing proof to the contrary (art. 2). An Egyptian national is also whoever is born outside Egypt to and Egyptian mother and whose paternity is unknown or whose father is stateless or is of unknown nationality, and who, having his or her habitual place of residence in Egypt, opts for Egyptian nationality within a year of attaining his or her majority (art.3).

2.The acquisition by a foreign man of Egyptian nationality does not entail its acquisition by his wife unless she declares her desire for such and the marriage is not dissolved within two years of that declaration other than by the death of the husband. Minors do no acquire Egyptian nationality if their habitual place of residence is outside Egypt, but they retain the right to the original nationality of their parents. If minors acquire Egyptian nationality, they shall be required, upon their majority, to choose which nationality they shall retain (art. 6). A woman does not lose her Egyptian nationality as a result of the dissolution of her marriage unless she regains her original nationality, or marries a foreigner and acquires his nationality (art. 8).

3.A foreign woman who marries an Egyptian man does not acquire Egyptian nationality unless she expressly declares her desire to do so and her marriage does not end before two years have elapsed since her declaration, other than through the death of her husband (art.7). Equally, she does not lose her Egyptian nationality as a result of the dissolution of her marriage unless she regains her original nationality, or marries a foreigner and acquires his nationality (art. 8).

4.An Egyptian man who marries a foreign woman and acquires her nationality loses his Egyptian nationality, but may retain his Egyptian nationality for himself, his wife and his minor children by expressing his desire to do so. Equally, an Egyptian woman whose husband has lost his Egyptian nationality does not loser her Egyptian nationality unless she expresses her desire to acquire the new nationality of her husband. She enjoys the same rights as her husband to retain her Egyptian nationality, while minors lose their Egyptian nationality should their parents legally acquire a new nationality, and can opt for Egyptian nationality when they reach their majority (arts. 10 and 11).

5.An Egyptian woman who marries a foreign man retains her nationality unless she declares her desire to acquire the nationality of her husband and has the legal right to do so. If the marriage is not valid according to Egyptian law, but is valid according to the law of the husband's country, she remains an Egyptian national (art.12).

6.An Egyptian woman whose nationality is revoked or forfeited as a result of marriage can always retain her Egyptian nationality if her marriage is dissolved (art. 13).

7.The revocation or forfeiture of nationality in legally sanctioned circumstances will have no effect on any other person but the individual involved (art. 17).

8.Any decision relating to nationality must appear in the Official Gazette, and the rules and regulations governing nationality must be published, so that they can be contested by all, without prejudice to the rights of others (art. 22).

The above information demonstrates that Egyptian law conforms to the provisions of article 9 (1) of the Convention (on equal rights with regard to nationality), in that a woman does not have to change nationality unless she declares her desire to do so, and that she will not have a nationality forced upon her by virtue of her marriage to, or naturalization of, her husband. The law also guarantees that she will not be rendered stateless, or forced to accept another nationality, and that she has the right to revert to her Egyptian nationality should her marriage be dissolved. This conforms to the broad goals and objectives of the Convention.

As for the nationality of minors, Egyptian law adopts an approach based on a combination of nationality by parentage and nationality by place of birth, as they apply in international and comparative law. Thus, children acquire the nationality of the father, but can choose to revert to their original nationality upon reaching their majority, if the father, being a foreigner, acquires Egyptian nationality, or, being an Egyptian national, forfeits his nationality by virtue of acquiring a foreign nationality. According to the principle of nationality by birthplace,

a minor acquires Egyptian nationality if he or she is born in Egypt to and Egyptian mother and a father of unknown nationality, or a stateless father, or to parents of unknown nationality, or if he or she is a foundling. The law adopts the approach of seeking to avoid legal disputes arising from dual-nationality status and any adverse effects on the interests of a minor. This in no way jeopardizes the principle of equality, but simply requires that such matters be regulated and resolved at the international level through bilateral agreements. Thus, the law stipulates that any international treaties and convention on nationality which Egypt enters into with foreign States are legally enforceable, even if their provisions conflict with Egyptian law. This ensures some degree of stability in the situation that pertains subsequent to the conclusion of such treaties. Egypt has made a reservation with respect to article 9 (2) for the legal reasons mentioned above.

One of the recommendations made at the first National Conference on Women was aimed at easing the material burdens placed on the children of an Egyptian mother and foreign father. Ministry of Education ordinance no. 353 of 20 December 1994 provides that where such a mother is divorced, widowed or in need, her children shall be treated as Egyptian nationals, enjoying exemption from the payment of school fees. Such fees shall be reduced by half in other cases.

With regard to travel documents for women and minors, article 7 of Law No. 97 of 1959, which deals with passports, stipulates that Egyptian nationals, irrespective of gender, have the right to apply for a passport. Children can have their names added either to the mother's or father's passport, or can have their own passport, providing they have obtained the consent of their legal guardians.

Article 10

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

a)The same conditions for career and vocational guidance, for access to studies and for the achievement of diplomas in educational establishments of all categories in rural as well as in urban areas; this equality shall be ensured in pre-school, general, technical, professional and higher technical education, as well as in all types of vocational training;

b)Access to the same curricula, the same examinations, teaching staff with qualifications of the same standard and school premises and equipment of the same quality;

c)The elimination of any stereotyped concepts 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.

The 1971 Constitution defines the State's responsibility for education. It states that education was a right, guaranteed by the State, and compulsory at the primary level. The State has an obligation to work towards extending the compulsory period to other levels (art. 18 of the Constitution). Education in State educational institutions is free at all levels (art. 20). Article 21 states that the eradication of illiteracy is a national duty, for which all the resources of the people should be harnessed. Law No. 139 of 1981 on education gave these goals official status, making education compulsory for all Egyptian children over six years old, boys and girls. The compulsory period was extended to nine academic years. The Law provided penalties for guardians and parents who failed to observe this obligation towards their children (art. 19 of the aforementioned Law). The law did not discriminate in any way against females, in regard to either level or type of education, or the curriculum followed, which should be the same for girls and boys. In fact, States efforts to put in place the necessary development plans in order to face one of the most important challenges, namely, the education of women, are close to realizing complete capacity for all children, boys and girls, of compulsory-education age. The plans also deal with school drop-outs and the eradication of female illiteracy, whether the latter is a result of dropping out of school or of falling through the net of compulsory education owing to age. The relevant plans and programmes in the field of women's education have led to noticeable advances in women's access to education, to an increase in their level of education, and to progress in the fight against dropping out of school and the eradication of illiteracy. Similar advaces have been made in women's participation in the educational process itself, and in curricula and activities, as the following will show:

1.Pre-university education

I.Percentage of females among those enrolled at all educational levels

Level	Percentage of females	
	1992/93	1998/99
a)Elementary	-	47.62
b)Primary	45.20	46.69
c)Preparatory	44.70	46.65
d)Secondary (general)	45.20	49.63
e)Secondary (industrial)	28.70	34.65
f)Secondary (agricultural)	23.70	20.87
g)Secondary (commercial)	68.40	61.82
All levels		45.95

Numbers of schools, classes and students at different levels

Level	No. of schools	No. of classes	Boys	Girls	Total students
Elementary	3,172	10,376	171,868	156,272	328,140
Primary15,566	15.566	173,520	3,918,891	3,432,227	7,351,118
Preparatory 7,325	7.325	90,453	2,215,274	1,937,350	
Total: basic 26,063	26.063	279,349	6,306,033	5,525,849	11,831,882
Education					
Single classroom					
Co-educational	68	98	1,745	976	2,730
Single classroom					
Girls	2,260	2,260	44,820	44,820	
Secondary:					
General	1,562	24,514	487,984	480,724	968,708
Industrial	718	24,066	547,186	290,139	837,325
Agricultural	154	5,118	146,498	38,643	185,141
Commercial	895	22,080	316,872	512,994	829,866
Technical	1,767	51,264	1,010,556	841,776	1,852,332
All levels	3,329	75,778	1,498,540	1,322,500	2,821,040
Grand total	31,720	357,480	7,806,327	6,894,145	14,700,472

2.University education

Law No. 49 of 1972 regulated university education on a basis of equality of men and women. Women made advances in university education as follows:

a)The proportion of women studying at university level increased from 34.5 per cent in 1982/83 to 40.8 per cent in 1996/97.

b)The percentage of women studying in institutions of higher education increased as follows:

Item	Number of female students	Percentage	Total number
Cairo University			
Institute of Nursing	30	41.70	72
Alexandria University			
Institute of Nursing	224	100	224
Physical education for girls 167	100	167	
Tanta University			
Institute of Nursing	303	100	303
Zaqaziq University			
Physical education for girls	172	100	172
Zaqaziq Higher institute			
Of Nursing	320	100	320
Banha Institute of Nursing	178	100	178
Hilwan University			
Faculty of Home			
Economics	311	65.90	472
Faculty of Physical			
Education for Girls	340	100	340
Manufiyah University			
Home economics	375	78.50	478
Higher Institute of Nursing	137	100	137
'Ain Shams University			
Higher Institute of Nursing	142	100	142
Women's Faculty	6,367	100	6,367
Total	96.80	96.90	9,914

1.Post-graduate education

Women have had numerous success in this field too. The proportion of women members of faculty rose from 29.35 per cent in 1990/91 to 31.7 per cent in 1996/97.

II. Drop-out rates and the eradication of illiteracy

The President of the Republic issued a decree that the 1990s should be considered the Decade for the Eradication of Illiteracy. As a consequence, Law No. 8 of 1991 was promulgated; it concerns adult education and eradication of illiteracy, and declares these objectives to be a national duty and responsibility, binding upon all State institutions Article 2 of this Law defines the goal of educating the illiterate up to the first elementary level of basic education.

The eradication of female illiteracy is considered one of the most important challenges Egypt faces as a developing country. Nevertheless, significant progress has been through local efforts and in collaboration with international organizations. Female illiteracy has been reduced from 84 per cent in 1960 to 51 per cent in 1996. at the present time, the illiteracy rates among women in Egypt are higher than those among men in the older age groups for the following historical reasons:

a)The lengthy distances that had to be traveled in order to attend school was one of the main obstacles impeding female education in rural areas;

b)Families had insufficient money to spend on education;

c)The content of school textbooks did not meet the various needs of students;

d)Opportunities for female education were lacking in remote areas and poor environments in which it was difficult to provide educational services;

e)In some areas, customs and traditions induced families to refrain from educating their girls;

f)Marriages were contracted at an early age.

In 1978, in cooperation with UNESCO, the States established an adult education centre, with the goal of eradicating illiteracy among housewives of childbearing age, and training them for income-generating work. In 1991, the Organization for the Eradication of Illiteracy was established with the aim of compulsorily eradicating illiteracy among the 15-35 age group.

Community schools have been set up in cooperation with UNICEF in rural Upper Egypt, with a view to the eradication of female illiteracy. Currently, through the relevant ministries, a scheme is being established whereby female graduates undertake to give one year's public service for the eradication of illiteracy among working people, based in education departments in the workplace.

Drop-out rates

The drop-out rate for compulsory education (at primary level) in 1997/98 was 7 per cent among girls, as against 1.21 per cent for boys. At the preparatory level, that rate was 3.73 per cent among boys and 2.25 per cent among girls, compared with 11.5 per cent and 9.9 per cent respectively in 1990/91. Recently, the incidence of girls' dropping out and repeating academic years has decreased significantly, particularly in urban areas. Furthermore, success rates at all educational levels have increased. State plans to reduce drop-out rates are based on linking the educational process with the environment, improving educational methods and developing curricula, making them directly relevant to the community.

The phenomenon of dropping out of school can be attributed to the following causes:

a)As a result of economic factors, the family is forced to send children out to work at an early age, particularly in areas specializing in particular types of production.

b)Sometimes, authority figures are themselves illiterate and fail to appreciate the importance of education, focusing their attention rather on income generation;

c)The fact that girls in rural areas drop out of school can also be attributed to certain social customs, such as early marriage;

d)Families do not agree to having their daughters taught by male teachers;

e)In some cases, the school is so far from the home that the family refuse to send its girls there;

f)Low-income families make do with educating their male children alone.

The State has adopted a number of measures to combat this phenomenon, as described hereunder.

Single classroom schools, community schools and small-scale schools have been set up and enroll girls aged between 8 and 14 at the primary level; the Ministry of Education has also issued instructions that the enrolment age at preparatory level must be raised to 18. The public Institute for Adult Education and the Eradication of Illiteracy has been created to help to offer an opportunity for education to those who previously dropped through the education net. In 1993, in recognition of the fact that academic curricula are also a factor in the phenomenon of the abandonment of education, a conference was held, under the chairpersonship of Mrs. Suzanne Mubarak, on the development of primary education. One of the conference's key recommendations concerned the need to increase the number and variety of educational activities in academic curricula by at least 30 per cent so as to stimulate children's interest in education and study.

The following table shows the number and percentage of children that dropped out of preparatory school in the period between 1990/91 and 1997/98. The success of Government efforts in this regard have resulted in a marked decline in the year-on-year proportion of children dropping out of school, as illustrated hereunder.

Numbers and percentages of boys and girls dropping out of preparatory school

Academic Year	Boys			Girls			Total		
	Enrolled	Drop-outs	Percentage	Enrolled	Drop-outs	Percentage	Enrolled	Drop-outs	Percentage
1990/ 1991	1,532,052	176,794	11.50	1,241,437	123,045	9.90	2,773,489	299,839	10.80
1991/ 1992	1,222,886	70,034	5.73	996,097	82,122	8.24	2,218,983	152,156	6.86
1992/ 1993	1,216,689	64,081	5.30	996,253	49,801	5.00	2,212,942	113,882	5.16
1993/ 1994	1,282,462	53,787	4.19	1,037,632	34,378	3.30	2,320,094	88,165	3.80
1994/ 1995	1,287,447	73,051	5.67	1,075,314	48,388	4.50	2,362,761	121,439	5.14
1995/ 1996	1,326,359	62,783	4.70	1,125,567	36,738	3.26	2,451,926	99,521	4.06
1996/ 1997	1,366,672	50,842	3.72	1,178,497	34,196	2.90	2,545,169	85,038	3.34
1997/ 1998	1,437,985	53,700	3.73	1,248,967	33,105	2.65	2,686,952	86,805	3.23

III. Percentage of women in educational positions

Because of women's interest in this area, the percentage of women in educational positions has increased significantly, as follows:

Level or type of school	Percentage of women in educational positions	
	1992/93	1997/98
a)Elementary	51.76	52.30
b)Preparatory	44.04	42.40
c)Secondary	35.70	36.90
d)Industrial	25.09	34.11
e)Agricultural	23.38	28.00
f)Commercial	45.50	46.20
g)Teacher training		49.10
h)University		31.70

V.Academic Curricula and activities

Physical education and arts subjects of various kinds have been introduced as basic subjects in the education of girls at all levels. The National Women's Committee also called for the inclusion of the Convention on Discrimination against Women and the Convention on the Rights of the Child among subjects to be taught from the earliest stage of education.

The Ministry of Education is currently engaged in a detailed review of academic curricula with a view to incorporating information on all human-rights instruments at various levels of education in order to promote awareness of these rights, to ensure their enjoyment, and to counter any incompatible ideas, assumptions or practices.

The endeavours that have been made to develop educational curricula in Egypt, particularly at the primary and preparatory levels, are characterized by their comprehensive and democratic approach to the process of educational reform and development, since the philosophy underlying the development of the curricula takes into consideration the views, concerns and particularities of all sections of society and is not confined solely to the viewpoint of educationalists. This gives a clear indication of the manifold dimensions of the development of curricula and the various subjects and concepts that must be incorporated therein.

One of the main principles that Egypt has adopted in regard to the development of curricula is the need to clearly shift the emphasis from the quantitative to the qualitative aspects of knowledge, from teaching to learning and from concentration on memorization by rote to development of the student's ability to think in a critical manner, solve problems and take decisions.

In recent years, a number of important issues and topics have arisen which must be taught to pupils and students since they all have a bearing on daily life and, more generally, on life in the twenty-first century with all its scientific, social, economic, technological and political changes. These issues are:

Human rightsTraffic awareness

The rights of the childTourism and development of tourist awareness

The prevention of discrimination

Against womenRespect for work and the quality of production

Environmental conservation

And embellishmentLife skills

Preventative and therapeutic health careNational unity

Proper use and development of resourcesTolerance and education for peace

Population growth and its effects onGlobalization and integration among the

Developmentpeople of the world

Legal awareness of rights and obligationsRationalization of consumption and consumer protection

Appropriate concepts concerning these issues, including human rights, have been incorporated in the developed curricula.

Competition for writers of textbooks

In accordance with the recommendations of the conferences on curricula development, an international competition is organized for writers of school textbooks. The author's ability to incorporate these issues in the textbook is one of the conditions of entry and also one of the criteria on which the jury selects the winning book. This ensures that the authors take a serious approach to those concepts in their books.

Editing and publication of textbooks

During the editing and publication of school textbooks, specialists ensure that the requisite concepts are included in the academic content of each book, to which they add material designed to emphasize and strengthen those concepts.

Copy books for related activities

In order to ensure that the student understands the issues and concepts set forth in the school textbook, a copy book containing a number of practical activities is also supplied with a view to providing him or her with an opportunity to practice and apply these concepts in his or her everyday conduct.

Teacher's manuals

Since these issues have been incorporated in the curricula only relatively recently, the teachers' manuals accompanying the school textbooks carefully explain them to the teacher and indicate the ways in which they should be presented to students in various classes.

Teacher training

In order to ensure that the teacher understands these issues and concepts, they are emphasized and highlighted during training courses at which various strategies are also proposed for the teaching of these issues and concepts in such a way as to instill them into the minds of students as a practical activity. For example, while explaining a question that needs to be illustrated by data, mathematics teachers can take the opportunity to enrich their students' tourist awareness by providing them with data on tourist sites, numbers of visitors, and so on.

Within the framework of Egypt's commitment to the instruments concerning human rights and fundamental freedoms, considerable attention has been paid to human-rights issues in several fields including human rights in general, the rights of the child, women's rights and the prevention of discrimination against women.

This process required a study of the Arab, regional and international instruments defining those rights, after which meetings were held with specialists in the concepts involved in the issue of human rights, as in the case of all other issues, in order to analyze them and classify them as basic or subsidiary concepts ranging from simple to profound in a manner consistent with the different age levels of the various academic grades. These analyses were subsequently expressed in the form of a sequential matrix of concepts in order to facilitate the selection of those most relevant to the subjects studied at each academic level and grade.

Concept involved in the issue of human rights

The right to a decent lifeThe right to form a family

The right to education and further education

The right to consideration and respect

The right to comprehensive health careThe right to suitable housing

The right to wholesome goodThe right to personal liberty

The right to freedom of travel and movementThe right of civilians in time of war

The rights of children, women and older

persons in time of warThe rights of families in time of war

The right to participate in political and social lifeThe right to engage in religious observance

The right to work The right to enjoy peace and security

The right to freedom of assemblyThe right to safe childbirth

The right to enjoy leisure timeThe right to practice sport

The right to freedom of choice and

decision makingThe right to differ

The right to own property

The academic curricula up to the third preparatory grade have already been developed, and the process is currently being completed up to the end of the secondary level. Preparations are also being made to hold a second conference on the development of secondary-level curricula, and preliminary studies and research are being undertaken in order to ensure that this conference can be held at an early date.

With regard to the inclusion of human rights issues in the academic curricula for this age level, it is expected that they will continue to be taught through the above-mentioned amalgamation method involving the selection of concepts most appropriate to this age level. This requires more in-depth study of ways in which such issues can be taught in a direct and subject-oriented manner.

In addition to the amalgamation and integration method, it has been proposed that secondary-level curricula should be based on a core curriculum in which a number of basic academic subjects would be studied by all pupils, who would also be able to choose a number of other subjects in accordance with their own wishes and predilections.

A separate syllabus might be formulated within the core curriculum for human rights, civic education of life skills in general, or, alternatively, students might be offered the choice of a syllabus comprising some important issues suited to the requirements of their age level. As in the case of the primary and preparatory levels, care will have to be taken to train teachers in the best ways to approach these concepts.

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 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 childcare facilities;

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

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

Women and the right to work under the Egyptian Constitution

Articles 8, 10, 11, 13, 14 and 17 of the Egyptian Constitution stipulate that work is a right, a duty and an honour guaranteed by the State. It cannot be imposed except by law and for the purpose of performing public service, and deserves equitable remuneration. The State is obliged to provide opportunities for citizens, and to ensure that public appointments are open to all. The State must enable women to combine family obligations with work responsibilities, and ensure women's equality with men in all fields. It must also provide health insurance and social services, and invalidity, unemployment and retirement benefits to all citizens, in accordance with the law. The State must similarly protect motherhood and the child. Concrete expression is thereby given to the principles of the right to work and the right to free choice of employment, and it is guaranteed that work cannot be imposed and that opportunities will be available. The State's obligation to ensure women's equality with men in all fields in clarified, as is its obligation to enable women to combine family obligations with their right to work. The State must also provide work-related health and social-insurance services and protect motherhood and the child.

II. Women and the right to work under Egyptian law

Egyptian labour laws have made the principles laid down by the Constitution obligatory, since they have given legal protection to the right to work by making it a crime to violate or attempt to violate that right. They have also made it a crime to flout the laws governing the employment of women, as the following details make clear:

1.Penal Code

a)Article 275 of the Penal Code (Law No. 58 of 1937, modifying Law No. 34 of 1951) states that it is a criminal offence to violate another person's right to work, or that persons' right to employ a third party, or, in order to prevent another person from employing a third party, to use force or violence or illegitimate means such as stalking, or concealing equipment or clothing. The penalty for that offence, or for incitement thereto, is a maximum prison sentence of two years, in addition to a maxim fine of 100 Egyptian pounds.

b)Reference is made in part one, chapter II, section 8, of this report to the articles of the Penal Code which make it an offence to assault women or use violence against them.

2.Law No. 139 of 1981 concerning the Labour Code

Article 150 of the Law establishes a general provision guaranteeing the applicability to female workers of all the stipulations made with regard to the employment of workers. No differentiation is to be made between them on the basis of the employment involved, and the provisions governing the employment of women must not be infringed. Articles 152 and 153 authorize the Minister of Manpower to define the conditions under which women are [permitted to work at night. He or she also has the right to define the types of work which are harmful to women's health or morals and in which women may not be employed (such as the production of explosives, or in mines, quarries and furnaces). Employers of women workers on night-shift must provide the guarantees necessary for their security, protection and safe transportation. As part of the constitutional obligation to protect motherhood and the child, and in order to ensure that women are able to combine family obligations with their work, the law gives women the following rights:

a)Article 158 provides that owners of establishments employing more than 100 women shall set up a nursery. Where a smaller number of women in employed, the law stipulates that establishments located in one area shall participate in the cost of providing a nursery.

b)The articles of this Law give a comprehensive list of reasons for termination of employment and dismissal unrelated to marital status, pregnancy or maternity.

c)Articles 174 of the Law states that any infraction of the provisions related to the employment of women is a crime, for which a fine shall be imposed.

3.Law No. 47 of 1987 governing State employment and Law No. 48 of 1978 concerning regulation of public sector employment

Both these Laws contain similar provisions with regard to women, in accordance with the precepts set out in the Constitution regarding the State guarantee that women shall be enabled to combine family obligations with work responsibilities. Details of these provisions are as follows:

a)There are no provisions in either Law that could be considered to violate the principle of equality between men and women. That includes all the provisions regulating employment and the rights and responsibilities arising therefrom, remuneration, promotion and health and social insurance.

b)The provisions of both Laws guarantee the granting of rights to women, particularly in the context of the constitutional obligation to protect maternity, the child and the family. Details are as follows:

-Both men and women have the right to take leave without pay in order to accompany their spouse abroad.

-The laws give a comprehensive list of reasons for termination of services unrelated to marital status, pregnancy or maternity.

-Women working in government institutions have the right to work half time if they so request, receiving half pay and allowances, including overtime, and paying half of the taxes (Prime Minister's Decree No. 187 of 2000).

4.The Children's Act No. 12 of 1996

The Children's Act No. 12 of 1996 contains a special section devoted to working women which stipulates different treatment to be afforded to women working in the government and public sectors and those working in the private sector. The Law accords working women the right to the following privileges:

-Three months' post-natal maternity leave on full pay on three occasions during her working life (art. 80).

-Two rest breaks of one hour on full pay for a period of up to two years after the birth for the purposed of breastfeeding the child (art.71).

-The right to two years' unpaid leave for the purpose of child rearing, on three occasions during her working life (art. 72).

5.Labour conventions

Egypt joined the International Labour Organization in 1936, and has acceded to 118 of its conventions, including Convention No. 41 concerning Employment of Women during the Night (revised 1934); Convention No. 89 concerning Night Work of Women Employed in Industry (revised 1948) and Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value (1951). These conventions are considered to have the same legislative status as Egyptian laws, and to be equally binding. Furthermore, the relevant labour laws incorporate the precepts and obligations enshrined in the provisions of the said conventions.

6.Law No. 50 of 1977 concerning childcare facilities

This Law was enacted with a view to encouraging the establishment of childcare facilities for children under six years old, thus facilitating women's entry into the labour market by the provision of the necessary protection for children during working hours.

7.Laws concerning social insurance and social security

a)Law No. 79 of 1975, concerning social insurance, applies to those employed by the Government and in the public and private sectors.

This Law provides general precepts applicable to both men and women, covering entitlement and the conditions attached thereto, including cases where a husband is entitled to his wife's salary and vice versa. In certain circumstances, this Law gives a divorced woman entitlement to her husband's pension (art. 105). Article 112 gives a widow the right to combine her own income or personal pension with her husband's pension, with no limitations.

b)Law No. 112 of 1980, concerning social insurance for the labour force, provides coverage for all working groups not covered by the first Law, such as agricultural labourers, household servants, employers, building labourers, part-time and seasonal workers, owners of agricultural land, fishermen and trainees. The Law provides coverage for all groups, without discriminating between men and women, and specifies the rules for participation and those entitled to participate.

Law No. 30 of 1977, concerning social security, is intended to guarantee a minimum income for families with no insurance coverage, including orphans, widows, divorcees, pregnant women, the totally incapacitated, the elderly, the families of prisoners, invalids, breastfeeding mothers, and families with no breadwinner. The Law guarantees that they shall be provided with a monthly pension of a lump-sum emergency payment.

III. The right to work and the actual position of women with regard to work

Women have made significant gains in Egypt as a result of efforts made by the State, its development plans implementing the policy of encouraging women to work and opening every field to them, and the success of educational polities in raising educational levels and eradicating illiteracy, as the following indicates:

Women represented 31.2 per cent of employees in all branches of government services in 1998, an additional 534,158 women over the 1993 figure (see Appendix, Tab. 1).

The number of women in top executive positions in the government sector rose from 2.8 per cent in 1981 to 13 per cent in 1993 and 16.7 per cent in 1998 (see Appendix, Tab. 2).

Women represented 29.6 per cent of all those working in science or technology in 1996.

The number of women achieving masters degrees or doctorates reached 65.8 per cent in 1996.

The percentage of women working in various fields is as follows:

Journalism – 25.20 per cent in 1994

Diplomatic corps – 15.30 per cent in 1998, compared with 14 per cent in 1995

Broadcasting and television – 33.80 per cent in 1992

And, for the period 1996/97:

Elementary schools – 52.30 per cent

Preparatory schools – 42.40 per cent

General secondary schools – 36.90 per cent

Industrial education schools 34.11 per cent

Agricultural secondary schools – 28.00 per cent

Commercial secondary schools – 46.20 per cent

Teacher training colleges – 49.01 per cent

University teaching – 31.70 per cent

There has been a significant increase – from 18.7 per cent in 1984 to 21.1 per cent in 1999 – in the proportion of women working in the liberal professions.

IV. Social services and training

The following table illustrates the scale of activities that have been pursued by the Government through the Ministry of Social Affairs in the field of social services and training for women.

ItemNumber	Number of users	Remarks	
Women's clubs	571	49,460	510 subsidized and 61 self-supporting
Immigrant centres	185	12,756	160 run by welfare associations and 25 by development associations
Vocational training centres	62	3,932	Centres include 234 departments
Family guidance and Counseling offices	104	7,720	Number of users equalsto number of persons completing service in 1998
Associations for Social development	2,457	13,295	Number of users equal the number that completed their training in 1998
Social welfare Associations	887	8,405	Number of users equals the number that completed their training in 1998
Social rehabilitation Offices	115	39,242	Including those suffering from deafness, blindness, physical and mental impairments, Leprosy, tuberculosis and heart problems
Foster family project	-	3,964	Paid and unpaid foster families, including Those offering foster homes
Productive families Project	-	25,808	Number of families that completed service in 1998
Social security net	-	318,849	Including monthly stipends and assistance, One-off emergency payments and disaster **Funds**
Nurseries	6,435	470,987	Comprising 17,173 classes
Children's clubs	458	46,512	Comprising both welfare and development **clubs**

With respect to the social services responsible for encouraging and supporting women, and enabling them to combine family obligations with work responsibilities, State efforts led to an increase in the number of childcare facilities from 2,355 in 1983 to 6,435 in 1998. Twenty –five centres have been opened in order to offer working women reasonably-priced services such as the provision of fully- or half-prepared meals, cleaning and ironing services.

The non-governmental sector is very active in this field, through a network of local development association which has expanded from 3,472 in 1995 to some 3,889, all spread throughout the Republic.

One hundred and four offices have been established in order to provide family advice for women working away from their original homes.

persons completing service in 1998.

V. Training

In Egypt, the State provides some professional training through the network of technical secondary schools and higher educational institutions. The non-governmental sector provides professional-training centres.

The policy of encouraging women to break into the field of government work has succeeded in raising the proportion of women enrolling in technical secondary schools from 43.3 percent in 1991 to 45.6 percent in 1997/98.

The non-governmental sector's network of local development associations saw an increase in the number of employment and professional-training centers for girls from 1,567 in 1991 to 2,656 in 1998 all spread throughout the Republic.

VI.Women supporting families

Recent studies, based on sample studies, have shown that the proportion of

Supporting families has grown to 22 percent. Bereavement and divorce are considered the two main reasons for women to become breadwinners. Law No. 30 of 1977, concerning social security, covers these cases and assures them of a minimum income, through human-resource-training programmes, and by channeling public resources to environmental, domestic and commercial industries. The "productive-families" project is the forefront of State projects intended to develop economic resources for the family, together with training projects for rural women.

There are currently 3,025 centers for the training of productive families, located in every village, town and neighborhood district in Egypt, and used by 25,808 in 1998. In 1998, 318,849 cases benefited from the social-security law, compared with 204,380 in 1993. Private and public associations are using various means to support the development of local associations, of which there are 3,472 throughout the country.

In this context, it is worth mentioning that the relevant bodies are currently studying how best to implement the recommendations made by the National Conference on Women in Egypt to the effect that all legislation and other measures concerning employment should be reviewed, in order to give a sustained impetus to women in this field. The relevant authorities are currently considering the means of implementing these recommendations taking the necessary measures for that purpose.

Article 12

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

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

State provision of health care is guaranteed by the Constitution. Articles 16 And 17 guarantees that the State shall provide health services and seek to improve their quality and individual access to them. All citizens have the right to health insurance, and men and women have equal rights to the same services, without prejudice or discrimination. Women can use a range of services relating to pregnancy and post-natal care, and the Ministry of Health has created an extensive network of hospitals, treatment centers, health-care centers and clinics in Egyptian cities and rural areas. By 1998, health-care cover stood at almost 100 percent, with a ratio of two doctors and two nurses for every 1,000 inhabitants.

The health-insurance scheme offers treatment to State employees, salaried workers and widows, and extended in 1993 to include schoolchildren. The scheme, which is paid for out of a token contribution by insured persons and employers, makes use of a large network of 25 hospitals and 116 clinics in 16 Governorates. It serves the needs of 17.4 million citizens, compared with 15 million in 1995, including students, men, women and children, and does not discriminate on the basis of gender.

Women are given priority access to health-care services, including those provided by private cooperatives. In 1990, there were some 573 local-development cooperatives throughout Egypt, with a further 171 offering services to mothers and children, and 320 providing family-planning services.

The media plays an important role here by broadcasting health-education programmes on television and radio. The purpose of these programmes, sponsored by the Ministry of Health or by the media, is to educate the public about simple and appropriate health-care techniques, to improve general levels of education and culture, and to reduce illiteracy.

The State has been particularly successful in increasing the number of services offered to women and raising awareness about health issues in relation to pregnancy, children and family planning, as the following data shows:

1.Life expectancy for women rose from 52 years of age in 1981 to 66.4 in 1998.

2.The mortality rate for nursing infants fell from 76 per 1,00 births in 1980 to 25 in 1998.

3.The infant mortality rate fell from 11 per 1,000 in 1980 to 2.17 in 1998.

4.The fertility rate fell from 5.28 per cent in 1980 to 3.4 percent in 1998.

5.The percentage of women using contraception rose from 24 in 1980 to 51.8 in 1998.

6.The number of professionally-assisted births rose from 9.4 percent in 1980 to 55.2 percent in 1998.

7.The percentage of children receiving various kinds of vaccination is illustrated in the table below.

Type of vaccination	Boys	Girls
Tuberculosis	98.40	97.90
Triple vaccine	87.20	88.00
Infant polio (triple dose)	89.00	90.30
Hepatitis	81.00	81.80

8. The death rate among women during pregnancy or childbirth fell from 320 per 100,000 in 1986 to 174 in 1993.

9.The percentage of early marriages (under 16 years of age) fell from 16 in 1991 to 11 in 1998, while the proportion of women in the under-nineteen age group who were pregnant or had given birth in 1995 was 10.20 percent.

10.The percentage of births spaced les than two years apart fell from 30 in 1986 to 25 in 1991.

11.The percentage of women involved in making decisions about fertility rose from 40 in 1986 to 66.6 in 1995.

Abortion

Articles 260 to 264 of Egypt's law on abortion prescribe the penalties for this crime as follows:

a)A person who causes a woman to abort whether by striking her or by any other form of injury shall be punished by a term of imprisonment with hard labour (art. 260).

b)A person who induces an abortion through the use of drugs or other methods, with or without the woman's consent, shall be punished by a term of imprisonment (art. 261).

Female excision

Female excision is viewed as an old custom which has begun to die out as a result of the education of women in urban areas. The practice continues on a reduced scale in remote rural areas, where it is carried out in secret, far from clinics and hospitals which do not permit it, using primitive methods. Thus, it is not possible to provide statistical data on the practice. The State is tireless in its efforts to eradicate female excision, by extending education, combating illiteracy and directing the media to draw attention to the damaging effects of the practice. The Penal Code also prescribes penalties for those who perform these operations, based on the fact that they are operating as medical practitioners without the requisite license, and causing injury and suffering to the person who undergoes such an operation.

The Minister of Health and Population issued Ordinance No. 261 of 8 July 1996 prohibiting female excision operations at public and private hospitals and clinics except in cases in which such an operation is clinically indicated by the treating physician.

Pursuant to general recommendation No. 14 of 1990, concerning female excision, and in keeping with general State policies in this regard, particular stress has been laid on the dissemination of proper health information through the media and through government and voluntary endeavors to make families aware of the harm caused by female excision.

Ministers of religion are also helping by making it clear that this custom is not based on any religious teachings.

Article 13

State 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 between men and women, the same rights, in particular:

1.The right to family benefits;

2.The right to bank loans, mortgages and other forms of financial credit;

3.The right to participate in recreational activities, sports, and all aspects of cultural life.

Article 11 of the Constitution contains a general provision, which stipulates that the State shall guarantee equality between men and women in political, economic, and social life. The principle is reflected in all laws and regulations which Egypt has adopted.

Neither civil nor commercial law makes any distinction between men and women with regard to the regulations governing civil or commercial competence. Thus, men and women are equal before the law at their majority, and with regard to the circumstances and procedures for declaring legal incompetence and appointing a trustee or guardian. This information has already been covered in part one, chapter III of this report. A woman has full financial independence and legal personality in the exercise of all her rights, including the right to own or inherit property, to perform business, legal and administrative transactions, and to obtain loans or mortgages of all kinds without any restrictions or conditions being imposed on her freedom before or after marriage, or by her father or her husband.

Women receive all family benefits (health care and insurance, etc.) when they are widowed or divorced, in accordance with the laws in force, and are entitled to family support in the absence of the husband, or if they have custody of children following divorce. This does not adversely affect their own insurance benefit.

Women at all levels, in the Government and elsewhere, are also entitled to special social and health benefits arising from their role as wives, mothers, carers, or guardians of children, as was explained in part one of this report.

Egyptian women also participate freely and fully in recreational activities, games, sports, and cultural life with girls taking physical education and artistic training as part of their basic education at all levels. There are also university departments for physical education for girls, which are working to create a generation of specialists who will ensure that sports are available to girls throughout their education. Egyptian society is full of women who have gained prominence in sports and the arts, winning sports awards and cultural and artistic prizes at the local, regional, and international levels.

Students' sports associations, rural clubs and youth centers throughout the country have done a great deal to encourage the establishment of girls' sports teams and to organize national competitions for these teams as a way of helping to promote sports for girls. These bodies also organize important social, recreational, and cultural activities, such as educational trips and artistic and cultural competitions.

The private sector, as represented by women's associations and other organizations, plays and active part in this domain, using a huge network of associations throughout Egypt.

Article 14

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

a)To participate in the elaboration and implementation of development planning at all levels,

b)To have access to adequate health care facilities, including information counseling 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, inter-alia, the benefit of all community and extension services, in order to increase their technical proficiency;

e)To organize self-help groups and cooperatives 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 an 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.

The Egyptian Constitution pays particular attention to the situation of rural women in Egypt, requiring the State to guarantee them cultural, social, and health-care services and to improve the quality of their lives (art. 16). All rural-development plans in Egypt focus on improving the lot of rural women, which is seen as fundamental to achieving progress in this domain. According to statistics for 1996, the proportion living in rural areas rose from 53 percent in 1991 to 57 percent.

In line with its rural-development plans, Egypt played an active part in the preparation of the 1992 Geneva Declaration for Rural Women, while government policy has underlines the growing importance of rural women. All the related ministries (Health, Education, Culture, Social Affairs, Agriculture, and Local Government) have undertaken projects which are targeted at rural women in general, seeking to improve their lot and meet their needs. The bulk of investment loans are earmarked for that purpose, as is cooperation from designated international organizations. (The institutional mechanisms, agencies and organizations working for the advancement of women are described in part one, chapter V, of this report, and in the commentary on article 3 of the Convention, in part two).

In addition to government bodies and agencies, private associations, which are supported by the State, have an important role to play, sine they promote development at the local, village and town levels, and are connected to all women's associations. Women play a major role in administering or in working in these associations, which cover such areas as health improvement, comprehensive care and family planning. Around 1,746 women's committees were working in rural women's development centers in 1989, with 3,572 associations for health care and social development in the Egyptian countryside, working on family and childcare issues as well as rural community development.

The following is a list of governmental and non-governmental projects aimed at supporting the advancement of rural women:

1.A comprehensive health-care and development project for rural children, under the auspices of the National Council for the Mother and the Child; the project includes a children's nutrition programme and training in preparation of economic meals, so as to improve children's health;

2.The national campaign to eradicate illiteracy, particularly among rural women, in cooperation with the United Nations Development Programme;

3.A project to improve the health of rural women, in cooperation with the United Nations Children's Fund, offering training to expectant mothers and education women about nutrition;

4.A project to improve family-planning services, in cooperation with the United Nations Agency for International Development and the United Nations Population Fund;

5.A project to promote self-reliance among rural women, offering them loans for income-generating activities, in cooperation with the International Labor Organization;

6.A project for rural women's development centers, in cooperation with the United Nations Children's Fund, aimed at helping impoverished women.

And a number of Ministry of Social Affairs projects, which include:

1.A productive-families aimed at increasing the income of Egyptian families and improving their quality of life, by teaching women certain occupations, agricultural skills and techniques for food production; some 56,545 families had benefited from this programme by 1990, while the figure for 1998 was 25,808;

2.Centers for training in domestic and environmental skills, aimed at modifying consumption patterns and improving quality of life, in cooperation with the Food and Agriculture Organization of the United Nations;

3.Some 491 family-planning centers, which provide Egyptian families with information on contraception and offer fertility treatment;

4.Family guidance and advisory centers to assess and assist newly married couples, offering family guidance and resolving issues relating to family life; there was 75 such centers in 1990. By 1998, the figure had risen to 104 centers, benefiting some 7,720 families.

5.Rural-women-leaders project, aimed at creating a class of leaders who can raise awareness about health matters and help eradicate illiteracy; there was some 1,572 leaders in 1992;

6.Women's clubs, dealing with the issue of women and work, the problems they face and possible solutions; clubs numbered around 443 in 1992 and 571 in 1998.

The State's policies for rural development have been particularly

Successful in improving health coverage and women's and children's nutrition, increasing the number of births handled by professionals and the number of women using contraception, while reducing the rate of population growth and female illiteracy, as the following shows:

	Item	1980	1992	1998
1.	**Fertility rate**	5.28%	3.93%	3.4%
2.	**Contraception use**	24.2%	47.1%	51.9%
3.	**Vaccination of children (Six diseases)**		68% (1985)	84.3%
4.	**Professionally assisted births**	9.4%	33.5%	55.2%
5.	**Decline in population – Growth Rate (%)**	-	2.4%	2.08%
6.	**Decline in illiteracy**	62% (1986)	57.4%	51% (1996)
7.	**Health coverage**		98%	100%
8.	**Vaccination of women**		57%	70.1%

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.State Parties agree that all contracts and all other private instruments of any kind with a legal effect which is directed as restricting the legal capacity of women shall be deemed null and void.

4.State 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 40 of the Egyptian Constitution contains a general provision relating to the principle of equality, stating that all citizens are equal before the law and have the same general rights and obligations. The law does not discriminate against citizens on the basis of gender, ethnic origin, language, religious affiliation or creed. Article 11 requires the State to guarantee that men and women are treated equally in political, social, cultural, and economic life. Article 50 makes it illegal to prevent a person from residing in a particular area, other than in legally sanctioned circumstances. Article 68 stipulates that all citizens have the inalienable right to go to litigation and that the law cannot exempt any administrative action or decision from legal scrutiny. Egypt's legislation conforms to these constitutional principles. Part one, chapter III, of this report has already shown how these principles are enriched in legislation. Details of the laws in question are found hereunder.

1.Civil competence

The provisions of Civil Law No.131 of 1948 conforms to these principles by stating that the human personality begins with birth and ends with death (art. 29), and the birth must be officially registered (art. 30). By law, every individual must have a name and a surname (art. 38).

Article 44 of this Law stipulates that the age of maturity is reached on the twenty-first birthday, at which stage a person enjoys the capacity to reason and has no limitation on his or her legal capacity to enjoy his or her civil rights. Article 45 describes the circumstances in which a person does not have legal capacity, and this includes instances of feebleness of mind, insanity, or being under seven years of age. The article also describes the circumstances in which a person can be declared legally incompetent, which applies to cases of weakness or simpleness of mind. Article 47 stipulates that the provisions concerning the trustee must be applied in the case of persons who do not have, or are deprived of, their legal capacity.

Articles 48, 49, and 50 of the Law stipulate that a person cannot relinquish his or her legal capacity or modify the rules which govern it, and that no one can relinquish his or her personal liberty. It also states that each person who suffers an illegal infraction of his or her rights as a

legal person has the right to put a stop to this infraction and seek compensation for any damage that has been done.

The Law also contains provisions relating to contracts and other legal transactions, as well as the administration of finances, and to other legal persons.

None of the abstract and general legal principles to above makes any distinction between men and women. No restrictions are placed on women's legal capacity by virtue of marriage or ties of kinship. Thus, upon reaching their majority, women retain their legal capacity, and the right to undertake legal transactions with respect to all their property and work entitlements, and to purchase, inherit and manage their property without restrictions or limitations or loss of legal capacity.

According to article 48 of this Law any restriction on a women's legal capacity is void, since no one can forfeit his or her legal capacity, or amend its conditions, or relinquish individual liberty, as explained above.

2.Laws on litigation

In accordance with the Constitution, the laws relating to the right to litigation (the Codes of Civil and Commercial, the Code of Criminal Procedure and related laws) stipulate that all citizens have the right to litigation, in accordance with the rules governing capacity to seek legal redress, and the conditions for appointing legal representation in the case of absence or withdrawal of legal capacity. All the general rules apply to men and women without distinction of discrimination, and marriage does not affect these rights. Therefore, women can take part in litigation in all its forms, whether as the plaintiff or the defendant, on the same footing as men, and with the same legal rights. These are Egyptian women working in the legal profession and in juridical organizations (the State Prosecutor's Office and the Administrative Prosecutor's Office, the latter judicial body being currently presided over by a woman). Egyptian women are also involved in work on juvenile cases, since article 21 of the Children's Act No. 12 of 1996 stipulates that a juvenile court shall be made up of one judge and two expert assistants, at least one of whom must be a women.

Article 16

1.State 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 with their free and full content;

c)The same rights and responsibilities during marriage and 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 of 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 of 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.

In Egypt, marriage is a contract by mutual consent, and by law it must be concluded by the free, mutual consent of both parties. Since marriage in Egypt is governed by the law on personal status, it is also subject to Shariah law, which imposes obligations on both parties with regard to the validity, conclusion, dissolution and annulment of the marriage.

The law states that the age of consent for males is 18, while that for females is 16. The marriage contract must be concluded and documented in official records, official documents must be issues indicating that the marriage has taken place, and the marital status appear in the identity papers, in accordance with the rules for registrars and other officials authorized to perform civil marriages, and the provisions of Law No. 260 of 1960, on personal status.

According to Egyptian law, marriage does not affect a woman's financial independence of her husband. A woman retains her first name and surname, which does not change after marriage, and she has complete liberty to manage and dispose of her finances, to conclude contracts and obtain loans, and to perform any other legal transaction, unimpaired by the fact of her marriage.

Women have the right to act as guardians of minors, and, in the case of divorce of dissolution of the marriage contract, to obtain custody of their male children up to the age of 10 and their female children up to the age of 12. they may also seek legal redress if they consider it

to be in the interest of minors to extend custody of male children up to the age of 15, and of female children until they marry. The father has the right of frequent access to this children during this period and must provide for them as long as custody lasts.

Women and men share full responsibility for all matters arising from their marriage, including the maintenance and support of the family unit and decisions about the number and spacing of their children; the extent and impact of this shared responsibility differ according to the educational and cultural background of each partner. The State's development plans focus on the eradication of female illiteracy, particularly in backward and rural areas. The State also supports the role of women in sharing with her husband in their commitment to the family and children.

State agencies are currently implementing the recommendations made at the first National Conference on Women (June 1994), by undertaking a detailed study of a standard marriage document with a view to precluding disputes over its validity and they need for legal recourse. The law concerning the procedures for litigation in personal-status law cases is also being updated in an attempt to simplify those procedures and reduce the number of conditions attached to them.

In 2000, Law No. 1, regulating certain litigation procedures in matters of personal status law, was promulgated with the purpose of speeding up such procedures and reducing the conditions attached thereto. The Law makes it incumbent upon the Nasser Bank to comply with monetary awards which have been made to women, and raises the established rate of income tax in order to ensure the implementation of these provisions.

As stated previously, there are no legal impediments to the enjoyment by men and women of the right to enter into marriage with their free and full consent.

With regard to practical difficulties, although the State has endeavored to promote all aspects of the economic, social and cultural development of women, who constitute half of society and, in their capacity as citizens, mothers and workers, play an importance and effective role in all spheres of community life, women face a number of difficulties and problems, such as early marriage below the legal age, illiteracy and low standard of living, which prevent them from freely expressing their frank opinion on their prospective spouse. However, such problems are largely confined to rural and remote areas of the country, and currently affect only a small percentage of women. The State is endeavoring, thoughts its effective development plans and programmes, to eradicate illiteracy and promote greater awareness among women and young girls in remote areas with a view to overcoming and eliminating these difficulties.

Finally, as it submits the present report to the Committee in the hope that the latter will continue to pursue its lofty mission on behalf of all humanity, Egypt has the honor to affirm its readiness to fully respond to any questions or queries about the contents of this report.

APPENDIX

List No.1

Proportions of jobs held by women in various parts of the government sector

1.Tourism: 53.3%

2.Social insurance and social affairs: 50.8%

3.Health and religious services, and the workforce: 46.6%

4.Culture and the media: 44.3%

5.Education, research and youth: 41%

6.Finance and economic: 38%

7.Management services: 31.3%

8.Trade and commerce: 27.6%

9.Electricity and Energy: 25.5%

10.Industry and oil: 34.4%

11.Public administration and local councils: 23%

12.Agriculture and irrigation: 17.6%

List No.2

Senior posts held women in various government agencies and activities, and as a proportion of all senior posts held by women in the government sector

1.Finance and economics (371): 26.7%

2.Culture and the media (183): 13.2%

3.Education, research and youth (147): 10.5%

4.Management services (89): 6.4%

5.Defense, security and justice (87): 6.3%

6.Transport, communications and civil aviation (88): 6.3%

7.Housing and construction (70): 5%

8.Health and religious services, and the workforce (83): 6%

9.Electricity and energy (65): 4.7%

10.Agriculture and irrigation (53): 3.8%

11.Social insurance and social services (44): 3.2%

12.Industry and oil (37): 2.7%

13.Trade and commerce (24): 1.8%

14.Public administration and local councils (23): 1.7%

Concluding Observations of the Committee on the Elimination of Discrimination Against Women

Egypt. 02/02/2001.

Consideration of reports of States parties

Egypt

Third and combined fourth and fifth periodic reports of States parties

312. The Committee considered the third report and the combined fourth and fifth periodic reports of Egypt (CEDAW/C/EGY/3 and CEDAW/C/EGY/4-5) at its 492nd and 493rd meetings, on 19 January 2001 (see CEDAW/C/SR.492 and 493).

(a) Introduction by the State party

313. In introducing the reports, the representative of Egypt emphasized the improvement in favour of women in the legal, institutional and practical domains. In the legal domain, many laws, such as family laws, had been amended in favour of women. The National Council for Women had been created in February 2000 by Presidential decree as the first political institution focusing on the empowerment of women, monitoring of implementation of the Convention and laws and policies affecting women's lives. The Council reported directly to the President, and its 30 members had been selected from different disciplines and sectors, including the academic community and non-governmental organizations. The representative stressed the importance of collaboration between non-governmental organizations, and the Council, particularly with regard to the implementation of programmes aimed at the reduction of poverty resulting from privatization and structural adjustment programmes, particularly among female heads of household in both rural and urban poor areas.

314. The representative informed the Committee that, during the 2000 elections, the National Council for Women had supported the participation of women both as candidates and as voters. Women's awareness of the importance of political participation had consequently increased, and the number of female candidates had increased from 87 in 1995 to 120 in 2000, with 7 candidates being elected in 2000, compared to 5 in 1995.

315. The legislative committee of the National Council for Women had reviewed the current nationality law and recommended that it be amended to entitle Egyptian women married to foreigners the right to confer their nationality on their children. It had reviewed the draft labour law, recommending amendments to ensure that existing benefits, including maternity leave and leave to care for children, remained available for all working women, including those in the governmental, public and private sectors. In addition, the legislative committee was reviewing the draft law on passports, which had been formulated in response to the ruling of the Supreme Constitutional Court that a ministerial decree requiring the husband's consent to the issue of a wife's passport was unconstitutional. The legislative committee within the National Council for Women would initiate a campaign to raise awareness of the draft law, and had formed a committee to elaborate a new family code.

