



CEDAW: THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

What are General Recommendations?

The CEDAW Committee is the body of independent experts charged with monitoring compliance with CEDAW. Since 1986, this Committee has issued 36 General Recommendations that interpret the treaty & clarify CEDAW's provisions. These recommendations provide additional guidance as to what compliance with the treaty entails. They also bring attention to issues that the CEDAW Committee believes governments should focus on in order to respect, protect, & fulfill women's rights.

What do they cover?

General recommendation No. 19 is well known for its interpretation of discrimination as including acts of gender-based violence. Many recommendations refer to "States Parties," which includes all the countries that have ratified CEDAW. While these recommendations are primarily aimed at the national governments that have ratified CEDAW, they provide useful guidance to state & local governments & advocates.

CEDAW General Recommendations

Nos. 1 & 2 (1986 & 1987) Reporting guidelines for national governments

Sets up guidelines on the frequency of country reports & procedures for national governments reporting to the CEDAW Committee.

No. 3 (1987) Education & public information programs

Urges all States Parties to adopt education & public information programs which will help eliminate prejudices & current practices that hinder the full operation of the principle of the social equality of women.

No. 4 (1987) Government reservations to treaty principles

Suggests that all States Parties reconsider reservations with a view to withdrawing them.

No. 5 (1988) Temporary special measures

Recommends that States Parties make more use of temporary measures such as proactive policies that benefit women or quota systems to advance women's integration into education, the economy, politics & employment.

CEDAW General Recommendations

No. 6 (1988) Effective national machinery & publicity

Recommends that States Parties establish &/or strengthen effective national institutions & procedures at a high level of government, & with adequate resources, with commitment & authority to:

1. Advise on the impact on women of all government policies;
2. Monitor the situation of women comprehensively;
3. Help formulate new policies & effectively carry out strategies & measures to eliminate discrimination;
4. Take appropriate steps to ensure the dissemination of the Convention, the reports of the States Parties & the reports of the Committee in the language of the States concerned;
5. Include in their initial & periodic reports the action taken in respect of this recommendation.

No. 7 (1988) Resources for monitoring

Recommends the States Parties take all necessary & appropriate steps to ensure that adequate resources & services are available to the CEDAW Committee to monitor compliance with the treaty.

No. 8 (1988) Implementation of article 8 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 & to ensure to women on equal terms with men & without any discrimination the opportunities to represent their government at the international level & to participate in the work of international organizations.

No. 9 (1988) Disaggregating statistical data

Recommends that States Parties should make every effort to ensure that their national statistical services responsible for planning national censuses & other social & economic surveys formulate their questionnaires in such a way that data can be disaggregated according to gender, with regard to both absolute numbers & percentages, so that interested users can easily obtain information on the situation of women.

CEDAW General Recommendations

No. 10 (1989) Tenth anniversary of the adoption of CEDAW

Recommendations for awareness raising around the 10th anniversary of CEDAW.

No. 11 (1989) National government cooperation

Recommends the States Parties take all necessary & appropriate steps to ensure that adequate resources & services are available to the CEDAW Committee to monitor compliance with the treaty.

No. 12 (1989) Violence against women

Recommends to States Parties that they should monitor & report on:

1. The legislation in force to protect women against all kinds of violence in everyday life (including sexual violence, abuses in the family, sexual harassment at the workplace, 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 violence of all kinds against women & on victims.

No. 13 (1989) Equal remuneration for work of equal value

Recommends that States Parties:

1. Ratify ILO Convention No. 100;
2. Consider the study, development & adoption of job evaluation systems based on gender-neutral criteria that would facilitate the comparison of the value of jobs in which women presently predominate, with jobs in which men presently predominate, & include the results achieved in their reports to the CEDAW Committee;
3. Support the creation of implementation machinery & encourage collective agreements, where applicable, to ensure equal remuneration for work of equal value.

No. 14 (1990) Female circumcision

Recommends that States Parties take appropriate & effective measures with a view to eradicating the practice of female circumcision (FGM) & provides various suggestions for what these activities could be.

