

Towards an Exposition of the CEDAW

Dr. Nishtiman Othman Mohammed

*College of Law, Department of Law
University of Sulaimani- Kurdistan of Iraq*

Abstract: It was a long journey for women across the globe to establish mechanisms and international consensus to create the tools necessary for protecting and promoting women's rights worldwide. Women have been struggling for their rights for centuries in the male-dominated societies. When females are involved in the political, economic and social aspects of their lives, it helps improve their families, communities and countries' health, welfare, prosperity and security. To make a full contribution to the development of a better world, they must guarantee their freedoms, free their lives from discrimination and violence, have access to schooling, work, healthcare and involvement in the government. This paper aims to examine the multiple clauses of the global agreements that sought to safeguard women's rights before CEDAW and those international agreements that established the ground for CEDAW's existence.

Keywords: Political Rights, UDHR, ICCPR, ICESCR, Non-Discrimination.

1. Introduction

The fight for women's rights is a dynamic and ongoing struggle that has shaped societies, cultures, and legal landscapes around the world. Women, historically disenfranchised and subjected to systemic discrimination, have courageously rallied for their rights across different eras and continents. This enduring battle is rooted in the fundamental principles of equality, justice, and the recognition of women's inherent humanity.

Throughout history, women have confronted oppressive norms and institutions that denied them basic rights and relegated them to subordinate roles. From the early suffragettes demanding the right to vote in the late 19th and early 20th centuries to the activists of the second wave feminist movement in the mid-20th century, women have consistently challenged social structures that perpetuated inequality. The fight for women's rights intersects with broader struggles for civil rights, human rights, and social justice, highlighting the interconnected nature of these movements.

One pivotal moment in this ongoing narrative was the Seneca Falls Convention in 1848, where women's rights advocates gathered to articulate a Declaration of Sentiments, echoing the language of the U.S. Declaration of Independence to demand equality for women. Subsequent waves of feminism, from the radical activism of the 1960s and 1970s to the intersectional feminism of the 21st century, have broadened the scope of the movement, recognizing the diversity of women's experiences and highlighting the intersectionality of gender with other aspects of identity, such as race, class, and sexual orientation.

Legal frameworks have evolved to reflect changing societal attitudes towards women's rights. The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), adopted by the United Nations in 1979, stands as a landmark international treaty promoting gender equality and affirming women's rights as human rights. However, despite significant progress, challenges persist globally, with women facing disparities in areas such as education, employment, and healthcare.

In the face of adversity, women have persistently mobilized, using their voices to challenge injustice and demand change. Grassroots movements, social media campaigns, and advocacy efforts have played crucial roles in amplifying women's voices and driving societal transformation. The fight for women's rights is not only a battle against discriminatory laws and practices but also a broader cultural shift challenging ingrained stereotypes and biases.

As we navigate the complexities of the 21st century, the fight for women's rights remains a dynamic force shaping our collective future. It is a call for justice, equality, and the recognition of the full spectrum of women's humanity. This introduction sets the stage for an exploration of the multifaceted and resilient struggle women have waged and continue to wage for their rights in societies around the globe.

2. Women's Rights as Human Rights

2.1 The League of Nations

Social and political histories have not documented the majority of the struggles of women to gain their rights. The struggle to guarantee women's rights has taken place across the world. The League of Nations was

established after World War I.¹The International Council for Women tried to incorporate, though unsuccessfully, women's rights in the League covenant. However, the question of the status of women was placed on the League's agenda and a committee of experts was set up to address the legal status of the world's women in 1937.² The work of this committee ended with the outbreak of World War II and the subsequent dissolution of the League.³

Nonetheless, in the period between the two World Wars, some measures were adopted to address limited and specific circumstances of women.⁴ For example, in 1919, the International Labour Organization adopted the Convention Concerning the Employment of Women before and after Childbirth and the Convention Concerning the Employment of Women during the Night.⁵ The scopes of these treaties were narrow and protective in nature rather than directed towards women's enjoyment of rights. The League of Nations also addressed the trafficking of women through the 1921 Convention for the Suppression of Traffic in Women and Children and the 1933 Convention for the Suppression of the Traffic in Women and of the Full Age.⁶