316. The representative informed the Committee of recent laws and regulations that sought to eliminate discrimination between women and men. These included Law No. 12 of 1996, passed in compliance with the Convention on the Rights of the Child7 to provide protective measures for mothers and children and to guarantee the rights of women as mothers and working women, and Law No. 1 of 2000, enacted after a 10-year period of consultation. Law No. 1, which entered into force on 1 March 2000, grants women the right to "khul", or unilateral divorce by repudiation without the need to prove damage. Executive decrees issued as a result of Law No. 1 of 2000 included a new marriage contract, which came into effect on 16 August 2000, elaborating protective provisions relating to finances and polygamy. In addition, article 291 of the Penal Code, which provided a defence in cases of kidnap and rape where the defendant marries the victim, was repealed.

317. The representative noted that, despite the progress that had been made in implementing the Convention, there were a number of areas that required attention. They included discrimination against women with regard to the nationality of their children, the low number of women in many areas of decision-making, including the Parliament, the absence of women in the judiciary, the high levels of illiteracy among women and girls and violence against women. In order to overcome these obstacles, human rights education was important. The National Council for Women was pursuing an awareness campaign with the aid of the concerned authority. Human rights education had been included in law courses taught at the Police Academy. She referred to the ongoing awareness campaign and training courses on human rights for law-enforcement and legal personnel.

318. The representative said that the Government intended to enhance efforts towards the achievement of equality between women and men and the elimination of discrimination against women. She noted that cultural constraints and traditions sometimes impeded change and obstructed implementation of the law. In this context, she said that the Government, through the National Council for Women and in collaboration with the Egyptian intelligentsia, both men and women would seek to use indigenous formulations, which were deeply rooted in Egyptian and Islamic culture and which asserted the equality between women and men. With the aid of all concerned, governmental and non-governmental organizations, the National Council for Women would participate in campaigns to raise awareness and ensure proper interpretations, clarify misinterpretations of religious concepts and demonstrate that the principles of sharia provide for the full equality of women with men, and respect for women's human dignity.

319. In conclusion, the representative informed the Committee that efforts were under way to address the reservations entered by the Government of Egypt upon ratification of the Convention. It had recommended the withdrawal of the reservation to article 2 of the Convention and those to article 9, paragraph 2, and article 16 were actively under review.

(b) Concluding comments of the Committee

Introduction

320. The Committee commends the Government of Egypt on its third and combined fourth and fifth periodic reports, which are in accordance with the Committee's guidelines for the preparation of periodic reports. It also commends the Government for the comprehensive written replies to the questions of the Committee's pre-session working group, and the oral presentation of the delegation, who sought to clarify the current situation of women in Egypt and provided additional information on the implementation of the Convention.

321. The Committee congratulates the Government for its high-level and large delegation, headed by the Secretary-General of the National Council for Women. The Committee appreciates the open dialogue that took place between the delegation and the members of the Committee.

Positive aspects

322. The Committee welcomes the establishment of the National Council for Women, which was created by Presidential decree, reports directly to the President and is mandated to monitor laws and policies affecting women's lives, raise awareness and monitor the implementation of the Convention. The Committee considers that the establishment of the Council reflects strong political will and the Government's commitment to enhancing the status of women in compliance with the Convention. The Committee commends the fact that non-governmental organizations are represented in the Council and that they participated in the preparation of the reports.

323. The Committee notes the introduction of legal reforms aimed at the elimination of discrimination against women, particularly Law No. 1 of 2000, which, inter alia, gives women a right to terminate a marriage unilaterally (khul).

324. The Committee takes note with appreciation of the important reduction of female illiteracy rates obtained by Egypt by implementing special programmes and specific budgetary allocations.

Factors and difficulties affecting the implementation of the Convention

325. The Committee notes that, although the Constitution guarantees equality of men and women and the Convention prevails over national legislation, the persistence of patriarchal attitudes and stereotypical behaviour with respect to the role of women and men in the family and society limit the full implementation of the Convention.

Principal areas of concern and recommendations

326. While appreciating the efforts of the National Council for Women to encourage the Government to withdraw its reservations to articles 2 and 9, paragraph 2, and article 16 of the Convention, the Committee expresses its concern that these reservations entered by the State party upon ratification have been retained.

327. The Committee urges the State party to expedite the steps necessary for the withdrawal of its reservations and in that regard draws its attention to the Committee's statement on reservations in its report on its nineteenth session8 and, in particular, its view that articles 2 and 16 are central to the object and purpose of the Convention and that, in accordance with article 28, paragraph 2, they should be withdrawn.

328. The Committee notes with concern that women who seek divorce by unilateral termination of their marriage contract under Law No. 1 of 2000 (khul) must in all cases forego their rights to financial provision, including the dower.

329. The Committee recommends that the Government consider a revision of Law No. 1 of 2000, in order to eliminate this financial discrimination against women.

330. The Committee expresses its concern that the Egyptian nationality law prevents an Egyptian woman from passing on her nationality to her children if her husband is not Egyptian, while Egyptian men married to non-Egyptians may do so. It is concerned by the hardship faced by the children of Egyptian women married to non-Egyptian men, including financial hardship with regard to education. The Committee considers this limitation on the rights of women to be inconsistent with the Convention.

331. The Committee calls upon the State party to revise the legislation governing nationality in order to make it consistent with the provisions of the Convention.

332. The Committee notes with concern that the persistence of cultural stereotypes and patriarchal attitudes impedes progress in the implementation of the Convention and the full enjoyment of their human rights. In this regard, the Committee is concerned that article 11 of the Egyptian Constitution, which states that the State shall enable a woman to reconcile her duties towards her family with her work in society and guarantee her equality with men in the sphere of political, social, cultural and economic life, appears to entrench the woman's primary role as mother and homemaker.

333. The Committee urges the Government to increase awareness-raising programmes, including those specifically directed towards men, and to take measures to change stereotypical attitudes and perceptions about the roles and responsibilities of women and men.

334. The Committee expresses its concern at the continuing stereotypical portrayal of women in the media, which encourages discrimination and undermines equality between men and women.

335. The Committee urges the Government, including the National Council for Women, to support the important role of the media in changing stereotypical attitudes towards women and in promoting equality between men and women as prescribed by the Constitution and international standards. It recommends that opportunities be created for the portrayal of positive, non-traditional images of women and that the number of women in decision-making positions in the media be increased. It also recommends that the Government establish, within the Council, a monitoring body on the representation of women in the media.

336. The Committee expresses its concern that the Government has addressed HIV/AIDS only as a health issue.

337. The Committee urges the Government of Egypt to address the multidimensional and cross-cutting nature of HIV/AIDS, including its human rights, economic, social, development and security dimensions.

338. Taking note of the successful efforts by the Government to reduce the drop-out rate for girls in primary education, the Committee notes with concern the remaining high level of illiteracy among women, and the rate at which girls and young women drop out of secondary school and university.

339. The Committee calls upon the Government to continue to strengthen its efforts to eradicate female illiteracy, in particular in the rural areas. It urges the Government to continue its programmes to prevent drop-outs by girls in primary education, and to reduce the drop-out rate of girls and young women at secondary school and university, including through the use of incentives for parents, so as to provide young women with the necessary skills and knowledge to participate on the basis of equality with men in the labour market.

340. The Committee expresses its concern that stereotypical attitudes about the roles of women and men in the family and society are reflected in the low level of representation of women in decision-making at all levels and in all areas. The Committee expresses its concern in particular that, although there is no law that prohibits the appointment of women as judges, no woman has ever been so appointed.

341. The Committee calls upon the Government to increase the number of women at all levels of decision-making, including in government and Parliament. It urges the Government to implement temporary special measures, such as numerical goals and quotas connected to time frames, in accordance with article 4, paragraph 1, of the Convention, in order to increase the representation of women at decision-making levels in all areas.

342. The Committee expresses its concern at the lack of information on the participation and conditions of women in the labour market, including in the private and informal sectors, and that there is little information and data on the impact of the recent privatization measures taken by the Government.

343. The Committee calls upon the Government to provide more information on this area in its next periodic report.

344. The Committee expresses its concern that, although efforts have been made, there is no holistic approach to the prevention and elimination of violence against women, including domestic violence, marital rape, violence against women in detention centres and crimes committed in the name of honour or the punishment of perpetrators. The Committee is also concerned at the high level of violence against adolescent girls and young married women.

345. The Committee urges the Government to conduct a national survey of the extent of violence against women, including rural women. It calls upon the Government to assess the impact of existing measures to address the various forms of violence against women. It recommends that the root causes of violence against women, especially domestic violence, be investigated so as to improve the effectiveness of legislation, policies and programmes aimed at combating such violence. It also recommends that the Government implement training and sensitization programmes for the judiciary, law-enforcement officials and members of the legal and health professions, as well as awareness-raising measures to create zero tolerance in society with regard to violence against women.

346. The Committee expresses its concern that several provisions of the Penal Code discriminate against women. In particular, in case of murder following the crime of adultery, men and women are not treated equally. In addition, prostitutes are penalized, while their clients are not.

347. The Committee urges the Government to eliminate any discriminatory penal provisions, in accordance with the Constitution and the Convention.

348. While welcoming the Minister of Health's Decree of 1996 on female genital mutilation, the Committee expresses its concern at the lack of information on the implementation of this Decree.

349. The Committee requests the Government to provide full details on the implementation of this Decree in its next report, including on public awareness-raising campaigns run by all actors (ministries, the National Council for Women and non-governmental organizations) and on measures that have been taken to educate those whose livelihood depends on performing such procedures.

350. The Committee expresses its concern at the lack of information on rural women, especially in the informal sector.

351. The Committee calls upon the Government to provide in its next periodic report a comprehensive picture of the situation of rural women, in particular with regard to education, health and employment. The Committee recommends that the Government monitor existing programmes and develop additional policies and programmes aimed at the economic empowerment of rural women, ensuring their access to productive resources and capital as well as to health-care services and to social and cultural opportunities.

352. The Committee expresses its concern about the high number of early marriages of girls, especially in rural areas.

353. The Committee recommends that the Government amend the law on the legal age of marriage to prevent early marriage, in line with its obligations as a State party to the Convention.

354. The Committee expresses its concern regarding the continued legal authorization of polygamy.

355. The Committee urges the Government to take measures to prevent the practice of polygamy in accordance with the provisions of the Convention and the Committee's general recommendation 21.9

356. The Committee urges the Government to sign and ratify the Optional Protocol to the Convention and to deposit, as soon as possible, its instrument of acceptance of the amendment to article 20, paragraph 1, of the Convention, concerning the meeting time of the Committee.

357. The Committee requests the Government to respond to the concerns expressed in the present concluding comments in its next periodic report submitted under article 18 of the Convention.

358. The Committee requests the wide dissemination in Egypt of the present concluding comments in order to make the people of Egypt, in particular governmental administrators and politicians, aware of the steps that have been taken to ensure de jure and de facto equality for women and of the future steps that are required in this regard. It requests the Government to continue to disseminate widely, in particular to women's and human rights organizations, the Convention and its Optional Protocol, the Committee's general recommendations, the Beijing Declaration and Platform for Action and the results of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century".

Morocco

Woman's Status in the Moroccan Legislations

The Constitution: (The principle of equality)

Article 5

All Moroccan citizens shall be equal before the law

Article 8

Men and women shall enjoy equal political rights. Any citizen of age enjoying his or her civil and political rights shall be eligible to vote.

Article 12

Opportunities for employment in public offices and positions shall be uniformly open to all citizens.

Article 13

All citizens shall have equal rights in seeking education and employment.

Political Participation

Article 3 of Law 9 of 1997 (The Elections Code)

Voters shall be male and female Moroccans who are at least 18 Gregorian years, enjoy civil and political rights except those who are not qualified to vote as set forth in this Law (in accordance with the Amendment of 24 March 2003 and pursuant to Dhahir (Royal Edict 1-03-83)

Article 4

Male and female Moroccans aged at least 18 years shall request, on the date of determining the electoral register when they are prepared or reviewed according to this Law, and subject to the provisions of Article 5 of this Laws, to be empanelled in the electoral register with the community they actually reside with for at least 3 months from the date of their request …

Military Service

Article 1 of Law 187 (with regard to ElRadeef Army in the Royal Armed Forces)

ElRadeef Army in the Royal Armed Forces on which the provisions of this Law are applied shall support the Royal Armed Forces in the event of partial or general military mobilization and shall participate with the Army acting for the defense of the patriot.

Article 2

ElRadeef in the Royal Armed Forces comprise ElRadeef officers and non-officers as stated in Articles 3 and 4 hereinafter.

Women shall participate in ElRadeef Army in the Royal Armed Forces according to the conditions stipulated for men.

Article 3

ElRadeef Officers comprise the following:

1- Professional officers who were released from the actual services for any reason apart the indefinite disability to perform the services;

2- Persons obliged to carry out the military services who had completed the actual services or the special training period;

3- Persons obliged to carry out the civil services and who completed the military training period

4- Graduates from schools, education institutions comprising some military education

5- Female military volunteers who completed the actual services

Work Relations

Article 5 of Edict 119 of 1957 (regarding Workers Unions)

Married women who practice a profession or work can participate in the Professional Unions and play a role in their administration or affairs.

Article 37 of Decree 164 of 1962 regarding general rules applied to employees of various establishments

Female employees shall benefit from a paid maternity leave of 10 weeks

Article 40

Female employees shall be entitled to a temporary leave not exceeding 2 years to look after a child under the age of 5 or a disabled child where continuous treatments are needed. This temporary leave can be extended as long as the prerequisites for leave are met.

Article 41

A female employee shall also be entitled to a temporary leave upon a request to join her husband who is obliged to work and reside far from her workplace, and in this case the total temporary leave allowed shall not exceed 10 years.

Article 59 of Law 8 of 1958 (Basic System for Public Employment)

A female employee shall be entitled to a temporary leave not exceeding 2 years to look after a child under the age of 5 or a disabled child where continuous treatments are needed. This temporary leave can be extended as long as the prerequisites for leave are met.

If the female employee is the head of the family she shall enjoy family compensations according to the conditions stated in the applied System.

Article 60

A female employee may also be entitled to obtain 2 years temporary leave upon a request to join her husband whose work necessitate him to reside abroad, to be extended but shall not exceed 10 years.

A male employee shall also benefit from the provisions stated in the first part of this Article according to the same conditions to join his wife.

Family Code (This is the new name as per the amendment of 2/2/2004)

Book of marriage

Article 5 (Family Code)

1- A marriage shall not be concluded without the consent of the wife to be and her signature on the marriage contract draft before two public notaries (Adouls). A parent or a tutor may not in all cases coerce her to give consent subject to the provisions set forth in Articles 12 and 13 hereinafter.

2- A marriage may not be validated without the presence of two public notaries (Adouls) who shall hear the offer and acceptance pronounced by the two spouses, or by the legal representative or tutor.

3- The dowry must be specified in the marriage contract and may not be excluded.

4- The judge may, in some exceptional cases, hear a matrimonial case and authorize the legal evidence to substantiate it.

Article 8 (Amended with Article 19 of the Family Code)

Men and women acquire the capacity to marry when they are of sound mind and have completed eighteen full Gregorian years of age

Article 20 of Family Code: Marriage of a minor is contingent on the consent of his/her legal tutor

The legal tutor's consent is expressed by signing, along with the minor, the marriage authorization petition and being present during

the conclusion of the marriage contract. If the minor's legal tutor refuses to consent, the Family Affairs Judge rules on the matter.

Article 24

Marital tutelage is the woman's right, which she exercises upon reaching majority according to her choice and interests.

Article 25

The woman of legal majority may conclude her marriage contract herself or delegate this power to her father or one of her relatives.

Article 29

The dowry is the woman's property to use as she wishes, and the husband has no right to ask her for furniture or anything else in exchange for the dowry he gave her.

Article 30

The husband and wife may agree on the immediate or deferred payment of the dowry within a fixed deadline be it for the entire amount or for part of it.

Article 31

The dowry is paid on the fixed deadline. The wife may ask for the payment of the dowry before starting conjugal life. When conjugal life commences before payment of the dowry, it becomes a debt on the husband.

Polygamy

Article 40

Polygamy is forbidden when there is the risk of inequity between the wives. It is also forbidden when the wife stipulates in the marriage contract that her husband will not take another wife.

Article 45

When the court confirms in the discussions that continuation of the conjugal relationship is impossible, and where the wife whose husband wants to take another wife persists in her request for a divorce, the court determines a sum of money corresponding to the first wife's full rights as well as those of their children that he is required to support. The husband must pay the fixed sum of money within a maximum time limit of seven days. Upon submission of the requisite sum of money, the court issues the divorce decree. This decision is not open to appeal as concerns the dissolution of the marital relationship.

The non submission of the requisite sum of money within the fixed deadline is considered as a withdrawal of the polygamy authorization petition. If the husband persists in his polygamy authorization petition, and the wife to whom he wishes to join a co-wife refuses to consent and does not ask for divorce, the court automatically applies the irreconcilable differences procedure in Articles 94 and 97 below.

Article 46

If the polygamy authorization petition is granted, the marriage with the future wife cannot be concluded until the judge has informed her that the applicant husband is already married and she has consented to this.

This notice and consent are recorded in an official report.

Book of the dissolution of the bonds of matrimony

Divorce Sought by Either Spouse for Irreconcilable Differences

Article 94

If either or both spouses ask the court to settle a dispute that risks to breakdown their marriage, the court must make all efforts to reconcile them according to the provisions of preceding Article 82.

Divorce for Other Causes

Article 98

The wife may petition for divorce on one of the following grounds:

1- Non respect by the husband of one of the conditions in the marriage contract;

2- Harm;

3- Non maintenance;

4- Absence;

5- Latent defect;

6- Abstinence and abandonment.

Article 114

The spouses may mutually agree on the principle of ending their conjugal relationship with or without conditions, provided that the conditions do not contradict the provisions of this Moudawana, and do not harm the children's interests.

When the spouses agree, one or both of them shall petition the court for divorce, accompanied by the authorization to validate it.

The court shall attempt to reconcile the husband and wife. When this proves impossible, the court shall authorize the certification and validation of the divorce.

Article 115

The spouses may agree on divorce in exchange for compensation (khol') according to the provisions of preceding Article 114.

Custody

Article 164

Custody is the parents' duty as long as the marriage relationship exists.

Article 165

If among the people entitled to be entrusted with custody no one accepts it or fulfils the required conditions, either the party concerned or the Public Prosecutor's Office may request the court to appoint whomever it deems fit among the child's relatives or other persons, or else selects an institution designated for this purpose.

Article 166

Custody is exercised until both the boy and the girl reach the age of legal majority. Following the termination of his or her parents' marriage, a child who completes fifteen years of age has the right to choose either the father or mother as custodian. A child without parents may choose one of the relatives cited in the following Article 171, provided that his or her interests are not jeopardized and that the legal tutor consents. In the absence of agreement, the case shall be presented to the judge to settle the matter according to the interests of the minor.

Article 20 of Law 37.99 being Dahir (Royal Edict) issued on 3/10/2003 (related to Civil Status)

The person registered for the first time at the Civil Status Office shall choose a family name for him or her on condition that it is not different from his or her father name, nor unethical, nor a source of ridicule, nor a personal or foreign name not conforming with the Moroccan traditional characteristics, nor a name of a city, village or tribe, nor a compound name unless the family name of the person's father is known by it.

If the family name selected is a Sharifian name it must be proven by a certificate to be delivered by the head of the Sharifs, or by a legal certificate (lafifeya) if the sharifs from which the person is descendent have no head to represent them.

The selected family name, after being determined according to the provisions specified in a regulatory text, shall be adhered to the person and his descendants and shall not be changed unless permission is obtained by a royal decree.

Competence for Trade Practice

Article 17 of Law 83 of 1996

A married woman is entitled to practise commercial activities without her husband permission. Every agreement contradicting this principle shall be deemed nul and void.

Nationality

Article 6 of Law 250 of 1941 (Moroccan Nationality Code)

A person is considered Moroccan if he or she is:

Firstly – a son or a daughter of a Moroccan father.

Secondly – a son or a daughter of a Moroccan mother and unknown father.

Article 7

A person is considered Moroccan if he or she is:

First – raised in Morocco, of a Moroccan mother and a stateless father.

Second –raised in Morocco, of unknown mother and father.

However, a son or a daughter raised in Morocco from unknown parents shall never be considered Moroccan if it is proven during his or her minor age that he or she was a descendant of a foreigner and had the nationality of this foreigner according to his or her National Law.

An abandoned child in Morocco is considered born in Morocco unless otherwise proven.

Article 10

A foreign woman married to a Moroccan may, after a minimum of two years of uninterrupted residence in Morocco, apply for the Moroccan nationality at the Ministry of Justice.

This nationality is deemed granted to her as long as the Minister of Justice has not notified her of his objection during the first 6 months from the date of her application. The nationality shall take effect as from the date of the marriage contract, however, contracts executed by the person in subject according to her National Law and before the Justice minister's approval, explicitly or implicitly, shall remain true and lawful.

A foreign woman married to a Moroccan before the date of implementing this law may obtain the Moroccan nationality on the same conditions stipulated in the first part of the Article, if her marriage with the Moroccan spouse has not been dissolved before signing the application for the nationality.

Jails Law:

Article 4 of Law 200 of 1999 (Regulation and Management of Penitentiary Establishments)

If a penitentiary establishment comprise both male and female prisoners, the areas designed for women shall be completely separated from the areas designed for men. Female officers shall be appointed to guard the women's areas.

No men including male officers are allowed to access the female ward unless in cases specified by administrative restrictions, and in such cases, they shall be accompanied by at least one female officer.

The head of the establishment shall be subject to the same procedure.

Article 34

An area in the penitentiary establishment or the female wards shall be allocated for mothers who accompany small children and for a crèche, according to the available human and material potentials.

Young female detainees under the age of 20 shall be confined according to the same conditions applied on youth detainees.

Article 35

If a birth takes place in the establishment the Civil Status authority shall be notified by the head of the establishment or by the social worker.

The establishment address shall be mentioned in the birth certificate without indicating the establishment name nor the mother detention.

If the detainee is due to give birth, she may be granted an exceptional authorisation in accordance with Article 46 mentioned hereinbefore.

Article 103

Pregnant women and female childminders shall benefit from a system suitable to their circumstances.

With regard to a convicted female detainee, she may be transferred to an establishment containing special accommodation set up for this purpose, however, the transfer of a detainee under pending investigation shall depend on the approval of the competent judicial authority.

Pregnant detainees shall be, when due, transferred to a maternity hospital or if not possible to the nearest hospital according to the conditions stipulated in Article 94 of this decree.

They shall be sent back to the establishment when their health condition permits it and the detained mother may keep her newborn in the establishment if she wishes to do so.

If birth takes place in the hospital, the social worker shall ensure to issue a birth certificate, otherwise the establishment shall take this action.

The Penal Code:

Article 449

A person who aborts or attempts to abort a pregnant woman or a woman he or she thinks she is pregnant, be it with her consent or not, by using food, drink, drugs, deceptive means, violence or any other means, shall be punished with imprisonment of 1 to 5 years and with a fine of 120 to 500 Dirhams.

If the woman dies as a result of this abortion, his or her punishment shall be 10 to 20 years imprisonment.

Article 451

Physicians, surgeons, health inspectors, dentists, midwives, pharmacists, students of medicine, dentistry or pharmacology, herbalists, surgical tool shops, nurses, masseurs(ses) and conventional healers who advise to use means for abortion, recommend the use of them or supervise them, shall be punished according to the penal terms stated in Articles 449 and 450 according to each individual case.

In addition, the offender shall be indefinitely or temporarily deprived from practising his or her profession as indicated in Article 87.

Article 453

No punishment shall be imposed on a physician or a surgeon who is compelled to abort a woman in order to save her life, as long as it is openly performed with the husband's consent.

A physician shall not be required to obtain such consent if he or she thinks that the mother's life is in danger, however, she or she must notify the Chief Physician of the District.

If the husband is absent or refuses to give his consent, or if there are any other impediments the physician or surgeon may not perform a surgical operation nor undertake a treatment that may induce an abortion before obtaining a written certificate from the Chief Physician stating that the mother health conditions necessitate recourse to such treatment.

Article 454

A punishment of 6 months to 2 years imprisonment and a fine of 200-500 Dirhams shall be imposed on every woman if she intentionally aborts herself or attempts to do so, or accepts to be aborted by someone else or to use what was prescribed/given to her for this purpose.

Article 455

Any incitement, with no result, to perform an abortion is only punishable for 2 months to 2 years imprisonment abd/or a fine of 200-2000 Dirhams, if it was carried out by one of the following means:

- Giving speeches in public places

- Presenting books, manuscripts, printed materials, pamphlets, advertisements, drawings, photographs or certificates even in secret, as well as selling one of these items, presenting them for sale, displaying them or circulating them in public areas, in houses, in a bundle, in open or sealed envelopes by post or by one of the courier services

- Advertising in genuine or bogus medical clinics

- Same punishment applies to anyone who sells drugs, material, instruments or devices whatever the quality is, displays them for sale or takes part in their sale, distributes them or takes part in their distribution by any means possible, knowing that they are meant for abortion even if they are not effective.

However, if such abortion happens due to an operation or one of the actions mentioned in the previous part, then the punishment shall be imposed on those who performed such an operation/action.

Article 475 pursuant to Law 24-03

Anyone who abducts or seduces a minor under the age of 18 without the use of violence, threat or deception, or tries to do so shall be punished with imprisonment from 1 to 5 years and a fine of 200-500 Dirhams.

However, if the female abducted or seduced is not minor and marries the offender, he may not be pursued except upon a complaint lodged by a person entitled to revoke such marriage. This shall not be taken into account until a Court ruling for such revocation is issued.

Article 477

If a judicial ruling is pronounced for custody, be it final or provisional, the father, the mother or the person who refuses to give the minor to the person granted custody, abducts or seduces such minor even without deception or violence, or makes someone else seduce or abduct the minor from the place of care, shall be punished with imprisonment of 1 months to 1 year and a fine of 200-2000 Dirhams.

If the offender deprived the minor from parental tutelage, the prison sentence may be increased to up to 3 years.

Article 479

A punishment of 1 month to 1 year imprisonment and/or a fine of 200-2000 Dirhams shall be imposed on the following persons:

1- The father or the mother who abandons the family home without compelling reasons for a period exceeding 2 months and evade his or her financial and moral commitments related to the tutelage, guardianship or custody of the child(ren), and these 2 months are not interrupted by the return to the family home showing his or her will to resume family life indefinitely.

2- The spouse who abandons his pregnant wife for more than 2 months without compelling reasons.

Article 480

Same punishment applies to a person who receives a final or provisional ruling to pay maintenance to his spouse or any of his subordinates, and intentionally fails to fulfil such payment on the due date.

In case of reoccurrence, the sentence shall definitely be imprisonment.

The maintenance specified by the judge shall be payable to the beneficiary address unless otherwise stated in the ruling.

Article 482

If either parent causes grievous harm to one or all is or her children by ill-treatment, setting bad example by drinking problem, bad behaviour, lack of care or supervision necessary for good health, safety and moral conduct, he or she shall be punished with imprisonment of 1 month to 1 year and a fine of 200-500 Dirhams, whether he or she is deprived of parental tutelage or not.

In addition, an offender may be deprived of one or more of the rights indicated in Article 40 for a period of 5 to 10 years.

Article 484 Pursuant to Law 24.03

An imprisonment sentence of 2 to 5 years shall be imposed on any person who rapes or attempts to rape a minor under the age of 18, be it male or female, without the use of violence.

Article 485 – Amended pursuant to Law 24.03

An imprisonment sentence shall be imposed on any person who rapes or attempts to rape any person, be it male or female, with the use of violence.

If the victim is a minor under the age of 18, disabled or mentally impaired, the offender shall be punished with imprisonment for 10 to 20 years.

Article 486 – Amended pursuant to Law 24.03

Rape is the act of a man having sexual intercourse with a woman without her consent and is a punishable offence of imprisonment of 5 to 10 years.

However, if the victim is under the age of 18, disabled or known as mentally impaired, then the offender shall be punished with imprisonment of 10 to 20 years.

Article 487

If the offender is related to the victim, a tutor, a trustee, a salaried worker or a worker for one of those previously mentioned, a religious officer or a cleric, or anyone who asks a person or more to commit a rape, the punishment shall be:

- Prison sentence of 5 to 10 years, in the case mentioned in Article 484.

- Prison sentence of 10 to 20 years, in the case mentioned in the first part of Article 485.

- Prison sentence of 20 to 30 years, in the case mentioned in the second part of Article 485.

- Prison sentence of 10 to 20 years, in the case mentioned in the first part of Article 486.

- Prison sentence of 20 to 30 years, in the case mentioned in the second part of Article 486.

Article 488

In the case mentioned in Articles 484 to 487, if the victim loses her virginity as a result of the crime the punishment shall be:

- Prison sentence of 5 to 10 years, in the case mentioned in Article 484.

- Prison sentence of 10 to 20 years, in the case mentioned in the first part of Article 485.

- Prison sentence of 20 to 30 years, in the case mentioned in the second part of Article 485.

- Prison sentence of 10 to 20 years, in the case mentioned in the first part of Article 486.

- Prison sentence of 20 to 30 years, in the case mentioned in the second part of Article 486.

If the offender is one of the persons mentioned in Article 487 the maximum sentence for each clause shall be applied.

Article 490

Every sexual relationship between a man and a woman who are not married is a crime and shall be punished with imprisonment of 1 month to 1 year.

Article 491 – Amended pursuant to Law 24.03

A husband or a wife who commits adultery shall be punished with imprisonment of 1 to 2 years and the adulterer shall not be pursued unless the other spouse lodges a claim.

However, if one of the spouses is not living on the Moroccan soil, then the Public Prosecution may automatically pursue the other spouse who clearly committed adultery.

Article 494

An imprisonment of 1 to 5 years and a fine of 200-1000 Dirhams shall be imposed on anyone who uses or make someone else use deception, violence or threat to abduct, seduce, remove a married woman from the accommodation offered to her by her tutor or carer.

Article 495

An imprisonment of 1 to 5 years and a fine of 200-1000 Dirhams shall be imposed on anyone who intentionally hides or smuggles an abducted or seduced married woman, while there is a search conducted to find her.

Article 496

Same punishment shall apply to the person who intentionally hides or smuggles a married woman who has ran away from her legal tutor while there is a search conducted to find her.

The Developments brought about in the laws related to the Moroccan woman status during the second half of the 20th century

After the issuance of the Convention on the Elimination of All Forms of Discrimination Against Women in 1970 and Morocco's adoption to it in 1993, the Moroccan laws were continuously evolving in the field of the Personal Status Code which became after the amendment of 3/2/2004 The Family Code (Mudawana) as it became a law which protects equally the rights and dignity of both the woman and the man and revolves around the basic principle of safeguarding the interest of the minor ward in particular within a stable family under the equal care of both parents by virtue of Article 4 of the Family Code which sates that: "Marriage is a legal contract by which a man and a woman mutually consent to unite in a common and enduring conjugal life. Its purpose is fidelity, virtue and the creation of a stable family, under the supervision of both spouses according to the provisions of this Moudawana", contrary to the old rule of "Obedience versus Maintenance". Besides, other amendments for the remaining laws took place before and after this Article, like Article 6 of the Trade Code which obliged the married woman to obtain her husband's permission to practise any commercial activities, and Article 418 of the Criminal Code which was amended by virtue of Law 24.03 which equally granted both husband and wife to mitigate a criminal charge of murder in case of unexpectedly finding the other partner committing adultery as follows:" Grounds for mitigation in crimes of murder, injury or battery shall be applied to the punishment if committed by either spouse against the other party and his or her partner when unexpectedly finding them committing adultery.

The Personal Status Code

The Personal Status Code issued in 1958 setting up the legislations related to women status were influenced by the Maleky tradition.

The code was criticized on the basis of the results thereof, where discriminating between women and men remained evident, as the woman was deprived of assuming her responsibilities (her freedom to act was constrained) and was considered incapable, hence the amendment of September 1993 took place but did not meet the demands of the Civil Society, instead, it brought about minor changes which did not satisfy those male and female thirst for equality, and were limited to the necessity to inform the wife if her husband intend to divorce her or remarry…..Then the submittal of the Royal Consultative Committee of an amendment project that responds to the development criteria of the western societies and opens up to the modern world by adopting a number of international treaties, thus the government proposed the project to the parliament where both chambers adopted it and it came into effect on 3/2/2003.

First: Equality in Pre-marital Relations

a- The Choice of the Spouse

The Moroccan woman, in view of the great evolution that the Moroccan society had witnessed, is not forced anymore to marry someone against her will, except in very remote areas which are becoming scarce thanks to the efforts exerted by the Governmental Organisations and the Non Governmental Organisations that moved over there and worked with the local inhabitants. This is what Article 24 of the Family Code states that : " Marital tutelage is the woman's right, which she exercises upon reaching majority according to her choice and interests", and Article 25 which states that: "The woman of legal majority may conclude her marriage contract herself or delegate this power to her father or one of her relatives".

1- The Age of Marriage

After the amendment in the Family Code the age of marriage for both the girl and the boy became equal, as Article 19 treated both genders on equal footing as follows: "Men and women acquire the capacity to marry when they are of sound mind and have completed eighteen full Gregorian years of age". However, Article 20 of the same code allowed the family judge who is conducting the marriage to permit the marriage of a boy and a girl who are not of age of majority as stated in the preceding Article 19, with a justification as to the benefits and grounds for his decision, after hearing the minors' parents or their legal representative and the help of a medical expertise (to verify if the girl is pregnant or the presence of depression or any other psychological problem which, by marrying them, would prevent possible harm) or by conducting a social enquiry.

The decision to grant permission for the marriage of a minor is irrevocable.

b- The Dowry Provision

Contrary to many legislations and traditions in other countries, the norm in Morocco that the dowry provision is only mentioned in the marriage contract as stated in Article 26: "The dowry is that which the husband gives to his wife as an expression of his desire to marry her and to build a stable family based on affection and good amicable relations between husband and wife. Its legitimacy is based on its moral and symbolic value rather than its material value". Also, Article 30 states that: " The husband and wife may agree on the immediate or deferred payment of the dowry within a fixed deadline, be it for the entire amount or for part thereof", so that the dowry does not represent an impediment to conclude the marriage and it can be specified to an amount of 100 Dirhams, or as usually done in most conservative families, 2 golden coins for an amount not exceeding 1000 Dirhams, equivalent to $100 Dollars approximately.

Second: Concepts generated in the Family Code to regulate the relations between the two spouses

The efforts which were exerted by the civil society in the domain of women's rights to combat many forms of discrimination against them and what was called: "Obedience versus Maintenance" were fruitful.

1- Polygamy

Polygamy became subject to many encumbering conditions making it impossible to make it happen most of the time, as in Article 40 of the Family Code which forbids polygamy when there is the risk of inequity between the wives. It is also forbidden when the wife stipulates in the marriage contract that her husband will not take another wife". Also, the provisions of Articles 45 and 45 burden the husband seeking polygamy particularly with the deadline condition of 7 days to deposit the sum of money required for the divorce for irreconcilable differences, which is usually difficult for the husband to fulfil. However, it was noted that the position of affluent husbands remains strong in this respect, thus the divorce for irreconcilable differences imposed on the wife who rejects polygamy is a temporary solution which does not satisfy the need to ensure financial and psychological stability that a family should enjoy.

2- Matrimonial relations under the recent amendment in the code

With respect to the provisions of the Personal Status Code of 1958 and the amendments implemented in September 1993, inequality was strongly evident with particular regard to the rights and duties of both spouses.

However, it was clear from the amendment of February 2004 that the Moroccan legislator wanted that the Moroccan woman enjoys her rights as well as assumes her duties on equal footing with the man, as stated in Article 51 of the code: " The mutual rights and duties between spouses are:

1- Lawful cohabitation on the basis of good conjugal relations, justice, equality in case of polygamy, mutual fidelity, virtue, and the preservation of family honour and their children;

2- Cohabitation, mutual respect, affection, and the preservation of the family interests;

3- The wife's assuming with the husband the responsibility of managing and protecting household affairs and the children's education;

4- Consultation on decisions concerning the management of family affairs, children, and family planning;

5- Good relations with each other's parents and close relatives, respecting, visiting and hosting them within accepted standards;

6- The right to inherit from each other (the husband inherits quarter of his wife's properties if she leaves children behind, and half of the inheritance if she does not leave children behind, while for the wife the inheritance is one eighth if he leaves children behind and a quarter if he does not).

As for article 52 states that: " When either spouse continually fails to fulfil his or her obligations in marriage, as specified in the preceding article, the other party may compel the spouse to execute the obligation or resort to the irreconcilable differences procedure provided for in Articles 94, 95, 96 and 97 below. And Article 53 states that: "When either spouse evicts the other from the marital home without justification, the Public Prosecutor shall intervene to return the evicted person to the house immediately and shall take all necessary measures to guarantee his or her safety and protection".

It is so clear from these amendments the leap occurred in the status of the Moroccan woman as regards duties imposed and rights granted to both genders, which was not the case under the previous Personal Status Code that degraded women compared with the predominant position of men as in Articles 34, 35 and 36 as follows:

Chapter 34: Mutual rights and duties between spouses

1- Lawful cohabitation.

2- Cohabitation, mutual respect, affection, and the preservation of the family interests.

3- The right to inherit from each other.

4- Good relations with each other's parents and close relatives.

Chapter 35: The husband's duties toward the wife

1- Legal maintenance, like food, clothes, health care and accommodation

2- Equity if he is married to more than one wife

3- To allow the wife to visit and invite her family

4- The wife is absolutely free in the disposition of her money and assets without the husband's supervision, as he has no authority over her money and assets

Chapter 36: The wife's duties toward the husband

1- To safeguard decency and chastity

2- To obey the husband with good spirit

3- To breastfeed her children whenever possible

4- To supervise and manage the household

5- To treat her husband's parents and relatives with due respect and generosity

3- Unilateral Divorce

Divorce granted to the husband is still characterised with unfairness as he is granted permission for divorce once he fulfil his commitment to pay the money required from him in a period not exceeding 30 days from the date of pronouncing the ruling to pay such compensations, while even after having amended the code, the wife may not divorce a man, be it for irreconcilable differences or for divorce grounds mentioned in Article 98 of the Family Code, which are: Harm, absence, non maintenance, abstinence and abandonment, illness or other cases similar to illness, until at least 6 months lapse.

Moroccan circles commend the new principle of divorce for irreconcilable differences which was missing in the Moroccan legislation and is distinguished from other divorce cases by setting rules in this regard not to exceed 6 month without the restriction of: ",,, as long as there is no force majeure" (Article 97 of the Family Code) as it states that it is an advantage for the woman whereas she can obtain a divorce if she files it according to the simple legal procedures. Also Article 122 states that:" Any divorce granted by the court is irrevocable, with the exception of cases of divorce on the grounds of abstinence, abandonment and non maintenance". The meaning of 'Ba'en' is irrevocable even during the legal waiting period (iddah) and is not subject to any appeal.

Nationality Code

Provisions in Chapter 6 of the Nationality Code were allowing to grant her Moroccan nationality only to a child from a Moroccan father and mother or a Moroccan mother and unknown father. A Moroccan woman married to a foreigner, even after embracing Islam, which is considered one of the marriage conditions in Morocco, were not able to grant the Moroccan nationality to her children, thus after they attain the age of majority and despite their permanent residence in Morocco they were facing many problems in all fields particularly in the work sector. However the last royal speech of 30/7/2005 on the occasion of the Throne Day gave green light to adopt the project of granting the Moroccan nationality to children from a Moroccan mother and a foreign father, which filled an important legal gap that a large category of the Moroccan society was suffering from it.

Conclusion

The Moroccan woman, like her fellow women in the Arab world, was actually suffering from the way she was treated in the society. However, after Morocco obtained independence and the orientation aimed at elevating women's status, the Moroccan Personal Status Code was issued late 50's. Nevertheless it had a patriarchal characteristics (i.e. the father/male predominance whatever his position was relative to that of the woman) rather than a caring approach towards women. Then the campaign of million signatures took place in 1992,

which was an uprising for many organizations in the civil society. It was followed by an amendment in 1993 which kept the girl and woman status almost the same except minor changes like the prerequisites to summon the wife to attend the divorce hearing, for the husband to deposit the required sum of money as a guarantee in the Court fund before signing a divorce deed, and to appoint the father as a child custodian as a second choice after the mother, whereby the devolution order in Article 99 (the mother is the first to have right to custody, then the grandmother on the mother's side, then great grandmother on the mother's side …) was applied and nowhere was the father mentioned.

After a long struggle and two marches in Rabat and Casablanca conducted by the civil society organizations, a Royal Consultative Committee was appointed to work until October 2003 after having heard many proceedings of political parties and organizations, the project of the Family Code was proposed to the parliament, was adopted by the two chambers and came into effect on 3/2/2004 after independent courts were established within the Ministry of Justice and were named "Family Judicial Courts", also public prosecution divisions were set up to particularly look after family cases.

However, after nearly 2 years from the date the amendment went into force and after having noted many positive aspects like the rule for the divorce for irreconcilable differences which were stated in Articles 94 to 97 and had given women a solution to end a marital relationship without forcing the woman to prove any harm experienced. Furthermore, all divorce rules (harm, absence, abstinence and abandonment, non maintenance, latent defect and cases of illness) are not subject to any judicial appeal. Nevertheless, these remained some unresolved gaps that the legislator did not address, like the status of Moroccan women residing abroad whereas carrying out repudiation divorce procedure by proxy was nullified and both parties became obliged to be present in Morocco for the dissolution of the marriage, which represents an impediment and a source of deep concern especially for the wife who is threatened by the family negligence in the Moroccan society, in addition to the increased recourse for marriage and divorce in mosques in foreign countries, which is not legitimate according to the Moroccan conventional law. Another problem emerged due to these gaps: Free co-habitation between two persons where one of them is married; the Nationality Code that the civil society organizations strived to modify, allowing children from Moroccan mother and foreign father to be granted the Moroccan nationality and this was resolved by a decision in this favour and announced in the royal speech on 30/7/2005.

It was also noted that some delays occur regarding passing a judgment on divorce cases filed by both spouses, while the unilateral divorce applied by the husband remains unfair as he is able to pursue it as long as he can afford to fulfill the financial obligations. The amount paid for accommodation for the wife is also insignificant taking into account the considerable rise in properties.

Therefore we are of the opinion that these gaps must be taken into consideration and that there is a necessity to review the Mudawana as well as the rest of the codes related to women's status after listening to the real problems they experience.

Source: Arabe woman agenda 2006, Friedrich Ebert, Dr. Mouhamed Nour Farahat

Countries

Jordan

Committee on the Elimination of Discrimination Against Women (CEDAW)

Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

Second periodic reports of States parties

Jordan

Introduction

The Hashemite Kingdom of Jordan ratified the Convention on the Elimination of All Forms of Discrimination against Women in July 1992 and submitted an initial report covering the year following the Convention's entry into force in Jordan. The present report, submitted in accordance with article 18 (b) of the Convention, covers the period from July 1993 to July 1997 and fills in some gaps in the initial report.

This report was prepared with the active participation of many public institutions and non-governmental organizations. The Jordanian National Committee for Women asked all concerned governmental and non-governmental bodies to provide it with the data needed to prepare the report, a preliminary version of which was studied and refined by legal and other experts from public and private bodies, at three meetings organized in cooperation with the United Nation's Children's Fund (UNICEF). The report was finalized at a national workshop organized in conjunction with the United Nations Development Fund for Women (UNIFEM). Annex I lists the bodies which helped draft the report and the participants in the above-mentioned meetings and workshop. The Jordanian National Committee for Women will disseminate the report to the public bodies and non-governmental organizations concerned, so that they can refer to it in drawing up their plans related to the status of women in Jordan.

I. IMPLEMENTATION OF THE PROVISIONS OF THE CONVENTION

Part I: articles 1 to 6

Article 1. Discrimination against women

"For the purpose 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 the basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field".

1. The notion of discrimination against women is alien to the Jordanian laws currently in force, since the principle of non-discrimination is embodied in article 1.6 of the Constitution, which states that "All Jordanians are equal before the law in rights and obligations, without distinction as to race, language or religion". By "Jordanians", the constitution means the men and women of Jordan without distinction, in that legal doctrine and interpretation agree that the plural of the adjective of nationality of a given country denotes that country's inhabitants of both sexes. While there are those who believe that the Constitution's omission of the feminine form of the adjective (in Arabic) gives the legislature a certain leeway as regards discrimination against women, the National Charter, a non-legally binding document which nevertheless sets forth the basic principles and procedures governing action

2. The ratification of the Convention (with the exception of the articles to which Jordan has entered reservations) is an expression of Jordan's ongoing concern to consolidate equality between the sexes, in that any international instrument which Jordan ratifies or accedes to acquires the force of law within the country. It should be mentioned that, as of the drafting of this report, the necessary formalities for the Convention's publication in the Official Gazette and for it to become legally binding had not all been completed.

3. Although the principle of equality is set forth in the Constitution and in Jordanian law, some existing laws contain discriminatory provisions; this aspect is dealt with in greater detail in paragraphs 4, 5, 14, 16, 32, 41, 50, 53, 97, 102 and 139 below. However, both the State and civil society are determined to amend these discriminatory laws, some of which, as will be seen later, have already fallen into disuse. The amendment process is facing procedural difficulties as regards the formulation, submission and consideration of amendments and their referral to the legislative branch, and subsequently the executive branch, for implementation. Moreover, the discriminatory practices affecting women in Jordan stem not from the law but, more often than not, from customs inherited from the past, as happens in many traditional societies. This aspect too will be dealt with in greater detail under the relevant provisions of the Convention. The obstacles to rapidly improving the status of women in Jordan can all be explained by the gap between the law and its application, by ignorance of women's rights among society at large and among society at large and among women themselves, by lack of data and information on the role of women in many sectors and the failure of the media to publicize women's rights adequately, and by the relative absence of information on this issue in school and university curricula.

Article 2. Policy and measures for the elimination of discrimination

"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 constitution or other appropriate legislation if not yet incorporated therein and to ensure, through law and other appropriate means, the practical realization of this principle".

4. In addition to embodying the principle of equality of men and women, as mentioned in paragraph 1 above, Jordan's Constitution affirms the right of all Jordanians to employment, education, security and the exercise of public office and their right to personal liberty, freedom of speech, freedom of worship and freedom of assembly, as well as freedom to form associations and political parties and to challenge the actions of the public authorities. Although the principle of equality is embodied in Jordan's Constitution and legislation, however, some laws are, as mentioned earlier, somewhat defective as regards women's rights. The process of amending these laws, which has already begun, will be scrutinized throughout this report under the relevant articles of the Convention. The regulations followed by different administrations (the civil status administration, for instance) are also flawed in ways which are difficult to summarize here but which, as will be seen later, are in the process of being corrected.

5. There is a commendable determination, both in political circles and in society at large, to modify texts and practices which continue to discriminate against women. The process has already begun, although clearly it will take some time. Many changes have taken place in Jordan which have allowed Jordanian women to play a fuller role in society, but these social changes have not been accompanied by legislative and regulatory changes. As a result, laws and practices persist which discriminate against women by giving men advantages which women do not enjoy, on the grounds that the man is primarily responsible for his wife, his children, his parents and his unmarried sisters (this differentiation between men's and women's rights is to be found in the laws and regulations on social security, retirement, medical insurance and income tax).

6. In accordance with human rights principles and in an effort to make the principle of equality a reality, Jordan has acceded to many international instruments in this area, including the following:

- Universal Declaration of Human Rights;

- International Covenant on Economic, Social and Cultural Rights;

- International Covenant on Civil and Political Rights;

- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

- International Convention on the Elimination of All Forms of Racial Discrimination;

- International Convention on the Suppression and Punishment of the Crime of Apartheid;

- Convention on the Prevention and Punishment of the Crime of Genocide;

- Convention on the Rights of the Child;

- Convention on the Political Rights of Women;

- Convention on the Nationality of Married Women;

- Convention on the Elimination of All Forms of Discrimination against Women;

- Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages;

- International Convention against Apartheid in Sports;

- Slavery Convention;

- Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery;

- Convention on the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others.

Article 2 (b)

"To adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women."

7. Amendments have been made to laws which are flawed as regards women's rights, but none of these amendments envisages sanctions aimed at eliminating discrimination against women. During the period covered by this report, the Jordanian National Committee for Women, the national body responsible for women's issues, and many non-governmental women's organizations studied the texts of the laws in question and proposed amendments to them.

Article 2 (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."

8. Although there are no express laws on the protection of women against discrimination, many measures were taken by public bodies and non-governmental organizations during the period covered by this report, all of which envisage such protection. Among the public authorities, the Amman central police department launched preparations for the establishment of a family protection division by organizing a workshop on the problem of domestic violence in March 1995 which was attended by many police officers. Subsequently, in April 1997, it organized a workshop on investigation methods to be used in dealing with victims of sexual violence, which pointed to the need for a mechanism for ensuring the protection of women and child victims of domestic violence. The restoration of democracy in Jordan has also provided everyone, male and female, with many mechanisms for defending their rights. For instance, an oversight and investigation unit has been set up to monitor respect for laws and regulations by State bodies. Oversight of the actions of the executive branch is also one of the main functions of the Chamber of Representatives. Non-governmental organizations, for their part, have set up many centres which provide advisory services for women and are preparing to open shelters for women victims of domestic violence. The newly created Jordanian National Committee for Women, whose powers and working methods are described in detail in paragraphs 17 to 21 of this report, constitutes the national machinery for monitoring the implementation of the Convention, although it should be mentioned that the Committee does not have the power to receive and handle individual complaints and that its sphere of action is limited to overall policy-making for the strengthening of women's rights.

9. One non-governmental organization has conducted a study on the protection and education of women in administrative detention who are at risk of being killed by kinsmen seeking to "avenge the family honour". The study, covering 25 women who had committees acts bringing dishonour on their families (adultery, pregnancy out of wedlock, vagrancy, etc.), looked at their behaviour from three standpoints – religious, legal and social - and correlated their deviant behaviour with the following factors: age, educational level, family and social relations, family upbringing and information. Being young and/or uneducated, experiencing disrupted family and social relations, living in crowded slums and watching television soap operas were all found to be major contributing factors to deviant bahviour. The study also analysed the psychological and social situation of female detainees in rehabilitation centres and recommended ways of assisting them and of combating the phenomenon of "honour" crimes by organizing awareness-raising lectures and programmes to help young people integrate in society.

Article 2 (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."

10. Jordanian law gives all citizens, men and women, the right to lodge complaints against public authorities or institutions and private institutions and individuals, but makes no express provision for penalizing or punishing those who discriminate against women.

Article 2 (e)

"To take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise."

11. The overall policies and guidelines followed during the reporting period were characterized by an obvious desire to coordinate the work of amending the law with that of creating social conditions conductive to acceptance of those amendments. Many public institutions, non-governmental organizations and institutions of civil society organized educational and awareness-raising lectures and seminars throughout the country on women's rights and on the provisions of the Convention. Some non-governmental organizations also set up telephone hotlines to receive women's complaints and give them legal, social and psychological counseling and advice. The various media played an active role in raising public awareness of women's rights through their regular programming and also through special programmes on events such as the celebration of International Women's Day or the holding of national, regional, or global conferences on the subject.

Article 2 (f)

"To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women."

12. Despite the studies and seminars on this subject and the many calls to amend existing laws and regulations which constitute discrimination against women, the country did not, until recently, have an appropriate mechanism for studying national legislation as a whole and formulating and following up proposed amendments with the public authorities. With the creation of the Jordanian National Committee for Women, whose functions include this aspect, the procedures for such action are becoming clearer. The Committee's powers are described in paragraph 20 below.

13. Modifying laws and regulations is not as easy or as quick task, but it is still easier than modifying social customs and practices, a task which takes more than one generation to complete. The period covered by this report was not long enough for there to be visible changes in habits and customs rooted in Jordanian society, but some positive changes can be seen in the status of women and in society's acceptance of those changes, the best example being the widespread acceptance of education for women since the 1950s and the change in society's attitude to employment over the same period.