CEDAW General Recommendations

No. 15 (1990) Women & AIDS

Recommends that States Parties intensify efforts to increase public awareness of the risk of HIV infection & AIDS, especially in women & children, & its effects on them. It suggests that programs to combat AIDS should give special attention to the rights & needs of women & children, & to the factors relating to the reproductive role of women & their unique vulnerabilities. It encourages States Parties to ensure the active participation of women in primary health care & take measures to enhance their role as care providers, health workers & educators in the prevention of infection with HIV.

No. 16 (1991) Unpaid women workers in rural & urban family enterprises

Recommends that States Parties monitor & report on the legal & social situation of unpaid women working in family enterprises. States Parties should take the necessary steps to guarantee payment, social security & social benefits for women who work without such benefits in enterprises owned by a family member.

No. 17 (1991) Measurement & quantification of the unremunerated domestic activities of women & their recognition in the GNP

Recommends that States Parties encourage & support research & experimental studies to measure & value the unremunerated domestic activities of women. It encourages States Parties take steps to quantify & include the unremunerated domestic activities of women in the gross national product & to monitor & report on the research & experimental studies undertaken to measure & value unremunerated domestic activities, as well as on the progress made in the incorporation of the unremunerated domestic activities of women in national accounts.

No. 18 (1991) Disabled women

Recommends that States Parties monitor & report on disabled women & measures taken to deal with their particular situation, including special measures to ensure that they have equal access to education & employment, health services & social security, & to ensure that they can participate in all areas of social & cultural life.

CEDAW General Recommendations

No. 19 (1992) Violence against women

CEDAW in Article 1 defines discrimination against women, & that definition 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 & other deprivations of liberty. Gender-based violence may breach specific provisions of the Convention, regardless of whether those provisions expressly mention violence.

No. 20 (1992) Reservations

The CEDAW Committee recommended that States Parties should raise the question of the validity & the legal effect of reservations to the Convention; reconsider such reservations with a view to strengthening the implementation of all human rights treaties; & consider introducing a procedure to address reservations.

No. 21 (1994) Equality in marriage & family relations

Elaborates on states' obligations to protect, respect, & fulfill women's equal rights with men with respect to entering into marriage, the right to own property & passing their nationalities onto their children.

No. 22 (1995) Article 20 of the Convention

Relates to the amendment of the meeting time of the Committee.

No. 23 (1997) Women in political & public life

States Parties shall take all appropriate measures to eliminate discrimination against women in the political & public life of the country &, in particular, shall ensure to women, on equal terms with men, the right:

1. To vote in all elections & public referendums & to be eligible for election to all publicly elected bodies;
2. To participate in the formulation of government policy & the implementation thereof & to hold public office & perform all public functions at all levels of government;
3. To participate in non-governmental organizations & associations concerned with the public & political life of the country.

CEDAW General Recommendations

No. 24 (1999) Women & Health

Recognizes that many forms of violence impacting women's health are related to sexual violence. Sexual violence leads to physical & psychological harm & unwanted pregnancies. The recommendation addresses many aspects of women's right to health, importantly calling attention to the role of medical institutions in tackling violence against women. It highlights the needs for holistic solutions.

No. 25 (2004) Temporary special measures

Outlines the meaning of temporary special measures under Article 4(1) of CEDAW. Temporary special measures are actions states can take to speedily achieve substantive equality for women. These measures can include affirmative action or preferential treatment policies, political quota systems, outreach & support programs, reallocation of resources, & targeted recruitment, hiring & promotion. The idea is that these policies are "temporary" because they will be unnecessary once substantive equality has been achieved.

No. 26 (2008) Women migrant workers

Provides recommendations to national governments on implementing CEDAW with a focus on the lived experiences of women migrant workers. Regardless of a woman's immigration status, states are required to protect them against gender-based violence.

No. 27 (2010) Older women & the protection of their rights

Violence occurs throughout the lifecycle, impacting women before they are born to the last years of their life. Older women experience unique forms of discrimination & gender-based violence. This recommendation emphasizes that older women's needs & vulnerabilities are often given little attention by states, yet their likelihood for experiencing exploitation & abuse remain very high.