2.2 United Nations Charter

Following the Second World War, the victorious allied powers began to create a new international co-operation organization to preserve peace and security among the members of the world communities.⁷ Several women participating during the UN Founding Conference in San Francisco in 1945 stressed the principle of equal rights for men and women.⁸ The Charter of the United Nations, therefore, stipulates the fundamental rights of individuals, the dignity and the value of people and equal rights for women and men.⁹ The UN Charter is one of the basic documents that call for the provision and maintenance of human rights and equality between females and males. It states in its preamble that 'the people of the United Nations reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women'¹⁰ and also states that one of the UN's goals is to promote respect for human rights.¹¹ The first Article of the Charter also includes the aims and principles of the UN which is "to achieve international cooperation in solving international problems of an economic, social, cultural, or humanitarian character and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion".¹²

Article 8 of the Charter states that "the United Nations shall place no restrictions on the eligibility of men and women to participate in any capacity and under conditions of equality in its principal and subsidiary organs."¹³ These provisions were the result of strong diplomacy by women delegates to the 1945 San Francisco Conference and the ongoing lobbying of female NGOs.¹⁴

¹Marsha A. Freeman and others, *The UN Convention on the Elimination of All Forms of Discrimination against Women: A Commentary* (Oxford University Press 2012) 3.

²Ibid.

³Ibid.

⁴Ibid.

⁵Ibid.

⁶Ibid 4.

⁷Australian Human Rights Commission, 'United Nations Convention on the Elimination of All Forms of Discrimination: What is the United Nations?' (Commonwealth of Australia and the Human Rights and Equal Opportunity Commission 2008) 2.

⁸Dorothea Gaudart, 'What are the origins of CEDAW? The history of the UN Convention on the Elimination of all Forms of Discrimination against Women' in Sylvia Kölbl (eds), *What is CEDAW? The UN Convention on the Elimination of all forms of Discrimination against Women: The Human Rights of Women and what They Mean* (Federal Chancellery-Federal Minister for Women, Media and Civil Service 2007) 12

⁹Ibid.

¹⁰United Nations, *Charter of the United Nations* <<https://www.un.org/en/charter-united-nations/>> accessed 3 June 2020; Rhona K.M. Smith, *Text and Materials on International Human Rights* (3rd ed, Abingdon, Routledge 2013) 522; Johannes Morsink 'Women's rights in the Universal Declaration' (1991) 13 *Human Rights Quarterly* 229, 229

¹¹James Avery Joyce, *The New Politics of Human Rights* (Macmillan 1978) 45.

¹²Charter of the United Nations, Article 1(3)

¹³Charter of the United Nations, Article 8

¹⁴Hilary Charlesworth and Christine Chinkin, *The Creation of UN Women (2013) RegNet Research Paper series 7/2013*, 5

Article 56 of the Charter stipulates that all member states should work jointly or separately in cooperation with the UN to achieve¹⁵ “universal respect for and observance of human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion”.¹⁶ The UN focused initially on women’s participation. For instance, at the first session of the UN General Assembly, held in London in 1946, the inclusion of women in national delegations to the UN was raised. At that session, Eleanor Roosevelt (the wife of Franklin D. Roosevelt, the 32nd President of the United States), a member of the United States’ delegation, read out an “open letter to the women of the world” prepared by the seventeen women who were either members of or advisors to eleven of the fifty-one UN member delegations. The letter reminded the delegates of many tasks women had “performed so notably and valiantly during the war” and pleaded that governments should “encourage women everywhere to take a more active part in national and international affairs, and on women ... to come forward and share in the work of peace and reconstruction”.¹⁷

Since the UN was established as a way to protect human’s rights, peace and security. As Tomasevski points out, gender is currently a global policy, not only in terms of human rights but also in the fields of development, accommodation or concerning the combating of violence or refugee protection.¹⁸

The UN made itself duty-bound to promote women’s equality and rights of the San Francisco conference in 1945 and the signing of the UN Charter.¹⁹ Only four of the 160 signatories were women - Minerva Bernardino from the Dominican Republic, Virginia Gildersleeve from the United States, Bertha Lutz from Brazil and Wu Yi-Fang from China – but they succeeded in inscribing women's rights in the UN’s founding documents.²⁰ A subcommittee on the Status of Women was set up under the Human Rights Commission a few days after the UN General Assembly had its opening meeting in London in February 1946. However, many female members from different delegations and officials of NGOs, saw this accomplishment as inadequate. Instead, they proposed setting up a distinct body devoted specifically to women's problems.²¹ In May 1946, the first Sub-Commission chairman, Bodil Begtrup (Denmark), argued for upgrading the sub-commission to a full committee status at the Economic and Social Council (ECOSOC) session.²² In highlighting this achievement, Begtrup said:

“Women’s problems have now for the first time in history to be studied internationally as such and to be given the social importance they ought to have. And it would be, in the opinion of this Sub-Commission of experts in this field, a tragedy to spoil this unique opportunity by confusing the wish and the facts. Some situations can be changed by laws, education, and public opinion, and the time seems to have come for happy changes in conditions of women all over the world.”²³