Article 2 (g)

"To repeal all national penal provisions which constitute discrimination against women."

14. Some articles of the Jordanian Penal Code (Act No. 16 of 1960) are being challenged by human rights, particularly women's rights, organizations and activists. The Legal Committee of the Jordanian National Committee for Women (concerning which fuller information is given both in this paragraph and in paragraphs 15, 16, 22, 50, 51, 53 and 97 below) has proposed amending a number of articles of the Code, particularly articles 281, 192 and 340, on the penalties imposed on those who commit violence against women, whether physical or psychological abuse, rape or murder, and article 282 on the penalties for equality between the sexes and the same proportionality between the crime and its punishment, taking into account the principles of the Islamic shariah and human rights. Article 281 stipulates that: "Anyone who repudiates his wife and fails to apply to a judge or his substitute within the following two weeks to have such repudiation registered, in accordance with the Family Code, shall be liable to a maximum prison sentence of one month or a maximum fine of 15 dinars." To increase the penalties for failure to register repudiation, an action prejudicial to the repudiated wife, the Legal Committee has proposed that the article be amended as follows: "Anyone who repudiates his wife and fails to register such repudiation within the following two weeks, in accordance with the Family Code, shall be liable to a maximum prison sentence of one month or a fine of no less than 100 dinars and no more than 1,500 dinars."

15. Article 292, which establishes the penalties for rape, was amended in 1988 and now reads as follows:

1. Anyone who has sexual intercourse with a women (other than his wife) without her consent, whether by force, threats or deception, shall be liable to a minimum of 10 years' forced labour.

2. Anyone found guilty of raping a girl under the age of 15 years shall be liable to capital punishment.

The penalty is increased in cases of rape, and may even extend to capital punishment, but the article makes no mention of penalties for having sexual intercourse without violence, especially when the female partner is under 15 years of age. The Legal Committee has therefore proposed adding the following clauses to the article:

3. Anyone who has sexual intercourse, without using violence or threats, with a member of the female sex aged under 15 years shall be liable to forced labour.

4. Anyone who has sexual intercourse, without using violence or threats, with a member of the female sex aged under 12 years shall be liable to a minimum of seven years' forced labour.

16. With regard to paragraph 1 of article 340 of the Penal Code, which gives the benefit of impunity to a man who kills or injures his wife or one of his female kin (with whom sexual intercourse is not permissible) whom he has just caught committing adultery, the Legal Committee has proposed dripping the impunity clause and replacing it with one of extenuating circumstances which would benefit women and men equally, knowing that in practices this article is very rarely applied.

Article 3. Guarantee of the exercise of human rights and fundamental freedoms

"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."

17. One of the most important political measure to ensure the development and advancement of women in Jordan was the creation, by decree of the Council of Ministers dated 12 March 1992, of the Jordanian National committee for Women. Chaired by Her Royal Highness Princess Basma Bint Talal and composed of representatives of the competent public bodies and the main private institutions, the Committee debates women's policies and works to promote equality of men and women ad the integration of women in the development process. This strategic partnership between the public and private sectors in pursuing common objectives has provided the country with a body that is formally empowered to recommend policies for giving women equal opportunities with men in the areas of political participation, social services, health and medical care, education and land ownership.

18. In order to strengthen the role of the National, Committee, the Council of Ministers promulgated a decree on 12 September 1996 which gave it the following functions and powers:

1.1 To design overall policies related to the status of women in all areas and to establish the relevant priorities, plans and programmes in the public and private sectors.

1.2 To monitor the implementation of the National Strategy for Women and to improve and update it.

1.3 To study, in coordination with the various entities concerned, existing laws and draft laws and regulations on the status of women, in order to ensure that they do not discriminate against women.

1.4 To propose laws and regulations designed to consolidate the gains made by women, or to prevent discrimination against them, in all areas.

1.5 To strengthen communication, exchanges of data and expertise and similar activities at the local, inter-Arab and international levels on all aspects of women's issues and the enhancement of their status.

1.6 To take part in the work of all committees and other official or advisory bodies set up by the Government relating either directly or indirectly to the status of women.

8.8 To oversee the application of laws and regulations, to ensure that it is not discriminatory against women, and the implementation of policies and activities provided for in national plans and programmes related to the status of women.

8.9 To put in place a network of communication between the competent ministries and other public bodies and the National Committee, in order to help the Committee achieve its objectives.

8.10 To put in place a committee of non-governmental women's organizations, to be called the "Non-governmental Organizations Coordinating Committee", the objectives, mandates and methodologies of which will be established by the National Committee.

19. In 1993, the National Committee designed the first National Strategy for Women, with the participation of all public and private institutions throughout the country concerned with women's issues. The strategy, which is based primarily on the Jordanian Constitution and National Charter and founded on the principles of the Islamic shariah and the values of Jordanian society, focuses on six major areas: legislation, politics, economics, social development, education and health. The full text of the National Strategy for Women is contained in annex 2 to this report.

20. The Committee's General Secretariat supervises its activities in cooperation and coordination with three official subsidiary bodies of the committee: a Legal Committee, a Non-governmental Organizations Coordinating Committee and a network of communications with public bodies. Details on these three bodies follow:

1. The Legal Committee consists of a number of legal experts, men and women, who review the entire body of Jordanian laws and regulations to determine which of them contain provisions that discriminate against women or violate their rights, so that the necessary amendments can be proposed to the National Committee, which in turn puts them to the Jordanian Parliament.

2. The Non-governmental Organizations Coordinating Committee consists of representatives of the main Jordanian women's associations. Its purpose is to coordinate the activities of the various organizations dealing with women's issues in order to avoid duplication, particularly in implementing the Jordanian plan to follow up the Beijing Conference and in forming pressure groups to promote adoption of the policies and legislative bills proposed by the National Committee.

3. The network of communications with public bodies consists of policy makers, men and women, who represent the various Ministries and other State bodies and are in direct contact with the Ministries and General Secretaries of those bodies. The purpose of the network is to provide the National Committee with information on the status of women in the public sector so that the Committee can identify the obstacles and difficulties to be overcome and propose legislative amendments and policy changes to that end. The network's members also help determine the extent to which the Beijing Platform for Action and the National Strategy for Women are being implemented in the public sector.

21. In this regard, it should be noted that the Jordanian National Committee for Women, in cooperation with numerous public bodies and non-governmental organizations, has developed a national programme of action for the development of Jordanian women as part of the follow-up to the implementation of the Platform for Action and the recommendations of the Fourth World Conference on Women (Beijing, 1995). This programme, all elements of which are aimed at integrating Jordanian women fully into the political, economic, social and cultural development of the country, stresses the need to ensure the political, economic, social and cultural integration of all citizens, men and women, on an equal footing and the importance of closing the gap between the recognition of women's rights and the role guaranteed them under the law and the actual social reality and women's personal and social situation.

22. The national programme of action covers a number of key issues which correspond closely to the 12 strategic objectives of the Beijing Platform for Action: equality, justice and women's rights; ending women's marginalization and strengthening their independent means of action; political participation and decision-making; family matters; poverty eradication; participation in natural resource use and management; and environmental protection. The national programme of action, which translates into action the commitments made by Jordan at the Beijing Conference, is the result of a combined effort by governmental and non-governmental institutions over a period of more than two years, within a framework for dialogue provided by the National Committee. Its implementation will also be a collective effort and will strengthen the operational links between the parties involved in this process.

23. Non-governmental organizations play an essential role in making women aware of their fundamental rights. Many such organizations have organized workshops and lectures designed to make women aware of their fundamental, legal, social and religious rights. For example, one non-governmental organization organized a seminar on the topic "The rights of the girl child", viewed from the standpoints of religion, law, health, education and culture, at which the role of governmental, non-governmental and international organizations in eliminating discrimination against girls was also examined. Participants presented an analysis of the strategic objective on the girl child contained in the Beijing Platform for Action.

24. Another non-governmental organization launched a project, "Grass-roots democracy", the purpose of which is to give women a better understanding of the fundamental principles of democracy and of the importance of participation in decision-making by creating women's pressure groups. Those groups organized training seminars for women and encouraged them to nominate candidates and

to vote in the 1997 elections. The groups disseminate information on issues related to the status of women and to discrimination against them, primarily through awareness-raising campaigns and courses, discussions with influential politicians and publications on democracy, gender equality and the importance of participation. They also endeavour to evaluate the impact of such activities on women's participation in the decision-making process as candidates and voters. Obstacles encountered by the project include the absence of a quota of seats reserved for women; society's traditional attitudes towards women; stereotypes of women in the media; the convention of "one voice", which lessens the individual's role by giving priority to the group consensus; lack of funding for women's election campaigns; and the limited role played by non-governmental organizations, which the law has thus far barred from participating in political activities. Nevertheless, the project has made it possible to formulate a number of recommendations for increasing women's participation both as voters and as candidates. These include organizing additional workshops on the topic sufficiently in advance of elections; devoting such workshops to the political and social problems and difficulties encountered by voters and candidates; organizing an awareness-raising campaign aimed at girls aged 14 to 18 years (pre-voting age); changing media stereotypes of women; using religious symbols that encourage women's participation; and creating pressure groups to push for changes in the electoral law or a quota of seats reserved for women.

25. Non-governmental organizations have produced plays and television films on the rights of the child and have successfully implemented a programme for protecting the most seriously disadvantaged sectors of society (women whose rights have been violated, older persons and young people) and strengthening their civil rights. The programme includes counseling, education and training programmes to enhance women's qualifications in various fields, and workshops on social and family problems. One organization sponsors lectures on the Convention on the Elimination of All Forms of Discrimination against Women and provides women with advisory services and counseling on ways to solve problems without going to court. It has also set up a legal assistance hotline. According to the organization's statistics, between 1994 and 1997, 600 cases were settled out of court by its specialized counselors, while 400 cases went to court.

Article 4: Special measures aimed at accelerating de facto equality between men and women

"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."

26. The National Strategy for Women drawn up by the Jordanian National Committee for Women was adopted by the Jordanian Government as a special measure aimed at accelerating de facto equality between men and women. The Government has asked all its bodies and institutions to implement the Strategy within their respective area of competence. With regard to special measures such as quotas for women in decision-making posts (in the Government or in Parliament), despite numerous debates on the issue and many calls for the temporary adoption of such a system, the Government has yet to take any measures to this end.

Nevertheless, while no affirmative action or temporary special measures have been adopted aimed at achieving equality between men and women, there has been a general improvement in the status of women, reflected, inter alia, in their appointment to high-level posts. Every Governement since 1993 has included at least one woman Minister; two women were appointed to the Senate in 1993; and women have been appointed judges.

27. Institutions of civil society have also failed to take special measures in favor of women, very few of whom hold high-level posts in non-governmental organizations, professional associations or trade unions. Political parties have included women since the 1950s, but only one party has established a quota reserving 20 per cent of high-level posts for women.

Article 4 (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."

28. Maternity is considered an important function of Jordanian women and is valued highly by society. During the period covered by this report and at the recommendation of the Jordanian National Committee for Women, the Government amended the 1988 civil service regulations to increase the period of paid maternity leave from two months to three months. With respect to workers in the private sector, the 1996 Labour Code increased the period of maternity leave at full pay from six weeks to ten weeks and mandated breaks in the workday for breastfeeding infants. The Labour Code also guarantees that women will not be laid off because they are pregnant. It has been pointed out that these provisions, which are intended to protect the maternal function, are not necessarily in women's interests since they sometimes cause employers to avoid hiring women, but there have as yet been no studies to determine the precise impact of these measures on women's real situation in the labour market.

29. It should be noted that some private sector employers use various subterfuges to circumvent the Labour Code, thereby preventing working mothers from exercising their rights. Some employers do not declare all the married women employed by their firm in order to evade their obligations under article 72 of the Labour Code (Act No. 8 of 1996), which requires any firm with at least 20 married women employees to provide appropriate facilities, under the supervision of a qualified childcare worker for its employees' children aged under four years, provided that there are at least 10 such children. Similarly, some employers make their women employees sign letters of resignation in advance so that they can be made to "resign" if they become pregnant. Other employers do not comply with their obligation to permit breastfeeding breaks. For all these reasons, non-governmental organizations and other institutions of civil society are calling for stronger sanctions against employers who break the law or circumvent it for their own benefit.

Article 5. Stereotyped roles for men and women

"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."

30. The cultural patterns current in Jordanian society are still influenced by tradition and custom as regards both men and women, and hence the whole family, which remains the basic unit of society. According to a 1995 study of Jordanian women's daily lives, these stereotyped cultural patterns can be explained by four main factors: families are not very aware of the problem and, in particular, treat the two sexes differently; society as a whole is not very aware of the problem; women accept their inferior status, lack self-confidence and are unaware of their inherit and legal rights; and the mass media have a harmful effect.

31. Within the family, the father occupies a position which inspires respect and fear and it is no unusual for male children to assume a measure of paternal authority towards female children, reinforcing girls' belief that men are entitled to special status and are vested with authority and decision-making powers. This training and moulding process continues until the girl reaches marriage age, and then she in turn helps perpetuate with her children the role that she played with her mother. Studies also show that Jordanian society is still governed by a number of deeply rooted values and beliefs about relations between men and women and, in particular, about the distribution of roles within the family. Generally speaking, men and women alike remain attached to the traditional distribution of roles. As for women's acceptance of their role and their ignorance of their inherent and legal rights, surveys show that two thirds of interviewees think that women should not be men's equal and over 40 per cent believe that women have enough rights in society. Lastly, studies show that the media have a harmful effect on equality and democracy in relations between men and women and on women's liberation because they reinforce the traditional image of women.

32. Act No. 34 of 1974 on personal status stipulates that, for the purpose of the Act, "the head of household shall be deemed to be the father. If the father dies or loses or renounces his Jordanian nationality while his children and wife or wives retain that nationality, the head of the household shall be deemed to be the first wife or the eldest child." Since the Act doe not state expressly that if the father dies or loses or renounces his Jordanian nationality, the wife becomes the head of household, the Legal Committee of the National Committee submitted a bill amending the Act to read: "For the purposes of this Act, the 'head of household' shall be deemed to be the father. If the father dies, disappears, is permanently or repeatedly absent or loses or renounces his Jordanian nationality while his wife or wives or any of his children retain that nationality, the head of household shall be deemed to be, in order of priority, the wife, if Jordanian; the eldest child (boy or girl); or the most senior Jordanian wife". In practice, however, by tradition the head of household is always a male family member, under whose name the wife is recorded in the Civil Registry; this explains why only a small number of families are officially headed by a woman (10 per cent in 1995).

33. Although tradition and practice do in some cases continue to hinder progress in the status of women, society is interested in and open to women's entry into new fields and non-traditional occupations. From time to time, the media report on women who have entered fields that, until recently, were the exclusive preserve of men. Society responds positively to such events, whether they involve women who become aircraft pilots or drive public transport vehicles or women who hold high-level posts, since Jordanian legislation does not prohibit women from working, except in jobs characterized as hazardous under the Labour Code, as will be seen in greater detail in paragraph 105 of this report.

34. Non-governmental organizations have stepped up their efforts to modify social and cultural stereotypes of men's and women's behaviour, in order to eliminate prejudice based on erroneous ideas. They have organized numerous seminars, meetings and lectures on gender stereotyping in society, put on plays depicting behaviour stereotypes and prejudices that benefit one sex over the other and carried out studies on violence against women in Jordanian society.

35. According to police statistics, the number of crimes against women rose from 326 in 1993 to 483 in 1996, accounting for the 12.5 per cent of all crimes committed during that year. These crimes against women were broken down as follows: premeditated murder, 8.3 per cent; attempted murder, 3.3 per cent; abduction, 6.8 per cent; aggravated assault, 18.4 per cent; crimes against honour, 48.7 per cent; rape, 13.5 per cent; and involuntary manslaughter, 1 per cent; 18 to 27 years, 31.7 per cent. Non-Jordanian victims accounted for 11.6 per cent of the total. The primary motives for these crimes were: family quarrels (42.6 per cent), long-standing disputes (18.4 per cent) and defence of honour (13.2 per cent).

Article 5 (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."

36. Despite what was said above about the importance which Jordanian society attaches to the maternal function, mothers are often valued more for their role as caregivers that for their social function. Stereotypes about the two parents' responsibilities towards their children, with the father being the breadwinner and the decision maker on important family issues and the mother being responsible for looking after the children, are sill strong buy they are beginning to change as women's educational level rises, giving women a more active role in family

decision-making, and as more women enter the labour market, a situation which inevitably affects the traditional distribution of roles within the family. There has not as yet been any in-depth study to determine the exact extent and primary causes of changes in this area.

37. In cases of divorce, custody of the children is awarded first to the mother, then to the other female members of the family, until the child reaches puberty. Divorce legislation is described in detail in paragraph 191 of this report.

Article 6. Efforts to combat the exploitation of women

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

38. Ten articles of the Jordanian Penal Code (Act No. 16 of 1960) are devoted to offences of incitement to immorality. Various penalties are prescribed for anyone who incites or attempts to incite a woman to prostitution or who uses threats, blackmail or deception to that end. The Code further establishes penalties for anyone who allows his home to be used for purposes of prostitution of who derives all or part of his income from a woman's earnings from prostitution. The Code also includes two articles on offences against public decency. The first of those articles stipulates the penalties incurred by anyone who sells, distributes or prints pornographic documents, exhibits such documents in an establishment open to the public, runs such an establishment or states or conveys the information that someone is selling such documents. The second article stipulates the penalties incurred by anyone who commits an indecent act in public. All these provisions of the Penal Code provide the legislative basis for combating traffic in and exploitation of the prostitution of women.

39. The penalties incurred by prostitutes and those who incite them to prostitution are prison sentences of one month and three years and fines of 5 to 50 dinars for anyone who incites or attempts to incite a woman under the age of 20 to have illicit sexual relations with another person or who incites a woman to immorality. Anyone who uses threats, blackmail, false allegations or drugs to incite or attempt to incite a woman to have illicit sexual relations is liable to one to three years' imprisonment. Anyone who opens, runs, helps to run or works in a brothel or who rents or owns premises used for prostitution is liable to up to six months' imprisonment, a fine of up to 100 dinars, or both. Anyone with custody or a boy between 6 and 16 years of age who permits him to frequent or live in a brothel is liable to six months' imprisonment or a fine of up to 20 dinars. As for the "clients" of brothels, who are the reason for the very existence of such establishments, the law currently provides no penalties against them and even relies on them as witnesses for the prosecution. This constitutes a flaw in the Penal Code and some people advocate amending the Code in order to punish the "clients" of brothels more severely than the other parties to the offence.

40. In fact, there are relatively few court cases involving prostitution. According to the relevant statistics, there were 62 such cases in 1994 and only 39 in 1997. However, researchers believe that these statistics only account for cases of flagrant delicto; which make up a mere 10 to 20 per cent of all cases. Furthermore, the Penal Code stipulates that flagrant delicto applies only to places used for traffic in women and frequented by more than one couple. Researchers see this provision as the reason why prostitution is under-reported, since it makes it easy to circumvent the law and difficult for the police to make arrests, especially since prostitution also takes place in nightclubs, in the street and in apartments lent by intermediaries.

Part II: articles 7 to 9

Article 7. Political and public life

"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."

41. Although there is no discrimination against women in the Jordanian Constitution, Jordanian women did not win the right to vote until 20 or 30 years after the Constitution was adopted. They could not vote or run for office until 1974 in the case of the House of Representatives, and until 1982 in the case of town and village councils. Electoral law requires only that voters, both male and female, be at least 19 years old, without imposing any other conditions such as educational level or property. There was a high level of women's participation, equal to and in some districts greater than that of men, in the most recent legislative elections. However, some women still face obstacles when it comes to registering to vote: since voter's cards are issued on the basis of the family civil status book, the woman's vote is linked to her husband's and she cannot vote in another district if she wants to.

42. Because of the state of emergency in the country, the Jordanian people were unable to exercise their right to vote or to run for election to the House of Representatives during the period from 1967 to 1989. In the two legislative elections held subsequently (in 1989 and 1993), many women ran for office but only one was elected, in 1993. Women have exercised their rights to vote in local elections, but they are reluctant to enter the field as candidates. In order to encourage them to do so and at the initiative of Her Royal Highness, Princess Basma Bint Talal, President of the Jordanian National Committee for Women, the Council of Ministers approved the appointment of 99 women to town and village councils throughout the country, thereby inducing 15 women to run in town council elections; 10 were elected, including one to the post of town council president.

43. In view of the importance of having women in both appointed and elected posts at the local and national levels, the National Strategy for Women has made women's participation in political life one of its main areas of action, in order to increase such participation and make both women and society as a whole aware of its importance.

Article 7 (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."

44. All the Governments formed since 1993 have included at least one woman Minister, if not two. While civil service legislation makes no distinction between the sexes with respect to recruitment, promotion or rank, no woman was appointed General Secretary of a Ministry during the period covered by this report. Women hold only 6.9 per cent of other decision-making posts in the civil service at the top tier, but 38.6 per cent at the second tier; the latter percentage might appear acceptable, but women in fact hold only 7.5 per cent of all supervisory posts. With respect to the judiciary, during the reporting period and for the first time in Jordan's history, two women were appointed judges; this was a major success for efforts to advance women, particularly since it followed the 1995 Beijing Conference. Non-governmental organizations continue to stress the need to increase the number of women in decision-making posts in all Jordanian institutions.

Article 7 (c)

"To participate in non-governmental organizations and associations concerned with the public and political life of the country."

45. Historically, Jordanian women began to participate in the public life of the country through charitable organizations; the expansion of such participation paralleled that of public life. Today, women account for 18.8 per cent of the membership of organizations registered with the Ministry of Social Development and for between 25 and 30 per cent of trade union members; however, they still hold very few leadership positions in trade unions. The same is true of professional associations, where women account for only 18.7 per cent of all members. With respect to political parties, it should be borne in mind that a multi-party system was restored only recently in Jordan. Women account for 10 per cent of founding members of political parties, but there are no statistics on their actual participation. As was seen above, only one political party has taken affirmative action to guarantee the presence of women in the party leadership.

46. Removal of the legal obstacles to women's participation in political life has not eliminated the other obstacles to their exercising their rights in this area. According to studies on the subject, these obstacles stem primarily from customs and traditions and from the fact that electoral law makes it impossible to vote for more than one candidate, prompting voters, both male and female, to vote for the candidate from their tribe, who is generally a man. Furthermore, economic obstacles make it more difficult for women than for men to conduct electoral campaigns.

47. It should be noted that the restoration of democracy in Jordan has given organizations of civil society a greater role in public policy-making. There has been a quantitative and qualitative growth in women's organizations, and women's participation in the design of policies affecting their status is fully guaranteed through these organizations and their participation, on an equal footing with public bodies, in the work of the Jordanian National Committee for Women. It is important to stress the extraordinary work done by non-governmental organizations to strengthen women's political role in Jordan, particularly during the preparatory period for the 1997 legislative elections, which is covered by this report. These organizations held seminars and workshops, published documents and pamphlets formed women's groups and set up an information office for women candidates. It should be explained that women's associations cannot play their full role in this area, because Act No. 33 of 1966 on volunteer organizations and groups limits their opportunities for political action.

Article 8. Representation and participation at the international level

"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".

48. Women account for 17.1 per cent of all employees of the Ministry of Foreign Affairs, but only 15.9 per cent of diplomats. The fact that no woman was appointed to a high-level diplomatic post, such as ambassador, during the period covered by this report has prompted strong demands from non-governmental organizations for the introduction of a quota system in this area. Despite their relatively low level of participation in the diplomatic service, Jordanian women played an undeniable role in representing their country as members of the official or non-governmental delegations to the international conferences held in the 1990s, particularly the International Conference on Population and Development, the World Summit for Social Development and the Fourth World Conference on Women.

49. There are no barriers to Jordanian women applying for posts with international organizations, but there are no detailed statistics on Jordanian women employed by such organizations and the level of the posts they hold. It should be noted that vacancies with international organizations are advertised by the Civil Service Office in the local press, enabling women as well as men to apply.

Article 9. Nationality

"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".

50. The Jordanian Nationality Code allows a Jordanian woman to retain her nationality in the event of marriage to a non-Jordanian or to a person who has taken on a nationality other than Jordanian. The Legal Committee of the Jordanian National Committee for Women

has proposed a number of amendments to the Nationality Code to enable a Jordanian woman who marries a non-Jordanian to retain her nationality or to regain it if she gave it up because of her marriage and to give the Council of Ministries the power to grant Jordanian nationality for humanitarian reasons to the children of Jordanian women married to non-Jordanians when those children, having taken their father's nationality, are experiencing difficulties as regards access to education or employment. In other cases, the father may be unable to transmit his nationality to his children under the laws of his country or may have emigrated with his wife and children before the latter acquired his nationality, a situation which renders them stateless, and is clearly detrimental to the fundamental rights of the individual.

51. With regard to the family civil status book, the official document required for administrative procedures such as school enrolment and obtaining a driver's licence, the Jordanian National Committee for Women managed to arrange for it to be issued by the Civil Registry and Passport Service. In the past, this document could not be issued to Jordanian women married to non-Jordanians, but since 12 December 1996 the relevant instructions have been supplemented by the following: "A Jordanian woman who marries and alien shall, after the marriage has been recorded in the Civil Registry, receive a family civil status book as an independent head of household, with an indication of her husband's nationality. The children shall not be listed in this family book since they shall take their father's nationality".

52. As mentioned above, the Legal Committee has proposed a number of amendments to the Civil Status Act to enable a Jordanian woman to retain the family civil status book as head of household in the event of her husband's death, and a divorced woman or a widow to obtain her own book. These proposals have been transmitted to the Council of Ministries to take the necessary action to incorporate them into the Act.

53. The nationality of a Jordanian woman is certainly not affected by her marriage to an alien, but under Act No. 2 concerning passports, Jordanian women can neither obtain nor renew a passport without their husband's permission. The Jordanian National Committee for Women has requested the repeal of this provision and the Government appears to be ready to grant this request in its new Passports Act. In practice, the amendment is already being applied. Minors can be entered in either the father's or the mother's passport, or obtain their own passport at the request of their guardian or the judge.

Article 9 (2)

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

54. Jordan entered a reservation to this paragraph of article 9 of the Convention on the grounds that it conflicts with article 3, paragraph 3, of the Jordanian Nationality Code (Act No.6 of 1954), which stipulates that "Any child born of a father with Jordanian nationality shall be Jordanian". The Government also believes that the Nationality Code is determined by political circumstances which dictate that position, since Jordan has also signed a League of Arab States convention which prohibits the holding of the nationality of more than one Arab State. However, as stated in paragraph 53, the Jordanian National Committee for Women has formally requested that the Council of Ministers be given the power to grant Jordanian nationality for humanitarian reasons to the children of Jordanian women married to aliens.

55. Non-governmental organizations definitely play a role in raising women's awareness of their rights under the Civil Status Act and the Nationality Code. Jordanian women married to non-Jordanians sometimes encounter difficulties in raising, educating and finding employment for their children, so non-governmental organizations are demanding the withdrawal of the reservation to article 9 of the Convention or at least some interim measures on the part of the authorities in order to solve this problem. Some positive steps have been taken to this end, including Decision No. 1283 of 1996 of the Council for Higher Education, which stipulates that the children of Jordanian women married to non-Jordanians but holding a Jordanian family civil status book shall enjoy the same treatment as Jordanian children as regards their right to enroll at Jordanian universities.

Part III: articles 10 to 14

Article 10. Education

"States Parties shall take all appropriate measure 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 me and women:

(a) The same conditions for career and vocational guidance, for access to studies and for the achievement of diplomas in educational establishments of all categories in rural as well as in urban areas; this equality shall be ensured in pre-school, general, technical, professional and higher technical education, as well as in all types of vocational training".

56. The Jordanian Constitution stipulated that the State shall provide education to the extent of its means (article 6.5) and that primary education is compulsory for all Jordanians and free in public schools (article 20). Act No. 3 of 1994 on education reaffirms this right to education and makes the entire period of basic education (corresponding to primary education, the first cycle of secondary education and the first year of the second cycle of secondary education under the previous system, or 10 years instead of 9) compulsory. The Act also reaffirms the principle of gender equality by stating in its definition section that: "For the purpose of this Act, the masculine form is also used to designate the feminine". With regard to universal education, the measures actually taken are not sufficient to guarantee the application of the Act to take entire population aged under 16 years, and no official measures are being taken to combat the non-enrolment that still persists.

57. The educational philosophy which underpins the Act has three components – intellectual; national, patriotic and humanist; and social. The social component embodies the following six principles: "(a) Jordanians are equal in political, social and economic rights and duties and are differentiated by their contribution and commitment to their society; (b) respect for individual freedom and human dignity; (c) the cohesion and permanence of society are a benefit and justice, a balance between the needs of the individual and those of society, mutual assistance and cooperation among individuals for the common good and a sense of individual and social responsibility; (d) social progress is dependent on individual discipline, which preserves the national interest; (e) political and social participation within a democracy is an individual right and a duty of society; (f) education is a social necessity and a universal right, to the extent of each person's aptitudes and abilities".

58. Education as defined by the Act comprises: (a) pre-school education (nursery schools) which lasts a maximum of two years; (b) basic cycle of education, which lasts 10 years and is compulsory, free in public schools and open to children aged 6 to 16 years, pupils – whether boys or girls – being allowed to leave school before the age of 16 only by decision of a specialized medical panel; and (c) secondary education, which lasts two years and takes two basic forms – general secondary education, focusing on common general knowledge and practical secondary education, focusing on apprenticeship and vocational training.

59. Girls' rates of enrolment in the above levels are excellent and in some cases higher than those for boys. In pre-school education, which is not compulsory, the enrolment rate for girls is 23.93 per cent, as compared with 27.05 for boys. In basic education, which is compulsory, the rates are 94.98 per cent for girls and 94.25 per cent for boys. Lastly, in secondary education, the rates are 72.22 per cent for girls and 67.22 per cent for boys. As regards the general education level of the population aged over 15 years, the results of the 1996 survey of standards of living revealed a certain qualitative imbalance at all educational levels, as can be seen from table1, except under the heading "university undergraduates", where the imbalance is in women's favour. The table also shows how educational levels have improved over the generations, with the percentage of women rising as ages get lower, and the biggest imbalances being under the heading "no schooling".

Table 1. Percentage distribution of the population aged 15 years and over, by age group, sex and educational level

Total (100 per cent)		**University undergraduate**		**Intermediate diploma**		**General secondary**		**Vocational secondary**		**Basic**		**Primary**		**No schooling**		**Age**
F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	
8,165	2,353	0.0	0.0	0.1	0.2	11.3	10.4	1.1	1.3	45.0	44.3	37.2	38.8	3.3	4.9	15-19
1,815	2,028	5.8	7.0	14.2	9.5	25.0	23.1	4.7	7.4	31.0	34.1	12.3	13.2	7.0	5.5	20-24
1,572	1,765	7.5	13.4	19.7	15.4	20.0	14.5	3.7	9.0	25.3	27.0	14.0	13.1	9.7	7.6	25-29
1,155	1,195	6.9	14.9	16.0	17.5	16.5	14.9	2.1	4.6	26.0	26.2	18.0	14.3	14.6	7.7	30-34
661	874	5.9	18.4	14.8	11.8	11.3	12.4	2.2	2.9	19.6	20.8	20.2	21.0	26.0	12.6	35-39
843	661	4.3	17.8	8.3	8.3	7.9	13.4	1.2	3.8	17.2	17.5	23.1	23.3	37.1	15.8	40-44
537	543	3.1	21.9	5.0	6.4	9.2	12.3	0.6	2.0	12.2	17.0	18.0	21.0	51.9	19.4	45-49
469	563	2.1	16.9	2.8	3.6	6.7	10.8	0.1	2.2	9.3	15.0	13.3	24.8	65.4	26.8	50-54
454	440	0.9	9.8	2.1	3.2	4.1	7.5	0.4	0.6	3.9	17.2	6.1	18.5	72.4	42.2	55-59
347	366	0.0	5.1	0.0	2.0	0.5	4.3	0.0	0.3	3.7	10.5	4.5	18.6	91.4	59.2	60-64
198	211	1.9	2.6	0.9	0.8	0.4	1.1	0.0	0.0	1.1	6.5	5.9	24.4	89.8	64.7	65-69
166	150	0.4	4.3	0.0	0.4	1.1	4.9	0.0	0.0	1.1	7.3	4.1	12.1	93.2	71.1	70-74
169	198	0.0	0.9	1.0	0.0	0.0	2.8	0.0	0.0	0.0	2.3	0.0	13.5	99.0	80.5	75 +
10,551	11,347	3.9	10.0	9.4	8.1	13.8	13.6	2.1	4.2	25.3	27.7	19.2	21.3	62.3	15.3	Total

Source: Department of Statistics, Survey of Standards of Living in Jordan, 1996.

Table 2. Distribution of the general secondary school population, by grade, sex and course, 1996 – 1997

		Total	Science	Literature	Law	Vocational
	Total	2,797	1,141	887	48	721
	Boys	1,354	459	439	20	436
Junior	**Girls**	1,389	662	415	28	284
	Coeducational	54	20	33	0	1
	Total	2,635	1,160	852	39	584
	Boys	1,259	461	438	17	343
Senior	**Girls**	1,326	682	382	22	140
	Coeducational	50	17	32	0	1

Source: Ministry of Education, Compendium of educational statistics for the 1996-1997 school year.

60. Vocational secondary education comprises the following courses of study: education, business, agriculture, industry, health care and hotel management; there are also vocational centres for boys and vocational centres for girls. Table 3 shows that there are very few girls in agricultural and industrial courses and none in hotel management courses. On the other hand, girls outnumber boys in business and paramedical courses.

Table 3. Distribution of the vocational secondary school population, by course and sex, 1996-1997

Course	Boys	Girls	Total
Business	4,535	5,433	9,968
Agriculture	783	48	841
Industry	7,531	4	7,535
Health Care	466	1,588	2,054
Hotel Management	1,304	0	1,304
Vocational centres for boys	8,647	0	8,647
Vocational centres for girls	0	1,315	1,315
Total	23,266	8,398	31,664

Source: Ministry of Education, Compendium of educational statistics for the 1996-1997 school year.

61. In addition to the educational services provided by the Ministry of Education and other public bodies, the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), the private sector and volunteer organizations, the Vocational Training Agency provides training for different sectors of the population based on the needs of the Jordanian labour market. The Agency has 36 vocational training centres, of which 18 are reserved for girls, but it also uses the educational facilities of other institutions – training courses is still quite low, however, from 1993 to 1996, the Agency trained 7,500 girls as compared with nearly 40,000 boys.

62. There is equal opportunity between the sexes in access to higher education, since the only requirement for admission to university is a command of the knowledge acquired in the preceding level of education. As a result, there are 94 female students for every 100 male students enrolled in Jordanian universities. To ensure equal opportunity for students from disadvantaged backgrounds affirmative action has been taken in the form of the setting aside of 15 per cent of university places for them.

63. The overall percentage of girls at all levels of higher education is 42.7 per cent, but it declines as the level rises: to 34.7 per cent at the first degree level and 26.4 per cent at the master's and doctoral levels. Since women make up 47.8 per cent of the country's total population, one can see from table 4 that the percentage of omen students is higher than the percentage of women in the overall population in the following fields: education, public relations, human sciences and theology, fine arts, natural sciences, medicine, pharmacy and paramedical disciplines and urban planning. The reverse is true in other fields.

64. Non-governmental organizations arrange many educational and training activities for women. In the educational field, Jordan has 55 private associations which own schools attended by girls as well as boys. Two associations run faculties reserved for girls. Institutions in the training field provide training in my occupations, as shown in table 5. That table also shows that women continue to be directed towards traditionally female courses of study. Many women take courses in dressmaking and traditional occupations, but very few in occupations which society considers to be men's prerogative (construction, roofing, painting, electricity and auto mechanics, for example)

65. In addition to providing educational and training services, non-governmental organizations continue actively to promote the education of women and their right to equal opportunity in all fields, including access to internships and scholarships. These organizations have held seminars and conferences to discuss the school dropout problem and raise families' awareness of the importance of education for girls, opened literacy centres in rural areas, produced plays on the importance of equal opportunity for men and women in education, produced films, published posters and held conferences and seminars on health education. A symposium on women's education in the twenty-first century was also held to analyse the "women's education" element of the Beijing Platform for Action and to publicize the governmental, non-governmental and international organizations working to enhance the status of women in the area of education. One such non-governmental organization working in education conducted two studies on the level of proficiency among fourth-year and eighth –year pupils in the following subjects: mathematics, science, Arabic and ability to take initiative. These studies showed that girls' proficiency in mathematics and science is 1.7 per cent lower than that of boys in eighth year but 5.6 per cent higher in fourth year.

Table 4. Distribution of the university undergraduate population, by field of study and sex, 1995-1996

		Women Students	
Field of study	Total	Number	Percentage
Education	8,232	4,756	57.7
Public relations	311	168	54.0
Human sciences and theology	11,892	7,807	65.6
Fine arts	643	415	64.4
Social sciences and ethics	4,755	2,238	47.0
Business and management	14,460	3,959	37.3
Physical education	1,068	507	47.5
Law	5,193	1,355	26.0
Agriculture	2,059	921	44.7
Natural sciences	4,126	2,473	59.9
Mathematics and computer science	5,589	1,745	31.2
Medicine	987	319	32.3
Dentistry	628	333	53.0
Veterinary science	161	47	29.1
Pharmacy	3,971	1,953	49.1
Paramedical professions	2,286	1,163	50.8
Engineering	6,706	1,410	21.0
Urban planning	876	445	51.9
Applied engineering	1,751	319	18.2
Total	75,693	32,343	42.7

Source: Ministry of Higher Education, Annual Report, 1996.

Table 5. Training programmes offered by non-governmental organizations

		Number of trainees	
Training programme	Number of institutions	Boys	Girls
Dressmaking	240	136	4,366
Weaving, knitting	124	62	1,695
Typing, secretarial	28	162	646
Cosmetology	45	4	628
Crafts	23	5	5,673
Flower arranging	70	0	845
Production projects	88	374	311
Building trades	1	48	0
Carpentry	2	12	4
Computer science	7	7	92
Automotive trades	4	87	0
Painting on Glass	4	0	44
Literacy	21	128	366

Source: Ministry of Higher Education, Annual Report, 1996.

Article 10 (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".

67. Educational curricula and textbook content are designed for all pupils without distinction. General examinations at the secondary level are designed for all students without distinction as to sex and teaching staff are also available to all pupils on the same basis. Women account for 58 per cent of the teaching staff in Ministry of Education schools, the rate being 59 per cent in basic education. Women hold

4 per cent of head of department posts in the Ministry, but the rates are much higher for school principal posts, with women holding 67 per cent of such posts overall – 98.5 per cent in higher secondary education.

68. In the 1996-1997 school year, Jordan had a total of 4,407 schools, of which 2,414 were coeducational and 808 were for girls only. These schools, which come under the authority of either the Ministry of Education or other public bodies, UNRWA, the private sector or organizations of civil society, do not practice any form of discrimination against girls and boys. The pupil-teacher ration is more favourable for girls, with 16.4 pupils per teacher in girls' schools as compared with 27.2 pupils per teacher in boys' schools.

69. To cope with the increase in the number of school-age children, many buildings have had to be rented and converted into schools, but are not equipped for such use and do not offer an appropriate educational environment. They often lack space and light, proper bathrooms, laboratories and other essential school facilities. The general educational modernization programme which the Ministry of Education has been implementing since 1988 includes the construction of new school buildings. Statistics for the 1995-1996 school year show that 14.59 per cent of all pupils in Ministry of Education schools attend classes in rented premises. Girls are more affected by this situation than boys, with 15.6 per cent of them attending school in rented premises as compared with 13.5 per cent of boys. The problem of rented school buildings is also more widespread in towns (where it affect 17.78 per cent of pupils) than in rural areas (where the rate is 16.4 per cent).

Article 10 (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".

70. Coeducation has been expanding in Jordan for a number of years. At the pre-school level, only two single-sex establishments remain. In basic education, 52.8 per cent of schools are mixed, but this figure drops to 18.2 per cent in higher secondary education, where 39.2 per cent of schools are for girls only and 42.6 per cent are for boys only. In higher education, there is only one university for girls; all the others, both public and private, are coeducational. No studies have been conducted into the advantages and disadvantages of coeducation as compared with separate education. Some people fear that coeducation in schools might indirectly reinforce customs and traditions hostile to this type of education and might ultimately be detrimental to girls. Nevertheless, the opening of a coeducational school usually occurs in response to parental demand.

71. With regard to the revision of textbooks and school programmes, the Ministry has made a preliminary survey of the image of women in textbooks and programmes used in basic education. Improving that image and eliminating the associated stereotypes must be done by a process of experimentation and adaptation. The Ministry is also preparing a project for introducing the concepts and implications of the status of women into teaching programmes.

Article 10 (d)

"The same opportunities to benefit from scholarships and other study grants".

72. The sole criterion for the granting of scholarships is academic performance, and boys and girls therefore have the same right to apply for and obtain a scholarship. However, the number of girls who actually obtain scholarships for study in Jordan and abroad is disproportionate to the overall number of girl students. Many girls obtain scholarships, but many others forgo them for personal or family reasons. Only 19 per cent of girls took up scholarships to study within Jordan in 1996, and only 7 per cent to study abroad.

73. In addition to State scholarships, there are 65 non-governmental organizations which award scholarships, and 43.5 per cent of recipients are girls. It should be mentioned that some women's organizations award scholarships only to girls, and that 31 organizations provide loans for higher education, of which 31 per cent of recipients are women.

Article 10 (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."

74. The results of the 1994 population and housing census show that the overall illiteracy rate has dropped to 14 per cent. However, while the rate is only 9.8 per cent for men, it is still fairly high (20.6 per cent) for women. The Ministry of Education is trying to bring the rate down to 8 per cent by the beginning of the year 2000. To accomplish this goal, it has been working with non-governmental organizations to open literacy centres offering instruction to adults who did not have this opportunity in their youth. The Jordanian educational system now incorporates the principle of continuing education, so that citizens who have learned to read, write and count in literacy courses do not subsequently lose that ability. Two years of follow-up courses have been added to the literacy curriculum, and centres for evening classes and correspondence courses have been created to allow those who wish to do so to continue their studies and take the general secondary education examination.

75. Under the literacy programme in effect in Jordan since the 1950s, a literacy course is offered when there are 10 to 15 persons interested in taking it. The Ministry of Education provides literacy students, men and women, with the necessary learning materials free of charge. There are 573 literacy centres in the country, of which 521 are open to women, who account for 9 per cent of all students. It

should be noted that in the 15 to 30 age group, the illiteracy rate is lower for women than for men. The curriculum is designed for all adults regardless of sex; however, in terms of the textbooks used, some subjects are addressed primarily to men and others to women (childrearing, domestic hygiene, home economics, social behaviour, etc.).

76. The Ministry of Education runs two kinds of post-literacy programme: general education and vocational training. The general education programme includes the follow-up courses for individuals who have completed the literacy curriculum but cannot, because of their age, continue their studies through the formal education system. On completing the follow-up programme, students receive a certificate of achievement equivalent to completion of the sixth year of basic education. The general education programme also includes evening classes for people who have been unable to complete their formal education; on completing this programme, students take the general secondary education examination. Lastly, there are non-formal education courses for people not in standard scholastic programme who are studying on their own in order to take examinations given at publicly administered schools. The vocational training programme comprises training courses not associated with scholastic institutions and supervised by quasi-public bodies or non-profit organizations.

77. The National Strategy for Women stresses the need to reduce the female illiteracy rate to around 10 per cent by the year 2000. The Jordanian National Committee for Women organized a workshop in 1996 on the theme "Jordanian women and illiteracy: present realities and future challenges", at which recommendations were formulated on policies, implementation mechanisms that could be used by public bodies or non-governmental organizations, and the role of the media. Non-governmental organizations were urged to offer literacy courses in the place where they operate, since only 3 per cent of such are located in the metropolitan region. Another recommendation was that the penalties imposed on parents who do not send their children to school should be increased.

Article 10 (f)

"The reduction of female student drop-out rates and the organization of programmes for girls and women who have left school prematurely".

78. The drop-out rate for the 1996-1997 school year was 0.9 per cent for all students: 0.69 per cent for girls and 1.16 per cent for boys. The Ministry of Education is seeking to limit the school drop-out problem by working with the administrative authorities to force the parents concerned to send their children to school. However, no statistics are available on the number of returning students. By educational level, the female drop-out rate is 1.37 per cent at the end of the basic educational cycle and rises to 1.87 per cent in the higher secondary education cycle, chiefly because of early marriage, working at home or poverty.

79. The Ministry hopes to be able to do more to combat the problem by enforcing article 10 of Act No. 3 of 1994 on education and instruction, which provides that a child may not be taken out of school during the basic education cycle until he or she reaches the age of 16. Schools are working actively to build closer ties with students' families through school counselors and to foster greater cooperation between counselors and teachers, with a view to gaining a better understanding of the needs of children who drop out of school and encouraging teachers to adopt behavioural modification methods in order to reduce or even solve the school drop-out problems and that of poor scholastic achievements. More emphasis is also being placed on family counseling services.

80. According to a 1995 Ministry of education field survey into the causes of the school drop-out problem in basic education, which covered 50 schools throughout Jordan, drop-out rates vary from province, depending on the measures taken to combat the problem. The survey also identified two different kinds of explanatory factors for the problem: "motivational factors" and "withdrawal factors", as seen by pupils, their families and school principals. Table 6 below summarizes the reasons given to dropping out of school.

Table 6. Reasons given by girls, their families and school principals for their dropping out of school

Persons surveyed	Reason for dropping out	Drop-out rate (%)
Pupils	Bad marks and repetition of grades	42
	Marriage and other personal reasons	35
	Hate school and fear punishment	31
	Poverty and need to work to help the family	14
Parents	Pupil hates school because of violence and punishment	48
	Bad marks and repeated failures	46
	Educating girls is not important	39
School principals (on male and female drop-out rates)	Family poverty	85
	Family thinks educating girls is not important	85
	Family divided and in conflict	73
	Bad marks	
	Pupil has to work to supplement the family income	63

Source: Ministry of Education, September 1995.

The discrepancy between the reasons given by pupils and their parents, on the one hand, and school principals, on the other, suggest that the latter are unaware of or unconcerned about the severity of teachers' educational methods. The survey also revealed that a major factor was substandard school environment and school facilities. In 34 per cent of the schools with high drop-out rates, the toilets did not work, and in 27 per cent, there were too few toilets. Half these schools had no library, no laboratory, and no teaching materials in decent condition. Moreover, half these schools were a long way from pupils' homes and it was difficult to get to them. The survey also brought to light the importance of regional factors, since the reasons for dropping out of school varied from one part of the country to another, depending on the way of life. School distance was a major reason for girls in one northern city and the primary reason among Bedouin populations constantly on the move with their flocks. Lastly, the survey made it possible to identify some solutions to the problem: setting up reinstatement classes for children who have dropped out, reviewing the situation of centres that take in pupils with learning difficulties; providing counseling services for pupils who are having problems in school or have dropped out; improving the school environment; and offering refresher courses and continuing training for teachers, emphasizing the need to create a healthy, positive educational environment and not to repressive, punitive methods.

Article 10 (g)

"The same opportunities to participate actively in sports and physical education".

81. Physical education is part of the curriculum at all levels in both girls' and boys' schools, whether in schools administered by the Ministry of Education or in private schools. For girls as well as boys, two physical education classes per week are required from the first year to the sixth year of basic education, and one class from the seventh year to the final year. Academies organize tournaments between boys' and girls' school teams in all sports included in the curriculum (especially basketball and volleyball), except for football, in which there are only boys' teams. The Ministry of Education then organizes tournaments between the boys' and girls' teams of the different academies. Cultural and artistic competitions, open to boys and girls, are also organized by schools, academies and the Ministry in such areas as public speaking and poetry, music, theatre, short story and narrative, science projects, the plastic arts and chess.

82. The Ministry of Youth is responsible for monitoring the activities of women's sports associations and ensuring the necessary cooperation and coordination with other relevant bodies in order to encourage women to engage in sports and in order to develop programmes and proposals for improving and raising the level of women's sports. To increase women's participation in sports and physical education, the Ministry of Youth has placed special emphasis on women in its future programmes, which include publicizing the positive aspects of women's participation; publishing documentation to raise awareness and educate people about women's sports; opening special sports centres for women in all provinces; increasing the opportunities for women to engage in sports and creating sports facilities throughout the country to facilitate this; and working towards the creation of a national and an Arab women's sports league.

Article 10 (h)

"Access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning".

83. The National Council on Education decided in 1994 to adopt the broad outlines of a project for introducing population education into the basic education curriculum, population education being defined as "an educational process designed to enable participants to acquire the knowledge, skills and readiness to understand the causes of demographic phenomena, their interaction with various other aspects of life and their implications for participants' own lives and for the present and future interests of their family, their community, their country, their nation and the world, so that they can take conscious, sensible decisions based on a proper understanding and assessment of the demographic situation and in keeping with the philosophy and goals of the Jordanian educational system".

84. Population education in Jordan covers a number of areas, with corresponding sets of principles. The areas covered are the following: population structure and distribution, data sources; population dynamics; population, family and society; population and development; population, health and nutrition; population and environment; and population and national security. The family and society area covers principles relating to the evolving roles of men and women in Jordanian society, marriage and conflicts between spouses, divorce and the status of women.

85. According to a Ministry of Education survey on basic education curricula, the National and Civic Education Institute has data on the influences of women's education on family organization; the role of improved hygiene in reducing mortality; and the importance of health awareness-raising and education and of using scientific methods of family planning such as birth spacing, which is necessary for maintaining maternal health. The Institute also has literature on the importance of the complementary roles of men and women in family planning, which is a right for both spouses.

Article 11. Employment

"1. States parties shall take all appropriate measure 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".

86. In accordance with the principle that the right to work is a universal right, article 23.1 of the Jordanian Constitution provides, as indicated in paragraph 4 above, that "Work is the right of every citizen, and the State shall provide opportunities for work to all citizens by directing

the national economy and raising its standards". Jordanian labour law is constituted by the laws and regulations on employment in the public and private sectors. Public sector employees are covered by Act No. 1 of 1988 on the civil service, which gives effect to article 120 of the Constitution. Workers in the private sector are covered by the Labour Code (Act No. 21 of 1960, superseded by Act No. 8 of 1996, which took effect on 21 January 1996 and conferred new rights and benefits on female workers).

87. In past decades, women's labour force participation rate was low because of social traditions restricting women's access to the labour market. Economic development and expanded education for women have brought about an increase in women's employment, although the rate still remains low compared with other countries, developed or developing. Women accounted for only 13.6 per cent of the total workforce in 1996. The work done by women in the form of unpaid housework or agricultural work is not taken into account in employment statistics or in the statistics for gross domestic product and gross national product.

88. Women's rate of participation in economic activity is 16.5 per cent. Table 7 below shows that women's highest rate of economic participation is in the 25 to 29 age group, followed by the 20 to 24 age group and the 30 to 34 age group. After that, the rate drops off sharply with age because women retire earlier or withdraw from the labour market for social reasons, primarily the burden of housework and child-rearing.

Table 7. Rate of participation in economic activity by the population aged 18 years and over, by age group and sex

Age bracket	Total (%)	Men (%)	Women (%)
18-19	32.7	53.2	9.7
20-24	53.4	80.9	24.8
25-29	61.0	96.0	25.9
30-34	60.3	97.7	23.5
35-39	55.3	96.9	16.6
40-44	51.7	95.3	11.1
45-49	48.5	94.4	7.7
50-54	48.2	89.5	4.7
55-59	44.5	83.1	3.4
60-64	34.4	67.5	1.5
>65	22.5	42.7	0.9
Total	50.3	83.9	16.5

Source: Department of Statistics, 1994, accompanying survey to the general population and housing census.