No. 28 (2010) Core obligations of States Parties under Article 2 of CEDAW

Article 2 of CEDAW is focused on the role of law, legislation & legal institutions in securing women's right to non-discrimination, both formally & in practice. States Parties have obligations under Article 2 to condemn of all forms of discrimination against women & adopt policies to eliminate them. This requires comprehensive policies applied indiscriminately to all women regardless of their status within a state (e.g. women migrant workers, asylum seekers). As part of eliminating violence against women, each state has a due diligence obligation to prevent, investigate, prosecute & punish acts of gender-based violence.

CEDAW General Recommendations

No. 29 (2013) Economic consequences of marriage, family relations, & their dissolution

Article 16 of CEDAW calls for the elimination of discrimination against women in marriage & family relations. The recommendation provides a framework to States Parties for achieving an egalitarian regime under which the economic benefits & liabilities of family relations & their dissolution are borne equally by men & women.

No. 30 (2013) On women in conflict prevention, conflict, & post-conflict situations

Recognizes the many ways in which conflict leads to violence against women, & the fact that after conflict has ended, gender-based violence only escalates. To protect women's rights, States Parties must provide adequate remedies to women for acts of private individuals or entities, develop codes of conduct on human rights & the prohibition of all forms of gender-based violence, & address the gendered impact of international transfers of arms, among other activities.

No. 31 (2014) Of the Committee on the Elimination of Discrimination against Women & No. 18 of the Committee on the Rights of the Child on harmful practices

Provides States Parties with criteria for identifying harmful practices associated with serious forms of violence against women & children, & a holistic framework for ending them. Female genital mutilation, forced marriage, crimes committed in the name of so-called "honor," dowry-related violence, widowhood practices & virginity testing, are just some of the harmful practices that violate women & girls' fundamental human rights. Because these harmful practices are rooted in discrimination & inequality, they are considered acts of violence against women.

No. 32 (2014) On the gender-related dimensions of refugee status, asylum, nationality & statelessness of women

Provides guidance on how to ensure human rights for stateless women & female asylum-seekers. It also provides a gender dimension to other international treaties addressing the rights of refugees, asylum-seeking & stateless persons (e.g. the 1951 Refugee Convention). General recommendation 32 recognizes violence against women is a major form of persecution experienced by women seeking asylum or who hold refugee status. Female genital mutilation, threats of violence, threats of "honor" crimes, trafficking in women, acid attacks, domestic violence, imposition of the death penalty & political &/or religious persecution for holding feminist views, are just a few of the forms of discriminatory persecution these women have survived.

CEDAW General Recommendations

No. 33 (2015) On women's access to justice

General recommendation No. 33 identifies 6 key components necessary for guaranteeing access to justice: justiciability, availability, accessibility, good quality justice systems, effective remedies & accountability. These components are protected & guaranteed across specific areas of law - constitutional, civil, family, criminal & administrative - & apply to all types of judicial systems.

No. 34 (2016) On the rights of rural women

Highlights the prevalence of violence against women & girls living in rural areas & the need for specialized awareness-raising activities in rural areas, as well as & access to justice & integrated services, such as health services & emergency shelters. It draws out the links between violence as a barrier to education for women & girls & the links between accessing water, sanitation & safe transport.

No. 35 (2017) On gender-based violence against women, updating No. 19

Passed on the 25th anniversary of the passing of general recommendation No. 19, this general recommendation aims to provide government with updated guidance on how to eliminate gender-based violence against women. The recommendation recognizes that prohibitions against gender-based violence have been widely adopted in international law. It also calls for the repeal of any laws which excuse, condone, or facilitate violence.

No. 36 (2017) On the right of girls & women to education

General recommendation No. 36 underscores CEDAW's commitment to non-discrimination in the sphere of education of girls & women. The recommendation suggests that States Parties focus on ensuring that girls & boys have access to, & complete, primary & secondary education that is of a high quality, & equitable. Second, it highlights the need for governments to break down any existing gender disparities in education.

No. 37 (2017) On gender-related dimensions of disaster risk reduction in the context of climate change

Provides States Parties guidance on their obligations in relation to disaster risk reduction & climate change. It encourages States Parties to ensure substantive equality between women & men in all areas of life, & particularly in those rights that may be particularly affected by climate change & disasters. These include extreme weather events such as floods & hurricanes, the melting of polar ice caps & glaciers, droughts & sea level rise.