On 21 June 1946, the Sub-Commission became an independent body called the Commission on the Status of Women (CSW), with the support of women and their NGOs partners. The CSW is the major political body specifically devoted to the promotion of gender equality.²⁴ It aims to achieve equality, peace and the empowerment of women. It also monitors the implementation of policies and takes into account gender issues

<http://eprints.lse.ac.uk/53605/1/_libfile_repository_Content_Chinkin%2C%20C_Creation%20UN%20Women_Chinkin_Creation%20UN%20Women_2013.pdf> accessed 18 November 2018

¹⁵Chaloka Beyani, ‘Towards a More Effective Guarantee of Women's Rights in the African Human Rights System’ in Rebecca J. Cook (ed) *Human Rights of Women: National and International Perspectives* (University of Pennsylvania Press 1994) 287

¹⁶Charter of the United Nations, Article 55

¹⁷Charlesworth and Chinkin (n35) 5

¹⁸Katarina Tomasevski, *Women and Human Rights: Women and world development series* (Zed Books; Illustrated 1993) 287

¹⁹Division for the Advancement of Women and Department of Economic and Social Affairs, *The United Nations Commission on the Status of Women: 60 Years of Work for Equality* <<http://www.un.org/womenwatch/daw/CSW60YRS/index.htm>, >accessed at 23 August 2018

²⁰K M Baharul Islam (ed), *Issues in Women's Rights: A Practitioners' Resource Book* (Allied Publishers Pvt. Ltd. 2016) 15

²¹Ibid.

²²Ibid.

²³The point for Freedom and Democracy, *From Invisibility To Visibility With a Voice-the Evolution and Trend of Women's Rights and CSW 1945 to March 2009* (2009) <<http://thepoint.gm/africa/gambia/article/from-invisibility-to-visibility-with-a-voice-the-evolution-and-trend-of-womens-rights-and-csw-1945-t>>accessed at 25 August 2018

²⁴Inter- Parliamentary for democracy for everyone, *Women's Rights :Commission on the Status of Women* , <<https://www.ipu.org/our-work/gender-equality/womens-rights/commission-status-women-csw>>accessed at 25 August 2018

across the UN.²⁵ The Commission was established by ECOSOC²⁶ resolution 11(II).²⁷ It was assigned two tasks: first, preparations for ECOSOC suggestions and reports on the promotion of women's rights in politics, the economy, civil society and education;²⁸ second, to make recommendations to ECOSOC on the urgent problems requiring immediate attention in the area of women's rights to implement the principle of equal rights for women and men and to create proposals to make such suggestions effective.²⁹

2.3 The International Bill of Human Rights

This bill consists of the Universal Declaration of Human Rights (1948), the International Covenant on Civil and Political Rights (1966) and the International Covenant on Economic, Social and Cultural Rights (1966).

2.3.1 The Universal Declaration of Human rights

The Commission on the Status of Women helped form the language of the Universal Declaration of Human Rights, and used the principles of the Declaration as the basis for its program. The Universal Declaration of Human rights (UDHR) is regarded as a milestone in the history of human rights, as it 'constitutes the core of universal human rights guarantees'.³⁰ It was adopted and declared by resolution 217(III) of the General Assembly of 10 December 1948. It was meant to apply to all men and women, and explicitly defines the obligation of the world to accept all human beings as equal. The UDHR is considered to be the most known and significant document on human rights.³¹ The UDHR is the world's most translated document and was adopted in Paris after the end of the Second World War.

The UDHR declares that human rights are universal and that all people should enjoy them, regardless of who they are or where they live,³² and it is divided into civil, political, economic, social and cultural rights. Although the statement does not carry any legal obligation, it has affected many domestic constitutions since 1948.³³ It has also contributed to a growing number of national laws and treaties as well as federal, national and sub-national bodies protecting and strengthening human rights, international legislation and treaties.³⁴ Every year on 10 December, the adoption of the Universal Declaration is marked as the Day of Human Rights or the International Day of Human Rights.³⁵ This day is celebrated worldwide by individuals, community human rights organisations, and other national and international institutions.³⁶

The preamble of the Universal Declaration of Human Rights confirms the principles of equality and non-discrimination. Articles 1 and 2 of the UDHR state that everybody is equal and free, and that all human beings, irrespective of sex, should be accorded the freedoms and rights which the Declaration expresses.³⁷ The Declaration's 30 articles cover several facets of liberties and rights, whether personal or concerning Governments and States. In the field of basic rights, the Declaration underlines personal freedom (Article 3). It also strongly prohibits slavery and servitude (Article 4). Articles 5 and 6 highlight the recognition of every individual as equal before the law and prohibit torture and degrading punishments. In Articles 18 and 19, the Declaration emphasises the freedoms of thought, expression, conscience, and religion. Article 17 prescribes that

²⁵ Ibid.