89. Table 8 below shows that the highest employment rates for women are in the categories "Specialists" and "Technicians and assistants"; this reflects the impact of women's education on their employment, since most female employees in these two categories have a university degree or equivalent. Most of these women work in education and health, two sectors where it is socially acceptable for women to work. There are very few women working in non-traditional occupations and the few that do have chosen to do so. The authorities do not have a policy of encouraging women to enter these occupations, other than providing some vocational training programmes for a few specific occupations.

Table 8. Distribution of the economically active population aged over 15 years, by occupational group and sex

Occupational group	Men (%)	Women (%)
Upper management and senior civil servants	2.4	0.9
Specialists	8.4	23.1
Technicians and assistants	5.8	27.8
Typists	6.8	13.6
Services and sales	12.7	8.7
Farming and fishing	9.1	10.4
Skilled trades and similar occupations	23.6	4.6
Equipment operators and similar occupations	12.4	0.6
Primary occupations	18.7	10.1
Other	0.1	0.2

Source: Department of Statistics, Survey of employment and unemployment, second phase, 1996.

90. In addition to article 23.1 of the Constitution, which sets forth the principle of the equality of all citizens, men and women, with regard to employment, article 22 provides that "every Jordanian shall be entitled to be appointed to public office under such conditions as are prescribed by law or regulations". With regard to public sector employees, Act No. 1 of 1988 on the civil service, which gives effect to article 120 of the Constitution, makes no distinction between men and women with regard to recruitment, promotion or grade level in the public service. The administrative instructions applied in public bodies also do not discriminate, but the actual figures on the number of women occupying management positions in the administration or having undergone training reveal considerable disparities in these areas.

91. Such disparities can be seen, for example, by comparing applications with actual appointments for vacancies in the various administrative departments. According to a report of the Civil Service Bureau covering the years 1994 and 1995, in 1994 there were 125 female applicants for every 100 male applicants; 8.5 per cent of the male applicants were appointed, in contrast to only 5.4 per cent of the female applicants. In other words, the ratio was reversed, with 125 men being appointed for every 100 women. In 1995, 5.6 per cent of male applicants were recruited and only 1.8 per cent of female applicants, a ratio of 250 men to 100 women. There are not sufficient data to determine why preference is given to male applicants, one possible explanation being that while government recruiting departments can specify the sex of applicants, such figures are not available for the private sector.

92. The disparities are equally obvious in access to supervisory or decision-making posts in both the public and private sectors. A study conducted in 1997 in a number of Ministries and other administrations and a number of private companies showed that in the administrations surveyed, which had a total of 142,464 employees, women accounted for 35.7 per cent of the workforce and were concentrated in education (51.9 per cent) and health (39.3 per cent). The same study showed that women occupied 6.9 per cent of first-tier posts and 38.6 per cent of second-tier posts. There are very few women directors (7.5 per cent) and women occupy only 11.6 per cent of supervisory posts. In the private sector companies covered by the study, women accounted for 10 per cent of all staff and occupied 12.5 per cent of director posts and 10.2 per cent of supervisory posts.

93. The employment modalities in force on the Jordanian labour market, whether public or private, are based on full-time work; the rare instances of shared posts or part-time work are no covered by the laws and regulations. Labour law effectively ignores agricultural workers, family firms and domestic employment. Some companies employ women to do piecework at home; since labour law does not consider piecework to be wage labour, these women do not enjoy the benefits and rights – social security, annual leave, etc. – accorded to "official" or full-on such work or on the wages earned by these women.

94. The right to work is guaranteed to all Jordanians, men and women, but the right to free choice of profession and employment is governed by many factors, including an inadequate job supply, which limits opportunities for choice because of the growing number of applicants for posts and jobs in both the public and private sectors. The increase in unemployment in Jordan in recent years (14.4 per cent for the population as a whole and 34.3 per cent for women in 1997) sometimes makes it necessary for a worker to accept any job that is available. The civil service regulations provide for the right to promotion and job security and establish, for both men and women, the rules governing rights and obligations, performance evaluations, promotion, training, transfer, remuneration and dismissal.

95. Also with respect to promotion and job security, the civil service regulations on promotions from one grade to another and on annual pay increments make no distinction between men and women, and the same is true of the rules on disciplinary measures, dismissal and separation from service. With regard to the number of years which an employee must work before being entitled to a retirement pension, article 15 of Act No. 34 of 1959 on civil service retirement states that: "The Council of Ministers is empowered to retire any male government employee who has completed 20 years of pensionable service; for female government employees, the period is 15 years of service." This provision benefits women in some ways, but some people see it as discriminating against women in that it restricts their opportunities for promotion and for appointment to high-level posts. Non-governmental organizations are therefore calling for it to be amended to make the retirement age the same for both sexes. Another discriminatory clause of the civil service retirement Act concerns the system of survivor's benefit, death benefit or other compensation upon the death of a government employee are "the surviving wife or wives, sons under 17 years of age, daughters who are unmarried, widowed or divorced, the mother if widowed or divorced and the father if the latter was fully dependent on the deceased and the latter was unmarried". This clause discriminates in favour of women, since it allows benefits to be paid without a time limitation to daughters who are unmarried, widowed or divorced, whereas sons stop receiving benefits when they reach the age of 17. The Jordanian National Committee for Women has suggested that the first paragraph of the article should be amended to include the word "husband", so that the husband of a female government employee can also receive benefits after her death, since it is discriminatory to deny a woman civil servant the possibility of passing on that benefit to her surviving spouse. Article 34, of the Act states that "In the event of the death of a female employee, her pension shall be transferred to her beneficiaries in accordance with the provisions of this Act, provided that it is shown that they are in need and that they were directly dependent on the deceased". This clause also discriminates against women, since the transfer of the pension to the legal heirs is automatic in the case of a deceased male employee but subject to conditions in the case of a deceased female employee.

96. For the private sector, the Labour Code establishes the rights and obligations of employers and employees, without distinction between men and women, with respect to separation from services, unfair dismissal, dismissal without notice and abandonment of post. Social protection for employees, both men and women, is governed by Act No. 30 of 1978 on social security, as amended. Article 3 (a) of the Act provides for insurance against industrial accidents and occupational diseases, old age, disability and death; insurance against temporary disability due to illness or maternity; health insurance for the employee and his or her dependants; family allowances; and unemployment insurance.

97. Article 25 of the Act on social security stipulates that social protection shall cover: (a) medical care necessitated by the state of health of the insured; (b) daily cash benefits in the event of temporary disability resulting from the covered incident, subject to the provisions of article 33; (c) monthly benefits and one-time compensation; (d) monthly benefits to dependants; and (e) funeral expenses. The Act also specifies the rights of employees, men and women, to insurance for old age, disability and death. The rules governing retirement also ensure equal treatment for men and women, with the exception of a few discriminatory clauses which the Jordanian National Committee for Women has proposed should be amended. The amendments include allowing the pension of a deceased female employee to go to her surviving spouse since, as it now reads, article 56 of the Act makes that arrangement conditional on the husband's being completely disabled and having no personal income equivalent to a retirement or disability pension.

98. With regard to on-the-job training, statistics complied by the Civil Service Bureau show that of the government employees who benefited from short-term training courses in 1995, 88 per cent were men and 12 per cent women; in 1996, the percentage of women rose slightly, to 16.6 per cent. For training courses lasting from one to six months, 91 per cent of participants were men and only 9 per cent were women. Corresponding statistics for the private sector are not available.

99. The Vocational Training Agency endeavours to create opportunities for workers to train as technical personnel and to add to their skills in various non-scholastic specializations. It also tries to diversify the types of training available, including apprenticeship, which enables young people to receive long-term training; training and skills-enhancement for workers within their own firms; and intensive, accelerated training programmes for a variety of occupations. However, as the figures in the previous paragraph show, the number of women taking advantage of these training opportunities remains very low.

100. Unions in Jordan are of two kinds: professional associations of doctors, engineers, nurses and the like and trade unions (of metal-workers, railway workers, etc.). the percentage of women members is 18.7 per cent for professional associations and 27 per cent for trade unions. These figures do not reflect women's actual participation in union activities, since few women manage to occupy positions of responsibility in these organizations.

101. Volunteer organizations, apart from their training activities mentioned in paragraph 65 of this report, organize conferences on the situation of women's employment, equality of opportunity in employment, equality in wages and other benefits and similar issues. They also carry out projects aimed at creating employment opportunities for women by organizing training and advanced training for women, teaching them how to set up and run income-generating projects, publishing books and other materials on labour law and putting on plays about the importance of women's work.

Article 11 (1) (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".

102. The civil service regulations (Act No. 1 of 1988 and subsequent amendments up to 1 May 1995) do not discriminate against women with regard to wages and benefits. The only discriminatory provisions in the public sector are those relating to family allowances, which are paid automatically to male government employees but are only paid to female government employees if their spouse is retired or deceased. Article 112 (c) of Act No. 23 of 1988 concerning uniform benefits states: "Family allowances shall not be paid: (a) to a female employee for her children if their father is alive and not retired; (b) to her children or by virtue of the permanent disability of her spouse". Except for these provisions, article 14 (a) of the civil service regulations makes the remuneration and benefits of government employees uniform, without any gender discrimination. Article 107 establishes the rights of civil servants with respect to compensation and benefits, and articles 145 and 146 establish mechanisms for evaluating the quality of their work on an equal footing.

103. In the private sector, Act No. 8 of 1996 governs the setting and enforcement of the minimum wage and disputes concerning it, making no distinction between the sexes. Article 52 (a) of the Act states: "The Council of Ministers, on the recommendation of the Minister, shall establish a commission composed of an equal number of representatives of the Ministries, wage-earners and employers and shall set the minimum wage in Jordanian currency, either nationwide or for a given region or occupation. The members of the commission shall be appointed for a two-year term and may be reappointed". Article 53 of the Act states: "Any employer or agent thereof who pays an employee less than the legal minimum wage shall be subject to a fine of no less than 25 dinars and no more than 100 dinars, in addition to paying the difference in wages and any increase in the penalty of the violation continues". These provisions have yet to be put into practice, since the amount of the minimum wage has still to be set. With respect to wage equality, Ministry of Labour inspectors attempt to ensure respect, in all provinces, for the provisions of the international labour conventions ratified by Jordan, notably International Labour Organization (ILO) Convention No. 100 concerning equal remuneration; however, at the time of drafting this report, no law had as yet been passed embodying the principle of equal pay.

Article 11 (1) (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".

104. Jordanian laws, particularly those mentioned above (Labour Code, civil service regulations, civil service retirement Act and social security Act), contain numerous provisions which set out the rights of Jordanian men and women with regard to retirement, sickness, disability and old-age benefits and paid holidays, without distinction as to sex, in both the public and private sectors. In the civil service,

the number of days of paid annual leave depends on the grade of the person concerned and is granted in addition to sick leave, study leave and leave for exceptional reasons. The Labour Code establishes the number of days of paid annual leave in the private sector without distinction as to sex. Act No. 30 of 1978 on social security, as subsequently amended, establishes the social benefits described in paragraph 97 of this report for private sector employees.

Article 11 (1) (f)

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

105. Article 69 of the Labour Code (Act No. 8 of 1996) provides that the Minister, in consultation with the competent official services, shall determine: (a) those activities and jobs in which women are prohibited from working; and (b) the hours at which women are prohibited from working and any exceptions thereto. Accordingly, there are decrees which prohibit women from working in certain activities and jobs and between the hours of 8 p.m. and 6 a.m. and also provide exceptions to this prohibition. Articles 78 to 85 of the Labour Code establish rules on occupational health and safety and general safety rules without any discrimination as to sex.

Article 11 (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 dismissal on the basis of marital status".

106. Article 27 (a) of the Labour Code (Act No. 8 of 1996) provides that an employer may neither dismiss nor issue a warning to an employee in a number of situations, particularly "when a female employee is pregnant, beginning in the sixth month of pregnancy and continuing through maternity leave". This provision is not contained in the civil status regulations.

Article 11 (2) (b)

"To introduce maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances".

107. Article 91 of the civil service regulations provides that a pregnant female civil servant is entitled to three month's maternity leave, commencing before and ending after childbirth, without any reduction in salary, including all legally required benefits. Article 70 of the Labour Code provides that female salaried employees are entitled to maternity leave with full pay, commencing before and ending after childbirth, for a period of 10 weeks in all, at least six weeks of which must be taken after giving birth, it being understood that the employee may not return to work before the end of this period.

108. The Labour Code (Act No. 8 of 1996) also deals with this topic in article 67, which provides that: "A female employee of a firm with 10 or more employees shall be entitled to leave without pay for a maximum period of one year in order to devote herself to raising her children, with the guarantee of returning to her job at the end of this period, however, she shall forfeit this right if she accepts paid employment in any other firm during this period". Article 67 further provides that each of the two employed spouses shall be entitled to take leave without pay once, for a maximum period of two years, in order to accompany the other spouse if he or she takes a job in another province of the Kingdom or abroad. Article 94 of the civil service regulations (Act No. 1 of 1988) provides that: "a female civil servant may be granted leave without pay if her family situation requires her to take care of a young child or any of her other children, or of her husband or of one of her parents if they are ill and their state of health so requires. A female civil servant shall also be entitled to take leave without pay if her husband works abroad, if she is on study leave or on secondment, or if she is assigned to a mission abroad or transferred abroad, provided that the total duration of such leave does not exceed six years over the course of her career; this leave may be granted at several different times, provided that its total duration does not exceed the above-mentioned maximum". In this connection, the expansion and modernization of public transport in order to facilitate travel by women is extremely important.

Article 11 (2) (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".

109. Article 71 of the Labour Code provides that a female salaried employee is entitled, after her maternity leave, to one or more periods of paid absence not exceeding on hour per day in order to breastfeed her child up to one year after birth. Article 76 provides that firms employing at least 20 married women must set up a suitable area in which a qualified childcare worker can look after female employees' children who are under four years of age, provided that there are at least 10 such children.

110. There was a sharp increase in the number of childcare centres between 1993 and 1996, as can be seen from table 9 below, where they are broken down into workplace childcare centres, private childcare centres and childcare centres run by non-governmental associations.

Table 9. Increase in the number of childcare centres between 1993 and 1996

	Childcare centres		
Year	Workplace	Private	Non-governmental association
1993	252	143	48
1996	328	210	60

Source: Ministry of Social Development, annual reports 1993-1996.

These services provided to female employees, which take in children from birth to 3.8 years, are an appropriate response to genuine needs, in terms of the quality of services and their availability in all parts of the country. In the pre-school of kindergarten phase, the private sector provides services on a large scale nationwide, as shown by the statistics given in paragraph 59.

Article 11 (2) (d)

"To provide special protection to women during pregnancy in types of work proved to be harmful to them"

111. Pursuant to article 69 of the Labour Code (Act No. 8 of 1996), which was discussed in paragraph 105 above, pregnant women are prohibited by ministerial decree from holding the following jobs: (a) jobs which expose them to ionizing radiation or X-rays; (b) all jobs which involve exposure to the vapours and fumes of petroleum by-producets; (c) jobs which involve exposure to converted nitrogen products; (d) jobs which involve exposure to aniline in dyeing plants, to carbon bisulphate used in the manufacture of artificial silk and cellophane, to petrochemical products derived from refined oil; and to phosphorus, nitropetroleum, manganese, calcium and barium.

Article 11 (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".

112. The Legal Committee of the Jordanian National Committee for Women is now reviewing the provisions on the status of women in all Jordanian laws and regulations. This undertaking, which has focused, in particular, on the Labour Code and the civil service regulations, has made it possible, in particular, to grant women new rights under the Labour Code (Act No. 8 of 1996). The Committee's recommendations on maternity leave were also adopted, and the length of maternity leave was extended from two to three months for public sector employees. The National Committee is continuing this analysis of legislative and regulatory texts and is now reviewing retirement and social security legislation in order to secure new rights for women in those areas, taking into account the evolution of scientific and technical knowledge.

Article 12. Health

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

113. Act No. 21 of 1971 on public health provides that the Minister of Health is responsible for all health-related matters in Jordan, in particular for: (a) providing preventative medical services and treatment; (b) combating communicable diseases; (c) raising awareness about health problems and developing health education through all available means; (d) protecting public health to the extent of the Ministry's means; (e) creating and managing specialized educational establishments in the various health professions, establishing their curricula, appointing their teaching staff and awarding degrees tot their graduates.

114. In view of the close linkage between health and sustainable development, most countries have undertaken to implement strategies and programmes for improving the standard of health of their populations, in cooperation with both government and non-governmental bodies. Like most developing countries, Jordan has made every effort to improve the health situation of the population in general, and reproductive health in particular, by implementing national policies and strategies which accord priority to the health sector, particularly the National Population Strategy (see annex III) adopted by the Council of Ministers on 9 March 1996, which emphasizes reproductive health and is aimed at: (a) protection of maternity and childhood through the reduction of pregnancy- and birth-related maternal mortality rates, reduction of infant and post-infant mortality rates and treatment and reduction of cases of malformation; (b) protection of the family, family planning and birth spacing through the development of family planning services and an increase in the use of family planning methods, more active involvement of the private and volunteer sectors in introducing and strengthening family planning services, better use of existing capacities in this area and the introduction of effective health education and information structures in this area.

115. Health is one of the central themes of the National Strategy for Women, the full text of which is reproduced in annex II to this report. The strategy includes objectives relating to the quantitative and qualitative improvement of health services for women and to awareness-raising on health issues and education for women in this area. Many measures have been taken to achieve these objectives, particularly those relating to health services for women at different stages of their lives (although services for elderly women are still deemed to be inadequate), the expansion of maternal and child health centres throughout the country, support for family planning and birth spacing organizations and awareness-raising and health education programmes for the population in general and women in particular.

116. General health statistics for Jordan show a significant improvement in the situation in this area over the past two decades. The infant mortality rate was reduced from 64 per 1,000 live births in 1980 to 28 per 1,000 live births in 1998, and the under five mortality rate was reduced from 10 to 5 per 1,000 over the same period. Improved health care also led to an increase in life expectancy at birth, which rose from 60 to 66 years for men and 64 to 70 years for women between 1980 and 1996.

117. According to a Ministry of Health study on the prevalence of anaemia and iron deficiency in women of child-bearing age, some 23 per cent of women in the 15 to 20 age group suffer from anaemia and some 26 per cent and 24.8 per cent respectively in the 20 to 29 and 30 to 39 age groups. The proportion of pregnant women suffering from anaemia increases from 10.53 per cent in the first trimester to 33.75 per cent in the second trimester and 46.5 per cent in the third trimester.

118. While 94 per cent of children are breastfed, for 15 per cent of children this practice is exceptional in the first three months of life. The Ministry of Health has taken a number of measure to protect and encourage breastfeeding, including prohibiting the distribution of free samples of formula in public hospitals since 1991, implementing the baby-friendly hospital initiative and extending it to all the country's hospitals, public and private, and, in 1995, establishing a commission to promote breastfeeding and monitor the baby-friendly hospital initiative.

119. According to Ministry of Health statistics, 46.35 per cent of cancer patients are women; most of these cases involve breast cancer, not counting cases registered in private hospitals. As for acquired immunodeficiency syndrome (AIDS), according to official statistics, there were 174 cases in Jordan in 1996, of which 38 (or 21 per cent) were women. The national AIDS control programme was introduced in 1986, after the first cases were detected in Jordan, in order to check the spread of the disease, it consequences and how it is transmitted. In this connection, drug addiction among women has declined; according to police statistics, the proportion of women drug addicts as compared to men was no more than 6.1 per cent in 1996.

120. In 1988, the Ministry of Health established a commission for the promotion of reproductive health, called the "Safe Motherhood Commission". The Commission's structure, strategy and programme of action were overhauled in 1996. Apart from it, there are a number of volunteer organizations which carry out projects that come under the heading of "safe motherhood" but are confined to one aspect of it, namely, family planning. These institutions have fewer capacities in the other three aspects – prenatal care, high-risk pregnancy and safe childbirth.

121. Definite strides have been made in the area of reproductive health in Jordan, as a result of action taken in the health and medical fields by government bodies, non-governmental organizations and the private sector. The proportion of pregnant women receiving prenatal care rose from 80 per cent in 1990 to 95 per cent in 1996. The number of medically supervised births rose from 79 per cent in 1990 to 97 per cent in 1997. The maternal mortality rate is considered to be the best indicator of the health care provided by a country. In Jordan, it was 41.4 per 100,000 live births in 1994. The main causes of maternal deaths appeared to be, in descending order, high blood pressure, haemorrhage (apart from abortion), pulmonary embolism and sepsis. This indicator also demonstrates the progress made in saving mothers' lives, in that it fell from 80 per 100,000 live births in 1980 to 60 per 100,000 in 1990.

122. Turning to contraceptive prevalence rates, 52.6 per cent of married women use birth control, as indicated in table 10 below.

Table 10. Contraceptive prevalence rates

Contraceptive method	Percentage
Pill	6.6
Intra-uterine device	23.1
Intra-vaginal injections	0.7
Implants	0.1
Diaphragm (cream, gel)	0.5
Condoms	2.4
Female sterilization	4.2
Traditional methods	14.9

Source: Department of Statistics, Survey on fertility and family health, 1997.

The table shows that the preferred method of contraception in all parts of the country is the intra-uterine device, followed by traditional methods, mainly prolonging the breastfeeing period, which are most often practiced by women who are uneducated or have only a basic education. Sixty-eight per cent of other married women use no contraception, and those who expressed a desire the following year to use a method of birth control opted mainly for the intra-uterine device and the pill. Male vasectomies are unknown in Jordan. There is no law or policy imposing legal procedures for using any particular method of contraception, except that the husband's consent is require for the woman's voluntary sterilization.

123. Jordan's family planning programme is influenced by customs, traditions and existing patters of reproductive behaviour within the Jordanian family, such as the preference given to large families. Average family size in Jordan is 6.2 persons and the birth rate is 32 per 1,000, a situation which was based essentially on agriculture, requiring many hands to work the land. There is still a preference for male children, not only because they are more useful in the fields and orchards but also because, socially, the larger the family and the more boys as opposed to girls, the prouder the father.

124. The study by the Ministry of Social Development on the present and future situation of the Jordanian family is a good illustration of the preference given to boys, since what is considered to be the ideal number of boys in the family ranges from one to four, whereas the ideal number of girls is thought to be one or two. A trend towards smaller families is nonetheless emerging, particularly among the younger generation, owing to the overall economic and social situation in Jordan.

125. It should be pointed out that Jordanian law, particularly articles 321 to 325 of the Penal Code (Act No. 16 of 1960), prohibits abortion in any circumstances unless the woman's life is in danger, in which case the pregnancy is considered an illness under the current social insurance scheme. There are no data or studies on deaths among women as a result of abortion.

Article 12 (2)

"[…] States Parties shall ensure to women appropriate services in connexion with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation".

126. The State, represented by the Ministry of Health, the royal medical services and the Jordanian University Hospital, provides maternal and child health care services, administered by qualified, experienced staff in maternal and child health centres located throughout the country, in accordance with a national plan. Table 11 below gives data on the ration of the various categories of health care worker to the Jordanian population.

Table 11. Ration of health-care workers to the population

Category	Ratio per 100,000 inhabitants
Doctors	16.5
Dentists	4.9
Pharmacists	7.3
Certified nurses (male and female)	11
Certified midwives	2
Auxiliary nurses	12
Nurses' aides	5

Source: Ministry of Health, annual report, 1996.

127. As for women's participation in the health sector, table 12 below gives the number of women belonging to professional associations in the health sector in 1997.

Table 12.Number and percentage of women belonging to health sector professional associations in 1997

Association	Number of women	Total membership	Percentage of women
Doctors	1,632	12,725	12.9
Dentists	1,000	3,200	31.2
Nurses	4,575	6,291	72.7
Pharmacists	2,028	4,760	42.6
Certified midwives	903	903	100

Source: Data provided to the Jordanian national Committee for Women by the associations concerned.

Women account for a large percentage of the staff of the Ministry of Health (approximately 47 per cent), where they occupy many posts of responsibility, including those of director and chief of service.

128. Maternal and child health centres and family planning centres were integrated into medical centres in 1985, in order to give women access to all the services available in the latter. The number of maternal and child health centres was 308 in 1996, and four training centres have been established in Amman, Zarqa, Irbid and Karak in order to teach the principles of reproductive health to medical personnel at all levels. There are also eight maternal and child health centres in various hospitals.

129. The strategy for preventing handicaps also involved setting up a programme of premarital medical examinations. Four health centres were equipped to offer this service to prospective spouses, although it is not legally required. The number of such centres has been increasing in recent years and now totals 28. there is no specific programme on the nutrition of pregnant women; however, nutrition advice is given free of charge in maternal and child health centres. If necessary, tonics, iron supplements and tetanus vaccinations are administered to pregnant women free of charge. The rate of vaccination coverage of pregnant women was 54 per cent in 1992 but dropped back down to 41 per cent in 1997.

130. Table 13 below gives an idea of the increase in the number of women who use these centres and the services they offer.

Table 13. Activities of birth spacing units in the maternal and child health centres run by the Ministry of Health, 1990 and 1997

Recipients and services	1990	1997
First Visit		
Pill	4,086	12,904
Intra-uterine device	4,769	12,044
Condoms	2,529	7,852
Recipients		
Pill	11,384	16,178
Intra-uterine device	8,804	30,864
Condoms	2,949	22,672
Implants	-	92
Injections	-	2,859

Source: Ministry of Health, undated, progress report on efforts made in the area of family planning in Jordan.

131. The royal medical services carry out family planning activities in special units within hospital gynaecological and obstetrical departments. These activities mainly involve the insertion of intra-uterine devices (IUDs) and the prescription of birth control pills, injections and other methods of contraception. The gynaecology, obstetrics and family planning centre of the Jordanian University Hospital provides family planning services, including IUD insertion, prescription of birth control pills, injections and spermicides, insertion of implants and distribution of condoms. The centre also trains the medical staff in the area of family planning and related advice. More than 30 doctors and 70 nurses and midwives have received such training.

132. The private sector also participates in this area, through family planning services provided in the offices of doctors, both specialists and generalists, and in private hospitals, which also provide birth spacing services. The services provided by the private sector include IUD insertion, prescription of birth control pills and injections, insertion of pessaries and implants and distribution of spermicides and condoms. There are no precise figures or studies on the services provided by the private sector. Nearly 500 private doctors and more than 1,000 pharmacists were trained in birth spacing techniques and IUD insertion under a project implemented by the SOMARC association, with the cooperation and support of the Ministry of Health. Contraceptives are provided directly to recipients by pharmacies.

133. Associations provide vital support to other sectors with regard to health services. Many non-governmental organizations deal with family planning. Some of them have opened clinics offering family planning services and mobile clinics, organized free medical care days in remote areas of the country and launched a project to raise awareness of the issue of population and development among poor families and youth, in order to promote reproductive health, family planning and environmental protection through training courses and the publication of information materials.

134. The Jordanian Family Protection and Planning Association runs 19 clinics in 11 provinces of the country and two mobile clinics which travel all over the countryside and to remote areas. The Association uses this network of centres to provide modern family planning methods, including IUD, Depo-Provera (DMPA), condoms, the diaphragm and pessaries, as well as advisory, awareness-raising and educational services. The Association attaches special importance to the quality of family health services and periodically assesses the situation of the family in order to adapt its services accordingly.

135. The Association, which also provides training and education in the area of family planning and counseling, organizes training programmes designed to improve the qualifications of all providers of family planning services and to inform them about all the methods available in this area. Four centres have been established within its clinics to provide training not only to its staff but also to doctors from the private sector and staff of other non-governmental organizations. It also provides training to students enrolled in faculties of medicine and schools of nursing. The Association's sound, efficient family planning delivery system ensures that family planning methods are available at all times. As far as information and education activities are concerned, the Association organizes lectures and symposia at its centres on the latest developments in family planning and publishes brochures and other relevant documents. It cooperates with the Ministry of Health on externally funded projects executed by the Ministry. The table below summarizes the services provided by the Association.

Table 14. Increase in the number of women using family planning services

Services provided	1990	1997
Insertion of intrauterine devices	14,575	60,560
Prescription of the pill	8,717	15,892
Other contraceptive methods	3,317	16,675
Total	26,609	93,127

Source: Same source as the previous table.

The table shows that the insertion of the intrauterine device (IUD) is the contraceptive method of choice among married women, and that the total number of women using the Association's services increased by 25 per cent between 1990 and 1997. As far as the main methods of contraception are concerned, there was a fourfold increase in the use of IUDs, and an 82.3 per cent increase in the use of the pill.

136. Twenty of the 23 UNRWA centres that provide family planning services insert IUDs. A total of 16,083 women have used the services offered by these centres, of whom 6,378 have used their family planning services, broken down as follows: pill, 24 per cent; IUD, 54 per cent; condoms, 19 per cent; and spermicide, 3 per cent.

Article 13. Economic and social rights

"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,

(a) The right to family benefits".

137. In Jordan, family benefits come from a variety of sources which are governed by different legal regimes. They include wage-based family allowance, health insurance, financial aid for poor families and subsidies on essential goods for low-income families, as well as miscellaneous tax exemptions. Paragraph 95 to 97 and 102 to 104 of this report contain details on the provisions relating to family allowances, health insurance, social security and retirement benefits, all of which contain elements which discriminate against women. Current progress towards the elimination of these forms of discrimination is also discussed in those paragraphs.

138. The National Assitance Fund is the main public source of standard or exceptional monetary assistance to the poorest sectors of the population. Available statistics show that women make up more than half of the beneficiaries of such assistance, wince the Fund's regulations tend to discriminate in favour of women. The categories of beneficiaries assisted by the Fund include widows and divorcees, abandoned wives, wives of prisoners and women aged over 18 years without any family support. The "zakat" (alms-giving prescribed by Islam) fund distributes the monies collected under this voluntary scheme to beneficiaries, 65 per cent of whom are women. The Ministry of Supplies gives families with monthly incomes of less than 500 dinars subsidies for the purchase of sugar, rice, milk and bread. Such subsidies, which depend on the number of persons entered in the family civil status book, are given to the person, man or woman, entered as the head of family in the book. However, women are discriminated against in some cases, for instance when they are divorced, since the children are entered in the father's family status book even when they are in their mother's custody and the mother therefore does not receive all the aid to which she and her children are entitled.

139. There is discrimination between the spouses with respect to tax relief. Article 4 of Act No. 57 of 1985 on income tax states that, in a married couple, the husband and wife are two separate taxpayers, yet the very next provision states that only the husband is entitled to the tax relief provided for by the Act. The wife may benefit fully or partly from such relief only if her husband so agrees or if she is the sole breadwinner of the family. Since such relief can be granted on a personal basis or in respect of the taxpayer's spouse, children, dependent relatives or anyone else for whom the taxpayer is responsible, and since it can also apply to the education of the taxpayer or of one of his dependants, non-governmental organizations are calling for this provision to be amended so that the granting of such tax relief to the wife would no longer require the husband's consent.

140. The Jordanian National Committee for Women carried out a survey on the economic and social situation of women heads of household, which covered 514 such women from all regions of the country, regardless of marital status (married, divorced, widowed and single). Of the total, 72 women were heads of household because their husbands had emigrated in search of employment. The survey also analysed the women's educational level, health and professional qualification and the problems they faced, in order to define appropriate policies and measures for assisting the families concerned. Lastly, it made recommendations on the importance of not giving up their rights, including their right to accommodation, and of the need t adopt better consumption patterns in order to have more reserves. There were also recommendations on amending housing policy to make it more favourable to women, on the aid to be given to women to help them to escape from poverty, on home-based production projects for women and on the protection of family cohesion and of the extended family system.

Article 13 (b)

"The right to bank loans, mortgage and other forms of financial credit".

141. Any Jordanian citizen, man or woman, can obtain a loan from a bank if he or she has sufficient income to repay the loan. As a result,

women are granted loans not on the basis of their husband's consent, but on the basis of their own ability to repay the loan or on the basis of their own property, in the case of mortgage loans. It should be noted that women find it difficult to offer collateral because they are seldom homeowners, real estate often being owned by the man. While there are no statistics on bank loans granted to women, Jordan's report to the 1995 Fourth World Conference on Women notes that lad and property ownership by women is influenced by the social order in force in the country, as well as by the structure of society, of which the family is the basic unit. This social model limits women's ability officially to own means of production in general and land or property in particular.

142. A development and employment fund was set up in the early 1990s to make up for the shortcomings of the economic adjustment programme. Its aim is to assist poor or low-income individuals, families or groups to find employment again and resume production, thereby contributing to efforts to eliminate poverty and unemployment, by granting loans for the creation of businesses. In 1994, loans granted to women accounted for 12.5 per cent and 14.5 per cent respectively of the number and total value of the loans granted by the fund. In 1997, 16.1 per cent of loans went to women. The statistics of the Industrial Development Bank, which grants loans for the handicrafts sector, show that no more than 7 per cent of the recipients of such loans are women and that the value of the loans obtained by women amounts to 8.5 per cent of the total value of the loans granted, because lending institutions demand guarantees that women, as noted in paragraph 130, are generally unable to provide. The Agency for Agricultural Credit grants loans for faming. The extent to which women benefit from this service will be considered in paragraph 162.

143. In the 1990s, non-governmental organizations have granted loans on preferential terms to help the most disadvantaged people acquire means of production and participate in economic activity. Some organizations serve as intermediaries between loan applicants and credit institutions, others establish sources of funding for women or grant them loans (ranging from 300 to 1,000 dinars) on concessional terms for job creation, guaranteed by private individuals or women's groups. They produce television films on small projects and organize training courses and lectures on the design and creation of such projects and on the corresponding training needs, which showed that women's low level of participation is attributed to social obstacles, lack of technical, commercial and administrative skills and the complex terms attached to funding programmes, in that order.

Article 13 (c)

144. Under Jordanian law, men and women have an equal right to participate in recreational activities, sports and all other aspects of cultural life. As far as regulations are concerned, although public bodies, especially the Ministry of Culture and Youth, have adopted policies to encourage the involvement of young people of either sex in such activities, female participation remains low for the same social reasons that limit women's participation in other areas.

145. The philosophy for the protection of young people in Jordan is based on a number of principles, including: organizing young people's capacities and instilling in them the values of collective effort and voluntary work in order to ensure their participation in the country's overall development process in the cultural, economic and social spheres; and encouraging young people to take up sports as a hobby that promotes physical and mental development. In order to implement these policies and attain their objectives, the Ministry of Culture and Youth has established associations, committees and clubs, the most important of which are the boy scouts and girl guides of Jordan, the Jordanian Olympic Committee, sports or cultural clubs, 33 sports associations (with a total female membership of only 7 per cent) and the Jordanian Olympic Centre, which trains coaches and young leaders.

146. In addition to the information given in paragraph 82, the youth centres run by the Ministry of Culture and Youth organize cultural activities in the form of seminars, lectures, trips and workshops. There are 23 such centres throughout the country. Although their members are young people aged between 18 and 24, any woman who is interested can take part in their activities. Each centre has between 50 and 150 members. Paragraph 81 of this report gives information on the recreational, cultural, and sporting activities of the Ministry of Education. In 1997, there were 229 cultural associations such as leagues, clubs and societies registered with the Ministry, including five women's associations, some of which receive subsidies ranging from 200 to 500 dinars a year from the Ministry. The Ministry seeks, through its various activities, to increase women's participation in intellectual and cultural life, in order to help them publicise their literary and artistic work. Women's literary works account for 5.7 per cent of the Ministry's publications and 14 per cent of the publications it subsidizes. Women receive 12 per cent of the assistance given to representational artists through the sponsorship of art exhibitions and the purchase of artistic works.

Article 14. Rural women

"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".

147. Jordan's 1994 general population and housing census defines rural areas as inhabited areas with fewer than 5,000 inhabitants, regardless of the economic activity and way of life of the inhabitants, regardless of the economic activity and way of life of the inhabitants of those areas. Despite the fact that the rural population accounts for only 22 per cent of Jordan's total population, it has adequate public services. Basic education is provided in all inhabited areas and there are health centres everywhere. These public services will be reviewed later on in this report, since the requisite statistics for both urban and rural areas are not always available.

148. While national statistics offer no way of taking into account women's work outside the formal sectors of the economy, that does not make the activities of rural women, whether in agriculture or in the home, any less important. According to a 1996 survey, rural women work an

average of 11.27 hours a day, of which 5.2 hours are spent on housework and 6.34 hours on production activities (plants, animals, foodstuffs, crafts). As far as the nature of these production activities is concerned, the survey showed that women worked first in orchards, then in vegetable gardens and lastly in the fields. As far as livestock production is concerned, they basically raise sheep, goats, cattle and hens.

149. Nearly 48 per cent of the voluntary organizations registered with the Ministry of Social Development are in rural areas, and many city-based non-governmental organizations provide services to rural inhabitants. For some years now, women's organizations have been focusing increasingly, through lectures, seminars and publications, on legal literacy programmes for rural women designed to make them aware of their rights under the Jordanian legal system. In that context, they should organize more awareness-raising lectures on the issue of women's independent financial responsibility for the work they do.

Article 14 (2)

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

(a) To participate in the elaboration and implementation of development planning at all levels".

150. Development planning as a whole, and economic and social development planning in particular, has led to many achievements in Jordan, However, the role of women in such planning, especially in its elaboration, varies from one plan to another. In some instances, there is a separate section on women, in others there is simply a mention here and there. The most recent five-year plan (1993-1997) suggests that the participation of both rural and urban women in the elaboration of such plans remains limited.

151. Generally speaking, rural women are more involved in local matters, especially in the planning of local authorities' development projects. This greater level of participation in local matters, as compared with participation in overall planning, is clearly reflected in the programmes of public or private community development centres. However, there are no statistics on the exact extent of such participation. During the 1990s, an ever-increasing number of non-governmental organizations have adopted participatory planning methods, particularly rural self-evaluation schemes, which have helped to increase women's participation in programme and projects planning. Some public institutions which are indirect contract with the rural population, for instance the Ministries of Agriculture and Social Development, have also started to apply such participartory methods in the planning and evaluation of their programmes.

Article 14 (2) (b)

"To have access to adequate health care facilities, including information, counseling and services in family planning."

152. It is difficult to compare the health services available to the rural population with those for the urban population with those for the urban population, because of a lack of relevant statistics at the level of each province. However, the increase in the number of centres at the national level between 1993 and 1996 (see table 15 below) can be used as a yardstick for measuring the overall progress achieved. It should be noted that secondary health centres are generally located in rural areas.

Table 15. Increase in the number of health centres between 1993 and 1996

Type of centre	1993	1996	Increase (per cent)
Polyclinics	23	41	25.0
Primary health centres	309	323	4.5
Secondary health centres	257	274	6.6
Maternal and child health centres	253	307	21.0
Dental care centres	131	188	43.5

Source: Ministry of Health, annual compendium of statistics, 1993 and 1996.

153. A comparison of the results of the population and family health surveys of 1990 and 1997 show some improvement in the health situation of rural women during that period. The total fertility rate of rural women, which was 6.85 in 1990, is now only 5 (compared to 4.75 and 4.22, respectively, among urban women). The surveys show that the main reason for the decline in the fertility rate is the increase in the level of education, and that the use of traditional or modern family planning methods has increased among rural women. The proportion of rural women using traditional methods rose from 11.6 per cent in 1990 to 14.6 per cent in 1997. It is nevertheless true that, in all cases, contraceptive prevalence rates are lower in rural areas than in urban areas.

154. The 1997 survey also shows that the percentage of pregnant rural woman who receive prenatal check-ups is on the rise, since 83.3 per cent of them see a doctor and 8.2 per cent see a nurse or certified midwife. In rural areas, 46.2 per cent of births are supervised by doctors, while 46 per cent of them take place under the supervision of burses or certified midwives. In rural area, 36.6 per cent of pregnant women are immunized against tetanus, as compared with 40.7 percent in urban areas. There are no differences between rural and urban areas as far as infant mortality is concerned, but child mortality was 8.4 in rural areas in 1990, compared with 5.8 for the country as a whole.

Article 14 (2) (c)

"To benefit directly from social security programmes."

155. Statistics on social security programmes do not show the extent to which rural women benefit from such services. Social security laws make no distinction between rural and urban areas, but social security organizations do not cover the informal sectors of the economy that employ rural women and urban women in some cases. According to the statistics of the Social Security Agency for 1997, women accounted for 20 per cent of all beneficiaries.

Article 14 (2) (d)

" To obtain all types of training and education, forma 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."

156. Although less than a quarter of the country's total population lives in rural areas, 46.5 per cent of the country's schools, public and private, are located there. This high percentage is attributable to the policy of extending the school network to reach the least populated areas. Girls' schools account for 16.3 per cent of rural schools, while 53.1 per cent are mixed. There are no major differences between rural and urban areas in terms of female and male enrolment rates, since girls account for 49.9 per cent of total enrolment in rural areas and 50.3 per cent in urban areas. However, when it comes to vocational and secondary education, the proportion of girls falls to 30.5 per cent and 17.8 per cent respectively in rural and urban areas, means that greater efforts are required in this area.

157. While there are no precise statistics on the official extension services benefiting rural women, a 1996 survey shows that less than a third of rural women have any contact with departments of the Ministry of Agriculture, and about 15 per cent are in regular contact with such departments. The survey also shows that women's low participation in extension services stems from the fact that they are either unaware of them or do not have time to participate in them.

Article 14 (2) (e)

" To organize self-help groups and cooperatives in order to obtain equal access to economic opportunities through employment or self-employment."

158. According to 1996 figures, Jordan had 820 cooperatives in that year, only 4 per cent of which were women's cooperatives. The above-mentioned survey on rural women reveals that 34.2 per cent of rural women find it difficult to join cooperatives because of lack of information on such cooperatives, lack of encouragement to join them, lack of financing, obligations created by the social environment and lack of consent by their husbands.

159. Non-governmental organizations have set up programmes in rural areas for organizing self-help groups designed to improve the situation of rural women, providing them with the skills required to create income-generating projects such as carper making, dressmaking, production of dairy products or porcelain goods; helping them identify sources of funding for their projects; and helping families increase their incomes at fairs and exhibitions where they can sell their products. One such non-governmental organization project is entitles " How to establish you own business;" its aims are to: (a) define and refine concepts of innovative products and determine how compatible they are with the notion of small projects; (b) transform the concept into a feasible project plan; and (c) establish relations with donors. The activities undertaken under this project comprise theoretical and practical training courses for women on income and expenditure, small projects, negotiation techniques, definition of materials, market research and production and financing plans. Women have set up projects for embroidery and the production of dairy products, porcelain goods and soap, as well as for beekeeping and cattle and chicken breeding. The non-governmental organization attributes the obstacles encountered by these projects to: (a) fear of working on the market; (b) lack of marketing skills; (c) emphasis on seasonal fairs; (d) involvement of several parties in financing; and (e) the guarantee required for loans granted to women.

160. In 1994, the Jordanian National Committee for Women undertook a study on the areas covered by small development projects open to women. The study, which was designed to identify investment prospects in the small projects sectors, reviewed and took a closer look at the cultural and social factors affecting women's access to this sector, the measures needed to encourage women to take advantage of such projects and methods of administering them. It concluded that women could invest in the following sectors: agriculture and food production; small-scale industries with production geared to the local market; and the tourist industry and projects that provide services to the public. The study also proposed 23 types of projects that women could undertake in the above-mentioned sectors. It made a number of recommendations, of which the most important are: (a) raising society's awareness of the importance women's economic activity; (b) informing women of the sources of funding for small projects and making them aware of the importance of their own participation in analyzing the viability of such projects; (c) promoting such projects; (d) studying successful small-scale projects in order to determine the reasons for their success and the obstacles they had to overcome; (e) reaffirming equality of men and women with respect to property ownership; and (f) getting the news media to effectively promote the role of women in economic and social development.

Article 14 (2) (f)

" To participate in all community activities."

161. While there is no legislative prohibition on women's participation in community activities in rural areas, the weight of custom and tradition means that these activities are generally restricted to men, with little room made for women. The preceding paragraph

described women's low level of participation in the cooperative movement, but their participation in voluntary associations is also lower in rural areas (16.4 per cent) than in urban areas (18.9 per cent). Overall, women's participation remains low throughout the country, especially when compared with their level of education, which is generally good.

Article 14 (2) (q)

" 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."

162.The Office of Agricultural Credit has loan schemes designed to encourage certain sectors of society in increase and enhance their agricultural output. There are no statistics on the loans granted to rural women; however, a loan scheme for rural families was established in 1994 to raise and improve the standard of living of poor rural families by granting them loans for various agricultural activities. By the end of 1996, a total of 1,858 loans worth 3 million dinars had been granted under this scheme. According to the evaluation report of the scheme, 94 per cent of the projects that benefited from loans were run by women, who are better at meeting their financial obligations than men. The Office is also implementing a project for diversifying sources of income, designed to assist the largest group of small-scale, low-income farmers by granting them loans for livestock fattening, the planting of orchards, the growing of hot-house crops, fodder production and food processing, as well as for projects to increase the size and quality of goat and sheep flocks, By the end of 1996, 1,096 women had benefited from loans totaling 2.3 million dinars under this scheme.

163. Marketing in on of the biggest problems encountered by rural women, because of the customs and traditions that are opposed to their participation in that area; this forces them to turn to male relatives or intermediaries. There are no detailed data on the situation of rural women in the area of agricultural marketing, although it can be concluded from the figures generated by certain projects or partial surveys that marketing is one of the main obstacles faced by rural women.

164. With regard to land ownership, the proportion of women who own farms remains low and no improvement has been noted in this regard over the years. While the 1983 agricultural survey puts the percentage of women landowners at 1.5 per cent, a 1996 sample survey put it at 1.47 per cent. This low percentage confirms the fact that, in matters of inheritance, women often waive their legal entitlement in favour of the male members of the family, for, in theory, women should own about a third of the farms in Jordan. There are few agrarian reform projects in Jordan; the most important one is that carried out in the Jordan valley, which was characterized by obvious discrimination in favour of men.

Article 14 (2) (h)

" To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications."

165. Jordan's rural areas are adequately served, but the rates of coverage by the various public utilities remain lower than in urban areas. For water supply, the rate is 90 per cent in the countryside and 97 per cent in the towns; for electricity, the rates are 98.5 per cent and 99.6 per cent respectively. For sanitation, the rates of coverage is 25 per cent in rural areas, compared with 60 per cent in urban areas. Communication services are accessible to 3.5 per cent of the rural population and 8.5 per cent of the urban population. As for roads and means of transport, the entire territory is covered.

166. At the time of the 1994 population and housing census, there were 663,672 dwellings in Jordan, of which 133,114 were in rural areas. The proportion of families that own their homes is 63.9 per cent for the territory as a whole and 82.8 per cent for rural areas. The building materials used do not differ greatly between town and country, the most common being brick, followed by cement and stone, but their importance varies between rural and urban areas.

Part IV: articles 15 and 16

Article 15. Equality before the law and in civil matters

"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 tribunal."

167. The absence of discrimination against women in Jordan stems from the Jordanian Constitution, which establishes the principle of equality of all Jordanian citizens, men and women. However, it must be added that some existing laws contain provisions that discriminate against women, although a movement is emerging, at the level of both the State and civil society, in favour of the amendment of these discriminatory clauses. The Legal Committee of the Jordanian National Committee for Women has conducted a survey of the laws and regulations that contain a form of discrimination against women, with a view to proposing amendments to them. As was stated earlier in this report, a number of instruments have already been amended.

168. Jordanian women enjoy a legal capacity identical to that of men in all civil matters, including the conclusion of contracts, the administration of property and all commercial operations, in terms of ownership, administration of property and all commercial operations, in terms of ownership, administration and supervision, without the intervention of their husbands or other male family

members and without requirement for their consent. The Jordanian Civil Code (Act No. 43 of 1976) defines natural persons as follows: " All adults of sound mind shall be fully eligible to exercise their civil rights, provided that they are not subject to any restriction, the age of majority being 18 completed solar years." It is clear from this instrument that there is no discrimination between men and women with regard to legal capacity in civil matters.

169. Women are treated exactly the same as men before the courts. They may appear in court as plaintiffs or defendants. Their testimony is equally admissible, except in cases governed by the shariah, in which a man's testimony is worth that of two women, in accordance with Islamic case law. Female lawyers have the same rights as male lawyers with regard to the representation of their clients before the courts and specialized judicial bodies. Women may be members of the judiciary, except in courts governed by the shariah. Indeed, two women were made judges in 1997.

170. Public legal aid is granted to all persons in need, irrespective of gender. All the non-governmental women's organizations and other associations established throughout the country have legal aid and education programmes aimed at eliminating legal 'illiteracy' among women and raising their awareness of their rights and obligations under the laws and regulations currently in force. Several organizations offer legal services to needy women free of charge of for a token fee provided them with defense counsel in court. These organizations are also campaigning very actively for the amendment of laws and regulations that infringe on women's rights or discriminate against them. However, these organizations should direct the aforementioned programmes and seminars at all sections of the population and not just at women.

171. In the same situations, women and men are accorded the same compensation and are subject to the same penalties, but no studies have been undertaken to determine to what extent there may be discrimination against women as far as judicial practice is concerned, apart from a study on Jordanian women which looks at the gap between legal principle and practice. No legal concept is applicable to women without also being applicable to men.

Article 15 (3)

"3. States parties agree that all contracts and all other private instruments of any kind with a legal effect which is directed at restricting the legal capacity of women shall be deemed null and void."

172. There are no Jordanian laws that restrict the legal capacity of women by virtue of contract. The Civil Code sets out the conditions for the conclusion of contracts, including the capacity to conclude a given contract, and article 116 of the Code provides that "all persons have the right to make contracts provided that their capacity to do so has neither been revoked nor restricted by law." Legal capacity in civil matters is assumed by persons, who may be either men or women. Legal capacity with respect to marriage is exercised through the bride's guardian if she is a minor. The judge may authorize the female minor's marriage if she has no guardian or if her guardian opposes the marriage for no legitimate reason.

Article 15 (4)

"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."

173. Jordan entered a reservation to this provision of the Convention on the grounds that it is contrary to Islamic directives. The Act on personal status stipulates that a women must live in the domicle of her legal husband and follow him everywhere, including outside the country if he guarantees her safety, unless the marriage contract states otherwise. Women can in fact include in the contract clauses specifying the place of residence. Numerous traditions and customs govern the question of the domicile of women and girls. Girls may not leave their parents' domicile and live in their own home until they marry. The situation is similar for married women, who may not choose their place of residence without their husband's consent. The reservation provoked debate in Jordan, and some experts in figh (jurisconsults), notably the theologian Abdelaziz Al-Khayat, consider that according women the right to freedom of movement and choose their place of residence is not contrary to the shariah, particularly since, as was stated above, women may set conditions on the subject in the marriage contract. Non-governmental organizations are demanding withdrawal of the reservation on the basis of this theological and legal interpretation; according to which it is lawful for women to live alone before marriage and thus also after marriage.

174. Female immigrants working in Jordan are treated on an equal footing with male immigrants, in that there are no laws preventing their family members from joining them.

Article 16. Marriage and family relations

"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 quality of men and women:

(a) The same right to enter into marriage".

175. The cadi of cadis (a legal religious body) has jurisdiction over all personal status matters, in accordance with the Isalmic shariah and figh, and the parish authorities of the various Christian churches have the same jurisdiction over the personal status matters of members of their community: marriage, separation, legal adoption of children, etc.

176. Act No. 61 of 1976 on personal status contains provisions governing family relations and matters relating thereto: guardianship and marriage contracts, what is allowed and what is prohibited, types of marriage and marriage settlement, dowry, support, divorce, breastfeeding, custody, etc. the provisions of the Act on personal status concerning marriage and related matters (including support and dowry) are based on the Sunna (words and acts) of the Prophet and on figh (law and doctrine), which contains commentaries based on the hanafi rite, as well as on analysis and interpretation and on certain instruments of positive law. With regard to inheritance, the act is based on the shariah. Consequently, the formation of families in Jordan is governed by article 2 of the Act on personal status, which stipulates that: "Marriage is a contract concluded between a man and a woman who he may lawfully marry for the purpose of founding a family and having common issue". Article 3 provides that "the marriage contract is not concluded by the proposal, the betrothal, the reading of the Fatihah (the first surah of the Koran) or the payment of acceptance of the dowry." Article 5 states that "in order for the marriage to be valid, the prospective husband and wife must be of sound mind and have reached the age of 16 years and 15 years respectively". The only accepted family structure in Jordan is thus a family legally constituted by a marriage contract concluded in a shariah court, in the case of Muslims, and a church, in the case of Christians. It must be added that there are no laws dealing with sexual practices. Sexual relations outside legal marriage are treated as zina (adultery) or immorality and are punished as such. The Act on personal status contains a number of articles granting men and women identical rights with respect to the marriage contract. Article 4 stipulates that "both the fiancé and the fiancée have the right to withdraw from the engagement". Article 14 states that "the contract is concluded by the affirmative response of both prospective spouses or their representatives during the marriage ceremony", and article 19 adds that "any condition of the marriage contract favourable to either of the two parties that is not contrary to the aims of marriage and does not impose any obligation forbidden by law must be honoured."

177. However, pursuant to the shariah, the Act on personal status gives men the right to marry women belonging to other monotheistic religions but does not accord that right to women, since article 33 stipulates that "the marriage shall be null and void in the following instances: (a) if a Muslim woman is joined with a non-Muslim man; (b) if a Muslim man is joined with a woman who not an adherent to one of religions of the Book; (c) if a man is joined with a woman whose ties of kinship with him prohibit this union". The Act on personal status is also based on the provisions of figh, which permit "double, triple and quadruple" polygamy. The shariah gives men the right to have up to four wives simultaneously, provided that all are treated equally and that they live under the same roof only if they consent to do so. The polygamy rate in Jordan is 8 per cent. Of course, there is no polygamy among the Christian population, whose religion forbids this practice.

178. The family unit consisting of the mother, the father and the unmarried children is the most common family structure in Jordan, accounting for 92.58 per cent of all families. The extended family, in which the parents, their married children and the latter's wives and children all live under the same roof, accounts for 5.48 per cent of families. Mention should be made in this connection of Ibrahim Othman's study on the family unit, which shows that the evolution of the structure of the family has not been accompanied by a change in male and female roles. In 1996, the proportion of families headed by a woman was 9.6 per cent, and, in 1993, the proportion of poor families headed by a woman was 6.3 per cent.

Article 16 (1) (b)

"The same right freely to choose a spouse and to enter into marriage only with their free and full consent."

179. As was stated in the preceding paragraph, articles 4 and 14 of the Act on personal status grant women the same right freely to choose a spouse and to enter into marriage only with their free and full consent. In order to confirm that right, one of the paragraphs of article 34 of the Act, listing instances in which the marriage is contracted under duress. Furthermore, article 13 of the Act accords divorced or widowed women who are aged over 18 of sound mind the right to remarry without the consent of their guardian. The Legal Committee of the Jordanian National Committee for Women has recommended the addition of a passage or article stating clearly that the guardianship required in the case of first marriages is share with the girl, who must be able to give her consent. In real life, however, the girl's choice of a spouse is often not completely free because, in most cases, custom and tradition limit her capacity to exercise this right, particularly in rural areas.

Article 16 (1) (c)

"The same rights and responsibilities during marriage and at its dissolution".

180. Jordan entered reservations to this paragraph, which can be interpreted in a manner that is incompatible with the directives of the shariah, but those reservations do not mean that the instruments currently in force do not provide equivalent rights. In addition to the articles of the Act on personal status mentioned in the two preceding paragraphs of this report, which all provide equal rights for both spouses during marriage and in the choice of the future spouse, there are specific provisions guaranteeing the rights of married women. Article 20 of the Act on personal status stipulates that "marriage is conditional upon the man's financial ability to provide for his wife, which includes the dowry and support; this ability shall be verified during the conclusion of the marriage contract, its subsequent loss being without effect on the contract". Article 35 states that "a valid marriage establishes between a man and a woman the obligation, with respect to the former, to pay a dowry and support, and the right of inheritance". Article 36 adds that 'the man shall provide suitably furnished accommodation, according to his means, in his place of residence or employment." It has been proposed, however, that this provision should be amended to specify that this legal domicile must have the amenities necessary for modern life. Article 38 provides that "the husband may not house his parents and relatives or his child in the accommodation provided for his wife without her consent, unless they are destitute or disabled persons for whom he is unable to provide alternative accommodation and provided that their presence in his home does not affect the conjugal life of the spouses; likewise, a woman may not house her children from previous marriages or her relatives without her husband's consent".

181. Article 40 f the Act on personal status stipulates that "a man who is married to more than one woman must ensure absolute equality and equity among his wives and may not house them under the same roof without their consent". It has been proposed, inter alia, that this provision should be made fairer to women and that the conditions for polygamy should be stricter: equality and equity among the wives; authorization by a judge, who must verify the man's ability to maintain several households; right of the first wife to sue for divorce if her husband takes a second wife without her consent, while retaining the possibility of asserting all her rights as a wife in accordance with the shariah.

182. The rights of the wife during marriage include a dowry and support. Article 60 stipulates that "the wife has the right to dowry". Article 66 states that "(a) the wife's support shall include food, clothing, housing, appropriate beauty care and servants if women of the same rank have them; (b) if the man does not provide for his wife or if it is proved that what he pays is inadequate, he may be compelled to fulfill this obligation". Article 187 states that "all persons are financially responsible for their own upkeep, except wives, who are supported by their husbands".

183. However, the obligation to provide for the wife ceases if she works outside the marital home without her husband's consent or if she "rebels" (article 68), "rebellion" against the husband being defined in article 69 as "leaving the marital home for no legitimate reason or denying the husband access to the said home without having first requested his transfer to another place of residence". Among the legitimate reasons for leaving the marital home are battery and other ill-treatment. Article 73 stipulates that: "If the husband does not provide for his wife and if she so requests, the judge may order the payment in advance of sums corresponding to the wife's expenses for a certain number of days, these sums being treated as a debt for which the defaulting husband, and article 66 provides that the wife may be supported from the assets of her absent husband. Article 72 requires the husband "to bear the funeral expenses in the event of his wife's death". In return for these rights, the wife contracts a certain number of obligations, which are derived from the shariah and from custom, including the obligation to take care of the family, the children and the home without remuneration, with the exception of remuneration for breastfeeding during the idda waiting period following irrevocable repudiation in which she may not remarry, and the remuneration of any servants if such services form part of her expenses.

184. The Act on personal status also stipulates that, in the event of the husband's death, the wife is entitled to the deferred portion of the dowry and to her share of the inheritance, which varies according to the number of claimants to the estate (children, parents and collaterals). The wife takes her share of the inheritance to which they were entitled have been prohibited. Non-governmental women's organizations are conducting campaigns to raise women's awareness of their rights, including with respect to inheritance. A widow who remarries may marry any person who is not "prohibited" following a waiting period set at four months and 10 days. In the past, some widows would marry a brother of their dead husband, the argument being that they were unable to support their children and the marriage enabled the uncle to provide for his dead brother's issue. This practice has now disappeared for good, except for a few cases still encountered in the countryside.

185. With respect to the rights of the wife upon dissolution of the marriage, articles 113 and 116 of the Act give the wife the right to request separation from her husband if some defect prevents him from fulfilling his conjugal duty while she is able to fulfill hers. Article 120 fives the wife the right to request separation from her husband if he becomes insane after the marriage. In the event of the husband's absence, the wife has the right to request separation if this absence is prejudicial to her and if the husband's address is known. Article 123 states that "if the wife presents proof that her husband has been absent or has abandoned her for at least on year for no legitimate reason, and if the husband's address is known, she may ask the judge to grant her an irrevocable divorce if the absence or abandonment or prejudicial to her and if she has sufficient means to support herself". Article 125 stipulates that "if the husband is absent and is in a place where he cannot be reached by mail or if his address is unknown, and if the wife proves these facts and confirms them under oath, the judge shall grant her an immediate divorce with no fault being attributed to her; the divorce petition shall be rejected if the wife does not present proof of the facts of refuses to confirm them under oath". The wife may also terminate the marriage herself if this power is provided for in the marriage contract.

186. Article 126 of the Act gives the wife the right to request separation if the husband is unable to pay the first part of the dowry either in part or in full. Regarding failure to provide support, article 127 stipulates that "where a husband who has been ordered to provide for his wife fails to do so, if he is in possession of distrainable property, his wife shall be supported by distraining on this property, and if he has no property and is known to be neither indigent nor wealthy or is known to be wealthy but persists in his refusal to support his wife, the judge shall grant her an immediate divorce. An immediate divorce shall also be granted if the husband pleads indigence and this is shown to be false; if the claim of indigence is proven, divorce shall be granted after a period of at least one month and no more than three months if the husband has still not complied". Article 131 accords the right to separation if the husband disappears, subject to certain conditions (search and investigation and a waiting period of four years). In the event of a disaster in which there is every reason to believe that the husband has perished, the judge may grant a divorce after a period of at least one year from the date of the disaster.

187. In the event of conflict and discord between the spouses, the wife has the same right as the husband to request separation. Article 132 stipulates that "in the event of conflict or discord, either of the spouses shall have the right to request separation if he or she considers that the other is subjecting him or her to verbal or physical abuse such as to render conjugal life impossible". Paragraph (e) of the same article states that "if the judges are unable to reconcile the two spouses and they consider that the fault rests entirely with the wife, they shall grant the divorce and they shall be free to determine the conditions, provided that they preserve the wife's right to the dowry and the entitlements related thereto; if the fault rests entirely with the husband, they shall grant an irrevocable divorce and the wife shall retain all her matrimonial rights as if the divorce had been initiated by the husband, and he shall be obliged to continue to support her during the idda waiting period, except in the case of rebellion by the wife".

188. With respect to arbitrary divorce, article 134 of the Act provides that "if a husband arbitrarily repudiates his wife, for example, without just cause, and the wife requests compensation, the judge may grant her whatever sum he deems appropriate, which shall not exceed the equivalent of one year's maintenance allowances and which shall be paid in one or more installments, depending on the circumstances; the husband's wealth or lack thereof shall be taken into account and this compensation shall not affect the other matrimonial rights of the wife, including the right to receive a maintenance allowance during the idda waiting period. Under the amendments proposed in this regard, all matters relating to repudiation and revocation of repudiation would come within the jurisdiction of the courts, repudiation being valid only if it took place before a judge, in addition, the compensation to which the repudiated wife would be entitled would be the equivalent of five years' maintenance allowance. The husband is required by law to register the repudiation, failure to do so within a specific period rendering him liable to a penalty. The wife can also sue for divorce in a number of other situations, including if the husband is a drug addict or an alcoholic.

189. The Act on personal status and the directives of the Islamic shairah give the man the right to repudiate the woman to whom he is joined in marriage, by word, in writing or by deed, but repudiation by a person under the influences of alcohol and drugs, by an imposter or by a person who is insane, unconscious or asleep is invalid. The man has the right to repudiate his wife three time, before three gatherings, and must register the repudiation with a judge. The wife, for her part, may terminate the marriage if she has included this power in the marriage contract, which thus confers on her the right of repudiation. As for the rights of the woman relating to her material situation in the event of divorce, the husband must continue to support her during the idda waiting period, which is three menstrual cycles, or the equivalent for women who are pregnant or have been through menopause. The woman also has the right to the portion of the dowry stipulated in the marriage contract and, if she is still breastfeeding, to a nursing allowance until the child reaches the age of two, unless he is weaned prior to this. If the children are placed in the custody of their mother, she is entitled to a maintenance allowance for them for as long as she retains custody. The woman has no other right to the man's movable or immovable property unless it is jointly owned, in which case the two parties must agree upon the method of dividing this joint property.

Article 16 (1) (d)

"The same rights and responsibilities as parents, irrespective of their marital status, in matters relating to their children; in all cases the interest of the children shall be paramount".

190. Jordan entered a reservation to this paragraph, again because of its incompatibility with the Islamic sharia, which grants guardianship to the man. However, like the legislation currently in force, it deems the interest of the children to be paramount, whether with respect to breastfeeding or in determining the most appropriate custody arrangement. Regarding breastfeeding, article 150 stipulates that "the mother is responsible for nursing the child and she may be compelled to do so if the father cannot afford to pay a wet-nurse or no volunteer comes forward or the child refuses to nurse from any woman other than his mother". Article 151 provides that "if the mother refuses to nurse her child the father shall employ another woman to nurse the child in the mother's home". Article 152 states that "the mother is not entitled to remuneration for breastfeeding during marriage or during the idda waiting period following irrevocable repudiation and thereafter".

191. With respect to the custody of children, article 154 provides that "the biological mother has the foremost right to custody of her children and to bring them up during the marriage and after separation; next come her female relatives in the order laid down by Imam Abu Hanifa". However, article 156 prohibits the granting of custody of a child to a person whose husband is not "prohibited" to the child, since it stipulates that "a woman who has custody of a child shall lose custody if she marries a person other than a close relative who is 'prohibited' to the child". Article 162 states that a mother who refuses to remarry in order to bring up her children may have custody of them until they reach the age of puberty. The maintenance of children is the father's responsibility. However, article 170, paragraph 1, stipulates that "if the father is indigent and cannot pay either doctor's fees, medical expenses of the child's school fees and the mother is able to do so, the mother shall bear these costs on the understanding that they constitute a debt payable by the father when his circumstance improve; this is also the case for absent fathers from whom it is difficult to obtain child support".

Article 16 (1) (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".

192. Nothing in Jordanian law either grants or takes away the right of mothers and fathers to decide on the number and spacing of their children. Numerous public bodies and non-governmental organizations are providing families with information and raising their awareness on these issues. By way of example, the Ministry of Health provides women throughout the country with maternal and child health services at 307 centres, which, in addition to offering free health care and nutrition services to pregnant women, continue to give them nutrition advice and tonics and iron supplements free of charge after their pregnancies. In 1980, the concept of birth spacing in the interest of the mother's health was incorporated into numerous projects, and maternal and child health centres started to offer services in this area. More recently, the concept of reproductive health was adopted with a view to offering a complete range of services to mothers, fathers, young people and children. The Ministry of Health also provides family planning services, which consist in offering advice on the subject and providing contraceptives to women who want them after the necessary tests and medical examinations. The Ministry also provides the corresponding medical care and education.

193. Paragraphs 114 and 133 to 135 of this report describe the measures provided for in this area in the national population strategy and the role played in this field by non-governmental organizations.

Article 16 (1) (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".

194. In addition to the information given in paragraph 37 concerning the custody of children, it must be added that the guardianship and the wardship of children are by nature the responsibility of the father, who is the guardian and master of his children. The maintenance of children is also the father's responsibility, unless he is indigent, and this obligation continues, in respect of daughters, until they marry, unless they already have an income of their own, and, in respect of sons, until they reach the age at which male children have their own income, unless they are pursuing studies. The father is required to provide adequately for his children's education at every level of education. He is also required to hear the costs of medical care for his children. If the father is not financially able to fulfill these obligations and the mother is sufficiently wealthy to do so in his place, the sums involved remain a debt payable by the father. This is also the case for absent fathers from whom it is not possible to obtain child support. With regard to adoption, since this concept does not exist in Islam, positive law does not provide any right in terms of filiation, inheritance or otherwise for children raise by someone other than their father in accordance with the shariah. There is, however, the system of "kafala", which designates the custody and upbringing of one or more children by someone other than their father or mother and which confers on the children all rights except those relating to filiation and inheritance. Under this system, the "guardian" may make a gift of all or part of his movable and immovable property to the child and may include a provision to this effect in his will

Article 16 (1) (g)

"The same personal rights as husband and wife, including the right to choose a family name, a profession and an occupation".

195. Jordan also entered reservations to this paragraph of article 16. nevertheless, Jordanian women keep their name after marriage, and official documents relating to them are drawn up accordingly. This has been the case since the beginning of the 1980s. previously, women used their husband's name on documents such as passports; today, however, they are first identified by their father's name, and then their husband's name is indicated in order to maintain all their rights and obligations with respect to their father and husband.

196. With regard to the free choice of a profession, while there is nothing to prevent a woman from including in the marriage contract a clause to the effect that she may work and freely choose her profession, if she does not include such a clause and, after the marriage, works outside the home without the consent of her spouse, the latter is no longer obliged to support her, in accordance with article 68 of the Act on personal status.

Article 16 (1) (h)

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

197. There is no provision under religious or substantive law that discriminates between the husband and the wife with regard to the rights to the ownership, acquisition or management of property, since the shariah – which is one of the sources of legislation under substantive law – provides that the financial responsibility of the wife is different from that of the husband. Consequently, the wife has the right to acquire, sell or freely dispose of her property and is not obliged under religious law or substantive law to maintain part of it in order to support herself or her children, which she can, nevertheless, do voluntarily if she wishes to share in the household expenses. If there are any forms of discrimination in this area, they are attributable to social practices and traditions as well as to the fact that women are still not fully aware of their rights. Although the shariah accords women the right to inherit from both their fathers as well as their husbands, it frequently happens that they renounce that right in favour of a close male relative. As seen above, in paragraph 141 of this report, the percentage of women property owners is very low. In this regard, attention should be focused on a problem encountered by girls, particularly in rural areas, namely, that of renouncing their share of the inheritance. In general, the brothers or the father put pressure on a girl who is getting married by giving her the choice, several minutes before the wedding ceremony, of relinquishing up her share of the inheritance or renouncing the marriage. The girl is thus practically forced to choose the first solution in order to avoid the scandal and social opprobrium that would surely result from renouncing the marriage at the last minute.

198. The rules governing inheritance are based on precepts of the shariah, which itself derives them from the Holy Kordan, where they are set forth in detail. The principle of sharing is based on the functions and responsibilities conferred on men and women within the family and in society. According to the shariah, the responsibility for material matters lies with the husband. He is required to provide for all the needs of the family, and the wife has no obligation to do so unless she so wishes out of a desire to be of assistance and to participate in that task. Accordingly, daughters receive a smaller share than sons ("To a man as much as to two women") in inheriting from the father. When a husband dies, the widow obtains one eighth of the inheritance and the parents of the deceased each receive one sixth. When a wife dies, the widower obtains one fourth of the inheritance and the parents of the deceased each receive one sixth. If there are no male children, the number of beneficiaries increases to include paternal unless and aunts and the brothers and sisters of the deceased. If the deceased person's sole descendant is a daughter, she receives half the inheritance and the rest is shared among the other beneficiaries. If the deceased had two or more daughters, they share two thirds of the inheritance and the other beneficiaries the rest. It is generally acknowledged that this is one of the reasons why parents prefer to have boys.

199. The administration of movable and immovable property is based on the legal ownership of such property. If the wife is a property owner, she has the right to administer it, even though property acquired after marriage is often registered in the name of the husband, unless it is a question of acquisition by inheritance. With regard to the seizure of property, Act No. 31 of 1956 emphasizes the need to limit such seizure to the property owned by the person in debt or at fault and not to touch the property of other members of the family. The Act also sets forth a number of guarantees for the wife and children. Article 60, for example, reaffirms the prohibition against the seizure or sale of property necessary for supporting the wife, and article 74 stipulates that no more than one quarter of the amount of the pension of retired persons, widows or orphans may be seized and that, if the party at fault must make support payments, the equivalent amount of those payments and a quarter of the salary to cover other debts shall be garnished from his income. Article 81 prohibits the sale of the home where the debtor resides with his family, provided that the dwelling is in accordance with his situation. Article 127 stipulates that anyone who is required by law to support his wife and fails to do so is liable to imprisonment without any need to determine his financial means. The law therefore guarantees the rights of a wife whose husband incurs bankruptcy and allows her and her children to continue to live a dignified life.

200. The activities of non-governmental organizations with regard to the promotion of legal literacy cover many aspects of religious and substantive law and all regions of the country. These organizations have carried out many educational programmes and have organized training courses in the law, the shariah and social customs. They have opened legal advice offices in various provinces and conducted orientation programmes on the rights and obligations of the two spouses. They have also organized awareness-raising lectures and seminars and produced plays on the marriage age and family relations, as well as campaigns to amend the Act on personal status in such a way as to guarantee the same rights for husbands and wives.

Article 16, paragraph 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".

201. Article 5 of the act on personal status provides, as a condition for marriage, that the future husband and the future wife must be of sound mind and that the former must be at least 16 years of age and the latter at least 15 years of age. The marriage certificate is issued only after the submission of documents proving that both future spouses are of the required legal age for marriage. The minimum age for marriage is therefore lower that that required for most other official documents, which is 18 years. Nevertheless, there still exists the very limited practice of the betrothal of children, in which the parents announce the betrothal of their children and then have the official ceremony performed when the betrothed reach the legal age. Non-governmental organizations have been calling for the amendment of this law in order to raise the legal age of marriage to 18 years, the age of majority in other legal texts and in international conventions.

202. Wit regard to the registration of a marriage, article 17 reads as follows: "(a) the future husband must appear before the cadi or his replacement in order to have the certificate issued; (b) the marriage certificate must be drawn up by the notary authorized to do so by the cadi, who draws up an official document, which may also be drawn up by the cadi himself in exceptional circumstances and with the consent of the cadi of cadis; (c) if the marriage takes place without and official document, the person who has performed the ceremony, the two spouses and the witnesses shall be subject to the penalties provided for under the Jordanian Penal Code, as well as to a fine, the amount of which may not exceed 100 dinars; (d) any notary authorized for this purpose by the cadi who does not register the certificate in an official document after collecting the corresponding fees shall be subject to the penalties provided for under the preceding paragraph and shall be relieved of his functions". Paragraph 2 of article 279 of the Penal Code, moreover, stipulates the following: "Anyone who officiates the marriage of or performs a marriage ceremony for a girl under the age of 15 years or in any way assists in the commission of such acts shall be subject to a penalty of one to six months' imprisonment".

II. FUTURE ACTION

203. During the workshops organized to consider the present report, agreement was reached on the measures which public institutions, non-governmental organizations and the Jordanian National Committee for Women should take in the coming years to ensure the effective implementation of the Convention in Jordan. Although these measures, which were designed to be practical and implementable in the medium term, were assigned on the basis of the party that would assume responsibility for them – public institutions, non-governmental organizations or the Committee – some of them are more general and can be carried out by all the parties concerned.

204. It was agreed that public institutions, each within its sphere of competence, would be responsible for the following tasks:

- Providing legal guarantees prohibiting discrimination based on sex;

- Encouraging the media to play a more positive role with regard to development issues and societal problems, to promote studies on the subject, to implement an information and education strategy and to desist from portraying women as inferior beings;

- Setting up or strengthening institutional mechanisms enabling women and girls to report acts of violence and lodge complaints in a climate of security and stability;

- Taking measure to encourage the participation of women in the civil service, endeavouring to ensure a balance between the two sexes in appointments to high-level posts and establishing mechanisms for setting aside a share of high-level posts for female candidates;

- Improving recruitment programmes in order to ensure equal opportunity between the two sexes and setting up career advancement programmes;

- Reviewing criteria for recruitment and appointment to high-level posts in order to ensure that they do not discriminate against women;

- Designing curricula and school textbooks free of any stereotypes based on sexual identity;

- Changing social and cultural behaviour patterns, particularly in education;

- Improving health care in order to make better health services available to women;

- Insisting on the representation of women in the diplomatic corps, and in delegations and in the organizations of the United Nations systems;

- Ensuring effective implementation of the principle of compulsory education and taking measures to combat the drop-out problem;

- Integrating disabled persons into education;

- Ensuring equality between men and women for missions and study trips both within and outside the country, and seeing to it that women on mission receive the same salaries as men;

- Strengthening the role of female and male counselors in schools and increasing their number;

- Expanding the scope of health insurance services with regard, in particular, to reproductive health;

- Making the pre-marital medical examination compulsory.

205. It was also agreed that non-governmental organizations would assume the following tasks:

- Encouraging local women's groups and the media to carry out education and awareness-raising programmes;

- Increasing the number of pressure mechanisms in favour of the implementation of the Convention;

- Setting up or strengthening institutional mechanisms enabling women and girls to report acts of violence and lodge complaints in a climate of security and stability;

- Establishing training mechanisms and providing such training to women who participate in production activities or hold political or administrative posts;

- Setting up health-awareness programmes to meet the needs of women at all stages in their lives, as well as awareness-raising programmes on the impact of abortion on women's health and female mortality;

- Strengthening the economic independence of women and ensuring equality of men and women in this area with regard, in particular, to access by rural women to the means of production;

- Teaching women to set up small projects and obtain the necessary insurance and loans, particularly in rural areas;

- Ensuring that the National Charter becomes binding;

- Putting pressure on the Ministry of Labour to take firm measures against employers who fail to comply with labour legislation;

- Ensuring that the electoral law and Act No. 33 of 1966 on associations are amended;

- Ensuring that the retirement age for women is changed so that they retire after 15 years of service if they so request;

- Making unemployment insurance available;

- Exerting pressure for the establishment of a minimum wage salary in the field of private security;

- Exerting pressure for the family allowances of civil servants to be increased;

- Stressing the need to withdraw the reservations to the Conventions by:

- Determining whether the reservations are contrary to the spirit of the Convention;

- Determining which reservations are contrary to the shariah;

- Analysing decisions taken by the shariah courts.

206. It was further decided that the Jordanian National Committee for women would be responsible for the following tasks:

- Continuing to review and study the tests of laws in order to ensure that persons who commit acts of violence against women and girls in the home, the workplace and the society are punished, and to study the texts of laws which involve discriminatory practices, in order to amend them;

- Ensuring the exercise by women of the right to equal pay for equal work, and combating discrimination in the labour market and in recruitment and promotion;

- Reviewing the social security Act in the light of national policies and priorities in order to determine ways of ensuring equality between the sexes in this field, so that women can benefit from the provisions of the Act on an equal footing with men;

- Reviewing the laws on personal status in order to amend provisions which deprive women of certain rights;

- Expanding the qualitative analysis designed to ensure that laws and policies are implemented without discrimination;

- Carrying out a study on changes in the traditional roles of men and women in Jordanian society;

- Considering article 16 of the Convention in order to analyse its content and determine to what extent it is in keeping with the shariah.

207. Lastly, it was agreed that the following tasks would be the responsibility of all the parties:

- Endeavouring to ensure, through the Jordanian National Committee for Women, that the legal procedure for integrating the Convention into Jordanian law is carried out;

- Taking steps to change the stereotyped image of women in the media by organizing workshops for media professional and decision makers;

- Ensuring equality of men and women with regard to reversion benefits;

- Attaching importance to psychological health and mental health services

- Encouraging rural women's cooperatives;

- Ensuring recognition of the rights of rural working women and the provision of benefits to them through social security;

- Ensuring the effective participation of rural women in the planning execution and follow-up of programmes and projects;

- Establishing shelters for women victims of violence;

- Adopting and implementing the legislative amendments proposed by the Jordanian National Committee for Women;

- Carrying out studies and gathering, analyzing and agenda-disaggregating statistics and socio-economic indicators in order to use them in planning and implementing policies and programmes for strengthening equality between the sexes , and carrying out studies on women's issues and gender differences;

- Promoting the simplification of banking procedures and the opening of special bank windows for granting loans to women, in coordination with the private sector;

- Promoting the adoption of national policies which support savings, insurance and credit mechanisms for women.

Sources

1. Jordanian Constitution, Legislative Series, section XIV.

2. National Programme of Action for the Advancement of women, 1998-2002, as part of the follow-up to the implementation of the Platform for Action and the recommendations of the Fourth World Conference on Women, Beijing, 1995, Jordanian National Committee for women, 1998.

3. Study on the Economic and Social Situation of Female Heads of Household, November 1996, Jordanian National Committee for Women.

4. Arab Women: Realities and Prospects, May 1995, Jordanian Coordinating Bureau for Questions relating to the Beijing Conference.

5. Survey of Living Conditions in Jordan: Main Results, October 1996, Department of Statistics.

6. Supplementary survey to the 1994 General Population and Housing Census: Method and Results, September 1996, Department of Statistics.

7. Annual Statistical Bulletin for 1996, September 1997, Department of Statistics.

8. General Population and Housing Census, 1994: Methods and Main Results, October 1995, Department of Statistics.

9. Act No. 3 of 1994 on education, Legislative Series, section IX.

10. Act No. 34 of 1959 on retirement pensions, Legislative Series, section XIII.

11. Act No. 21 of 1971 on public health, Legislative Series, section XVI.

12. Act No. 30 of 1978 on social security, Legislative Series, section XXII.

13. Penal Code (Act No. 16 of 1960), Legislative Series, section XVII

14. Labour Code (Act No. 32 of 1960), Legislative Series, section XVII.

15. Labour Code (Act No. 8 of 1996), Legislative Series, section XVII.

16. Act No. 57 of 1985 on income tax, Legislative Series, section XVI.

17. Working papers for the seminar "Ensuring the Safety of Jordanian Families in the Year 2000", August 1997, Criminal Investigation Service.

18. Civil service regulations (Act No. 1 of 1988), section XXII.

19. Act No. 33 of 1998 on unified relations, Legislative Series, section XXIII.

20. Education Statistical Bulletin for the 1995-1996 School Year, Ministry of Education.

21. Annual Report for 1993, Ministry of Social Development.

22. Annual Report for 1996, Ministry of Social Development.

23. Annual Statistical Bulletin for 1996, Ministry of Health.

24. Studies entitled "national Efforts in the Area of Family Planning", 1997, Ministry of Health and Health Care.

25. Report entitled "The Status of Women in 1996", 1998, Centre for Studies on the New Jordan.

26. Jordanian Women in Administrative Posts, 1998, Institute of General Administration and the Princess Basma Centre for Women's Issues.

27. Survey on the Health of the Population and Families in Jordan in 1990, August 1992, Statistics Department of the Ministry of Health and IRD/Macro International Inc.

28. Survey on the Health of the Population and Families in Jordan in 1997, preliminary report, January 1998, Statistics Department and IRD/Macro International Inc.

ANNEX I

List of institutions that have participated in the preparation of this report

I. Government institutions

Ministry of Foreign Affairs

Ministry of Administrative Reform

Ministry of Planning

Ministry of Education

Ministry of Social Development

Ministry of the Interior

Ministry of Agriculture

Ministry of Community Affairs and the Environment

Ministry of Youth

Ministry of Health and Welfare

Ministry of Justice

Ministry of Labour

University of Jordan

Hashemite University

Office of Agricultural Credit

Vocational Training Agency

Department of Statistics

Institute of General Administration

Civil Service Department

II. Non-governmental organizations

Union of Jordanian Women, Jerash chapter

Humanist Forum for Women's Rights

Jordanian National Association of Women's Committees

Association for the Protection of Children in Jordan

Association of Arab Women in Jordan

Women's Renaissance Association

Association of women Heads of Household/Zarqa

Queen Alia Voluntary Social Action Fund

Nour al-Hussein Foundation

Princess Basma Centre for Women's Issues

Women Professionals and Enterprise Heads Club

List of participants in the discussion workshops for this report

I. Government institutions

Ministry of Labour

Ministry of Social Development

Ministry of Education

Ministry of Health and Welfare

General Secretariat of the Board of Higher Education

Ministry of Culture

Ministry of Community Affairs and the Environment

Ministry of Foreign Affairs

Ministry of the Interior

Vocational Training Agency

Social Security Agency

Housing and Urban Development Agency

Civil Service Department

Central Register Office

Department of Statistics

II. Non-governmental organizations

Jordanian National Association of Women's Committees

Princess Basma Centre for Women's Issues

Young Christians' Association

Nour al-Hussein Foundation

Arab Women's Association

Jordanian Women's Union

Humanist Forum for Women's Rights

Association of Women Heads of Household

Independent Training Association

Women Professionals and Enterprise Heads Club

Jarash Women's Association

"Right to Human Rights Service" Association

Tcherkesse Charitable Association

Al-Fahiss Women's Association

Legal Committee of the Jordanian National Committee for Women.

ANNEX II

Jordanian National Strategy for Women

Introduction

During the past four decades Jordan has made considerable progress on the social and economic level, and this has had a positive impact on the role of women in society and on their ability to make an effective contribution to economic development and to the achievement of the social aspirations of all Jordanians.

In 1992, a Jordanian National Committee for Women was established because the Government wished to increase women's participation in economic, social and political life. The Committee is composed of representatives of all public and private agencies dealing with women's issues and is presided over by her Royal Highness Princess Basma bint Talal. The establishment of this Committee marks another milestone on the road towards improving the status of women so that they can occupy their rightful place in society. The Committee made preparation of a Jordanian National Strategy for Women, which would be central to all national efforts, no matter what the area of direction, a top priority.

The Strategy is characterized by the fact that it is the fruit of a whole series of studies, meetings and seminars organized throughout the country with the participation of a great number of men and women representing a vast sample of society. All these actions led, in 1993, to the organization of a national conference where participants decided to adopt a fully integrated draft national heritage. National heritage related to Arab and Islamic principles and values and to the ways they have evolved throughout the history of humankind. Modernity, on the other hand, involves keeping abreast of modern technologies, methods and developments which can improve the status of women in Jordan and support their role in the reconstruction f society, the consolidation of social progress and the realization of social development.

Preparation of this Strategy has made it possible to further highlight the fundamental principles laid down in the Jordanian National Charter, which stipulates that all Jordanians are equal before the law and have equal rights and obligations without regard to sex, race, language or religion. In line with the spirit of the Charter, the Strategy also emphasizes that in the exercise of their constitutional rights, all Jordanians are committed to safeguarding the higher interests of the nation and the ethics of national action so that the potential of Jordanian society may be channeled appropriately and so that the country's material and spiritual resources may be used to achieve the goals of unity, progress and building a better future.

II. FUNDAMENTAL PRINCIPLES OF THE STRATEGY

1. The National Strategy for Women is based primarily on the Jordanian constitution and the Jordanian National Charter. It is also based on the principles of the Islamic shariah on the values of Arab and Muslim society and on the principles of human rights.

2. In its aims and procedures and the mechanisms for its application the Strategy is consistent with the true values of Arab society and its nobles ideals, aspirations and desire for progress and development.

3. The Strategy seeks to promote the unity and cohesion of the family, which is viewed as the basic unit, the foundation on which all society is based and the natural environment in which the individual grows and learns and where his personality develops.

4. The Strategy deals with women's issues starting from the fact that women account for half of society and that, in the context of equality and balance between rights and obligations, it is they who raise the children and are the partners of the other half of society.

5. From the legislative, political, social and economic standpoint, the role and status of women are products of overall development at the national and Arab level. Consequently, efforts must be made, actively and systematically, to enhance the role of women, to improve their status in society and to do away with all forms of discrimination against them.

6. The National Strategy for Women supplements the overall development strategy in all its aspects – social, economic, political and cultural. It is also compatible with other relevant regional and international strategies.

7. Balanced development means that women must play an active role in development, and that rights and obligations muse be shared equitably. Development also means that account must be taken of the social and economic differences that exist between the different layers of society in all regions of the Kingdom.

8. The quantitative and qualitative development of the educational process and the promotion within that context of self-reliance, efficiency and equitable distribution are essential preconditions for optimizing the contribution and the role of women in society.

II. ELEMENTS OF THE STRATEGY

A. Legislative

Goals

1. To raise awareness, in Jordanian society in general and among women in particular, of women's legal rights and obligations, and the need to improve laws and regulations dealing with the role of women both within the family and in society, and to strengthen that role by every available means.

2. To enact new legislation of amend existing laws so as to facilitate the elimination of all forms of discrimination against women in all areas and to strengthen the role of women in the reconstruction and progress of society.

3. To work on enacting legislation so as to ensure that women can exercise the political, economic, social and cultural rights set forth in the shariah. These laws would also preserve the legal and constitutional rights of women to equality, education, counseling, training and employment opportunities.

Proposed measure

1. Thorough study of existing laws and regulations so as to determine what legal changes are needed in order to eliminate all forms of discrimination against women. In this context, it will be necessary to work out a system of priorities and to encourage men and women from both the public and private sector to participate in the process.

2. Amendment of the laws and regulations which are detrimental to the rights and interests of women so as to eliminate all forms of discrimination against them, to strengthen their role in society and to improve their social situation. These include laws dealing with nationality, civil status, pensions, social security, health insurance, the right to work and professional associations and trade unions.

3. Amendment of the law on personal status so as to safeguard women's interests in harmony with the shariah. This would be effected through independent interpretation and reliance on the views of legal experts, while ensuring compatibility with the needs of the modern world and of the country's present state of development.

4. Enactment of new laws of amendment of existing laws so as to eliminate all forms of discrimination against women and make these laws compatible with the relevant international covenants dealing with women's issues and women's rights while preserving the cultural identity of Jordanian society. Official organizations would be urged to sign and ratify all other relevant agreements.

5. Increased participation of women – at both local and national levels – in the preparation of studies on the enactment of laws.

B. Economic

Goals

1. To increase the proportion of women in the labour force and to guarantee that they do not suffer from any discrimination in respect of employment in any area or sector of activity.

2. To provide needed assistance to encourage women to enter and remain in the labour market, by encouraging and developing support service for that purpose.

Proposed measures

1. Publicity campaigns to make the idea of women at work socially acceptable, particularly as regards non-traditional sectors, and to give women the training they need to work in those sectors.

2. Steps to encourage public institutions to adopt their own procedures and methods so as to increase the professional qualifications of women and help them rise to higher administrative, decision-making and political positions.

3. Review of employment procedures of public institutions so as to prevent discrimination against women in regard to appointments and to encourage women to apply for vacancies.

4. Promotion of awareness among employers, directors and heads of administrative services about the need to eliminate all forms of discrimination against women regarding employment, training and promotion. Steps should be taken to encourage upward mobility of women working in middle and lower management positions, where most women work.

5. Effective implementation of laws concerning non-discrimination between men and women as regards equal pay for equal work.

6. Establishment of counseling services on areas of employment for women and legal mechanisms to enable them to assert their rights properly.

7. Increased participation of women in professional associations and trade unions, at every level, and steps to encourage the establishment of women's clubs and women's publications.

8. Steps to encourage women to work on their own, by making available more credit facilities, and necessary steps should be taken to reduce, as much as possible, the risks related to investment and production.

9. Provision of necessary support services for working women and steps to encourage, in particular, the establishment and development of higher-quality day care centres and nurseries. Such facilities would encourage women to enter and stay in the labour force, using the provisions contained in the Labour Code.

10. Safeguarding of the rights of women engaged in seasonal, part-time of occasional employment, that is the sort of employment

available to large numbers of poor women, particularly in the cities. Measure should also be taken to guarantee respect for decent working conditions, in accordance with the labour legislation.

11. Establishment of parallel markets for women where they can sell and control their own products.

12. Establishment of an infrastructure which would support the role of rural women in agricultural and livestock production, encourage them to contribute more actively to meeting their daily needs and channel the efforts of community groups to work to that end by providing these groups with the institutional, financial, technical and administrative support they need.

13. Organization of special programmes to retrain and prepare young women seeking employment in order to meet the needs for skilled labour in various sectors of the economy.

14. Assignment of particular importance to the participation of women in the planning and implementation of food safety programmes and the establishment of clear plans so as to achieve this goal in the context of a national food policy geared towards self-reliance and food production.

15. Conduct of the necessary steps the ensure health and safety in the places where women work and to create the conditions needed to achieve this.

C. Social

Goals

1. To improve the status and role of women within the family and society and to encourage social attitudes that strengthen women's role in social development.

2. To provide support to special categories of women, including single parents and older women, and to give special attention and care to handicapped women.

Proposed measures

1. Special attention to the development and protection of women in childhood, adolescence and when they have children of their own.

2. Conduct of steps to highlight more clearly the comprehensive nature of the role that women play in the development of society, both the traditional and non-traditional aspects, and to direct both education and the media towards supporting that role.

3. Conduct of steps to increase women's awareness and understanding of the nature of their rights and obligations, to promote sound social concepts and behaviours and to counteract negative practices.

4. Conduct of steps to increase women's awareness and understanding of environmental issues relating to energy and the rational use of water, by drawing attention to the role of women in conservation of the environment and the more efficient use of energy.

5. Conduct steps to increase women's awareness and understanding of issues relating to reproduction and positive practices in that area. This will be done though the schools and the media and families will be encouraged to space the births of their children and to breastfeed them

6. Consideration of issues relating to social and health problems of older women with a view to finding solutions to these problems and to begin implementing policies and programmes of action to that end.

7. Special attention to single-parent families and issues relating to this social phenomenon with a view to initiating policies and programmes to resolve them and to improve the social and economic status of women who are raising their children on their own; steps must also be taken to provide such families with enough social support so that these women can acquire and preserve their economic independence and to eliminate all the obstacles that prevent them from making use of credit mechanisms and other advantages.

8. Increased efforts to increase awareness of the problem of violence against women, both within and outside the home, inter alia, physical and mental harassment and physical abuse; legal follow-up services will be provided, if necessary, and consultative services will be offered to women who need them; support services will also be provided, if needed, including shelters and other forms of protection.

9. Provision of special services to handicapped women, including social rehabilitation and vocational restraining services, with a view to facilitating their participation in all aspects of daily life and their reintegration into society.

10. Provision of special services for poor women to improve their social, health and educational status and that of their family.

D. Education

Goals

1. To develop and improve educational services throughout the Kingdom.

2. To enhance the efficiency of the education system in promoting a positive image of women and of their status both within the family and in society and drawing attention to the role that women play in social development.

Proposed measures

1. Presentation of a more balanced picture of the family in general, and of women and young girls in particular, in school textbooks and curricula; this will be done by depicting women as people who work, produce and participate actively in all aspects of development, both within and outside the home, in the context of the social culture; at the same time women will be depicted as people who bear and raise children and look after the home.

2. Ensuring that vocational and education training is available to a greater number of women, particularly in agriculture, industry and the services sector, where women's participation is urgently needed.

3. Establishment of educational and career guidance services in educational establishments and public relations institutions so as to encourage young women to choose educational, university and vocational courses that are compatible both with their particular abilities and with the needs of the job market.

4. Broader dissemination of educational and vocational services and facilities as important elements of general education in the early stages, for boys and for girls; these services will deal, inter alia, with the acquisition of basic qualifications and information on the trends in agriculture, industry and the service sector.

5. Reduction of the drop-out rate, particularly in the early years of basic education, both throughout the Kingdom and especially in poor and rural areas.

6. Support for the Ministry of Education's plan to reduce illiteracy from 17 to 8 per cent among the population aged over 15 years as a whole, and from 24 to 10 per cent among young girls by the year 2000.

7. Closer focus in school textbooks and curricula on the various aspects of health, family, population and environmental education so that studies in these areas may be more in line with the various needs of daily life.

8. Steps to encourage female students to pursue their university studies at the post-graduate level in order to participate more actively in research and teaching at the university level and to be able to hold managerial positions.

E. Health

Goals

1. To develop and improve health services for women in the Kingdom.

2. To raise awareness of health risks and to provide women with appropriate education regarding matters of health so as to improve the overall health of the population and of families.

Proposed measures

1. Provision of health services for women throughout their lives, from childhood until the time they have children of their own; this is important because it has a positive impact not only on the woman's health but on that of the entire family.

2. An increase in the number of maternal and child health centres along with wider publicity for the services that they provide in urban and rural areas and improvements in their performance and the quality of the services they provide.

3. Steps to promote wider availability of essential services provided by public and private health centres, so that women may space the births of their children.

4. Particular attention to educating women in matters of health, developing special programmes dealing with health education and encouraging the media to play and active role in health education and promoting health awareness.

5. Improved teaching of medical science in the universities and vocational secondary schools, and encouragement for young women to choose this area of specialization.

6. Strengthening of the role of women in the health area, with special attention to them as both dispensers and beneficiaries of health services; women must therefore be given an opportunity to pursue university studies and training so as to enable them to occupy managerial positions in the health sector.

II. IMPLEMENTATION MECHANISM

The task of planning, implementing and evaluating the various elements of the National Strategy for Women is the responsibility of the public and private organizations which deal with women's issues, each according to its area of competence and sphere of activity. They will draw up plans, take the necessary steps, embark on various activities and implement various programmes and projects, all of which should lead to the implementation of the goals of the Strategy. The Jordanian National Committee for Women, for its part, will be responsible for the follow-up and evaluation of the implementation of the Strategy, according to the following methods and procedures:

1. The Jordanian National Committee for Women is trying to enhance the role of women as an effective lobby within Jordanian society. It is also trying to enlist the support of various groups, organizations and strata of society and to get them to lobby on women's issues. To that end, it is trying to highlight these issues, to correct the negative aspects and to promote the positive aspects.

2. The Committee is to have women's issues and the measures needed to deal with these issues included in all the economic and social development plans. To achieve this objective it will establish the necessary contacts and participate fully in the preparation of the various development plans.

3. Each year the Committee draws up a plan of work outlining the measures, activities and projects to be implemented during the year in the light of existing priorities and conditions.

4. In accordance with the tasks entrusted to it, the Committee insists on having annual reports from the various participating public and private organizations. To facilitate follow-up, evaluation and study these reports must indicate the goals achieved and activities initiated with a view to implementing the Strategy. The reports must also indicate the various areas of activity involved – education, training, employment, health, social and political development, public relations, legislation and so forth.

5. Every two to three years, the Committee reviews the plans which have been undertaken, the results achieved and the difficulties encountered in implementing the goals of the Strategy. This is done by preparing the necessary evaluation studies, which are then considered in specialized seminars and workshops with the participation of representatives of the relevant public and private bodies.

6. The Committee supports and encourages the organization of conferences, seminars and workshops on women's issues and the preparation of studies and the gathering of data and documentation on such issues.

7. The Committee is trying to set up committees and teams throughout the Kingdom to follow up the implementation of the measures, activities and projects adopted by the Committee with a view to achieving the goals of the Strategy in the various areas.

8. In order to increase job opportunities and training available to women and improve their working conditions, the Committee is trying to establish channels of communication and dialogue with the various organizations that deal with women's issues in the public and private sectors.

9. In order to exchange information and experience and embark on joint activities, the Committee is trying to establish contacts and channels of communication with the various regional and international organizations, particularly with Arab and Muslim organizations, which deal with women's issues and try to improve the status of women and to strengthen the role of women in society.

Annex III

Jordanian National Population Strategy

Introduction

The system of development planning which it adopted four decades ago has enabled Jordan to achieve significant progress in the economic and social fields. All of the country's successive development plans have taken account of the various population-related issues, including the relative increase in population growth rates that resulted from the waves of forced immigration which Jordanian society has experienced since the 1940s and from rising fertility rates, which has led to an imbalance in the geographic distribution of the population, increased public assistance, unemployment, poverty and greater pressure on essential services.

Wishing to focus attention on population problems, to highlight their seriousness and to come up with effective solutions and remedies, the Government in 1984 created a National Population Commission. At the welcome initiative of Her Royal Highness Princess Basma bint Talal, the Government decided in 1988 to reorganize the Commission, broaden its mandate and provide it with a general secretariat to serve as its executive organ. The Commission established its permanent headquarters at the Queen Alia Fund for Benevolent Social Development.

In early 1995, the Government approved the new structure of the Jordanian National Population Commission, which is chaired by the Minister of Labour and includes representatives of public and private entitles active in the population field. The aim was to expand the Commission's scope of action and strengthen its role to enable it to better fulfill expectations for the next phase of the country's development, particularly by ensuring follow-up to the elaboration and later to the implementation of Jordan's National Population Strategy. One of the Commission's chief priorities in the early 1990s was to elaborate a Jordanian National Population Strategy whose objectives and content would be consistent not only with the essence and basic principles of the country's religion, civilization and culture but also with the economic and social dimensions of its national development objectives, and which would take into account the inter-relationship between population, resources, environment and development.

This Strategy is based on a scientific method and the results of a number of surveys and studies conducted in the fields of health, culture, society, the economy and other population-related fields, as well as on recommendations emanating from local, regional and international seminars and conferences and from meetings organized in all parts of the Kingdom. The Jordanian National Population Commission was charged with coordinating and supervising the implementation of the definitive version of the Strategy, based on an approach that takes account of all variables together with their characteristics and impact on the development process as a whole, with emphasis on the need to respect cultural and social norms and deeply rooted social values.

Rationale and fundamental principles of the Strategy

1. The core principle underlying the Strategy is derived from the Islamic shariah and from the Jordanian Constitution and National Charter.

2. The Strategy is based on the principles of democracy and human rights and its main thrust is consistent with the values of Jordanian society that dictate the country's policies and its course of development aimed at fulfilling the aspirations of its society for a better life.

3. One of the goals of the Strategy is to bring about positive changes in population trends, since population is both the means and the end of socio-economic development.

4. The family has the right to have the number of children which it considers appropriate and to obtain the information and resources that would enable it to make decisions in this field in complete freedom and with respect for the precepts of genuine Islamic faith and for the civilization and values of Jordanian society.

5. Society must participate in the resolution of population problems and voluntarism has an important role to play in activities and programmes undertaken in this field.

6. An appropriate balance must be found between environmental and economic variables, taking into account the interaction between population, resources, environment and development and their repercussions.

7. A better balance must be achieved in the geographical distribution of the population in order to ensure a more effective interaction between population, land and capital within a context of balanced regional development.

8. One of the principal thrusts of the Strategy is the role of communication, information and education in the field of population, in particular the role of continuing education in overcoming population problems.

9. The promotion of maternal and child health is one of the fundamental principles of the Strategy, whose aim is to develop a healthy, strong and supportive society that offers comfort and progress to its members and to the family.

10. The National Population Strategy in its various dimensions is consistent with national planning objectives and complements other relevant Strategies, in particular the National Strategy for Women and its different areas of action.

I. ELEMENTS OF THE STRATEGY

1. Maternal and child welfare

Objectives

- To reduce the maternal mortality rate;

- To reduce the infant and post-infant mortality rate;

- To deal with the problem of handicaps

Measures envisaged

- Creation of a centralized national documentation system on maternal and child illnesses and deaths;

- Support for the modernization of maternal health services through rehabilitation of pregnancy and post-delivery health clinics in all hospitals;

- Establishment of emergency mobile maternal health clinics in rural and remote areas of the country;

- Expansion and modernization of child welfare services in health clinics, health centres and hospitals and staffing them with paediatric nurses;

- Expansion and modernization of ongoing medical training for health sector workers in the field of maternal and child care;

- Support for studies and surveys in the field of maternal and child care and elaboration of programmes and projects aimed specifically at determining the causes of maternal and child deaths in Jordan;

- Implementation of the National Strategy for Children;

- Development of a health education pilot project for mothers;

- Elaboration of draft legislation governing premarital medical examinations;

- Provision of services for the treatment of the disabled;

- Establishment of centres to care for the disabled.

2. Family welfare, family planning and spacing of births

Objectives

- To expand the scope of family planning services;

- To increase the rate of utilization of family planning methods;

- To ensure the participation of private and non-profit organizations in the introduction and expansion of family planning services;

- To make better use of the family planning methods available in society;

- To develop effective methods for providing health information and education in family planning and in the importance of spacing births.