²⁶ Janusz Symonides and Vladimir Volodin V, *Human Rights of Women : A Collection of International and Regional Normative Instruments* (UNESCO 1999)x

²⁷ UN Women, *Commission on the Status of Women* <<http://www.unwomen.org/en/csw>> accessed 25 August 2018

²⁸ International Planned Parenthood Federation, *Delivering Sexual and Reproductive Healthcare Services Around the World, Fighting for Sexual Rights : Commission on the Status of Women* <<https://www.ippf.org/our-approach/advocacy/un/commission-status-women>> accessed at 25 August 2018

²⁹ S. Davidson, *Human Rights* (Buckingham: Open University Press 1993) 72.

³⁰ Tomasevski (n 39) 1

³¹ HumanRights.ch, *Universal Declaration of Human Rights* (2011) <<https://www.humanrights.ch/en/standards/udhr/>> accessed 22 August 2018

³² Universal Declaration of Human rights ,Article 2

³³ O.P. Dhiman, *Understanding Human Rights* (Kalpaz 2011) 110.

³⁴ Ibid.

³⁵ United Nations, *Human Rights Day 10 December: 70 Years Universal Declaration of Human Rights* <<http://www.un.org/en/events/humanrightsday/>> accessed 22 August 2018

³⁶ Gita Duggal and others, *Milestones Social Science – 8 (History, Geography, Social and Political Life)* (Vikas Publishing House 2018) 225.

³⁷ Universal Declaration of Human Rights (adopted 10 December 1948 UNGA Res 217 A(III) (UDHR)

every individual has the right to own property, be protected in person, property and home, honour and prestige. Articles (8, 9, 10 and 15) state the right to personal safety, the right to legal protection by a universal judicial process, the right to be protected against unlawful arrest, detention or exile, and the right to possess a nationality. Articles (13 and 14) affirm the freedom of movement of people, residency and the right to asylum to be given against persecution and violence. Article 11 states that any person should be considered innocent until proven guilty according to law in a public trial. The declaration also stresses the right to marriage and have family and it confirms the equality of women in marriage.³⁸

Article 16 of the UDHR specifies that females should be treated equally with males during marriage and divorce. The UDHR demands equal rights in marriage with the prior consent of both spouses. Article 25 stipulates that:

“Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control. Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection”.³⁹

As for work and creativity, Articles 20 to 24 acknowledge the right of people to choose their jobs and careers, the right to equal pay, vacations, and social security so that their dignity and personal development are guaranteed. These articles also acknowledge the right to be a member of the community, and the equal right to avail themselves of public service in their own country. Furthermore, the universal declaration maintains the right of individuals to free basic education and considers the growth of the personality of the individual as its first goal. Articles (27 and 28) declare the right of every individual to take part freely in the cultural life of the community, to enjoy artistic activities and share in scientific progress and its benefits. These Articles also pronounce that everyone has the right to the protection of their moral and material interests. Finally, the Declaration states that everyone has the right to a social and global order that fulfils the rights and freedoms set out in this Declaration. Articles (29 and 30) calls on every one to consider their obligations towards their community, and in the course of exercising these rights and freedoms, everyone shall be subject only to such limitations as are articulated by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of fulfilling the just requirement of morality, public order and the general welfare in a democratic society.⁴⁰

2.3.2 The International Covenant on Civil and Political Rights

The International Convention on Civil and Political Rights (ICCPR) is a United Nations treaty based on the Universal Declaration of Human Rights.⁴¹ It was created in 1966 and entered into force on March 23, 1976. The ICCPR is made up of 53 Articles and divided into six parts, where it expressly states the principle of equality between men and women in its general equality provision of protection in the United Nations Charter and the 1948 UDHR.⁴² The ICCPR stipulates that all rights stated in this convention will be “exercised without discrimination of any kind as to race, colour, sex, language, religion or other status”.⁴³ According to Vesa’s reading, there are several provisions within the ICCPR that state gender equality and the right to be free from gender-based discrimination.⁴⁴ The ICCPR also expresses its worldwide support for equality between males and females and disapproval of discriminatory measures based on sex or gender. For instance, Article 2 (1) of the ICCPR informs that “each state party to the present covenant undertakes to respect and to ensure that all individuals within its territory and subject to its jurisdiction recognize the rights in the present covenant, without distinction of any kind, such as race, language, sex, religion or other national or social, birth or other status”.⁴⁵

³⁸United Nations, *Universal Declaration of Human Rights 1948*

<http://www.ohchr.org/EN/UDHR/Documents/UDHR_Translations/eng.pdf>accessed 29 November 2018.