Measure envisaged

- Implementation of the national health programme's birth spacing action plan;

- Establishment of birth spacing clinics in all health centres;

- Encouragement of mothers to practice birth spacing and longer periods of breast-feeding;

- Promotion of greater public awareness and expansion of health education in the field of population and family planning through the organization of extensive and intensive campaigns that make use of all information media;

- Expansion of the role of non-profit and private institutions and associations in promoting awareness of the importance of birth spacing;

- Cooperation and coordination among the different components (public, private and non-profit) of the health sector in the field of family planning;

- Promotion of studies and surveys on family welfare, family planning and birth spacing and dissemination of the results through seminars and the media.

3. Information and communication on population matters

Objectives

- To promote awareness of the importance of population issues in all their dimensions and to highlight their impact on the well-being and progress of everyone and on the sustainable overall development of Jordanian society in order to encourage the development of positive attitudes to these issues.

Measures envisaged

- Modernization and diversification of the information sources, channels and programmes of the media – press, radio and television – in the population field and expansion of the scope of education activities on population issues in these media;

- Increased efforts to draw the attention of those responsible for information activities, including programme directors, producers, authors, commentators on current economic and social issues and journalists, to population issues, by organizing meetings, seminars and workshops on information and communication in the field of population;

- Inclusion of population issues in the information strategy of the official media, as an essential component of radio and television programming;

- Use of a scientific approach to the planning of information programmes on communication activities in the field of population.

4. Women and development

Objectives

- To reduce the illiteracy rate among women;

- To increase the rate of school attendance by girls at the secondary, vocational and higher levels;

- To increase the proportion of women in the active labour force for all economic activities;

- To reduce the rate of female unemployment;

- To increase the level of women's participation in public life and in politics.

Measures envisaged

- Increase in the number of women's literacy centres, modernization of their curricula and encouraging women to attend them;

- Introducing women to and educating them about issues related to marriage, divorce and reproduction and giving them freedom of choice;

- Improvement in the quality of study and training advisory and guidance services and encouraging girls to continue their studies at the secondary, vocational and higher levels, taking into account the requirements of the labour market; provision of support services to working women, in particular child-care centres and kindergartens;

- Changes to the law aimed at promoting greater participation by women in public and political life;

- Implementation of the legislative, political, economic, social, health and educational components of the National Strategy for Women.

5. Education

Objectives

- To achieve the goal of basic education for all and to combat the phenomenon of school drop-out;

- To improve the quality of basic education and ensure the acquisition by pupils of the minimum skills needed for everyday life and learning;

- To increase the rate of secondary school attendance and match it to the needs of society and of development;

- To expand and improve the quality of the school and vocational training system to ensure easier placement of graduates in the labour market and higher skill and productivity levels;

- To definitively overcome the problem of illiteracy, particularly among rural women.

Measures envisaged

- Improvement and optimization of measures and programmes to combat the phenomenon of drop-out in basic education;

- Strengthening of links between the school and its social environment with emphasis on overcoming the individual problems of pupils;

- Introduction of preventive and curative programmes for children with special education needs in order to improve their academic performance;

- Ensuring effective communication between school and family, particularly through parent-teacher meetings;

- Encouraging preparation for vocational training, especially during basic primary education;

- Introduction of academic and occupational guidance programmes for pupils in basic education;

- Improvement in vocational training methods and programmes to better adapt them to the needs of the labour market;

- Development of information programmes to highlight the importance of vocational training and tis role in development;

- Improvement of training programmes for teachers in order to enhance their performancel

- Introduction of an incentive system for teachers in order to enhance their performance in the educational process;

- Utilization of the results of the 1994 general population and housing survey in order to gain a better understanding of and to identify those areas in which illiteracy is most concentrated and then to review and improve the national plan to combat illiteracy;

- Conduct of appropriate measures to encourage illiterate persons to attend literacy courses in areas with high illiteracy rates, with emphasis on teaching literacy to women;

- Increased efforts to promote greater awareness and provide education in the field of population through information campaigns aimed at illiterate groups, particularly women;

- Increase in the proportion of educational programmes on radio and television aimed at non-working women;

- Efforts to include courses on population and the environment in school curricula at all levels of education.

6. Population and labour force

Objectives

- To develop the country's human resources and organize their entry into the labour market;

- To increase the rates of female employment;

- To reduce unemployment rates;

- To encourage the replacement of foreign workers by local workers in the various areas of activity;

- To promote employment in those sectors and occupational levels which do not attract sufficient number of local workers;

Measures envisaged

- Survey of requirements of Jordan's labour market with a view to adapting teaching, education and training programmes to better respond to these requirements;

- Greater investment in projects with high job-creation potential;

- Opening up of foreign markets to Jordanian workers at all levels, particularly those with skills and qualifications, in order to reduce unemployment and increase remittances from abroad;

- Encouraging the entry of women into the labour market by providing the support services needed for that purpose;

- Organization of the foreign labour market and incentives for employers to make greater used of local workers in the different sectors of activity;

- Use of appropriate technologies in projects in order to increase employment opportunities;

- Development of general and specialized training programmes aimed at increasing labour productivity;

- Training of local workers and preparing them for employment in all sectors and at all levels to enable them to replace foreign workers;

- Establishment of specialized occupational training institutes for disabled persons to facilitate their insertion in the labour market;

- Ensuring the effective implementation of laws and regulations governing the prohibition of children from working.

7. Population and environmental resources

Objectives

To seek to establish a balance between population and environmental resources, by achieving the following objectives:

- To redress the imbalance between the supply of and demand for water;

- To redress the imbalance between local production and demand for food products;

- To ensure more effective utilization of local energy sources;

- To achieve a balance between population size and environmental conditions;

- To achieve a more balanced geographic distribution of population between urban and rural areas.

Measures envisaged

- Increased capacity of the Water and Electricity Office;

- Ensuring more rational use of water and electricity;

- Increased construction of dams;

- Increase in the production capacity and level of technology employed in agriculture;

- Encouragement of scientific research in the fields of energy, the environment and resources;

- Implementation of the various components of the Jordanian National Strategy for the Environment;

- Elaboration of standardized legislation for the protection of the environment;

- Promotion of public awareness and education about the environment within society;

- Relieving population pressure in over-populated urban areas and introduction of incentives to return to rural areas.

8. Population and housing

Objectives

- To enable all families to secure suitable housing at an affordable cost;

- To limit the spread of high-cost luxury housing;

- To encourage the public and private sectors to invest in the construction of low-income housing;

- To protect the environment by limiting the use of agricultural lands for housing purposes;

- To provide essential collective services to communities, including transport, education, health, water and electricity, medical advice and waste disposal.

Measure envisaged

- Conduct of studies on urbanization and urban growth with a view to utilizing the results in urban planning;

- Establishment of a comprehensive land-use plan for the Kingdom as a whole;

- Development of plans and programmes for low-income housing;

- Introduction of a set of reforms to encourage the private sector to invest in low-income housing;

- Elaboration of policies designed to limit the spread of luxury housing;

- Stage-by-stage implementation of urban master plans in order to make better use of public and other services.

II. INSTITUTIONAL FRAMEWORK FOR THE IMPLEMENTATION OF THE STRATEGY

The Jordanian National Population Commission, through its general secretariat, is responsible for supervising the follow-up of the implementation of the sectoral strategies. It does so with the parties responsible for carrying out the strategy programmes in each sector, namely, the ministries, institutions, administrations, universities and voluntary organizations. Each of these is responsible for formulating and carrying out, in its areas of competence and activity, the programmes, activities and projects which, taken together, will achieve the goals of the Jordanian national population strategy.

The Commission deems it necessary to use the following tools and methods to follow up the implementation of the Strategy with the other parties concerned:

1. Bring population issues into focus and gain the support of institutions, entities and groups in favour of regulating these issues.

2. Assign the highest priority to the smooth implementation of this Strategy by establishing working groups and designated focal points with all the institutions and parties concerned with population issues in the public, private and voluntary sectors, in order to optimize the efforts to achieve the goals of the Strategy.

3. ensure that population and development issues are taken into account in socio-economic development plans and participate effectively in formulating such plans in order to highlight the importance of population in development planning and the importance of balancing resources and population.

4. Draw up an annual plan showing all the activities to be carried out, taking into account priorities and favourable conditions.

5. Continue to open channels of dialogue and communication with all the parties – public, private and voluntary – responsible for programmes and projects in the population field and organize regular meetings for this purpose.

6. Ensure, under the decree of the Council of Ministers dated 27 December 1994, conferring on the Jordanian National Population Commission the role of a resource base for population issues, the gathering of publications and data from all the parties – public, private and voluntary – concerned with population issues and activities, and deposit this information with the Centre for Population Data so that it can be used in assessment and follow-up activities and research.

7. Support the holding of lectures, seminars and workshops to improve the knowledge of population issues in all relevant fields.

8. Encourage research and studies on this subject, including field surveys and data gathering and validation.

9. Carry out a special yearly assessment of plans and results in order to determine the extent to which the goals of the Strategy have been achieved and what obstacles have been encountered.

10. Institute or intensify communication with various international, regional and local organizations and institutions in order to exchange skills, information and participation in support of activities and programmes in the population field.

For the initial report submitted by the Government of Jordan, see CEDAW/C/JOR/1.

Legal Status in Some Arab Countries

Women legal status in some Arabic countries

Constitutions ensure equality between men and women as citizens under one state

Arab States	Articles of the Constitution on Women
Algeria	Chapter IV Rights and Freedoms Article 29 All citizens are equal before the law. No discrimination may invoke birth, race, sex, opinion, or other personal or social condition. Article 31 The institutions aim at ensuring equality for all citizens in the rights and duties through removing the impediments hindering the prosperity of human personality and hampering effective participation for all in the political, economic, social and cultural life. Article 32 The fundamental freedoms and human and citizen rights are ensured and shall be joint heritage among all Algerian men and women. It is their duty to transfer such trough generations to maintain it and ensure the sanctity thereof. Article 42 The right to establish political parties is acknowledged and ensured. Such right may not be invoked in undermining the fundamental freedoms, the basic values and aspects of the national identity, national unity, the security and safety of the country, independence of the state, sovereignty of the people and the democratic and republican nature of the state. Under respect for the present Constitution, political parties may not be formed on religious, lingual, ethnic, sexual, professional or affiliation grounds. Political parties may not resort to party propaganda based on the elements illustrated in the previous paragraph. Political parties shall not display any form of affiliation for foreign interests or parties. Any political party may not use violence or coercion irrespective of the nature or form thereof. Other liabilities and duties shall be prescribed by the Law. Article 58 The family enjoys the protection of the state and society. Chapter V Duties Article 63 Each person may exercise all the freedoms thereof, within the framework of respect for the rights of other acknowledged in the Constitution, particularly respect for the right to honor, sanctity of personal life and protection of the family, youth and children. Article 65 The Law shall reward parents on undertaking their duty to raise their children and take care of them. The Law also shall reward offspring on fulfilling their duty to be compassionate to their parents and help them.
Bahrain	Chapter I The State Article (1) e The citizens may participate in the public affairs and exercise political rights, starting with the right to vote, as per the Constitution and the conditions stipulated by the Law. Article (5) a. The family is the foundation of the society, based on religion, ethics and love of the homeland. The Law maintains the legitimacy of the family, strengthens the values thereof, protects motherhood and childhood, takes care of the offspring and protects them from exploitation and moral, physical and spiritual negligence. Moreover, the state is particularly concerned with the physical, moral and mental growth of the youth. b. The state shall ensure the social security for citizens upon aging, illness, inability to work, being orphans or widows or unemployment. c. Inheritance is a maintained right governed by the Islamic Shari'a. Article (18) People are equal in human dignity. All citizens are equal before the Law in public rights and duties. There shall be no discrimination on grounds of sex, origin, language, religion or creed.
Egypt	Section II Foundations of the society Chapter One Social and Moral Basics Article 9 The family is the foundation of the society based on religion, morals and patriotism. The state shall be keen on maintaining the original nature of the Egyptian family with the values and traditions. Such nature shall be ensured and enhanced in the relations within the Egyptian society. Article 10 The state shall ensure the protection of motherhood and childhood, maintain the youth and provide the conditions appropriate to enhancing their skills.

Constitutions ensure equality between men and women as citizens under one state

Arab States	Articles of the Constitution on Women
Egypt	Article 11 The state shall ensure balance between women's duties towards the family and their work in the society and equality with men in the political, social, cultural and economic life without prejudice to the provisions of the Islamic Shari'a. Article 15 The veteran warriors, the injured in wars, wives of martyrs and the children thereof may have the priority to job opportunities as per the Law. Chapter III Public Freedoms, Rights and Duties Article 40 Citizens stand equal before the law, they are equal in public rights and duties and there shall be no discrimination on the grounds of sex, origin, language, religion or creed.
Iraq	The Interim Law on Administration of the State of Iraq Article 1 (b) All references to males in the present law shall include females as well. Article 12: "The Iraqis are entitled to equal rights irrespective of sex, opinion, belief, nationality, religion, creed or origin. They are equal before that Law. No Iraqi citizen shall be subject to discrimination on grounds of sex, nationality, religion or origin. Iraqis are entitled to the right to personal safety, life and freedom. No one may be denied his life or his freedom unless in accordance with legal procedures. All are equals before the judiciary." Article 20: (a) Each Iraqi having the conditions prescribed in the Voting Law may run for elections or secretly vote in a free, open, fair, competitive and periodic. (b) No Iraqi shall be subject to discrimination for the purpose of voting in the elections on grounds of sex, religion, creed, race, belief, nationality, language, wealth or literacy.
Jordan	Article 23 1. All citizens are entitled to work. The state shall provide job opportunities for the Jordanians to motivate and enhance the national economy. 2. The state shall ensure work and pass legislations based on the following principles: a. Laborers shall be paid in accordance with the quantity and quantity of the work performed. b. Weekly working hours shall be identified and laborers shall have weekly and annual paid leaves. c. Laborers providing for families shall have special compensations, in cases of dismissal, inability to work and emergency resulting from the working conditions. d. Special conditions shall be made to the work of women and juveniles. e. Workplaces shall be subject to the health rules. f. Free syndicates shall be established as per the Law. Law on Elections for the House of Representatives – Provisional Law No. 34 of 2001 and the amendments thereto. Legislative Authority: The Parliament shall consist of two houses, namely: the House of Nobles and the House of Representatives. The House of Nobles shall consist of 55 nobles appointed by the King for four years. The House of Representatives shall consist of 110 representatives elected by the people for four years. Some of the seats of the House of Representatives shall be assigned for the religious and ethnic minorities such as Christians, Caucasians, Bedouins and Chechen. Six seats shall be assigned for women. The National Charter 19990 Chapter V The Social Aspect 1- The family is the foundation of the Jordanian society. It is the natural atmosphere for individuals to grow, be raised and educated. The state official and popular institutions shall provide for families to safeguard dignified income and assist families in undertaking the responsibility of raising generations in a righteous manner. 2- Righteous motherhood is the basis of reasonable childhood and a natural right of the rights of the child. The Jordanian state and society shall provide health care for children and mothers, ensure the right of working women to maternity and child care leaves including all health and social insurances and provide suitable working conditions and the other supportive services. 3- Children are entitled to the utmost care and protection by parents and the state in order to build the independent personality of the Jordanian children without discrimination between males and females. 4- Women are the partners of men in the development of the Jordanian society. Therefore, it is imperative to ensure the constitutional and legal right of women to equality, education, cultivation, guidance, training and work. Women shall be enabled to assume their proper role in building the society and the advancement thereof.
Kuwait	Article 9 The family is the foundation of the society, based on religion, morals and love of the homeland. The Law shall maintain the entity of the family and strengthen motherhood and childhood within the family. Article 29 People are equal in human dignity and are equals before the Law in public rights and duties. There shall be no discrimination on the grounds of sex, origin, language or religion.

Constitutions ensure equality between men and women as citizens under one state

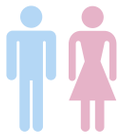
Arab States	Articles of the Constitution on Women
Lebanon	
Libya	
Mauritania	Chapter I General Judgment and Basic Principles Article 1 Mauritania is an Islamic Republic integral, democratic and social. The Republic ensures for all citizens equality before the Law without discrimination on grounds of origin, race, sex or social status. The Law shall penalize any regional incitement of a racist or ethnic nature. Article 16 The state and the society shall protect the family.
Morocco	Article 8 Men and women are equal in exercising political rights. Each citizen, male or female, may exercise the right to elect if they are adults exercising their civil and political rights.
Oman	Chapter II Principles orienting the policy of the state Article 12 The social principles: - Justice, equality and equal opportunities among the Omani are foundations of the society and shall be ensured by the state. - Solidarity and compassion are close ties among the citizens. It is imperative to maintain the national unity. The state shall prohibit all that leads to schism, incitement or affect the national unity. - The family is the foundation of the society. The Law shall provide means for protecting the family, maintain the legitimate structure thereof, enhance family values and relations and provide family members with the conditions suitable for developing the skills and talents thereof. - The state shall provide for the citizens and their families in cases of emergency, illness and aging, according to the social insurance system. The state shall work for the solidarity of the society to stand the consequences of catastrophes and public plights. Chapter III Public Rights and Freedoms Article 17 All citizens are equal before the Law. They are equal in public rights and freedoms. There shall be no discrimination on grounds of sex, origin, color, language, religion, creed, homeland or social status.
Palestine	Chapter II Public Rights and Freedoms Article 9 The Palestinians are equal before the Law and Judiciary and there shall be no discrimination on grounds of race, sex, color, religion, political opinion or disability. Article 29 Care for motherhood and childhood shall be a national duty. The children are entitled to: comprehensive protection and care, not to be exploited for whatever reason, not to be allowed to perform works jeopardizing the safety, health or education thereof and protection against abuse and cruel treatment. The Law prohibits battery and cruel treatment by their families. In case juveniles are punished by a freedom-undermining penalty, they shall be separated from adults and shall be treated in a manner suitable to their age and aiming at reforming them.
Qatar	Article 21 The family is foundation of the society based on religion, morals and love for the homeland. The Law shall regulate the means to protect the family and maintain motherhood, childhood and the elderly there under. Chapter III Public Rights and Freedoms Article 35 People are equal before the Law. There shall be no discrimination on the grounds of sex, origin, language or religion.
Saudi Arabia	Chapter III Foundations of the Saudi Society Article 9: The family is the basis of the Saudi society. members of the family shall be brought up as per the Islamic creed and the principles of loyalty for God, the Prophet and the governors, respect order, love of the homeland and take pride in the homeland and its glorious history. Article 10: The state shall maintain the Arab and Islamic values of the family and provide care for all family members and the conditions appropriate for enhancing their skills and capacities.
Somalia	Equality among Citizens Article 3 All citizens are equal before the Law. They have equal rights and duties. There shall be no discrimination on grounds of race, origin, language, religion, sex, economic or social status or political opinion. Chapter II Social Rights Protection of the Family

Constitutions ensure equality between men and women as citizens under one state

Arab States	Articles of the Constitution on Women
Somalia	Article 31 1. The family based on marriage shall be a major component in the society and shall be protected by the state. 2. Parents will raise and educate their children as per the provisions of the Law. 3. The Law shall undertake the aforementioned responsibilities in the event of the death of the parents, or the parents inability to undertake such responsibilities. 4. The adults shall provide for their parents who are not able to provide for themselves. 5. The state shall protect motherhood and childhood and provide establishments for such purpose. 6. The state shall acknowledge the duty of protecting the illegitimate children. Protection of the Work Article 36 1. The state shall protect works in all forms and applications. 2. Servitude or forced labor are prohibited in all forms. The Law shall specify the occasions in which work shall be imposed due to a military or civil need or in implementation of a criminal penalty. 3. All laborers may have equal wages upon performing equal works maintaining life suitable for human dignity. 4. All laborers may have weekly and annual leaves and may not be forced to waive such leaves. 5. The Law shall stipulate the maximum number of daily working hours and the minimum age according to the various types of works and the conditions of work for juveniles and women.
Sudan	The Family and Women Article 15 Te state shall maintain the family, facilitate marriage, provide care for the offspring and children and pregnant women and children. Women shall be protected against injustice under any of the living conditions and the role thereof in the family and public life shall be maintained. Right to Equality Article 21 All people are equal before the Law. The Sudanese are equal in rights and duties in the conditions of public life. No discrimination may be enforced only on grounds of race, sex or religion. They are equals in their qualifications and may not be distinguished by wealth. Sanctity of the Nationality Article 22 Each person born to Sudanese parents may be entitled to an infallible right to hold the nationality with all the rights and duties. Each person raised or lived in Sudan for a number of years is entitled to hold the nationality as regulated by the Law. Prohibition of Murder for no Right Article 33 (1) Capital punishment may not be enforced unless for equitable punishment or as a penalty for highly critical crimes. (2) Capital punishment may not be executed for offenders under 18 years old, such penalty may not be executed for pregnant women and for the breast feeders until two years after breastfeeding. Elderly people approaching 70 years old may not be executed. Chapter II Federal Legislative Authority The National Council The National Council and its formation Article 67 1. An elected national council shall undertake the responsibility of legislation and any other authorities as per the Constitution. 2. The Council shall consist of members elected through public direct election, private election or indirect election as follows: a. 75% of membership through direct public election from the geographical districts fairly representing demographic distribution. b. 25% of membership through private or indirect election representing women and the scientific and professional groups representing jurisdictional or national groups as per the Law. 3. In the event of the impossibility of conducting the elections of the National Council in any district due to emergency security reasons, upon a decision by the Public Elections Authority, the President of the republic may appoint a member in the National Council to occupy the seat until the elections are conducted the sooner the possible. Authorities of the President of the Republic Article 132 In the state of emergency, the President of the Republic may, upon an exceptional law or order, undertake any of the following measures: a. Suspend some or all of the provisions prescribed in the Chapter on freedoms, sanctities and the constitutional rights. Freedoms may not be undermined through slavery or torture, as well as the right to non discrimination only on grounds of race, sex or religion, the freedom of creed, the right to litigation or innocence and the right to defense. b. Dissolve or suspend any of the jurisdictional authorities or suspend the agencies, to suspend the authorizations given to the states under the Constitution, to per se run such agencies and exercise authorities, or decide how to run the affairs of the state concerned. c. Issue any measures he deems necessary to face the state of emergency. Such measures shall have same force as laws.
Syria	Article 44 1. The family is the basic unit in the society and shall be protected by the state. 2. the state shall protect and encourage marriage, eliminate the financial and social impediments thereto, protect motherhood and childhood and provide care for the youth and provide the conditions necessary for enhancing their skills. Article 45 The state shall ensure for women all opportunities to effectively and fully participate in the political, social, cultural and economic life. The state shall eliminate the restrictions hindering their development and participation in establishing the Arab Sociality society.

Constitutions ensure equality between men and women as citizens under one state

Arab States	Articles of the Constitution on Women
Tunisia	Article 8 (Articles 3, 4, 5, 6 and 7 were added by the Constitutional Law No. 65 of 1997 on October 27, 1997) - The freedom of thought, expression, press, publication, assembly and establishment of associations shall be ensured and practiced as per the Law. - The right of syndicates shall be ensured. Parties contribute to organizing political participation of citizens in the political life. Parties shall be formed on democratic grounds and shall respect the sovereignty of the people, the values of the republic, human rights and the principles of personal status. - The parties are obliged to shun all forms of violence, extremism, racism and all forms of discrimination. - No party may be based on religion, language, race, sex or agency as to the principles, goals, activities or programs thereof. - No party shall be affiliated to foreign parties or interests. - The formation and organization of the parties shall be as per the Law. Article 21 (amended by the Constitutional Law No. 65 of 197 on October 27, 1997) - Elections for the membership of the House of Representatives shall be a right to each candidate born to Tunisian parents, twenty three years old at least on the day of candidacy. - The representative shall swear the following oath on the fist plenary session: "I swear by God Almighty to sincerely work for my country and to abide by the provisions of the Constitution and have sole loyalty for Tunisia."
United Arab Emirates	Article 15 The family is the foundation of the society based on religion, morals and love for the homeland. The Law shall ensure the structure of the family, maintain it and protect it against divergence. Article 16 The society shall protect childhood and motherhood, the juniors and others disable to protect themselves due to illness, disability, aging or forced unemployment. The society shall help them and qualify them for the good of themselves and the society. the Laws on public aids and social insurance shall regulate such matters.
Yemen	Chapter III Social and Cultural Bases Article 26 The family is the foundation of the society based on religion, morals and love of the homeland. It shall be maintained by the Law. Article 30 The state shall protect motherhood and childhood and take care of the youth. Article 31 Women are equal to men and shall have the same rights and duties as prescribed by the Shri'a and the Law. Chapter II Fundamental Rights and Duties of the Citizens Article 56 The state shall provide the social insurance for all citizens in the event of illness, disability, unemployment, aging or loss of the bread winner. Moreover, such is particularly provided for the families of the martyrs as per the Law.
Djibouti	Article 1 The state of Djibouti shall be a democratic sovereign Republic, one and indivisible. It shall ensure the equality of all citizens before the law, without distinction as to origin, race, sex or religion. It shall respect all beliefs. ... Its principle shall be: "Government of the people, by the people and for the people". Its official languages shall be Arabic and French. Article 3 The Republic of Djibouti shall comprise all persons whom it recognises as members and who accept its duties, without distinction of language, race, sex or religion. National sovereignty shall belong to the Djiboutian people, who shall exercise this sovereignty through its representatives and by way of referendum. No fraction of the people nor any individual may assume the exercise thereof. No one may be arbitrarily deprived of the status of member of the national community. Article 5 All Djiboutian nationals of both sexes who have reached their majority and enjoy civil and political rights shall be eligible to vote under the conditions determined by law Article 6 Political parties shall be instrumental in the expression of the suffrage. They shall be formed and carry on their activities freely in respect for the Constitution and the principles of national sovereignty and democracy. They shall be prohibited from identifying themselves by race, ethnic group, sex, religion, sect, language or region. The formalities with respect to registration of political parties and the exercise and cessation of their activities shall be determined by law.



Optional Protocol

Optional Protocol

http/www.un.org/womenwatch/daw/

a. What does "Optional Protocol" mean?

By signing and ratifying the OP, the States Parties recognize the competence of the Committee to eliminate discrimination against women, which is the body established for the purpose of monitoring States' implementation and compliance with the Convention, and to receive and consider complaints from individuals or groups within its jurisdiction.

Article 21, the Optional Protocol, was adopted by the General Assembly on 6 October 2000, and all States, that signed and ratified the Convention, were encouraged to become party of the new instrument as soon as possible. The OP entered into force after the 10th State ratified CEDAW on 22 December 2000. Please note that, Article 17 of the OP declares that no reservations may be entered to its terms.

The OP has two procedures:

1. Communications procedure: This procedure allows the individual woman, or a group of women, to submit claims of violations of individual cases to be submitted to the Committee, under certain conditions, for consideration.

2. Enquiry procedure: This procedure allows the Committee to inquire about cases of grave or systematic violations in specific states, on condition that the state has ratified CEDAW and the OP. The Protocol includes an "opt-out clause", allowing states upon ratification or accession to declare that they do not accept the inquiry procedure.

b. Why an OP?

1. To improve on and add to existing enforcement mechanisms for women's human rights

2. To improve States' and individuals' understanding of CEDAW

3. To stimulate States to take steps to implement CEDAW

4. To stimulate changes in discriminatory laws and practices

5. To enhance existing mechanisms for the implementation of human rights within the UN system

6. To create greater public awareness of human rights standards relating to discrimination against women.

States Parties of the OP:

As of July 2003, 53 States have signed the Optional Protocol, and 75 States have ratified it.

Participant	Signature	Ratification, Accession (a)
Albania		23 June 2003 (a)
Andorra	9 July 2001	14 October 2002
Argentina	28 February 2000	
Austria	10 December 1999	6 September 2000
Azerbaijan	6 June 2000	1 June 2001
Bangladesh	6 September 2000	6 September 2000
Belarus	29 April 2002	3 February 2004
Belgium	10 December 1999	17 June 2004
Belize		9 December 2002 (a)
Benin	25 May 2000	
Bolivia	10 December 1999	27 September 2000
Bosnia and Herzegovina	7 September 2000	4 September 2002
Brazil	13 March 2001	28 June 2002
Bulgaria	6 June 2000	
Burkina Faso	16 November 2001	10 October 2005 (a)
Burundi	13 November 2001	
Cambodia	11 November 2001	
Cameroon		7 January 2005 (a)
Canada		18 October 2002 (a)
Chile	10 December 1999	
Colombia	10 December 1999	
Costa Rica	10 December 1999	20 September 2001
Croatia	5 June 2000	7 March 2001
Cuba	17 March 2000	

Participant	Signature	Ratification, Accession (a)
Cyprus	8 February 2001	26 April 2002
Czech Republic	10 December 1999	26 Feb 2001
Denmark	10 December 1999	31 May 2000
Dominican Republic	14 March 2000	10 August 2001
Ecuador	10 December 1999	5 February 2002
El Salvador	4 April 2001	
Finland	10 December 1999	29 December 2000
France	10 December 1999	9 June 2000
Gabon		5 November 2004 (a)
Georgia		30 July 2002
Germany	10 December 1999	15 January 2002
Ghana	24 February 2000	
Greece	10 December 1999	24 January 2002
Guatemala	7 September 2000	9 May 2002
Guinea-Bissau	12 September 2000	
Hungary		22 December 2000
Iceland	10 December 1999	6 March 2001
Indonesia	28 February 2000	
Ireland	7 September 2000	7 September 2000
Italy	10 December 1999	22 September 2000
Kazakhstan	6 September 2000	24 August 2001
Kyrgyzstan		22 July 2002
Lesotho	6 September 2000	24 September 2004
Liberia	22 September 2004	
Libyan Arab Jamahiriya		18 June 2004
Liechtenstein	10 December 1999	24 October 2001
Lithuania	8 September 2000	5 August 2004
Luxembourg	10 December 1999	1 July 2003
Madagascar	7 September 2000	
Malawi	7 September 2000	
Mali		5 December 2000 (a)
Mauritius	11 November 2001	
Mexico	10 December 1999	15 March 2002
Mongolia	7 September 2000	28 March 2002
Namibia	19 May 2000	26 May 2000
Nepal	18 December 2001	
Netherlands	10 December 1999	22 May 2002
New Zealand	7 September 2000	7 September 2000
Niger		30 September 2004 (a)
Nigeria	8 September 2000	22 November 2004
Norway	10 December 1999	5 March 2002
Panama	9 June 2000	9 May 2001
Paraguay	28 December 1999	14 May 2001
Peru	22 December 2000	9 April 2001
Philippines	21 March 2000	12 November 2003
Poland		22 December 2003 (a)
Portugal	16 February 2000	26 April 2002
Romania	6 September 2000	25 August 2003
Russian Federation	8 May 2001	28 July 2004
San Marino		10 September 2005 (a)
Sao Tome and Principe	6 September 2000	
Senegal	10 December 1999	26 May 2000
Serbia and Montenegro		31 July 2003 (a)
Seychelles	22 July 2002	
Sierra Leone	8 September 2000	
Slovakia	5 June 2000	17 November 2000
Slovenia	10 December 1999	23 September 2004
Solomon Islands		6 May 2002
South Africa		18 October 2005 (a)
Spain	14 March 2000	6 July 2001
Sri Lanka		15 October 2002 (a)
Sweden	10 December 1999	24 April 2003
Tajikistan	7 September 2000	
Thailand	14 June 2000	14 June 2000
The former Yugoslav Republic of Macedonia	3 April 2000	17 October 2003
Timor-Leste		16 April 2003 (a)
Turkey	8 September 2000	29 October 2002
Ukraine	7 September 2000	26 September 2003
United Kingdom of Great Britain and Northern Ireland		17 December 2004 (a)
Uruguay	9 May 2000	26 July 2001
Venezuela	17March 2000	13 May 2002

Source: http://www.un.org/womenwatch/daw/cedaw/

General Assembly

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[without reference to a Main Committee (A/54/L.4)]

Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women The General Assembly, Reaffirming the Vienna Declaration and Programme of Action[1] and the Beijing Declaration [2] and Platform for Action,[3] Recalling that the Beijing Platform for Action, pursuant to the Vienna Declaration and Programme of Action, supported 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[4] that could enter into force as soon as possible on a right-to-petition procedure, Noting that the Beijing Platform for Action also called on all States that have not yet ratified or acceded to the Convention to do so as soon as possible so that universal ratification of the Convention can be achieved by the year 2000,

1. Adopts and opens for signature, ratification and accession the Optional Protocol to the Convention, the text of which is annexed to the present resolution;

2. Calls upon all States that have signed, ratified or acceded to the Convention to sign and ratify or to accede to the Protocol as soon as possible;

3. Stresses that States parties to the Protocol should undertake to respect the rights and procedures provided by the Protocol and cooperate with the Committee on the Elimination of Discrimination against Women at all stages of its proceedings under the Protocol;

4. Stresses also that in the fulfilment of its mandate as well as its functions under the Protocol, the Committee should continue to be guided by the principles of non-selectivity, impartiality and objectivity;

5. Requests the Committee to hold meetings to exercise its functions under the Protocol after its entry into force, in addition to its meetings held under article 20 of the Convention; the duration of such meetings shall be determined and, if necessary, reviewed by a meeting of the States parties to the Protocol, subject to the approval of the General Assembly;

6. Requests the Secretary-General to provide the staff and facilities necessary for the effective performance of the functions of the Committee under the Protocol after its entry into force;

7. Also requests the Secretary-General to include information on the status of the Protocol in her or his regular reports submitted to the General Assembly on the status of the Convention.

28th plenary meeting

6 October 1999

ANNEX

Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women The States Parties to the present Protocol, Noting that the Charter of the United Nations reaffirms faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women, Also noting that the Universal Declaration of Human Rights[5] proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind, including distinction based on sex, Recalling that the International Covenants on Human Rights[6] and other international human rights instruments prohibit discrimination on the basis of sex, Also recalling the Convention on the Elimination of All Forms of Discrimination against Women[4] ("the Convention"), in which the States Parties thereto condemn discrimination against women in all its forms and agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women, Reaffirming their determination to ensure the full and equal enjoyment by women of all human rights and fundamental freedoms and to take effective action to prevent violations of these rights and freedoms,

---

1- A/CONF.157/24 (Part I), chap. III.

2- Report of the Fourth World Conference on Women, Beijing, 4:15 September 1995 (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex I.

3- Ibid., annex II.

4- Resolution 34/180, annex.

5- Resolution 217 A (III).

6- Resolution 2200 A (XXI), annex.

Have agreed as follows:

Article 1

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

Article 2

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

Article 3

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

Article 4

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

2. The Committee shall declare a communication inadmissible where:

(a) The same matter has already been examined by the Committee or has been or is being examined

under another procedure of international investigation or settlement;

(b) It is incompatible with the provisions of the Convention;

(c) It is manifestly ill-founded or not sufficiently substantiated;

(d) It is an abuse of the right to submit a communication;

(e) The facts that are the subject of the communication occurred prior to the entry into force of the present Protocol for the State Party concerned unless those facts continued after that date.

Article 5

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

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

Article 6

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

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

Article 7

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

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

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

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

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

Article 8

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

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

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

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

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

Article 9

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

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

Article 10

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

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

Article 11

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

Article 12

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

Article 13

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

Article 14

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

Article 15

1. The present Protocol shall be open for signature by any State that has signed, ratified or acceded to the Convention.

2. The present Protocol shall be subject to ratification by any State that has ratified or acceded to the Convention. Instruments of ratification shall be deposited with the Secretary-General of the United Nations.

3. The present Protocol shall be open to accession by any State that has ratified or acceded to the Convention.

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

Article 16

1. The present Protocol shall enter into force three months after the date of the deposit with the Secretary-

General of the United Nations of the tenth instrument of ratification or accession.

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

Article 17

No reservations to the present Protocol shall be permitted.

Article 18

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

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

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

Article 19

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

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

Article 20

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

(a) Signatures, ratifications and accessions under the present Protocol;

(b) The date of entry into force of the present Protocol and of any amendment under article 18;

(c) Any denunciation under article 19.

Article 21

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

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

MODEL FORM

FOR SUBMISSION OF COMMUNICATIONS TO THE

COMMITTEE THE ELIMINATION OF DISCRIMINATION AGINST WOMEN UNDER THE OPTIONAL PROTOCAL OF THE CONVENTION

The optional protocol to the convention on the elimination of All forms of Discrimination against Women entered into force on 22 December 2000. It entitles the committee on the elimination of Discrimination against women, a body of 23 independent experts, to receive and consider communications (petition) from, or on behalf of, individuals or a group of individuals who claim to be victims of violations of the rights protected by the Convention.

To be considered by the committee, a communication:

• must be in writing

may not be anonymous; (please add bullet point)

must refer to a state which is a party to both the convention on the elimination of All forms of Discrimination against Women and the optional protocol; (please add bullet point)

must be submitted by, or on behalf of, an individual or a group of individuals, under the jurisdiction of a state which is a part to the convention and the optional protocol. In cases where a communication is submitted on behalf of an individual or a group of individuals, their behalf without such consent.(please add bullet point)

A communication will not normally be considered by the committee:

Unless all available domestic remedies have been exhausted; (please add bullet point)

Where the same matter is being or has already been examined by the committee or another international procedure; (please add bullet point)

If it concerns an alleged violation occurring before the entry into force of the optional protocol for the state. (please add bullet point)

In order for a communication to be considered the victim or victims must agree to disclose her/ their identity to the state against which the violation is alleged. The communication, if admissible, will be brought confidentially to the attention of the state party concerned.

If you wish to submit a communication, please follow the guidelines below as closely as possible. Also, please submit any relevant information which becomes available after you have submitted this form.

Further information on the convention on the Elimination of All Forms of Discrimination against Women and its optional protocol, as well as the rules of procedure of the committee can be found at:

http://www.un.org/womenwatch/daw/cedaw/index.html

Guidelines for submission

The following questionnaire provides guidelines for those who wish to submit a communication for consideration by the committee on the elimination against women under the optional protocol to the convention on the elimination of All forms of discrimination against women. Please provide as mish information as available in response to the items listed below.

Send your communication to:

Committee on the elimination of discrimination against women

c/o Division for the advancement of women, Department of Economic and social Affairs

United Nation Secretariat

2 United Nation Plaza

DC-2/12th floor

New York, NY 10017

United States of America

Fax: 1-212-963-3464

1. Information concerning the author(s) of the communication

- Family name
- First name
- Date and place of birth
- Nationality / citizenship
- Passport/identity card number (if available)
- Sex
- Marital status /children
- Profession
- Ethnic background, religious affiliation, social group (if relevant)
- Present address
- Mailing address for confidential correspondence(if other than present address)
- Fax/telephone/e-mail
- Indicate whether you are submitting the communication as:

- Alleged victim(s). If there is a group of individuals alleged to be a victims, provide basic information about each individual.

- On behalf of the alleged victim(s). Provide evidence showing the consent of the victim(s), or reasons that justify submitting the communication without such consent.

2. information concerning the alleged victim(s) (if other than the author)

- Family name
- First name
- Date and place of birth
- Nationality / citizenship
- Passport/identity card number (if available)
- Sex
- Marital status /children
- Profession
- Ethnic background, religious affiliation, social group (if relevant)
- Present address
- Mailing address for confidential correspondence(if other than present address)
- Fax/telephone/e-mail

3. Information on the state party concerned

Name of the state party (country)

4. Nature of the alleged violation(s)

Provide detailed information to substantiate your claim, including:

Description of alleged violation(s) and alleged perpetrators(s)

Date(s)

Place(s)

Provisions of the convention on the Elimination of All forms of Discrimination against women that were allegedly violated.

If the communication refers to more than one provision, describe each issue separately.

5. Steps taken to exhaust domestic remedies

Describe the action taken to exhaust domestic remedies; for example, attempts to obtain legal, administrative, legislative, policy or programme remedies, including:

Type(s) of remedy sought

Date(s)

Place(s)

Who initiated the action?

Which authority or body was addressed

Name of court hearing the case (if any)

If domestic remedies have not been

Exhausted, explain why.

Please note: Enclose copies of all relevant documentation.

6. Other international procedures

Has the same matter already been examined or is being examined under another procedure of international investigation or settlement? If yes, explain:

Type of procedure(s)

Dates(s)

Place(s)

Results (if any)

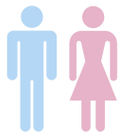
Please note: Enclose copies of all relevant documentation.

7. Date and signature

Date/Place:_____

Signature of author(s) and/or victim(s):

8. List of document attached (do not sent originals, only copies)



Violence Against Women (VAW)

Violence against Women on Gender Basis

With the exception of Article 6, which deals with women traffic and exploitation in prostitution, the issue of violence against women is not effectively treated in the Convention. However, the Committee concluded that such form of violence represents an image of discrimination based on gender, which is in opposition to the principles adopted by the Convention. The general recommendation No.12 requires the States Parties to include in their reports information on all forms and areas of violence against women; while the general recommendation No.14, which specifically deals with the issue of female circumcision, offers suggestions and recommendations aiming at putting an end to this process.

General recommendation No.19, which is the first interweaved general recommendation adopted by the Committee, defines the concept of violence against women on basis of gender, whether committed by Government official or by an ordinary citizen and regardless of the place, in public or in private, as discrimination based on gender and violation of internationally protected human rights. By defining violence against women based on gender, regardless of the perpetrator, as discrimination on gender basis, the Committee held the States Parties responsible to be committed to eliminate this form of violence, in pursuance with the Convention.

The general recommendation No.19 enumerates the penalties, prevention and protection measures which States Parties must adopt for the implementation of the Convention.

The definition of violence against women on gender basis as a form of discrimination on gender basis has an impact on other international efforts to put an end to this form of violence. The International Declaration to eliminate violence against women adopted by the General Assembly in December 1993 reflects the Committee's efforts in this field. It also shows the crucial importance of effective implementation of the Convention to eliminate violence against women.

Declaration on the Elimination of Violence against Women

Proclaimed by General Assembly resolution 48/104 of 20 December 1993

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 rural or 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,

---

Source: UNIFEM manual for preparing CEDAW reports

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, counselling, 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;

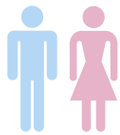
(g) Consider the issue of the elimination of violence against women, as appropriate, in fulfilling their mandates with respect to the implementation of human rights instruments;

(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.

Source: http://www.ohchr.org/english/law/eliminationvaw.htm



Follow Up

Convention Follow-up Mechanism

Obligation of Report Submission:

In addition to the States Parties' obligation to implement the Convention on the national level, they undertake to submit reports on the measures adopted to activate the Convention and the difficulties they might have encountered during the implementation of the provisions thereof. These reports are submitted to the UN Secretary-General who transfers them to the CEDAW Committee for study. In accordance with Article 18 of the Convention, the State Parties undertake to submit reports on the legislative, judicial, and administrative procedures adopted to activate the Convention, in addition to the obstacles they may have encountered within one year from the date of ratifying or acceding to the Convention. The State Parties must submit periodic reports within a maximum of 4-year period or upon the Committee's request.

The States Parties' obligation to submit the reports was the only mechanism to implement the Convention until October 1999. Different from other human rights conventions, the Convention does not include any provision allowing individual complaints to be processed. With the exception of Article 29, the Convention does not allow the States Parties to exchange complaints. The Vienna Declaration and the Plan of Action of 1993, which represents the concluding document of the UN World Conference for Human Rights, recommended studying the adoption of an optional protocol appended to the Convention to grant the right to complain.

In its 14th Session of 1995, the Committee adopted a proposal that include the optional protocol elements and, pursuant to this proposal, individuals and groups from the States Parties and the Protocol are allowed to submit complaints to the Committee in case of violation of the Convention Provisions. The proposed Protocol also entitles the Committee to take the initiative to conduct an investigation with the State Party regarding any grave or systematic violations committed against the Convention's Provisions in these States. The Committee of Women Status studied this proposal during its session of 1995 and agreed to take the States Parties' opinion thereon.

The Committee on Elimination of All Forms of Discrimination Against Woman (CEDAW Committee):

The CEDAW Committee, which reviews the reports of the States Parties, was formed according to Article 17 of the Convention. The Committee is composed of 23 experts elected through a secret ballot, from a list of persons of high moral standing and competence in the fields covered by the Convention and who were nominated by the States Parties. These elections have to meet the Convention's requirements for equitable geographical distribution in membership and that the CEDAW members, who are elected for a 4-year term, represent "different forms of civilization as well as principal legal systems". Although the Committee Members are nominated and elected by their States Parties, they serve in their personal capacities and not as representatives or delegates of their countries. Contrary to other supervisory committees, which are established according to the UN charters and the conventions arisen there from, and which mainly consist of male lawyers, the CEDAW Committee members are all women from different walks of life, with the exception of one member.

Based on the Convention Article 18, the main task of the Committee is to review the reports submitted by the State Parties. The Committee is also entitled to present proposals and recommendations based on reviewing the reports and on the information provided by these States. The Committee forwards the proposals to the UN Specialized Agencies, and the general recommendations to the States Parties. The general recommendations usually reflect the Committee's point of view concerning the Convention's obligations. The number of general recommendations drafted by the Committee for the preparation of this document reached 25. In accordance with the Convention, the Committee can invite the authorized UN Specialized Agencies, to attend its meetings and to submit reports for consideration. Although the Committee welcomes the information furnished by the NGOs, the Convention has no clear provisions that permit the authorization of such information.

Article 20 of the Convention states that the Committee usually meets annually for a period not exceeding two weeks, to review the reports submitted by the States Parties according to Article 18 of the Convention.

Due to the continuous increase in the number of reports submitted for the Committee's review, the General Assembly allows the Committee extra time to conclude its meetings. In 1995, one of the States Parties offered an additional week for meeting in its capital. The restrictions imposed on the time allocated for the meetings caused discomfort for a period of time. In 1995, the Committee drew the attention, in its 14th Session, General Recommendation No. 22, that it is the only Convention's Body responsible for the implementation thereof with time restriction on its meetings, and that this represents an obstacle to the Committee to implement its work. In May 1995 the Committee recommended the States Parties to submit a recommendation to reconsider Article 20, to allow sufficient time to the Committee so that it can perform its work effectively and according to the Convention's Provisions. The Committee also asked the General Assembly to allow, until such Article is amended, to hold two extraordinary meetings during 1996, each for 3 weeks preceded by a meeting for the respective working groups.

Accordingly, the States Parties agreed to replace Article 20 (1) with a new article stating that the Committee can hold an ordinary annual meeting whereby the meeting's duration is determined by the States Parties, provided that the General Assembly adopts it. This amendment shall enter into force after consideration by the General Assembly and after it is seconded by a majority of two-third of the States Parties. The Committee usually holds its meeting in January, June or July every year. Up to 1993 when the Committee's Secretariat Headquarter was transferred from Vienna to New York, the Committee continued to hold its meetings in rotation between Vienna and New York. The meetings are currently held in New York.

Since 1991, it was the custom for a working group composed of five Committee members to hold a preliminary meeting prior to the

annual session, for the preparation of a list of subjects and questions to be sent in advance to the States due to submit their following reports. Moreover, the Committee established two other permanent working groups to meet during its general meeting. The first working group studies the means and methods to expedite the Committee's work, while the second group prepares proposals and general recommendations to be considered by all Committee Members.

The procedural principles adopted by the CEDAW Committee require the Committee to hold its meetings usually in public. The legal quorum requires the participation of 21 members, however the official resolutions require the participation of minimum two third of its members. The reviewing of the States Parties' reports takes place in a general meeting where representatives from the reporting States participate and are requested to answer questions on the submitted reports.

The Objectives of Reports Submission:

The obligation to submit the reports, according to the Convention, helps the State Parties to fulfill their other commitments and allows the Committee to evaluate the achievement thereof. However, the reports submission is more than a procedural matter. The Committee on Economic, Social and Cultural Rights points out in its general remark No. 1 (1989) that reports submission has seven objectives:

- Comprehensive review of national legislations, administrative and procedural measures, and standard practices.

- To ensure the State Parties' systematic monitoring of the actual status regarding every provision set forth by the Convention and become aware of the level women enjoy their various rights that the States are bound to grant.

- To provide the States Parties with the cornerstone for establishing policies based on clear drafting and objectives, where priorities thereof are consistent with the Convention's provisions.

- To open the door for accurate public monitoring of the government policies and encourage different segments in the society to be involved in drafting and reviewing these policies.

- To provide a base for the States Parties and the Committee to evaluate their fulfillment of obligations set out by the Convention.

- To enable the States Parties to develop a better understanding of the problems and gaps encountered while implementing the Convention's objectives.

- To enable the Committee and all the States Parties to exchange information, develop a better understanding of common problems encountered by them and conduct a more integral evaluation of the procedural patterns that may be adopted to strengthen the possibilities of effective fulfillment of the obligations set forth by the Convention. This enables the Committee to identify the most appropriate means for the International Community to help the States Parties.

Therefore, the reports represent more than a formal exercise and must play the driving force role for a change from within the States Parties. The reports preparation must create the opportunity to revise laws, policies and practices with the aim of determining the level of complying with the criteria set out by the Convention. It also gives way for monitoring, determining and evaluating the adopted strategies to promote the principles proclaimed by the Convention. Reports preparation provides an opportunity for meticulous evaluation of the problems impeding the Convention implementation. In this context, the weak and strong areas are openly exposed, while the process of discussing the reports by the Committee provides a rostrum for a dialogue with independent body, which concentrates in providing constructive assistance to the States Parties to fulfill their obligations in compliance with the Convention.

Current Work Methods of the CEDAW Committee:

The Committee exerted concerted efforts to establish appropriate work methods since its first Session in 1982. These methods are continuously developed.

First: The Guidelines for the Preparation of the States Parties' Reports:

1. The CEDAW Committee adopted general guidelines concerning the form and content of the preliminary and periodic reports, to help the States Parties prepare their reports and ensure the submission thereof in a way that enables equally the Committee and the States Parties to form an overall concept of the Convention implementation. The general guidelines of the preliminary reports were established for the first time in 1983, and reconsidered in 1995 and 1996. These guidelines require, in their amended draft, that the preliminary reports must be prepared in two parts(a). According to this draft, the first part of the report, which shall provide a profile of the reporting country, must be prepared according to the consolidated guidelines issued by all the Convention's bodies in 1991. This profile reflects a clear description of all forms of life in the concerned country, with the aim to reduce the burdens of the States that participated in more than one convention and are consequently required to prepare respective reports. Such guidelines require the preparation of a main document to be submitted to the UN Human Rights Office in Geneva. This Office circulates the document to each of the Convention's monitoring committees, when reviewing the report of the concerned State. This main document must include general information on the land and population of the reporting State, general political and legal structure upon which human rights are protected, and a description of the exerted efforts to increase awareness among people and authorities of the rights included in different human rights conventions and charters.

The guidelines of the second part of the preliminary report, require the States Parties to provide specific information on each Provision of the Convention, with particular regard to:

a- Constitutional, legislative, and administrative provisions or any other valid measures.

b- The achieved developments, the programs and institutions established since the Convention entered into force.

c- Any other information on the progress made for enforcing these rights.

d- The actual status in comparison with the legislative status.

e- Any restrictions or specifications, even temporary ones, imposed by law, customary laws, traditions or any other considerations concerning the enjoyment of each right.

The Committee recommends in its general guidelines that the reports must not include only lists of conventions and legal provisions adopted in the recent years, but also information on how these provisions are reflected on the economic, political and social facts, and on the general conditions of the concerned country. The States Parties must furnish, as much as possible, the various data classified on basis of gender in all the fields covered by the Convention and the general recommendations adopted by the Committee.

The guidelines require the States Parties to submit copies of the main legislative, judicial and administrative provisions referred to in the report for the Committee's review. If the provision is not mentioned in the report or if there is no footnote, the report must include sufficient information to make it understood without referring to the provision.

In 1995 specific guidelines were added for the preparation of the reports on the reservations made to the Convention:

a- Each State Party that made substantive reservations must provide information on these reservations in each submitted periodic report.

b- The State Party must mention the reasons for considering its reservations essential, and whether these reservations, registered or not, are consistent with other obligations to the same rights stated in other treaties the State is party thereof. The State must mention the impacts of the reservations on the national laws and policies, must mention the plans set out to limit the effects of the reservations with the aim to withdraw them later, and must determine a timetable for withdrawal when available.

c- The States Parties, which made, in their instruments of ratification, general reservations not related to certain articles of the convention or to Articles 2 and 3, must exert special efforts to indicate the impacts and justifications of such reservations in their reports.

The Committee's general guidelines of the second and following reports refer to the importance of the report to concentrate on the developments that took place since the Committee discussion of the previous report. Reference must be made to the previous report and to the discussion conducted by the Committee, highlighting the legal measures and other similar measures adopted since the previous report. Moreover, the report must mention the details of the actual progress achieved for reinforcing and ensuring elimination of discrimination against women, any changes in women's status and their equality with men since the previous report, the obstacles that hindered women's participation on equal footing with men in the political, social, economic, and cultural life, and the issues raised by the Committee but not dealt with during the discussion of the previous report.

Some States Parties, in some cases, fail to submit their reports in time. The Committee encourages the States parties, which are unable to submit their report, to include it with other delayed reports. For example the State Party that discussed its preliminary report after two years from its original date can integrate its second and third report in one consolidated report instead of submitting two separate periodic reports whereby it can maintain its timetable for report submission.

2. The reports must be concise as much as possible. The preliminary reports must not exceed 100 pages and must deal specifically with each article of the Convention. The periodic reports must not exceed 70 pages and must generally concentrate on the period between reviewing the previous report and the current report, making use of the concluding comments of the previous report as a starting point to highlight the new developments. The State Party may include attachments to its reports, although they shall not be translated. In case the State Party prepares a basic document (b), it shall be accessible to the Committee.

3. The Committee submits recommendations to the States Parties for consultation with the NGOs when preparing their reports. It also requests the States Parties to include in their reports a description of the condition of the NGOs and women's unions and their participation in implementing the Convention and in preparing the report.

Second: The Committee Reviewing of the State Parties' Reports:

4- Usually the Committee calls 8 States Parties to present their reports in each session. The session's duration is three weeks. During the selection process, the Committee gives priority to the reports that have not been presented for a long time and to the preliminary reports, subject to balanced geographical distribution and other related factors. Usually the Committee selects the reports two sessions in advance and examines a mixture of preliminary and periodic reports in each session.

A – The Pre-session Working Group:

5- The pre-session working group, associated with the Committee and supported by the Secretariat, prepares a short list of issues and questions related to the reports which the Committee shall review in its next session. The list concentrates on the main fields of interest regarding the States Parties' implementation of the Convention. The aim for this list is to facilitate the States Parties' role to conduct a constructive dialogue with the Committee, to focus the dialogue with the States Representatives on this issues and questions related to the submitted reports, and to promote the efficiency of the reports presentation system.

6- In order to make the issues and questions list available to the States Parties in sufficient time, the pre-session working group meets for five days (closed meetings) prior to the session during which the report shall be reviewed. The working group usually consists of five Committee members, subject to a balanced geographical distribution and other related factors.

7- The invitation is addressed to the Specialized Agencies' representatives, UN Organizations, and to local and international NGOs' representatives, to provide the pre-session working group with information on a certain State Party which presents its report to the working group.

8- The lists of issues and questions are sent immediately to the concerned States Parties, which usually takes place within one week from the date the pre-session working group finishes its task. The States Parties are requested to provide their answers within six weeks from that date. The lists of issues and questions together with the States Parties' answers are circulated to the Committee members prior to the session during which the reports shall be studied.

9- The States Parties' answers to the list of issues and questions must be concise, accurate and in close relation to the subject. It must not exceed the maximum number of pages ranging between 25 and 30 pages (the text has to be written with font 'Times New Roman' and the line spacing must be 1). The States Parties are allowed to append a limited number of additional pages concerning the statistical data only.

B – Constructive Dialogue:

10- The Committee intends to create from the reports review a constructive dialogue with the representatives of the reporting State. This dialogue aims at improving the rights' status set out by the Convention in this State. Therefore, the attendance and participation of representatives of the reporting States are necessary when their State's reports are reviewed.

11- Generally the Committee assigns two general meetings (the duration of each one is three hours) to review the preliminary reports. The State Party's representatives are invited to make introductory comments not exceeding 30 minutes. The review of the preliminary reports treats each article separately with the exception of Articles 1, 2, 7, 8, 15 and 16, as they shall be reviewed in groups. The experts' questions are followed by the States Parties' answers, followed by another group of questions and answers until all articles are covered. The experts can include in their questions on Articles 1 and 2 any general remarks they wish to bring forward. This reviewing system of the preliminary reports can be also used in case of attaching one or more of the following periodical reports.

12- The States Parties' representatives, who submit the periodic reports, are invited to make introductory comments, not exceeding 30 minutes. When reviewing the periodic reports, the experts' questions are combined in categories according to the four chapters of the Convention. The first chapter: Articles 1 to 6, the second chapter: Articles 7 to 9, the third chapter: Articles 10 to 14 and the fourth chapter: Articles 15 and 16. After the Experts pose their questions in certain category, the State Party can put forward their reply. Another round of questions and answers follow until all categories are covered. The experts shall avoid repeating questions that overlap with another category. They concentrate on the issues specified by the pre-session working group.

13- During the constructive dialogue, the Committee observes the way the State Party is managing time and its capability to answer questions in an accurate, concise and direct manner. The State Party is expected to demonstrate when it is impossible to answer a question. Inadequate or inappropriate answers may lead to other follow-up questions at the end of the dialogue, and may be mentioned in the concluding comments.

14- In case the reports and/or the answers to the list of issues and questions exceed the maximum number of pages specified by the Committee in the guidelines and resolutions, the Chairperson will raise this point during the dialogue and may mention it in the concluding comments. Some flexibility will also be applied concerning the review of the preliminary reports.

15- The experts' interposition during the constructive dialogue ranges from 3 to 5 minutes. This time limit is monitored by a timing system which is however flexible. Although the Committee does not currently adopt any official procedure to follow up its concluding comments, it systematically asks the States Parties on the follow-up steps regarding the approved concluding comments after reviewing their previous report.

16- At this stage the Committee does not review a report in the absence of the State Party's Representatives, however it reviews the Convention implementation without a report, with the attendance of one of the representatives, which is considered a last resort. Before the Committee decides to review the implementation of the Convention without a report, it shall inform the concerned State Party of the intention to designate a session in the future for this purpose and shall invite them however to present their report beforehand.

17- The Committee finds it sometimes necessary to ask the States Parties to present exceptional reports according to the Provision of

Paragraph 1 (B) from Article 18 of the Convention. The aim of this report is to obtain information on the actual or potential violation of women's human rights and to study such information whenever there is a disquieting reason of the existence of such violation.

18- The Committee Members refrain from participating in the review of the States Parties reports they belong to, in order to maintain maximum level of impartiality in form and content.

C- The Concluding Comments:

19- The Committee adopts the concluding comments for the reports reviewed and submitted by the State Parties. Therefore, the Committee holds a closed meeting after the constructive dialogue with each State Party to consider the main issues in the concluding comments. The Committee's member appointed as the country rapporteur, in cooperation with the Committee's general rapporteur and the support of the Secretariat, prepares a draft for the concluding comments for consideration by the Committee which shall discuss them in closed meetings.

20- The concluding comments have usually a consolidated form under the titles that are mentioned hereinafter. The introduction shows whether the report complied with the guidelines in preparing the reports. They also refer to any reservations made by the States Parties to the Convention, to the standard of delegates and type of dialogue. The introduction deals with the report that refers to the implementation of Beijing Platform of Action and/or the 23rd exceptional Session of the General Assembly. As regards the part with the title "Positive Aspects", it is classified in conformity with the Convention's articles. Only in extremely exceptional circumstances a part may include the factors and difficulties effecting the Convention implementation. The last part related to the concluding comments and the main points of concern and recommendations, is classified in conformity with the level of importance of certain issues related to the State subject of the review, and includes proposals determined by the Committee regarding certain points of concern.

21- All concluding comments include a recommendation related to publication, as they require a large-scale publication of the concluding comments in the respective States Parties. There is also a paragraph requiring supply of information in the States Parties' following periodic reports regarding the implementation of the recommendations of conferences, summits, and exceptional sessions held by the UN. The concluding comments also determine the date for the State Party to submit the next periodic report and indicate that if the States Parties abide by the main seven International Human Rights Instruments, this shall strengthen women's enjoyment of their human rights in all walks of life, and shall encourage the States to ratify instruments of treaties in which they are not yet parties.

22- Prior to the concluding comments, the State Party submits a summary of the introductory statement to the Committee. The secretariat prepares this factual summary.

23- Every comment is structurally balanced, the Committee seeks to achieve consistency and equilibrium between the concluding comments drafted in each session, particularly the expressions of praise and concern.

24- The concluding comments are referred immediately to the concerned State Party after the closed session, and then become available to all concerned parties. They are registered in the Committee annual report which is submitted to the General Assembly and is available on the website of the Division for the Advancement of Women. They are also distributed through the e-mail list related to the recommendations of the bodies established according to treaties and managed by the Human Rights Commission.

Third: Strategies Aiming at Encouraging States Parties to Submit Reports:

25- The Committee adopted a number of measures aiming at facing the challenges posed on the Convention's monitoring process, as a result of the large number of not reviewed or delayed reports. As a temporary and exceptional measure to encourage the State Parties to fulfill their commitments of submitting their reports according to Article 18 of the Convention, and in order to solve the problem of the delayed and not reviewed reports, all the States Parties were invited to consolidate all the delayed reports in one document. The Committee Chairperson also sends reminder messages to the States Parties whose preliminary reports were delayed for more than five years, and urges the UN and other organizations to offer technical assistance to the States Parties, to help them fulfill their commitments of reports submission in accordance with the Convention. The Committee keeps these measures subject to review and amends them when required.

Fourth: Interaction with UN Specialized Agencies and Organizations:

26- As from the 2nd Session the Committee invites the UN Specialized Agencies for cooperation. The Committee and the pre-session working group invite the Specialized Agencies and UN Organizations to submit reports that include specific information on the reporting States Parties. The Organizations' representatives are invited to deliver a speech before the Committee in a closed meeting at the beginning of each session and are also invited to interact with the pre-session working group. The Committee finds it very useful to receive written reports, in which the Specialized Agencies' representatives or the UN concerned Organizations highlight its content during closed sessions held by the Committee or by the pre-session working group. The Committee has approved guidelines concerning the reports of the Specialized Agencies and the UN Organizations aiming at enhancing their cooperation(c).

27- The Committee recommends the Specialized Agencies and other UN Organizations characterized by field representation to cooperate with the NGOs in disseminating information on the Convention and the Committee's work. The Committee continues to discuss means of cooperation concerning the exerted efforts on the field front and other means to integrate the Convention within the work of the UN.

Fifth: The NGOs' Participation in the Committee's Activities:

28- The Committee invited the NGOs to follow up its work starting at the very early sessions. In order to ensure that the Committee is fully aware of the whole subject, it invites the national and international NGOs' representatives to furnish specific regional information on the reporting States Parties. They are also invited to provide the same information to the pre-session working group. This information can be submitted in writing at any time, but it is preferable to be submitted prior to the session or the meeting of the concerned pre-session working group. Moreover, the Committee allocates a period of time in each session, usually at the beginning of the first and second week of the session, to enable the NGOs' representatives to present oral information. The pre-session working group also allows the NGOs time to present information. The Committee encourages the International NGOs and the UN Organizations, Funds and Programs to facilitate the attendance of the National NGOs' representatives to the Committee sessions.

Sixth: General Recommendations:

29- Article 21 of the Convention states that the Committee may put forward proposals and general recommendations based on the study of the reports and information submitted by the States Parties. The general recommendations are usually directed to the States Parties and clarify the Committee's views on the content of the commitments undertaken by the States Parties(d). The Committee prepares general recommendations regarding the Convention's articles or subjects/issues, which determine the issues the Committee requires to be mentioned in the States Parties' reports. These recommendations aim at giving a detailed guidance to the States Parties concerning their commitments, in pursuance with the Convention, and the necessary steps related to their compliance therewith.

30- On 30 January 2004, the Committee approved 25 general recommendations(e). The recommendations which were approved in the first ten sessions of the Committee were concise and treated questions such as the reports contents, the reservations on the Convention and the Committee's resources. In the 10th Session held in 1991, the Committee decided to adopt the policy of submitting general recommendations regarding specific provisions of the Convention, and the relation between the Convention's articles and the subjects/questions. After this resolution, the Committee made and adopted detailed and comprehensive general recommendations which provided the States Parties' with a clear guidance on the Convention implementation in specific cases, viz Violence Against Women (No. 19), Equality in Marriage and Family Relations (No. 21), Women in Political and Public Life (No. 23), Women and Health (No. 24), and Temporary Special Measures (No. 5).

31- In 1997, the Committee adopted a three-stage process for the formulation of the general recommendations. The first stage consists of an open dialogue between the Committee, the NGOs and other entities concerning the topic of general recommendation. The Committee encourages the specialized agencies, UN organizations, and the NGOs, to participate in this discussion and to submit unofficial papers on the basic information. One of the Committee members is then asked to draft the general recommendation to be discussed during the following or the subsequent session of the Committee. Invitation may be addressed to specialists to participate in the discussion. The Committee adopts during the following session the revised draft. In July 2004, the Committee proceeded with formulating the subsequent general recommendation concerning Article 2 of the Convention.

Seventh: The Information Adopted by the Committee:

32- In order to assist the State Parties, the Committee adopted data clarifying and confirming the Committee's stance towards main international developments and questions effecting the implementation of the Convention. These data treat questions such as: reservations, sex and racial discrimination, solidarity with Afghani women, gender, sustainable development, discrimination against old women, and women status in Iraq.

Eight: The Optional Protocol Appended to the Convention:

33- Since the Optional Protocol entered into force in 10 December 2000, the Committee allocates time in each session to consider questions arisen in pursuance with this Protocol. The Committee assigned a working group consisted of five persons to handle the letters(f) received in accordance with and related to the Optional Protocol. The working group prepared an application form for the letters' submission, registered three letters up to 30 January 2004, and took a number of decisions related to the working methods thereof.

Ninth: Other Questions:

34- The Committee sustains the dialogue and coordination of activities with bodies and other mechanisms established through human rights treaties, solicits other treaties' bodies to submit comments on the Committee's general recommendations draft, and subsequently presents comments – if asked – on the general recommendations draft/the comments made by such bodies. The Committee members participate in the scheduled days for general discussions conducted by other treaties' bodies. The Committee initiates discussions and exchange of opinions with other human rights mechanisms, including the rapporteurs of the Human Rights Committee, regarding appropriate housing, and reasons and repercussions of violence against women.

35- On behalf of the Committee, the chairperson participates in a number of meetings such as: Annual Sessions for the General Assembly, Human Rights Committee, Women Status Committee, and the chairperson's meetings for the bodies established through human rights' treaties. The chairperson and members of the Committee also participate in the joint meetings of other committees affiliated to the treaties' bodies.

36- In addition to the two annual meetings convened in January and July in the UN headquarter, unofficial meetings are held from time to time for the Committee members, and financed by other extra-budgetary sources. During these meetings, the Committee members concentrate primarily on enhancing the Committee's work methods including revising the guidelines for the reports' presentation and setting up the Committee's internal system in accordance with the Optional Protocol. Until 30th January 2004, three meetings were held, and a fourth meeting is under preparation.

37- As a part of the exerted and intensified efforts to encourage and support the Convention implementation, the Committee members participate in the technical assistance activities. Upon the states' request, these activities are organized by the Division for the Advancement of Women, UN Human Rights Commission, and UN Regional Organizations. These activities concentrate mainly on the ratification of the Convention and the Optional Protocol, the submission of reports in pursuance with the Convention and the follow-up of the concluding comments of the Committee.

Appendices

a) The Committee adopted the revised guidelines for the reports preparation in the 27th Session held in June 2002. Such guidelines are valid for all reports submitted after 31st December 2002 and replace all earlier guidelines issued for the first time in 1983 and in 1988, and revised in 1995 and 1996. To read the revised guidelines text for reports preparation, please consult the General Assembly official documents, the 57th Session, Appendix no. 38 (A/57/38) the attached second part, which are all available on the website of the Division for the Advancement of Women:

http: // www.un.org/womanwatch/daw/cedaw/reporting.htm

b) To read the guidelines for preparation of the main official document, please consult:

HRI/GEN/2/Rev.1, Add. 1 & 2

c) Please consult the General Assembly official documents, the 56th Session, Appendix No. 38 (A/56/38), second part, Paragraphs 392-395

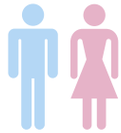
d) Proposals are usually addressed to UN entities.

e) The general recommendations texts are available on the website of the Division for the Advancement of Women:

http:// www.un.org/womenwatch/daw/cedaw/recommendations.htm

f) Application form is available on the website of the Division for the Advancement of Women:

http://www.un.org/womenwatch/daw/cedaw/protocol/crpl/pdf, and in the Committee report the 26th Session (please consult the General Assembly official documents, the 57th Session, Appendix No. 38 (A/57/38), first part, Paragraph 407.



Reports

Membership of the Committee on the Elimination of Discrimination against Women (1 January 2005):

(Cuba)	Ms. Magalys Arocha Dominguez
(Algeria)	(Ms. Meriem Belmihoub-Zerdani (Vice-Chairperson
(Ghana)	Ms. Dorcas Coker-Appiah
(Malaysia)	Ms. Mary Shanthi Dairiam
(Netherlands)	Mr. Cornelis Flinterman
(Egypt)	Ms. Naela Mohamed Gabr
(France)	Ms. Françoise Gaspard
(Benin)	Ms. Huguette Bokpe Gnacadja
(Bangladesh)	Ms. Salma Khan
(Italy)	Ms. Tiziana Maiolo
(Philippines)	(Ms. Rosario G. Manalo (Chairperson
(Hungary)	Ms. Krisztina Morvai
(Mauritius)	Ms. Pramila Patten
(Brazil)	(Ms. Silvia Pimentel (Vice-Chairperson
(Romania)	Ms. Victoria Popescu
(Japan)	Ms. Fumiko Saiga
(Germany)	(Ms. Hanna Beate Schöpp-Schilling (Vice-Chairperson
(Republic of Korea)	Ms. Heisoo Shin
(Jamaica)	Ms. Glenda P. Simms
(Croatia)	(Ms. Dubravka Šimonović (Rapporteur
(Singapore)	Ms. Anamah Tan
(Portugal)	Ms. Maria Regina Tavares da Silva
(China).	Ms. Zou Xiaoqiao

Source: http://www.un.org/womenwatch/da

The State Party's reports may take one of the following forms:

An official report drawn up by the concerned governmental institutional mechanism and specialized experts.

In this case the NGOs may prepare a shadow report on their point of view and through their field experience, concerning the state's commitment in implementing the convention's provisions and the obstacles women encountered in realizing equality. They can include their proposals for further efforts to eliminate the forms of discrimination against women in the concerned country.

OR

An official joint report produced by the Government and the NGOs of the State Party.

In this case both parties participate in preparing the report's general framework, and in editing and discussing the report before submission to CEDAW Committee.

It should be mentioned that in both cases; the official reports' drafting is subject to the same rules.

A model of an official report submitted by Egypt which ratified the Convention in 1981 is presented hereinafter. The model is the fourth and fifth official report submitted to the Committee's session held in January 2001, and the shadow report prepared by 22 NGOs on the follow-up process of the convention for the same period.Moreover, a general framework of the second report submitted by Jordan on the implementation of the Convention is hereinafter presented. This report was prepared in 1998 by the Jordanian National Committee for Women with the participation of 11 NGOs and a number of different governmental institutions that are concerned with the advancement of women's status.

General Outlines on Preparing the CEDAW Shadow Report

Introduction

The NGOs, whether national or international, provide the Committee with information, especially the International Women's Rights Action Watch, the International Organization for Human Rights, the International Legal Group for Human Rights and Amnesty International, which are used to provide information to the Committee members; while some national NGOs in some countries submit alternative reports directly to the Committee.

The Committee has adopted some resolutions concerning the NGOs' participation in the Committee's work. In Resolution No. 18/1 adopted in the 18th Session in January 1998, it was decided that representatives of national and international NGOs must be invited to submit, prior to any Committee meeting, information on the States Parties to a working group which has their States' reports. In Resolution 20/1 adopted in the 20th Session in January 1999, the Committee has decided that the representatives of the national and international NGOs must be invited, to an informal meeting with the working group, to submit information to the concerned State Parties which have their reports before the Committee. Although the Committee did not take any official action to meet with the NGOs representatives, it is easy to reach the Committee Members who are eager to receive information from such organizations.

The CEDAW Committee is not only eager to receive information from the NGOs regarding their countries, but also encourages these organizations to participate in preparing the national reports.

The Committee thinks that the participation of the NGOs shall create an opportunity to exchange views between the government and people, and shall allow the government to easily recognize the obstacles that stand against the implementation of the Convention. In this way the States which submit their reports to the Committee are accustomed to receive questions from the Committee regarding the participation of women's organizations and the NGOs, whether they have been generally consulted in preparing the reports, or if these reports include any comments from these organizations which reflect, in anyway, their points of view.

Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in Brief

· The name: "Convention on the Elimination of All Forms of Discrimination Against Women

· Known as Copenhagen Convention or CEDAW

· Adopted by the UN General Assembly on December 18, 1979

· Entered into force on 3 September 1981 after obtaining the necessary 20 ratifications

· It became part of the International Law for Human Rights

· It is considered, in its essence, an international declaration for women's rights

· It is considered a comprehensive international legislation of legal criteria of women's rights

· It puts forth the principle of elimination of discrimination against women and promote equality with men

· The adoption of this Convention has left a distinctive mark in the history of women's human rights

Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)

This Convention includes a preamble and 30 applicable articles and is divided into several sections:

- Section 1 (Articles 1/6)

All states parties shall take all necessary measures to ensure the development and advancement of women, through administrative and legal procedures to amend social and cultural behavioural patterns and combat trafficking in women and exploitation of women in prostitution.

- Section 2 (Articles 7/9)

It includes the protection of women's rights in the political and public life and grants them the right to vote on equal footing with men, as well as equal rights with men with respect to their nationality and their children's nationality.

- Section 3 (Articles 10/14)

It raises the State Parties' awareness with regard to all kinds of obligations to eliminate discrimination in education, employment, health, and in the social, economical and cultural life, and to take the necessary measures to eliminate discrimination and secure women's rights in rural areas.

- Section 4 (Articles 15/16)

To accord equality between men and women before the law, and to ensure equal exercising of their legal rights particularly in social and family affairs.

- Section 5 (Articles 17/22)

It concentrates on a mechanism to implement the Convention, through forming a Committee on the elimination of discrimination against women, to monitor the implementation of the Convention and the fulfillment of the States' obligations in submitting their reports on the progress made in this respect and the measures adopted to effectuate the Convention (First report Within one year after the entry into force for the State concerned; then every 4 years).

- Section 6 (Articles 23/30)

It stipulates that the Convention may not affect or damage any national or international provisions that lead to equality between both sexes. Furthermore, it obliges the States Parties to take all binding measures on the national level in order to execute the rights set forth in the Convention.

Shadow Reports –Their importance and Methods

What is a shadow report?[1]

It lays emphasis on the magnitude of the critical issues that women are facing in the society, which the governments have failed to highlight. The CEDAW Committee reads all reports during the sessions with the respective governments to verify the validity and legality of these reports.

When CEDAW Committee receives the periodic reports from the States, it is only qualified to partially confute these reports and to reply to them, due to the lack of knowledge of the real facts in these States and of the fine details of their legal structure.

The Committee depends on the shadow reports of the women's organizations to evaluate the States' periodic reports. However, if these shadow reports are not based on specific and documented facts, or if they are not founded on legal analysis, then they loose their benefit and credibility. On the other hand, if these reports are accurate and legally founded, the Committee shall be enabled to adopt all arguments and recommendations mentioned therein.

Hence, the working mechanism of the Convention and its Committee provides a golden opportunity for women's organizations to have influence on the Committee's conclusions and recommendations, being an instrument to observe the States' obligations. Also these recommendations form an authoritative jurisprudence on the level of International Law related to the Convention.

This practice was previously established by the Committee's Economic, Social and Cultural Rights Treaty and became a key procedure. The Committee in its general comment No. 1 of 1989 regarding its view on the states' periodic reports, section 4, mentioned:

"To open the door for meticulous public monitoring of the governmental policies, and to encourage the various segments in the society to take part in drawing up and reviewing these policies".

History of the Shadow Report[2]

- This type of meetings between the States and the NGOs started in July 1997. The Committee started to hear the NGOs' concerns. The International Women's Rights Action Watch (IWRAW) introduced this initiative and sought to monitor the Committee's work from the woman's point of view. IWRAW devised a strategy for preparing shadow reports which serves as a reference for the analysis carried out by the Committee.

- The NGOs of various States write shadow reports and provide information and statistics gathered by the civil society. This is necessary as governments often do not present the real situation of women and exaggerate the achievements.

- This kind of informal reporting serves as a mechanism for ensuring accountability so that the States are urged to establish national policies that take into account women's interests and needs.

- Shadow reports can be used by various women's groups as a mechanism to follow up the recommendations made by the Committee to the governments.

- The method of writing shadow reports gives more importance to women's participation and encourages the civil society to work together with women.

Accordingly, the importance of the shadow reports can be concluded in the following points:

1- It provides the Committee with the necessary information which helps determine and develop the states' obligations towards the Convention.

1- Holding the Government Accountable-CEDAW". Women's Aid Organization, http://www.wao.org.my/news/20030109cedaw.htm

2- This section is taken from "The CEDAW Committee: A Space for Our Rights, December 2004; on Women's Human Rights net, http://www.whrnet.org/docs/issue-cedaw_committee.html

2- The participation of the civil society in monitoring and reviewing the States' obligations and policies.

3- The participation of the civil society in the development of the legal and human rights jurisprudence of the Convention.

4- To open the door for the civil society to determine the states' work priorities with respect to women's rights, by the use of a binding legal platform.

Shadow Reports /Methodology and Mechanisms:

1. Format

2. Content

3. Procedures

1. Format:

a. The number of pages should not exceed 40 pages.

b. To classify the report according to the arrangement of the Convention Articles

c. To include a report summary of 5-10 pages.

d. To conclude the report with specific recommendations.

e. To translate the report and the summary into English.

Organising the shadow report:[3]

1. The executive summary shall be written in a specific language for addressing questions to the government and for drafting concluding observations. The summary shall contain 3-5 pages.

2. Problems, solutions and suggestions shall be clearly explained. A government official in the respective Sate, who is competent to carry out the suggested modifications, shall be selected.

3. Priorities shall be established with the need to focus on the most significant issues.

4. A qualitative analysis of the State's reservations shall be included, in addition to account of the NGOs' efforts.

5. Background information on the State or the Region shall be included.

2. Content:

a. To adopt a professional style, avoid literary and descriptive language, and deliver objective, neutral and concise style, as much as possible.

b. To specify facts and figures and attribute them to accurate and credible references.

c. To establish legal correlation and analysis for every conclusion and ascertain maturity and validity of the legal analysis, with regard to the Convention's legal system, the International Law in general, or the internal legal system of the reporting State.

d. To concentrate on the most achievable priorities.

e. To adopt the most consensual formulas and analysis inside women's organizations.

f. To incorporate the recommendations issued in the previous Committee meeting (if they exist) in the analysis and the follow-up of achievements.

g. To identify major obstacles and recommendations for removing them.

h. To refer to the implementation of the Beijing Platform of Action.

i. To discuss the government's reservations.

3- IWRAW Guide to Producing NGO Shadow Reports, http://iwraw.igc.org/shadow/CEDAWNGOguideJune2003.org

Suggested format of the shadow report:

1. Title page (including title, authors and date of report).

2. Executive summary.

3. Table of contents.

4. Introduction with more information on the production of the report.

5. Main body of the report, organised in accordance with CEDAW articles and recommended actions.

6. Concluding remarks.

7. Appendix, if necessary, to include text of relevant laws, lists of references and participants in report production and media clipping.

3. Procedures:

a. The stage prior to preparing the report.

b. The stage of drafting the report.

c. The stage prior to the report presentation.

d. The stage of presentation and discussion of reports /shadow reports.

e. The stage after discussion.

f. Regional and international cooperation.

a. The Stage Prior to Preparing the Report:

1. To make the necessary arrangement and ensure cooperation between the active organizations in the field of human rights in general and of women in particular, to give the report the necessary legality.

2. NGOs shall obtain a copy of the government report, either directly from the government, from the UN organization or through the internet.

3. To adopt the method of recording observations and to establish a permanent database in order to overcome the problem of lack of reports and statistics. Such observations shall be one of the strategies for the active organizations concerned with human rights and women's rights in particular. These tasks can be distributed between different organizations, so that each one may observe a specific kind of violations and gather information in this respect.

4. To conduct training for report writing as a mechanism to mobilize organizations to support and endorse the reports, and raise the skills of the report writers. The UNIFEM training manual for the preparation of CEDAW reports shall be used for this purpose.

5. To contact and inform the CEDAW Committee regarding the intent of writing reports, to benefit from the Committee's observations and to establish a relationship therewith even prior to writing the reports .(In this regard, the Committee Arab Members in the Arab Region may be of benefit).

6. Governments sometimes ask the NGOs to participate in preparing their report, however this does not mean renouncing shadow reports which can be more comprehensive and include some issues that are not explored in such joint reports.

7. The preparation of the NGOs' reports shall be announced through local media. This may urge the government to improve their reports.

8. To raise a fund to cover the preparation of the report and travel expenses. Some organizations affiliated to the UN can be contacted for this purpose.

b. The Stage of Drafting the Report:

1. A prior reading and adequate analysis of the State's periodic reports.

2. To review the most recent State's periodic report, the previous shadow reports and the Committee's recommendations.

3. To review reports of similar States (of comparative legal system) and the NGOs' shadow reports in these countries.

4. To adopt a mechanism for report writing which makes thereof a tool for introducing the Convention, mobilizes people around it and raises awareness regarding women's status. This shall be done through organizing several workshops and engaging the maximum number of organizations and individuals in writing and discussing the report appendices as a mobilizing work mechanism for collecting information. The assistance of experts may be sought in writing the final report according to the collected information.

5. To define the priorities of each country and clearly highlight them in the report.

6. To assign the writing of the report's various topics to experts and to pre-determine and agree on the methodology.

7. To adopt maximum level of professional documentation so that every piece of information mentioned in the report is documented beyond any doubt.

8. The report shall include recommendations addressed to NGOs, governments and international organizations regarding their cooperation with the relevant country to elevate women's status.

9. To approve a report summary which shall include the main points, and to ensure that the CEDAW Committee reads it.

10. To send the reports in English for discussion, at least one month prior to the Committee meeting.

11. To present the shadow report to experts in International Law and other Competences for reviewing before final presentation.

c. The stage Prior to the Report Presentation:

1. It is preferable that women's organizations agree to one report, to ensure maximum credibility and validity and to avoid repetition and wasting the time allocated for the presentation; this can be achieved by distributing individual task to the most specialized women's organization in a certain field.

2. If it is impossible to present one report, the women's organizations must coordinate to ensure disclosure of individual reports to all participants, to agree on collective priorities, and to conduct inter-session discussion.

3. To communicate with the CEDAW members and forward the shadow report to them in advance, in order to avoid delay or possible error.

4. To contact the CEDAW Committee Secretariat in order to send and enlist the report for discussion.

d. The Stage of Presentation and Discussion of Reports /Shadow Reports:

1. Attention shall be paid to the time allocated to each organization (5-10 minutes).

2. As the report is submitted to the Committee, there is no need to read it, but rather present a summary and concentrate on essential points (such as the confutation of the State's periodic report)

3. To select the most competent representatives (as far as experience, knowledge and language are concerned) to perform the presentation (and not necessarily the presidents or directors).

4. To sustain coordinated communication with the Committee Members during breaks to brief and enable them to reply to the government delegates' justifications so that positive and specific obligations are fulfilled.

e. The Stage after Discussion:

1. To publish the Committee's recommendations which are deemed obligations that the States must fulfil within the Convention's scope.

2. To publish the government's obligations declared before the Committee.

3. To publish the government's periodic report presented to the Committee.

4. To publish the shadow reports presented to the Committee.

5. To network between women's organizations and civil society on the basis of previous literature used in campaigns for raising society's awareness, and for lobbying the governments for the implementation of their obligations.

f. Regional and International Cooperation:

1. To document the experiences and exchange expertise between the NGOs in the Arab States.

2. To exchange shadow reports.

3. To cooperate with the regional and international organizations to train some women's organizations from different Arab States on the mechanism of report writing.

4. To provide some countries in need of support in writing and presenting reports with assistance through UN organizations, especially these countries who are submitting reports for the first time.

The importance of shadow reports:

- NGOs have a very important role in making CEDAW an instrument for women's empowerment through advocacy and monitoring of government implementation of the Convention. The NGOs must understand that the CEDAW enforcement mechanism is based on the reporting system. NGOs must use this system to maintain government accountability both on the national and the UN levels.

Shadow reports are used by the CEDAW Committee to evaluate government efforts to meet the obligations of CEDAW.

- Due to the importance of shadow reporting, the Committee has become more careful and specific in its evaluation of official reports and has become more responsible before women and the States parties to demonstrate the governments' transgressions in dealing with women's issues.

- The process of shadow reporting has opened up a space for fruitful debates between the CEDAW Committee and the NGOs, since the Committee cannot exert pressure on a State for violating the Convention provisions without the exchange of shadow reports issued by the NGOs, whereby discussions with the States are conducted and the public is made aware of the existing problems.

- In order to translate the general recommendations and observations into policies and draft laws, credibility and responsiveness to women's movements are essential elements.

- To make the monitoring system effective, women's national organizations can support the Committee in influencing the governments and establishing follow-up methods for the shadow reports and the Committee's recommendations.

It is fundamental that women participate actively in the Committee's work as these experiences shall allow the Committee to change.

The latest reports presented by the Arab countries (up to 13 January 2006):

States:	Latest Reports	Examined at:
Algeria	Second periodic report	32nd Session (2005)
Bahrain	No report submitted	
Comoros	No report submitted	
Djibouti	No report submitted	
Egypt	Combined fourth and fifth periodic reports	24th Session (2001)
Iraq	Combined second and third periodic reports	23rd Session (2000)
Jordan	Second periodic report	22nd Session (2000)
Kuwait	Combined initial and second periodic reports	30th Session (2004)
Lebanon	Second periodic report	33rd session (2005)
Libyan Arab Jamahiriya	Second periodic report submitted,	not examined
Mauritania	Initial report received	not examined
Morocco	Second periodic report	29th Session (2003)
Syrian Arab Republic	Initial report received,	not yet considered
Saudi Arabia	No report submitted	
Tunisia	Combined third and fourth periodic reports	27th Session (2002)
United Arab Emirates	No report submitted	
Yemen	Fifth periodic report	Exceptional Session (2002)

Source: http://www.un.org/womenwatch/daw/cedaw/reports.htm

The Shadow Report

of The Egyptian Non Governmental Organizations on the Convention on the Elimination of Discrimination of Discrimination Against Women (CEDAW)

December 2000

Introduction

This report is considered a turning point in the history of the Egyptian civil society. It exceeds the service role it has been playing since the beginning of domestic associations in the half of the 19th century to a new role in the field of defending rights and participating in decision making. Hence, it copes with the international increasing trend, which calls for an active role to non-governmental associations in the field of permanent development. In the last decade, international conferences expressed this trend in an escalating manner through their recommendations and work groups and referred the responsibility of its implementation to what they called "Development Partners" manifested in; government, the civil society, and private sector.

As Egypt's experiment exceeded all others in the formation of domestic sector among Arab countries, it proceeds now -in the same manner- in practicing this defensive role and exerts its efforts to present a true partnership experiment. Through such partnership, an active role is played in the field of defending women rights as an integral part of human rights and observing government's commitment to abolish all kinds of discrimination against women. It is worth mentioning that Egypt was among the first countries that ratified the agreement of abolishing all kinds of discrimination against women. Moreover, its main legislative structure, manifested in the Egyptian constitution, has approved since 1956 the principle of complete equality between men and women. This act is considered as a launching point that urges non-governmental associations to detect all real kinds of discrimination, be they legislative gaps or actual practices, in order to highlight them as a step towards eradicating them.

It is worth noting that this report was prepared according to the expertise and actual practices of the participating associations in the field of observing the international agreement of abolishing all kinds of discrimination against women. These associations work in the field of developing women, using available statistics and national and international resources, through twelve workshops since 1998 to 2000. During this period, negotiations have been held among all partners -whether men or women- according to democratic interaction aiming at expanding negotiations circle in a coming stage to include 120 domestic associations in both Upper and Lower Egypt.

This report focuses on tracking all kinds of discrimination against women whether in legislation, politics, or social practices. The report also presents arrangements and measures that will abolish all kinds of discrimination existing in the Egyptian society. This would pave the way for giving free rein to women's abilities in developing their society and empowering them from the economic, social, political, cultural, hygienic, and educational perspectives. The Egyptian government has already taken many measures in order to abolish some of the existing kinds of discrimination against women. These measures relate to modifying legislations, changing some of the academic curricula, and devoting a larger area in the media to tackle all issues pertaining to women affairs. However, there is still an urgent need to implement more arrangements and measures. This is precisely what motivated the president to issue a resolution on forming a new mechanism. This new mechanism is the national council for women. The council will work as an official authority and its main responsibility is to deal with all issues that relate to women and to make women affairs one of the main priorities on all agendas of the state bodies and establishments.

The non-governmental organizations hope that this procedure will be a great step in the way to a more comprehensive and profound confrontation of the distresses women face and the existing discrimination against them.

Finally, the associations participating in making this report and concerned with observing the international agreement to abolish all kinds of discrimination against women give their thanks to all those who participated in this report. Topping them is Dr. Fatma Khafagi the head of the women affairs administration in the UNISEF, for her participation with her opinions and support. She also presented a data sheet on women and diplomatic work.

Also, great thanks to Dr. Aida Seif El Dein due to her efforts in editing the final form of the report presented to you. This editing was based on the domain-specific reports of the participating associations and discussions which have been held in twelve work sessions to give notes and make the final modifications.

Finally, we thank women and society association that held the responsibility of coordination between partners along the project.

This report has been prepared by a Coalition of Egyptian non-governmental Organizations representing seven governorates; Cairo, Giza, Alexandria, Sohag, and Aswan. In addition, three coordinators from the NGO Technical and Institutional Support Project (NGO TISP)[1] provided their input. The Coalition's objective is to monitor the implementation of Convention on Elimination of All Forms of Discrimination against Women, (CEDAW), in Egypt. The Coalition, Coordinated by the Women and Society Association and with support of UNICEF, prepared a number of background studies, on which this report is based.

1- NGOS TISP is a coalition of 105 NGOs from the 8 governorates, for the follow upon the implementation of the Fourth World Conference on women Platform of Action.

Following are the NGOs which participated in preparing this report:

1. Society for the Vocational Training of Workers in the Field Of Family and Childhood, Sohag.

2. National Committee for Population and Development, Cairo

3. Coptic Evangelic Organization for Social Services (CEOSS), Cairo. (Central Society)

4. Egyptian Center for Women's Rights, Cairo

5. Bishopric of Public Services —Cairo

6. The Friends Environment Association, Alexandria

7. Association of Home Economics, Alexandria.

8. Association for Health & Environmental Development, Cairo.

9. Association for Upper Egypt for Education and Development, Cairo (central Committee)

10. Women and Society Association, Giza

11. Association of Rural and Urban Women, Qena

12. Alliance for Arab Woman Union

13. Businessmen Association, Sohag

14. Center of the Appropriate Communications Technology (ACT)-Cairo.

15. Osiris Center for Social Services, Development, and Protection of Environment, -Aswan.

16. The Center for Legal Studies and Information for Human Rights- Cairo.

17. Cairo Institute for Human Rights Studies, Cairo.

18. El-Nadim Center for the Rehabilitation of the Violence Victims, Giza.

19. Center for the Alternative Development, Cairo

20. New Woman Research Center, Cairo

21. Center for Egyptian Woman Legal Aid, Giza

22. Forum for Women and Development, Cairo

The report provides a critical review of the Egyptian government's second periodic report for the CEDAW Committee 1995. The report reviews the conditions of the Egyptian women with regards to the different articles of CEDAW. This shadow report is based on the practical experience of NGOs participating in its preparation. In addition, the report made use of available official data and of the Egyptian Government's report submitted to the ESCWA Regional Preparatory meeting for the Beijing +5 Conference (Amman, December 1998). The report addresses the state of implementation of Articles, 4,5,6,7,8,9,10,11,12,14,15, 16, and General Recommendation no. 19 regarding violence against women. Further, the report discusses Egypt's reservations regarding articles 2, 9, 16, 29.

The Egyptian government was one of the early signatories to CEDAW in 1980, and was the first Arab country to ratify it in September 1981. Egypt also had participated, represented by Mrs. Aziza Hussein, in the drafting of CEDAW. However, the Egyptian Government had included four reservations on the convention regarding the articles 2, 9 (paragraph 2)16, 29 (paragraph 1). In addition, there are still several gaps, regarding other CEDAW articles on which the Egyptian Government had no reservations.

The NGOs, submitting this report (to be referred to thereafter as "the participating NGOs), feel that in order to eliminate discrimination against women, the Egyptian Government still have commitments towards applying CEDAW at the national level. The report shall address briefly the most important gaps with respect to each article, providing a concise description of the current status of Egyptian women in all spheres relevant to the convention.

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.

The Egyptian Government entered a general reservation on the article 2, explaining that it is "willing to comply with the content of this article provided that such compliance does not run counter to the Islamic Shari'a"[1] However the second periodic report of the Egyptian Government, 1995, did not refer to this reservation. It only emphasized that the Egyptian Constitution and Laws are committed to its principles. It also referred to the recommendations issued by the National Women Conference and the General Conference for National Dialogue, without specifying what had been accomplished of these recommendations. It lastly pointed to equality between men and women before the Penal Code, a matter which this report in the course ot addressing the specific article on equality before the law, shall show that this is not the case in some circumstances.

The second article stipulates that, States Parties condemn discrimination against women in all its forms and agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women, especially the existing laws, regulations, customs and practices which constitute discrimination against women;

Although violence against women was not mentioned in the convention in a special article, it was later addressed by the general recommendation No. (19). We view violence against women as one of the severest forms of discrimination against women, particularly rape[2]. Regretfully there are no precise statistics; also these crimes are not properly classified in the Police registers. Women, in many cases, feel reluctant to report such crimes because of consequent social shame and the prevailing attitude of the community and media that blame the victim and hold raped women responsible for what happened to them.

The Egyptian Penal Code had established a deterring penalty, death penalty, for committing the crime of kidnapping and raping females without their consent (article 290). However, offenders could get away with it, as Article (291) stipulated that "if the kidnapper marries the person he kidnapped a lawful marriage, he shall not be penalized by any penalty". This provision represented an open invitation to whoever wished to marry a woman who refuses him to kidnap her, thus she is forced to marry him and all charges against him will be dropped. It also, implicitly, included a message of the possibility of social pardon of the kidnapper or rapist. Being the only crime in which the legislator waive the civil right of society, it represented an encouragement to men to commit such crime, as they can escape punishment.

Lately, April 1999, due to the civil society's pressure, there have been some positive developments in this respect. The Egyptian parliament approved the abrogation of Article (291). In addition, The Grand Mufti, (official religious Counselor) declared that raped women have the right to safe abortion in public hospitals, in case they conceive as result of being raped. This matter is currently debated in the Parliament[3].

Egyptian laws still include rules which are tolerant to violence against women, or sometimes even encourage it. However, violence could be exercised sometimes by the State institutions, e.g. within the police stations, prisons and the State Security Department. Such violence is usually inflicted on both women and men, still, some forms of physical and psychological torture, humiliates women because they are woman. What makes it more serious is that the Egyptian law does not allow individual citizens to directly recourse to judiciary to take legal action against civil servants who commit offences while undertaking the assignments of their jobs, Article (162) of the criminal procedures law[4].

The abrogation of these articles constitutes an essential demand for NGOs active in combating all forms of violence against women.

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.

The Egyptian state of affairs is dominated by a prevailing culture that deal with women as inferior to men, and consequently hinders them from holding various leading positions. As for the parliament, the Egyptian government did not undertake sufficient measures to ensure actual equality between men and women. A lot has to be done to change community's attitude towards women and address cultural aspects that are demeaning to women.

Ironically, the government has dropped one of the measures that was undertaken prior to ratification of CEDAW. This was referred to in the governmental periodic report (1995) under the law no. 21/1979 and Law No. 43 for 1979, that allocated specific number of seats for women in both the parliament and local councils. This right was annulled in 1987, under the allegation that it was unconstitutional and violation to

---

1- Status of International Instruments, United Nations, New York, 1987. Pp 148.

2- The Public Security report for 90/9 1 indicated that there were 180 rapes and ravishment disgraces in 1990, then the report of 1995 indicated its increase in 1994 to 203 and in 1995 it reached 179 cases (report of the National Security for Social and Criminal Researches)

3 Statement attached.

4- Text attached

the principle of equal opportunity, which eventually led to the reduction of women's representation in the parliament from 6.7% in 1986, to 2% in the following elections in 1990[1].

This stresses the need to apply Article 4 of CEDAW, as reality had proven that the abrogation of the above mentioned laws has contravened actual equality because the society has not yet been prepared to accept women as equals to men in all spheres.

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 discriminations 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.

The Government's report presents the State's achievements in this sphere. It enumerates the awareness raising campaigns, efforts in the field of education, and rural women development as a proof of the State's interest to change behavior patterns, customs, and norms, which corroborate discrimination. But the indicators used in the report to verify such efforts are limited to health indicators, e.g. maternal mortality, vaccinations, prevalence of anemia, etc. Although those phenomena are consequences of discriminatory practices in nutrition and health care, yet they are not the conspicuous examples for discrimination embodied in prevailing customs, norms, and traditions. The report also states that" the Ministry of Education has modified school curricula, to incorporate all human rights conventions, and has cleared curricula from any discriminatory defects". It also dealt with issues related to violence against women... however there are still numerous prejudices against women.

Media is one of the major fora, which can undertake an essential role in changing the cultural and social stereotypes and eliminating discrimination against women. However, most of the studies on images of women in the media[2] showed that there is bias in presenting the image of women and their diverse roles. Such a bias represents an obstacle hindering women's from both participation and benefiting from development and modernization programs. Results of most of the studies agree in their conclusions that, in both visual or written media, messages lead to:

1. Promoting traditional stereotypes about women that restrict and direct women towards limited spheres.

2. Emphasizing the traditional roles of women within and outside the household on the expense of the other roles as a partner in production, political decision making and other mental and technical creative aspects.

3. Portraying women as females in the first place, dependents, which long for giving birth to males, thus portraying them as being the cause of the population problem.

4. Presenting women as emotional, irrational and passive beings, constantly in need for men help.

5. Portraying women going out to work as a move that women resort to out of economic need or to escape emotional failure or to pick a husband, and not because women value work or believe in its importance.

6. Addressing women as consumers, and abusing their bodies to promote goods.

These images are incompatible with the daily-lived reality, or the ones longed for by most women. On the other hand, these practices and messages conflict with needed role models for younger generations on the verge of the new millennium. They, in fact, illustrate the lack of a concept of social responsibility of the media in the developing countries.

Such messages and images also add to the marginalization and diminution of women, emphasizing "femininity" as the only qualification for women, and even more, that it is their only armament to achieve their goals and ambitions.

Following are some of the values, which the Egyptian and Arab media policies elaborate[3]

A. What does work mean to Women?

Some studies analyzing current media policies show that the value of work in woman's life has not appeared in the necessary and required level. On the contrary, work occasionally appears as one of the conflicts in women's lives. Work is presented as a mere accessory for women, and at best is pursued to support their husbands. Working women are viewed as selfish, neglecting their families and their marital lives are failures. Some media messages were even advocating the return of women back to home.

1- Nadia Abdel Wahab, et al. The Arab Women Movement- The center for the Studies of the new women Cairo l995-p.l29

2- Nadia Hassan Salem, The Arab Woman and Media Means. The division of Public Contact- The National Center of Social and Criminal Researches.

3- Mona El Hadidi, The Information Authorities and the woman image — a paper work submitted to the first conference "the route to Peking" — The Arab Woman League¬Cairo September 16, 1996.

B. Equality: Nature Can not be changed

We mean here equality with regards to rights and responsibilities, and their significant role as partners in struggle and production. Research results point out that the dominating images stress the differences between males and females who constitute, according to these images, two completely different categories of human beings regarding their physical, mental and psychological construction impacting their mentality and behavior. It also advocate that prevailing beliefs, opinions and notions are reflections of the "real" situation that could not be changed as these differences are natural ones. Accordingly, men are distinct for wholeness, power and roughness compared to women who constitute incompleteness, weakness, compassion, and softness. Women are denied characteristics such as domination, courage, bravery, audacity, objectivity, possessiveness, will, precision, exactness, and productivity. Such characteristics are usually viewed as masculin, and women who possess them would be considered odd.

C. Women: Selfish, Feminine and Sexual:

Research data show that media view the woman as sex symbol, not a social being who is concerned with her society's problems. It present the woman as a female whose role is to entertain the man and pleases him. She generally lacks education or - when educated - cares only about showing her physical beauty in order to get a husband, or she is only concerned with pleasures. Marrying is considered the most sublime objective for any and every woman. Such images were particularly prevalent during the eighties, which witnessed a set back that invalidate women's struggle during all the twentieth century.

Accordingly, non-governmental organizations call for:

1. Training media-personnel and educators regarding the value of equality between the two sexes and assisting them to develop non-discriminatory images of woman.

2. Training religious men, Moslems and Christians about non-discrimination between sexes.

3. Training of media personnel so that the media, especially TV and radio, would play a greater role in:

3.1. exposing discrimination against women,

3.2. promoting value systems based on equality and respect of human beings regardless of their sex,

3.3. spreading accurate information

3.4. Providing space for NGOs working in the field to address the public.

4. Including NGOs in formulating educational curricula to ensure that stereotypical images of women are changed.

5. The necessity to ascertain the correctness of the legal procedures of female marriages in rural areas, and taking care in endorsing this marriage.

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.

The Government report states the penalties imposed by the law on those who "practice prostitution, instigate it or sustain it" and incriminates the opening or the administration of brothels. Also it incriminates the act of helping the female to practice prostitution. However, the governmental report did not point out that the Egyptian law penalizes the woman solely for the prostitution crime. As for the man, the second party in the crime, he is not penalized. He is not even considered "an assistant to her to practice prostitution". The man is treated as a positive witness against the woman who did that act. Incriminating women represents not only a blatant legal discrimination against women in dealing with the same act and in the same conditions, but also represents an obvious moral inconstancy on the moral level[1].

Consequently the non-governmental organizations call for the equal penalty for practicing prostitution for both men and women.

Article (7):

States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country.

The Government's report presented some of the laws which regulate women's participation in the election and their occupation of public offices. It should be mentioned that all laws enlisted in the report were issued prior to 1981 that is prior to the ratification of the convention, except for one law issued in 1986 and abrogated the allocation of a proportion of seats for women in the parliament and local councils.

This means that the only legal change regarding women's political participation after ratification of the convention was the annulment of a positive privilege for woman on the path to obtaining full equality. Which is a discrepancy that should be mentioned.

1- Amira Bahey El-Din. Discrimination between men and women in the Egyptian Criminal Law, paper presented to the Population and development conference, Sept.1994

Political Participation.

The Egyptian Government's report submitted in December 1998, to the second Arabic Meeting as a follow up to Beijing Conference, Beirut 12-15, referred to the decline in women's representation in the parliament from 9% in 1979, to 1.6 in 1990, following the Decree No. 293 with respect to the People's Council (the parliament). As mentioned earlier, this decree abolished the quota allocated to the woman. This matter entailed a gradual decline in the proportion of women's representation in the council till it reached less than 2.1% in the last parliament session in 1995.

It is relevant here to point out that women's representation in the Shoura Council has witnessed a slight elevation from 3,3% in 1980 to 4,7% in 1992, then to 5.7% in 1998 (according to the Shoura Council's statistics). However, this increase is explained by the fact that all women members in the current Shoura Council, are appointed by a Presidential Decree. This is considered as one of the supportive measures aiming at a positive discrimination for the benefit of women.

Also, women's participation in the last local councils' elections was 1.2%, admitted by the aforementioned Government report as an obvious decline. It should be mentioned that the highest representation of women in the localities (11,2%) happened in 1979, i.e. under the law 43/1986 allocating a specific number of seats for women[1]. Then it started its continued decrease following the abrogation of that law in 1984.

The report also pointed to the absence of women in leading positions whether in the local councils or the highest echelons of the local positions.

Percentage of Women Representation In The Local Councils from 1983 Till 1997

Local councils	1983	1988	1992	1997
Governorates	15	5.6	4.4	3.2
Centers	15,2	1,8	4.4	1
Cities	11	2.3	1,3	1,7
Localities	10,7	4.1	3,7	4,5
Villages	5,6	0,5	0,6	0,7
Average	9,2	1,5	1,2	1,2

Source: Ministry of Local Administration. Councils & Legal Affairs Sector 1997.

The Egyptian constitution (1971) guarantees equality of citizens before the law without discrimination because of sex, origin, language, religion or belief. (Article 40). Also, the constitution asserts citizens' rights to election, nomination and to express opinion in the referendum, and considered it a national duty (Article 62). However the practical reality reflects a low rate of registering women in the election registrars due to some administrative decrees and especially those related to registration procedures.

To obtain an electoral card, according to the law on practicing political rights and the relevant executive regulations, it is a prerequisite to have an identity card, and that the permanent residence in the identity card is located in the same area where the individuals are to be registered for elections.

Such regulations affect to a great degree the registration of women. Married women, frequently, move to stay with their marital families. This necessitates their return to their birth-place to obtain election cards, a very complicated procedure both socially and bureaucratically. It also entails economic burdens particularly for poor women.

· Public Positions

The proportion of women in the governmental sector had risen from 29% in 1992 to 38% in 1995. In the public sector, the figures are 4,2% and 4,4% respectively[2]. Despite the slight improvement, women's participation in the public sector is still extremely limited which points out to the severity of discrimination in reality. We expect the above mentioned figures to show decline in the more recent statistics due to the impact of Structural Adjustment Polices, which lead the government to promote a system of early retirement, encouraging women in the public sector to retire prior to the legal age.

1- data of the Ministry of Local Administration the sector of the councils and legal affairs

2- The Egyptian Government report to the Second Arab meeting to follow up Peking Conference, December 1998

Leading positions	Percentage 1996
Minister	2,6
Deputy-Minister	3,2
Undersecretary of State	3,3
High Grade	8,5
General Manager	17,5
All high positions	15,3

Source: The Central Authority for the Public Mobilization and Statistics. Statistics on employees in the Government and the Public Sector, 1997.

Finally, Egyptian women are still prohibited from occupying the judiciary positions. However, some positive steps had been taken lately through the appointment of the first female Chief general Administrative Attorney in 1998. The exclusion of the Egyptian woman from the Judiciary positions is short of any legal or constitutional support.

· The Non-Governmental Sector

The Political Parties' law No. 40/1977 prohibits the formulation of women's party, a matter that is used to prevent the establishment of a feminist union. However, as the previous law regulating the NGO sector (No. 32/ 1964) permitted awareness raising activities, women associations were established. Still, they were limited mostly to the traditional charity and service delivery. Political activities and advocacy were prohibited fields for NGOs. Such legal restrictions lead some women leaders, in the beginning of the nineties, to establish non-profit civil companies to be able to practice activities prohibited by the law 32.

Finally a new law for NGOS (No. 153 I 1999) was issued in response to the pressures exerted by the civil society for several years. The intention was to change, develop and enhance NGOs' activities and free it from all obstacles. However, that law was the subject of heated discussions, around whether the law will free NGOs or restrain them limiting their activities to the provision of services. Finally, in June 2000, the High Constitutional Court ruled out the law as unconstitutional.

Freedom of NGOs' activities is a crucial and important step towards expanding public participation especially for women. Official data[1] shows that women's participation in NGOs is weak, particularly their representation in the leading positions a matter that indicate their exclusion from the decision making process.

Trade Unions:

Although the Egyptian women participate in the various sectors of production and civil work, their participation is very limited in the trade Unions. Out of 18 thousand trade Unions' leaders; women represented only 4% (1996-2001). Only one woman was elected to the executive council of the General Union for Egypt's Workers, out of 23 members. Such a percentage, as admitted by the governmental report, did not differ significantly from the previous years. The situation is better within the professional syndicates where women constitute 28% of the membership. Still, this indicates that more efforts are needed to enhance women's political and social participation in the public life[2].

Also, the analysis of women's representation in the various professional syndicates clearly points to gender based division of labor, limiting women's roles to certain fields, where we find the highest participation of the woman is in the Nursing syndicate (92%)[3], then in the Social profession syndicate, the fine arts, the education syndicate (over 40%) . On the other hand, women's participation is very limited in the syndicates of engineering (11%), and the syndicate of applied professions (5%).

The meager participation of woman in the decision making positions, as emphasized by the previous indicators, necessitates the State intervention through appropriate measures that shall treat such shortcoming. In this respect, the NGOs, which participate in writing this report, suggest the following interventions:

1. Retrieving the quota system to ensure women's representation proportion in the parliament, popular and local councils. We suggest that a quota of 33% should be allocated to both men and women. The remaining 34% should be unlimited.

2. Annulling the election card and including the electoral national number in the personal identity card and facilitating the registration transfer from one electoral circuit to another to be the responsibility of the Registration Committee and not the citizen.

3. Moving the registration committees out of the police stations to the locations of the civil registrar of each area.

1- The Egyptian government report that had been submitted before the Second Arab meeting to follow up Beijing Conference in 1998

2- Working paper to the workshop on "Women and men in Egypt: A statistical Review". The National Planning Institute

3- The Central Authority for the Public Mobilization and Statistics,1997

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.

The Egyptian constitution stipulates that there is no differentiation between men and women in the diplomatic or international representation. Within the diplomatic posts women constitute 13,7%. In 1995 the numbers of new appointees was 47 attaches of whom 9 were women i.e. 19%.

There is an obvious increase in the proportion of women who are holding high diplomatic positions e.g. ambassadors or consuls. There was no available data confirming the equal treatment of both men and women in enjoying benefits of diplomatic representation abroad. However there were no complaints in this regard indicating that there is a kind of equality. It is obvious too that the Egyptian Ministry of Foreign Affairs, plays its role in nominating and supporting women-candidates in the international committees monitoring international conventions as CEDAW, CRC. Criteria for such selections are not available for whoever wishes to be acquainted with. It has to be mentioned that there is a severe decrease in the number of Egyptian women who are supported by the Egyptian government to hold high positions in the United Nations, its organizations, and its specialized agencies.

It is also worth mentioning that the State had exempted female diplomats from the legal procedure of obtaining their husband's permission when applying for passports. NGOs have been calling for abolishing this procedure, for all Egyptian women, for several years.

Article (9):

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.

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

The Egyptian Nationality Law No. 26 /1975 is partly in harmony with this article. It allows the Egyptian women to keep their nationality in case they marry non-Egyptians, or acquire another nationality. They even can regain their Egyptian nationality in case they had given it up at some point.

On the other hand, while the law allows men to pass the Egyptian nationality to their foreign wives, if they wish, Egyptian women cannot pass the Egyptian nationality to their foreign husbands. This is a contradiction with CEDAW; not only to Article 9, but also to the Articles Nos. 15 and 16 pertinent to equality before law inside the family. Although Egypt expressed its reservation regarding Article 16; it did not express any reservation regarding Article 15.

Also, Article 2 of the law deprives Egyptian woman married to a foreigner the right to give her children the Egyptian nationality, while a man can do so automatically. This Article is not only in conflict with Article (9) of CEDAW, but also it violates Egyptian constitution, which stipulates in Articles 11 and 40 equality between men and women.

The Egyptian government expressed its reservation with the second paragraph of article 9. The government justified its refusal to granting Egyptian nationality to Egyptian women's children on the account that it will lead to a dual nationality, which is an unfair justification and violates the principal of equality between men and women, especially that the structure of the Egyptian law recognizes double nationality in many cases. Protecting the Egyptian nationality can not be used as an excuse to violate the constitution.

This situation had caused thousands of Egyptian women married to foreigners, great sufferings and hardships. Despite the fact that they are settled permanently with their children in Egypt, and that their Children know no other country but Egypt, the Egyptian Government is treating them as foreigners in all aspects of their lives such as residence, education, work and marriage[1].

Education:

Being foreigners, they have to join private schools with high fees. Many to drop out of education due to the high economic costs. Some of those who manage to complete their education were not granted their certificates for non-payment of the necessary fees. Although, children of divorced or widowed women were lately exempted from this condition, yet, such an exemption is to be withdrawn if the children fail in any school year. Thus, the government deals with this exemption as a grant and not a right. Also, the exemption decree ignores the children of married women whose husbands abandoned them, as the exemption provision does not apply on them. Further, these children can not join the teaching staff in the University or the other high scientific cadres even if they obtain the highest scientific degrees that qualify them to occupy such positions on the account of being foreigners.

Work:

Article 27 of the Egyptian law No. 137/ 1981 stipulates that foreigners are not allowed to undertake any job in Egypt except after obtaining work permits from the Ministry of Labor Force and Training, and they have to have residence permit. The conditions for obtaining work

1- Problems of the Egyptian woman married to a foreigner- Center for the Egyptian Women Legal Aid, the new woman studies Center. The conference of woman and law and development, 1998

permit include: paying 500 LE, having a distinguished scholar certificate, having a rare specialization, and approval of security authorities. This has led the majority of them to work without permits, a situation that entails problems for employers. So they either are unable to find jobs, or they are liable to exploitation and work without any kind of insurance coverage.

Residence:

Children of the Egyptian woman married to a foreigner obtain 3-5 years residence permits. Procedures for obtaining residence permits are complicated and lengthy, leaving those children live under the threat of being deported outside Egypt.

Although there has been official statement about some facilities granted to the children of Egyptian woman married to foreigners[1] such as the right to free education in public schools, the right to permanent residence, and to work without a permit in institutions other than the government establishments. But this statement was not translated to an executive decree that could be applied to deal radically with the problem; consequently it did not materialize equal opportunities.

Hence, the government should urgently drop its reservation to article 9 para 2, and amend the provisions of the Nationality Law, to materialize equality between women and men regarding their right to grant their nationality to their children.

Article (10): State 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

The Egyptian Constitution provisions stipulate that education for all is the core of the development movement for the whole society. Article No. 15 of the Law 139/1981 mandates that all Egyptian children, girls and boys, have the right to basic education as from the age of six, and it is the state's obligation to provide free basic education for eight scholar years. Parents are held responsible for enrolling their children in schools.

Gender Specific Enrollment Rates In The Different Educational Levels (1997/98)

Scholar level	Males	Females
Primary	85%	77%
Preparatory	85%	81%
Secondary	70%	62%

Source: The Ministry of Education, the General Department for Information and Computers

Regular Education:

* There is a high percentage of females' drop out from basic education. Many social, Cultural and economic factors contribute to this phenomenon, as 48% of the population live at poverty line[2].

* The educational comprehensive enrollment policy in primary education covers 80% only of the total number of children in that specific age group. The lowest enrolment rate is in the Menia governorate (40%) followed by Fayoum and Beni Sweif Governorates (41 %)[3].

* Thus the total drop out rate of females from the basic education reached 46%. The highest rate within the primary education level is in Matrouh Governorate (63%), followed by North of Sinai (53%). As for the preparatory education, the highest rate is in Port Said Governorate (80%) followed by North Sinai Governorate (66%)[4]. This drop out of school and non-enrollment represent a further source for illiteracy.

* Public schools in popular, over populated and slum areas need a lot of sustenance of its infrastructure, i.e. buildings, furniture and teaching materials.

Non-Formal Education and Adult Education:

Law No. 8 / 1991 specified the General Authority for Elimination of Illiteracy and Adult Education as the official authority responsible for the national task of adult education. With regards to non-formal education, results of the 1996 general census showed a declining rate of general illiteracy, from 49.9% in 1986 to 38.6% in 1996[5]. Despite this decrease (11%), the absolute numbers for illiteracy remained as it is. It is difficult to provide documentation for this, however, comparing censuses' data of 1986 and 1996 reveals that number of illiterates had increased by two hundred thousands. Females represent two thirds of illiterates whose percentages are 76% in Lower Egypt, 65% in Upper Egypt and, exceed 75% in some rural areas in upper Egypt.[6]

1- The speech of the President in the Media Day -1998

2- Human development report, Egypt, The Cabinet, 1996

3- The Ministry of Education, The General Department for Information and Computers, 1997/98

4- The Ministry of Education, the Arab Regional Conference on Education for all-Jan 24-27-2000.

5- general census for population, housing, and establishments, 1996

6- Strategies for Females Education in the Middle East-UNICEF-1995

Curricula

· There have been governmental efforts to modify women's image and include topics on the human rights, women and the environment in the educational curricula. However, curricula still emphasize the stereotypical concept of gender roles at all educational levels. A lot of efforts are still needed to eliminate the negative image of women and incorporate human rights concepts in the curricula[1].

· The reinforcement of traditional concepts with regards to the different roles of boys and girls is reflected in matters like sports' activities, industrial field activities, home economics, needle work, etc. The absence of an effective administrative role to change such concepts and promote the concept of equality, would reinforce discriminatory attitudes in the future.

· Although the female labor force had increased in the educational field, this increase is concomitant with a conformist concept restricting women to specific jobs (feminization of jobs).

· As for adult education, the skills associated with female literacy are the typical traditional ones, e.g. sewing, tailoring and, knitting. There must be an emphasis on providing women with other new skills, that will help them in upgrading their own, and their families' standard of living.

The adult education curriculum did not take into consideration the basic needs for acquiring reading and writing skills as many topics represent a real difficulty before student. Further, the duration of classes (9 months) is not enough to comprehend and acquire reading and writing skills efficiently. The curriculum also did not allow for environmental diversity (rural, coastal, and desert), through inclusion of topics relevant to different categories.

· Consequently we see that the state must undertake the necessary measures and work on several axes which include:

– To consolidate the previously achieved laws and legislations in order to bridge gaps in the current educational process.

– To change the prevailing cultural concepts in the curricula that promotes discrimination against women.

– To create mechanisms to establish communication between the official institutions and non-governmental organizations regarding the planning, monitoring and execution of the educational process.

Thus the State will have to take the following into consideration:

1) To increase the governmental budget for education to enhance the educational process efficiency, and to take care of the basic education in the remote, rural, over-populated and slum areas, taking into consideration all factors that encourage families to send their daughters to schools. The model of the one-class and community schools have proven their effectiveness to attract girls because they are near their homes, their low economic costs and their flexible curricula that allow young women to study and in the same time carry on the usual house chores. In addition, the approach of this type of classes is student-centered, and provides working opportunities to women of the local communities. Currently these classes are provided for girls in the age-group 8-14 years, and should be expanded include girls 15-18 years of age).

2) To provide continued education programs, after graduation from illiteracy classes, particularly for females, to combat the possibility of regression if woman do not practice the reading and writing skills they learned in their daily lives.

3) Canceling educational fees for the poor families and offering support groups free of charge to poor women and girls.

4) The General Authority for Literacy and Adult Education should recognize and respect NGOs' initiatives in the field of informal education.

5) The education system is not limited to what is goes on within schools as other community institutions, (media, family, club), constitute an important factor in supporting the educational process. Thus the Ministry of Education (MOE) should adopt policies targeting females specifically. And NGOs should have a prominent and obvious role within the national educational Policy. Further, it is important to support girls' participation in different activities and students' unions and school councils from their child hood.

The non-governmental organization active in the educational field had succeeded through a dialogue with the Egyptian MOE to achieve some results:

i. Establishing an NGO-Department within MOE.

ii. Issuing a ministerial decree to include NGOs as an essential member of the parents' councils in the governorates.

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.

1- Elham Abdel Hamid Farag. The Image of Woman in Education: analytical study of the educational curricula. Dar Al Mahrousa-2000.

Data from the National Council for Childhood and Motherhood shows that "1130000 women work in the state's administrative system and 161000 work in the Public sector. Women constitute 64,3% of workers in the Ministry of Health and women constitute 29,2% of physicians registered in the Physicians Syndicate, whereas women journalists constitute 27%"[1].

Articles 4 and 8 of the constitution stipulates women's right to work and the necessity to encourage them to do so, and holds the state responsible for ensuring women's equality with men and reconciliation between women's duties towards their families and their work in the community.

According the annual book of the Central Authority for General Mobilization and Statistics (CAPMAS) 1991, Women's participation in the labor force in Egypt does not exceed 11%. However, this percentage does not include women's work in productive families' projects, in the NGOs sector or in some sectors that are not calculated within the national product, e.g. the agriculture sector.

CAPMAS data also indicate that 18 million and 925 thousand women in the non- formal sector that include agriculture and marginal sectors (women working in mere agricultural work, workshops, or houses). This category is excluded from the protection of the labor law, and consequently it works without any protective legal umbrella.

Within the framework of the structural adjustment policy, the State is gradually giving up its previous commitment to appoint university graduates, a situation where women had equality with men in work opportunities. The private sector is replacing the public and governmental sectors in employing women, whose conditions oblige them, in case of the unemployment of the husband, to work under any conditions.

Privatization of many industrial establishments leads to increased unemployment proportion. Women who constituted the majority of workers in some of these establishments. A large number of those women were compelled to request early retirement, which entailed a severe decrease in their income, in addition to losing other benefits, e.g. health insurance, winter clothing, worker's club, and all other guarantees and privileges[2].

Also, Article 72, of law No. 48/1978 (Workers In the Public Sector's Law) stipulates that the female worker is entitled, upon her request, to a non-paid child-care leave three times during her entire employment, for a maximum of two years each time. In addition, the employer covers the insurance subscriptions during her leave. Article 37 of the same law gives the woman worker the right to a three-month maternity leave, for three times during her entire employment. On the other hand, article 154 of law No. 137/ 1981 entitles women in the private sector to only a fifty-day maternity leave, provided that she has been employed six months prior to her delivery. The unpaid leave is restricted, under this law, to those working in establishment which employs fifty women or more. Any establishment where the number of women is less by only one woman can be exempted from applying the law.

Tackling women's reproductive role as an impediment to work lead employers to opt for employing men and providing them with opportunities for training, promotion and upgrading of their skills and knowledge. Further, in the Egyptian work field, there are still jobs that are restricted to male employment e.g. judges, mayors, University chiefs, etc.

In addition, Article 160, of the social insurance No.25 / 1977 stipulates that the husband of the deceased female worker cannot receive a share of her pension except in case of being unable to work, with the right of her children to keep the pension. This entails the curtailment of the family's income, despite the fact that the due pension value was deducted from the woman's salary during her employment period. Also, the taxation authority always treats women as being single.

Under these economic and social conditions, the Egyptian People's council shall discuss the unified labor bill, which could diminish women's gains under previous laws. Article 91 o the bill, stipulates that "the woman-worker who has spent ten months, or more, in the service of the employer shall be entitled to a maternity leave of ninety days and a compensation equaling the salary. This period shall include the period prior and after delivery, provided that she will submit a medical certificate indicating the date of delivery. It is not permitted to make the female-worker work during the forty five days following delivery. Women are not entitled to this leave for more than twice during her entire employment period.

Those who drafted the bill commented that the restricting maternity leave to two times only is in accordance with the State's family planning policy. This represents an interference of the legislator in the family life, it is a kind of compulsory family planning.

Article 94, of the unified labor bill stipulates that "the female-worker in an establishment which employs fifty female-workers or more have the right to obtain a non-paid child-care leave for a period not exceeding two. She will not be entitled to this leave for more than twice during her entire employment period. This is also a clear violation of human rights under the banner of promoting national development. This would ultimately drive women back to homes and create family problems.

As for Article 132 of the same bill, it stipulates that it shall be permissible to the female-employee to terminate the work contract whether it was for a limited or unlimited period because of her marriage, pregnancy, or de'ivery, without this affecting her legal rights. The legislator indirectly urges employers and society that women cannot undertake both works within and outside the house, of finding appropriate solutions that help women properly undertake their work. It emphasizes the traditional gender division of labor, contradicting the state's slogan of sustainable development which requires the participation of all members of the community.

National Council for Childhood and Motherhood, December 1996

The Center of the Egyptian Woman Cases, Privatization and its impact on working women, 1999

We call upon the State to endorse the following:

1. To affirm women's right to work and to promote work as a human value for both men and women. This could be achieved through changing women's image in the media, promoting equality value in school curricula, and removing stereotypical images of women and including positive role models of activists in the Egyptian Women's Movement.

2. To withdraw the unified labor bill because of its discriminatory articles that exceed the prevailing discrimination present in the existing laws. Women should participate in the process of amending the bill needs so that it is in conformity with article eleven of CEDAW.

3. To guarantee, in accordance with the Constitution and law, women's right to enter into all fields of work, including those currently prohibited for women e.g. Judiciary and presidency of universities.

4. To provide women with equal opportunities to prove their efficiency, to be trained, to develop their skills and to obtain international scholarships.

5. to ensure women's right to promotion, to hold decision making and leadership posts, and to ensure that this happens ahead of their retirement age.

6. Provide child care leave for both parents (women and men).

7. Achieving equality between men and women in receiving each other's pension upon death, as pension contributions are deducted from their salaries just like men. Hence, their families are entitled to receive it after their death.

8. Adding children's aid to the wife's salary in case her husband reaches retirement age.

Article 12:

Party States shall take all appropriate measures to abolish discrimination against women in the field of medical care in order to guarantee on equality basis between man and women-achieving the medical care services, including services pertinent to family planning.

Health care system in Egypt comprise a comprehensive network of primary heath care units in the rural areas (about 2500 units and collective health unites), urban health centers (about 300 integral urban health centers)[1], in addition to mother and child care centers. Also, health services are provided through various types of public hospitals run by MOH, universities, health insurance and curative Institutions. However, the majority of women can not benefit from these services because of rising cost of health care.

Expenditure on Health

Sources of Expenditure	%
Citizens' expenditure	53.31
Ministry of Health	19%
Insurance	9%
University Hospitals	6.5%
Other Governmental institutions	6.6%
Foreign Aids	4%
Companies	2%
Private Insurance	1%

Source: Decision Making Support Project, Ministry of Health and Population 1995.

The lack of an efficient referral system between the different health care levels, delay timely decisions and quick interventions in emergency cases during pregnancy and delivery. This is clearly reflected on the rates of maternal mortality and morbidity. On the other hand, the quality of health services provided in those units is below standards in many instances.

On another level, the current health insurance system excludes all non working women and female those working in the non-formal sector. This means that the majority of women would not have an access to health care. Further, the quality of services provided within the health insurance system is declining.

The health policy provide special health care programs to women, however, because of several factors particularly gender issues, the chances that women would benefit from these programs are limited. This is clear from the utilization rates of health care facilities' in the national survey conducted by the Ministry of Health in 1994/1995[2]. The results showed that utilization rates of the in-patient section in

1- Information and Documentation Center, Ministry of Health and Population, 1997

2- National survey on Utilization of health care services, Ministry of Health and Population 1995

hospitals are similar for both males and females. However, the in-depth analysis according to different age groups, showed that, except for the reproductive age (16-39), males utilize in-patient services much more than females in all age groups. The general statistics eliminate the big difference and suggest the men and women equally benefit from health care services.

A study that addressed the negative impact of physician's stereotypical view of female patients, showed that physicians tend to deal with the female patient as psychological case through regardless of her age, a matter that influence the accuracy of the diagnosis, treatment and the life of women herself[1].

Time and money are prerequisites to make use of the available health care services, requires money and time to move to the source of service, to cover its cost or to purchase medicines. Therefore, the chance of a woman is much less than that of a man, where priority in spending is usually in favour of males. On the other hand, women are usually burdened with household chores, particularly when they have limited resources. Hence, seeking health care is usually of a low priority.

Infant and Child Mortality

	88		92		95		97	
	M	F	M	F	M	F	M	F
Infants Mortality /1 000 births	95,1	93,4	84,4	75,3	72,5	73,3	63	61,2
under 5 child Mortality /1000 births	129,6	135,3	107	108,6	92,6	99,3	78,3	77,5

Source: Demographic and Health Survey, 1995

Although ante and post natal clinical examination of pregnant women is offered free of charge in Mother and Child Care (MCC) centers, yet an average of 60% of pregnant women do not receive any antenatal care, and only 40% receive regular antenatal care. MCC centers also provide routine laboratory tests, e.g. hemoglobin percentage to monitor nutrition status of pregnant women. But, as only 40-60% benefit from MCC services, it is clear that a great percentage of women (probably the most needy) do not enjoy this care. Ultra sound examinations provided at high fees constitutes an economic burden to women, further, the lack of training influence its quality and its use to detect the cases at risk during pregnancy.

Regarding causes of death, there is no big difference between males and females, except in the reproductive period (15-49) because of causes related to pregnancy, delivery and perperium, as well as breast and reproductive tract cancer. This raises questions regarding preventive health services and programs and their rule in early detection of cancer cases and health risks related to pregnancy and premature delivery[2].

The health survey conducted by the Ministry of Health in 1993 indicates that the rate of Maternal Mortality is 174 /100.000 births. Although this figure is less than the previous one in 92/93 (184 /100.000 births), yet it is still much less than the real figures, as many of the official death notifications state other causes without revealing whether the deceased woman was pregnant , giving birth or in the postpartum period. Maternal Mortality differs by regions; they are higher in Upper Egypt (217 /100.000 births). It is estimated that 92% of these cases could have been avoided.

With regards to child Mortality, first glance reveals no difference between males and females. However, if we exclude the first month of age, during which the biological advantage of female appears before being affected by the environmental factors, under five child mortality rates of females are higher than those of males. Egyptian female children have higher mortality rates and 20-40% decrease in chances for life compared to male children, particularly in Upper Egypt[3].

During adolescence and youth girls, in some regions, are exposed to risks of early marriage and motherhood. 12% of married women were married at the age of 15 -19 years, and 10% got pregnant and gave birth at this early age, which endangers their lives, age at birth is 65 years for men and 67,9 years for women. This apparent difference is basically due to the biological advantage of the female. The difference decreases with getting older until it nearly vanishes, contrary to the prevailing situation in the industrial countries. This has lead to imbalance of the percentage between males and females[4].

In spite of the State's attempt to encourage the use of family planning Methods, there are still some problems related to the quality of service that bars their wider utilization, together with women's economic and social conditions. Besides, the mainstream trend views women as the sole responsible for family planning and not as partner with men who should also participate in solving this problem. There is a need to provide necessary services that address men and encourage them to fulfill their roles. In the majority of cases, men and not women, control decision making with respect to using, or choosing the type of family planning methods.

Intentional Abortion services are illegal, unless the continuation of pregnancy endanger the mother's life, or if there are strong evidences of the potential for fetal deformity (e.g. infection with German measles in the first months of pregnancy).

1- Afaf Marai, et al, women, health and law, in Women law and development 1997, New woman Research Center.

2- National Survey on Maternal Mortality, Ministry of Health 1994.

3- Demographic and Health Survey, 1995.

4- Egypt Human Development Report, 1997/1998.

As for AIDS, information available from the Ministry of Health hot line shows that there are ten thousand cases of infection discovered during laboratory tests before traveling abroad. There is also an NGO's study which confirmed that there are several cases of infection among women married to Egyptians or foreigners having the disease[1].

In the light of this reading of the Egyptian women's health status, the Egyptian government is required to take necessary measures for:

1- Increasing expenditure on health to keep in pace with, at least, the 5% determined by the World Health Organization as a minimum, provided that expenditure should focus on primary health care services, which should include all reproductive health care services and not be confined only to providing family planning methods.

2- Recognizing the necessity of fair distribution of medical human-power specially in remote areas.

3- Extending health insurance to include all women, specially women working in the non-formal sector, together with improving the quality of the provided health care services.

4- Setting up an effective referral system at the various health care levels and providing equipped ambulances for emergency cases.

5- Conducting awareness raising health campaigns for men, women and the whole community on reproductive health issues in order to emphasize its importance and to create positive attitudes towards them. Also, there is a need for laying down a health education plan within the frame of primary health care centers, training gender sensitive physicians and medical teams, and preparing highly trained cadres to work in the primary health care centers and Mother and child care centers to improve the quality of the service provided.

6- Taking into account women's health through out their lives.

7- Studying and calculating the actual percentage of AIDS infection, and raising awareness on the disease and infection methods through reproductive health programs, health care centers and various media outlets.

8- Ensuring cooperation between the Ministries of Education and Health to lay down programs for health education from childhood and to include them in the educational curricula in addition to coordination with other ministries concerned with the economic and social conditions of women to improve their status, which shall positively reflect on their health.

9- Calling upon the Ministry of Health to obligate drug companies to provide full medical information using Arabic language to ensure women's proper use of medicines.

10- Developing medical schools curricula to include social sciences and link them to health issues, and to take into consideration gender issues.

Article 14:

The Party States should consider the special problems that face the rural women and the important roles that she plays to secure economic survival for her family, including her work in non monitory economic sectors and taking all proper measures to guarantee application of this agreement's provisions to women in the rural areas.

All Party States shall take proper measures to abolish discrimination against women in the rural areas to ensure equal participation with man in rural development and benefiting thereof

Rural Egypt includes 57% of the population; 58% of Egypt's poor. Egypt's Human Development Report (HDR) 1997/1998 states that poverty is specially concentrated in rural Upper Egypt. The government's report confirms the improvement of rural women status. A national conference has been also dedicated to studying rural women's problems in March 1998 under the presidency of Mrs. Suzan Mubark. However, our report records some shortcomings that needs special governmental interventions:

Health Status:

Rural women still suffer from several diseases and problems. The report observes that 67% of births are conducted by untrained traditional birth attendants (TBAs) and that vaccination against Tetanus does not exceed 57%. In addition, there are other health problems, such as Bilharziasis and health effects resulting from exposure to incompletely burnt kerosene, which women use in house ovens.

Educational Status:

Egypt's HDR 1997 / 1998 records the highest illiteracy rates in rural Egypt (Total:56.6%, Female7l%) especially in Upper Egypt. The case is not only traditions and customs which favor educating males and approve early marriage for females, but also the unfair distribution of schools and educational Institutions between the rural and the urban regions.

The Legal Rural Women Labor Status:

Many of the rural women work for cash in agriculture, but without any legal protection, as the main channel for work is through labourer

1- AIDS Counseling Center, Cairo-Egypt

contractors, this exposes women to the worst forms of exploitation. In addition, all work agreements are mere verbal ones thus depriving women from any legal commitments towards their rights. But most important is the fact that rural women are not included in the female work force at the national level.

Loans:

Many barriers face rural women who wish to acess loans and agriculture, e.g. conditions of having an identity card, agricultural possession, and someone to guarantee them (which are hard to attain in rural areas). On the other hand, women still refrain from participating in the membership or councils of cooperatives, a matter that hinders them from benefiting from economic opportunities provided by these cooperatives.

Hence, the non-governmental organizations call for:

1- Extending the health and social insurance nets to include rural women, together with simplifying procedures of social security, allocating sufficient budgets, and providing social protection for women , particularly for categories which are not covered by the law, such as common law marriages and cases of husband desertion.

2- Extending Ministry of Health training services to include rural traditional birth attendants and health workers. Training should include reproductive health and harmful traditional practices e.g. early marriages and female genital mutilation.

3- Supporting medical convoys providing health education and medical examination, and enhances their out reach to remote villages, together with helping women to express their complaints, especially those related to sexually transmitted diseases.

4- Conducting researches and surveys in the Egyptian villages to get acquainted with the prevailing diseases among various age groups and with customs and traditions that lead to its spread. Establishing data base on all aspects of women's health.

5- Providing legal and legislative assistance to rural women. The State should activate complaints and recommendations bureaus, provide social, legal and political counseling for rural women deprived from their rights and support them to obtain their official documents.

6- Guaranteeing NGOs free movement to play their role and participate actively in the local community and encourage women to join these NGOs. The government also should facilitate the registration of women's NGOs that adopt women's issues and help women to express their opinions and raise their awareness regarding the importance of elections and political participation. In addition, coordination between governmental and non governmental efforts should be emphasized in organizing workshops, symposia and cultural and health convoys. Endemic diseases' specialist should be made available

7- Building a data base on the social status of rural women and the different activities they are involved in according to different age groups. This should provide a clear picture of the actual rates of economic activities of rural women, their participation in both public political lie and Women oriented NGOs activities.

8- Introducing appropriate and environmental-friendly technology according to the needs of rural women.

9- Helping rural women in marketing their products, providing means and service pertinent sale and purchase processes, and along with subject the various rural products to health control systems and methods.

10- Paying attention to media targeting rural women, as well as improving rural women's. Image in the media to reflect their true reality and their role in development, and to involve the community in solving their problems.

Article 15:

The Party State grant women equality with men before the law.

The Party State grant women legal capacity in civil affairs equal to man 's capacity and the same chances to practice this capacity in the society, guaranteeing rights equal to man in concluding con tracts, managing properties and dealing on equal footing in all stages pursued in the courts and legal authorities.

The Party State agree to consider all contracts and the rest of private deeds, that aim at chaining women 's legal capacity, null and void.

The Party State grant man and women the same rights with respect to law related individual movement and freedom to chose their domicile and residence.

The government report states that article 40 of the Egyptian Constitution does not discriminate between citizens and stipulate their equality before the law, providing examples for gender equality as equal capacity of both men and women to litigate and to practice the general rights. However, the report disregarded the obvious discrimination against women in many laws without Constitutional or even religious support, particularly the Personal Status Law. We shall discuss those laws in detail when we address article 16 of Cedaw, on which the Egyptian government has reservation.

Article (237) of the Penal Code states that" whoever surprises his wife in the act of adultery and murders her on the spot, she and her partner in the act shall be punished by imprisonment instead of the determined penalties in articles 234 and 236", i.e. instead of hard labour, whether for life or temporary, which means, in accordance with this article, the husband's punishment might sometimes be several

months with stay of execution. As for the wife she does not benefit from this mitigating excuse, even if she surprises him in the act of adultery inside or outside marital house, the husband shall be punished only for misdemeanor on the contrary to the wife. This is an outrageous discrepancy with regards to the Islamic religion, which does not discriminate in the punishment of the adulteress or adulterer, yet this discrepancy does not stimulate religious leaders or those who, unjustly, wave the flag of religion to encounter any attempt to give women their human rights in equality with men.

Women's right to freedom of movement and to have a passport at any time, are guaranteed by the Egyptian Constitution and law No. 97 / 1997, article 1, which stipulates "the necessity of issuing passport for travel of citizens in order to leave The country". Yet the minister of the interior's resolution No.3937/1996[1], article 3 (which is a bis of article 4 of resolution No. 864 / 1974), states that "granting the wife a passport or its renewal shall be made after submission of her husband's approval on her travel abroad. Those who are legally incompetent should submit a statement from their legal representatives" This resolution strips married women of the right to move in contradiction to the Egyptian Constitution and law, and equals them to legally incompetent persons.

Also law No. 97 / 1995, article 11, states that such discretionary authority (i.e. to prevent granting passport to some citizens or to prevent them from travel) should first, be related to the public interest, 'and to prevent harming or defaming the country, and second it should be under the supervision of the judiciary. So, this authority was granted to the Minister to protect state security under exceptional circumstances not to use against women.

Preventing the wife from travel has no constitutional, legal, or even religious support (i.e. an explicit Koranic text), except the text of article I of law No. (100) for 1985, which stipulates that the wife loses her alimony if she leaves the marital house for no legitimate reason without her husband's approval.

NGOs participating in writing this report suggest the following interventions:

· Reviewing all laws and clearing them from all forms of discrimination against women.

· Repealing the Minister of interior's resolution pertinent to preventing wife from traveling, except upon the husband's approval.

· Amending law No (10) for 1961 pertinent to protecting public moral to be in harmony with the principle of equality and indiscrimination.

· Amending penal code to be in harmony with the principle of equality and indiscrimination.

Article (16)

1 - The Engagement or marriage of a child shall not have a legal consequence, and all necessary procedures, including legislation, shall be taken to determine minimum age for marriage and to make registration in an official register a mandatory order

1- The Party States shall take all appropriate measures to abolish discrimination against women in all matters related to marriage and family relations, guaranteeing, in particular, the equality between man and women.

i. The same right in marriage contract.

ii. The same right of free selection of a husband and not to marry, except upon her full consent.

iii. The same rights and responsibilities in marriage and its recession.

iv. The same rights and responsibilities as a parent, despite her marital status in the matters related to her children. In all cases, the children 's interests should be favored

v. The same rights to freely and with a sense of responsibility decide number of children and the period between child and another and in having information, education and means that enable her to practice these nights.

vi. The child's engagement or marriage shall not have any legal effect and taking all necessary procedures, including legislation for determining a minimum age for marriage.

vii. The same rights and responsibilities with respect to jurisdiction and guardianship of children and their adoption or the like of social constitutional systems, where these concepts exist in the national legislation. In all case preponderance should be to children's interests.

viii. The same personnel rights of the husband and wife, including the right to the family name, profession and job.

ix. The same rights of the husband and wife with respect to owners hip and holding property, supervising, managing and disposing thereof whether for free or in return of a valuable consideration.

2 - The Engagement or marriage of a child shall not have a legal consequence, and all necessary procedures, including legislation, shall be taken to determine minimum age for marriage and to make registration in an official register a mandatory order.

1- Attached is the text of the Decree

The personnel status of Egyptian is governed by several laws. As for the Moslem Egyptians, divorce, marriage, jurisdiction and guardianship, are governed by law No. 20 / 1925 and its amendments and law No. 25 / 1929 and its amendments, which were include in the amendment on procedures of the personal status laws for Moslems in February 2000, which we shall deal with later. As for Christian Egyptians, divorce and marriage matters are governed by the 1939 law, which has not been changed until now, except what is called unified personal status bill. Neither of these laws is free of discrimination against women.

With respect to personal status law for Egyptian Moslems and Christians of non-unified sect, a wife can not divorce her husband and dissolve the wedlock, unless she has already stipulated that in her marriage contract. She also can not refuse divorce by the husband, abusively in most cases and frequently denying ensuing rights, obliging her to suffer in courts to obtain these rights.

The law has given women the right to request divorce in the following cases:

1- If the husband does not provide for her expenes.

2- If the husband is considered absence for more than a year.

3- Harm

4- If the husband has an incurable illness.

5- If the husband is Imprisoned for more than three years.

In all these case the judges have discretionary authority to rule for or against divorce, even if harm is proven. Proving harm constitutes a cumbersome task for a wife seeking divorce. Yet, even if the ruling is for divorce, it is not final and it shall not be executed, unless after exhausting all objections, i.e. after it passes through three degrees of litigation. (Article 64 of the new law pertinent to facilitating litigation procedures in personal status).

The new law has added another possibility for divorce, which is divorce for monitory compensation. (the wife pays a monitory compensation for her husband). According to article 20 of the new law, the wife has the right to resort to courts in case her husband refuses to divorce her for monitory compensation. If the judge fails to reconcile them, he is obliged to order divorce. Then, the judgment is final.

Though such an option puts an end to the long sufferings of many women, yet they bear a great loss as the wife has to give back the dowry and waive all her legal rights. The conception of divorce for compensation according to Islamic Shariaa' is based on only returning the original dowry (but not any interests if she has been investing it in any way). The dowry is considered the wife's property that she keeps for herself. But reality in our society is different since woman does not keep dowry in accordance with this conception, she usually spends it on furnishing martial home, thus she gives instead of taking.

Although the new law gives women the right to request divorce in case of nonregistered marriage, which is called common law marriage, yet, the law stipulates another condition for Christian women, that their doctrine should be permitting divorce at the time when she provide her request (Article 17 paragraphs (2) and (3) of the new law).

The recommendation here is that judgment of divorce should be mandatory and not liable for objection as in the provision of article (20). Hence, if a women resorts to court for divorce, this means the impossibility of continuity of the marriage relation, which necessitates ruling for divorce along with simplifying its procedures by not permitting objection.

Egyptian Christian Women:

As for the 1938 regulation pertinent Christian Egyptians, divorce is in the hand of the judge for both men and women, according to the same reasons of divorce for Moslem Egyptians, except in case the husband is unable to provide for his wife. Article (151) of 1938 regulation obliges the wife to provide for her husband if he is insolvent. Divorce for husband impotence necessitates the lapse of three years and a proof beyond doubt that the case is incurable, according to article 55, paragraph (2) of the 1938 regulation.

Thus, we find a gross discrimination against women since it stipulates to wait for three years and decisively confirm that he is incurable, disregarding her suffering throughout this matter.

We find out that, if the woman is granted divorce upon her request, she is deprived from the custody of her children (article 129, paragraph 3 of 1938 regulation).

She is also deprived of her children:

1- If she is not Christian.

2- If she marries after the husband's death a person not related to the child.

3- If it is judged to divorce her and the reason of divorce judgment is due to her.

Also upon judging divorce in accordance with 1938 regulation, the judgment does not become final, unless after going through four degrees of litigation; first instance, appeal, cassation and petition for reconsideration, If the Church does not endorse these judgments, the wife is not permitted to remarry. This is what happens in reality, one of the Court of Appeal Counselors, Christian Egyptian, has called for not applying Article (20) of the new law pertinent to divorce for consideration to Christians, who change their doctrine. Though, we have in our hands unified project law of personal status for Christians. It has summed up all divorce reasons in one, which is adultery only.

Finally, Egyptian women, whether Christian or Moslem, are deprived from guardianship over their children. Guardianship is for the father only, followed by the grandfather. Women have the right to custody of their children, on conditions. The mother has to account for any fault towards the child just like others, while the father is subject to no account, even if his fault is grave.(Article No.24 of the Decree by law No.1190 / 1952 pertinent to jurisdiction over money).

Hence our recommendations in this regard are summed up in the following:

1- Repealing reservation to article 16 of CEDAW

2- To have all matters of divorce and custody in the hands of the judge, taking into consideration the interest of the child.

3- Increasing awareness of the new marriage contract and training marriage officers to undertake their role in enlightening the married couple of the contract's conditions and how to act accordingly.

4- Encouraging media to spread knowledge of the new marriage contract and emphasize its positive features.

Violence against women

Recommendation No. (19) refers to the issue of violence against women as being an extreme discrimination against women. The Egyptian government had started lately to pay attention to violence against women. For the first time, a module pertinent to violence against women was introduced to the Demographic and Health Survey (DHS) issued in 1995.

Egyptian women face many forms of violence, some of which have been discussed within the frame of article (2). However, this report pays special attention to a specific practice, female circumcision, which represents physical and psychological violence against women and is a clear example of social and cultural patterns that uphold discrimination against women. Demographic and Health Survey (DHS), 1995 showed that female circumcision is a wide spread practice among even married women (97%). It is prevalent in urban as well as rural areas, and even in the metropolitan Cairo (90%). Although, the NGOs exert huge efforts addressing the public (women, children and men) to increase awareness on the harms of this practice, and although the Minister of Health and Population has issued a decree to prohibit doctors from performing female circumcision in hospitals and private clinics, yet there are some aspects that cause concern with respect to the seriousness of the State in combating this custom:

1- The Minister's decree did not exclusively prohibit the practice, but has exempt cases which the heads of gynecology departments consider as needing circumcision, which is extremely dangerous; since it implicitly entails that female circumcision could be justified in some cases, a matter that lacks any scientific basis. It opens the door for the physicians to perform female circumcision according to their beliefs or attitudes towards women and their right to bodily integrity.

2- Also child law No.12/1996 did not include any reference to circumcision; rather a proposed article on circumcision in the bill was one of the first articles that had been deleted before submitting the bill to the Parliament.

3- The Ministry of Social Affairs has signed an agreement with UNICEF in 1998, aiming to increasing awareness against female circumcision in four governorates. The Ministry of Health and Population has also signed an agreement with the UNICEF in 1999, aiming at protecting female child and preventing harmful practices in the same four govern rates. Yet there is a need to expand those interventions and extend them to include all governs rates of the Republic.

4- Media coverage of the efforts and interventions of the NGOs struggling against female circumcision are still too limited, a matter that the State can rectify through a political decision to facilitate NGOs' role in awareness raising and combating this phenomenon.

Therefore, the non-governmental organizations recommend the following:

1- Spreading awareness at the national level regarding the harmful effects of circumcision. As this huge task goes beyond the capacity of NGOs, the government should mobilize concerted efforts of relevant Ministries, particularly the Ministries of Health and Population, Social Affairs and Religious Endowment (Awkaf).

2- Ensuring the implementation of the Minister's Decree and the application of the relevant articles of the Penal Code, incriminating female circumcision, since it has no medical or non medical justification. The few court decisions issued during the past few years in the rare cases that were presented to courts (where circumcision resulted in death or serious complications) the crimes were described as a negligence, if the doer was a physician or as an unauthorized medical practice if the performer was not a physician.

3- Deleting or repealing the last paragraph of the Minister's resolution No.(261)/1996, which permits female circumcision in pathological cases because this paragraph constitutes a loop hole that can be used to legitimate the practice.

4- Continuing to provide information on the size of the violence against women phenomenon in the Egyptian society, and expanding in it so as to include all types of physical, psychological and sexual violence.

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.

The Egyptian Government has expressed its reservation towards this article on the grounds that it interferes in its internal affairs, which affects the sovereignty of the State. This argument discards the fact that all international conventions aim at establishing international legislation binding to all signatory states with one referential source which is human rights. The aforementioned arguments also presents an inconsistency, because why reservation on this specific convention not other conventions to which Egypt is a signatory?

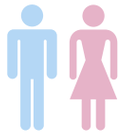
The non governmental organizations believe that it has become necessary to drop this false contradiction between compliance with the international referential documents, conventions and treaties, which were established to protect human rights all over the world by United Nations, and the principle of non-interference in the internal affairs of the states. It is necessary to differentiate between implementing the principles adopted by world states in the form of an international convention and the world's right to monitor this implementation; and the inference in the internal affairs, whether economical, social or political, which is a matter on which we have reservation.

Finally, it is needles to say that monitoring the implementation of CEDAW, as one of the conventions ratified by the Egyptian government, is a task that needs to be shouldered by several parties. At the top of the list comes civil society institutions which should be entitled to a wider space of movement and acess to data and information from the relevant bodies to enable them to play their roles effectively and scientifically and on an objective basis that embodies the true partnership between the parties of development process in the country.

Out of devotion to develop the democratic practice and spread an environment of mutual trust among the parties of development, NGOS call upon the Egyptian government to take the necessary measures for:

1) Guaranteeing the highest level of freedom in movement and expression for NGOs, and women organizations in particular.

2) Making all necessary information from various specialized bodies on women issues and development available to all NGOs and civil society institutions.



Links

Links

IWRAW Asia Pacific

http://www.iwraw-ap.org/aboutus.htm

This NGO contributes to the progressive interpretation, universalization, implementation and realization of women's human rights through the lens of CEDAW and other international human rights treaties. They promote the application of international human rights standards through the use of CEDAW at the national level and train NGOs on the different elements of the concepts of equality, non discrimination, state obligation, and the principles of universality and indivisibility.

ComitédeAméricaLatinayelCaribeparalaDefensadelosDerechosdelaMujer-CLADEM(LatinAmericanandCaribbeanCommitteefortheDefenseofWomen'sRights) http://www.eurosur.org/CLADEM/ CLADEM is a network of women and women's organizations throughout Latin America and the Caribbean working towards an effective defense of women's rights. They form a network that speaks to organizations and individuals committed to advocating for women's rights through different activities: creating legislative proposals, researching, training, litigating, teaching in universities, informing, communicating, and performing actions in solidarity.

Instituto Social y Político de la Mujer (Social and Political Institute for Women)

http://www.ispm.org.ar/

This organization started as the initiative of a group of women with experience working in different social, academic and political spheres with the goal of making actions to change women's status more effective, and therefore modifying the public's behavior as a whole.

Centro de la Mujer Peruana Flora Tristán (Flora Tristán Peruvian Woman's Center)

http://www.flora.org.pe/

A feminist organization whose mission is to fight the structural causes that restrict women's full citizenship. It attempts to broaden women's citizenship and also development policies and processes so that they respond to criteria and standards for equity and gender justice.

Control Ciudadano (Citizen Control)

http://www.socwatch.org.uy/es/acercaDe/index.htm

An international network of citizen organizations fighting for the eradication of poverty and its causes with the goal of ensuring equitable distribution of riches and realizing human rights. They are committed to social, economic and gender justice. Control Ciudadano demands an accounting from governments, the UN system and international organizations on compliance with national, regional and international commitments on the eradication of poverty.

Division for the Advancement of Women (DAW)

http://www.un.org/womenwatch/daw/cedaw/

The Division for the Advancement of Women advocates for the improvement of the status of women throughout the world through equality between women and men so that both can participate in sustainable development, peace and security, governance and human rights. It also works to mainstream gender perspectives both within and outside the United Nations system by conducting research, strengthening communication between governments and civil society, promoting international standards and best practices, supporting implementation of the Beijing Platform for Action, providing servicing to the Commission on the Status of Women in the creation of global policies and providing substantive and technical servicing to the CEDAW Committee.

Women Watch

http://www.un.org/womenwatch/

WomenWatch is a gateway to information and resources on the promotion of gender equality and the empowerment of women through the United Nations system. In addition to supporting the Beijing Platform for Action, its mandate has expanded to supporting the outcome document of the twenty-third special session of the General Assembly in June 2000 and Security Council resolution 1325 of October 2000.

Center for Reproductive Rights

http://www.reproductiverights.org/esp_publications.html

Is an NGO dedicated to promoting the equality of women throughout the world, guaranteeing their reproductive rights as human rights. Reproductive rights, the foundation for women's self-determination over their bodies and sexual lives, are critical for women to reach their maximum potential. They believe it is fundamental to have laws and policies that advance and protect these rights.

Websites

· United Nations: http://www.un.org/

· United nations development programme (Arab human rights index): http://www.arabhumanrights.org/ar/countries/

· University of Minnesota (human rights library): http://www1.umn.edu/humanrts/arabic.html

· human development reports: http://hdr.undp.org/reports

· Division for the Advancement of Women: http://www.un.org/womenwatch/daw/cedaw /

· Office of the United Nations High Commission for Human Rights: http://www.ohchr.org/arabic/index.htm

· The Arab Regional Resource Center on Violence Against Women (AMAN): http://www.amanjordan.org/index1.htm

· http://www.hrw.org/: Humans Rights Watch organization

· Amnesty international: http://www.amnesty.org/actnow/

· UNESCO (UNITED Nations Educational, Scientific and Cultural organization): http://www.unesco.org/

· Women's aid organization (WAO): http://www.wao.org.my/

· WHRnet (Women's human rights net): http://www.whrnet.org/

· International Women's Rights Action Watch (iwraw): http://iwraw.igc.org/