³⁹Ibid.

⁴⁰Liam Gearon, *Human Rights and Religion* (Ed., UK: Sussex Academic Press 2002)115-125.

⁴¹ Equality and Human Rights Commission, *International Covenant on Civil and Political Rights* <<https://www.equalityhumanrights.com/en/our-human-rights-work/monitoring-and-promoting-un-treaties/international-covenant-civil-and>>accessed 1 December 2018

⁴² Beyani (n 36)287

⁴³*International Covenant on Civil and Political Rights*, Article 26

⁴⁴ Andreea Vesa, ‘International and Regional Standards for Protecting Victims of Domestic Violence’ (2004)12 *Journal of Gender, Social Policy & the Law* 309 , 317

⁴⁵*International Covenant on Civil and Political Rights*, Article 2(1)

Moreover, Article 3 states, "The present state parties to the present covenant undertake to ensure the equal right of men and women to the enjoyment of all civil and political, economic, rights set forth in the present covenant". Beyani underlines that Article 3 on civil and political rights, provides for the equality of men and women and that agrees with the general principle of international law and international human rights.

However, despite these general principles on gender equality in global charters, discrimination against females is still ongoing. Beyani notes that although the principle of equality between men and women is universal and discrimination based on sex is prohibited, the concepts of human rights were not applied sufficiently to change the situation of women around the globe.⁴⁶

Article 7 of the ICCPR states that "no one shall be subjected to torture or cruel, inhuman or degrading treatment or punishment." An appeal to this article and provision has been made concerning the prevalence of female genital mutilation, from which is widely practised in some countries. Many human rights activists argue that FGM is a violation of the provision of Article 7. They argue that by failing to prevent female genital mutilation from being practised on young girls, countries fail to fulfil their commitments under this agreement to safeguard females and children.⁴⁷ Concerning women, the ICCPR also states that every person has the right to freedom of thought, conscience and religion,⁴⁸ and that everyone has the same accountability about marriage.⁴⁹

Article 14 (1) state that all individuals shall be equal before the law, and Article 16 of the ICCPR states that everyone shall have the right to be recognized as an individual before the law. This provision accords full legal status to women, which unfortunately contradicts many practices in many societies. Article 14(1) and Article 16 of the ICCPR have been interpreted as equivalent rights for females to own property and agreements without regard to marital status. This interpretation is supported by the UN Human Rights Committee. This Committee argues that women should not be restricted from owning property on discriminatory grounds.⁵⁰ The Committee on Human Rights confirms that infringement of the prohibition of discrimination occurs when a woman is not allowed access to the courts in a property dispute because of the discriminatory idea that married women are prohibited from enjoying such a right.⁵¹

Furthermore, Article 23 of the ICCPR, which is similar to Article 16 of the UDHR, confirms the equality of spouses during the marriage and their dissolution, enabling spouses to have equal rights and responsibilities in all matters relating to their marriage. Article 23 (4) of ICCPR called on state parties to ensure the equality of rights and responsibilities of spouses regarding marriage, during marriage and its divorce. In this respect, the law must prohibit any discrimination and guarantees to all people and effective protection against discrimination on any grounds, such as sex Article 26 states that any law discriminating on a gender basis constitutes an infringement of the Convention and any law discriminating against women in matters of property or land ownership is an infringement of the Convention.

Also, the convention establishes a Committee of Human Rights made up of eighteen independent experts who, nominated and elected by State Parties to the Convention.⁵² The ICCPR is monitored by the United Nations Committee on Human Rights, which regularly reviews reports on the implementation of the rights by State Parties. Initially, one year after joining the Covenant and then whenever the committee requests (usually every four years), states have to report. The Committee usually meets in Geneva and holds about three sessions per year.⁵³

⁴⁶Beyani (n 36) 288

⁴⁷Leigh True blood 'Female Genital Mutilation: A Discussion of International Human Rights Instruments, Cultural Sovereignty and Dominance Theory' (2000) 28 *Denver Journal of International Law and Policy* 437,445

⁴⁸*International Covenant on Civil and Political Rights*, Article 18

⁴⁹*International Covenant on Civil and Political Rights*, Article 23

⁵⁰The Human Rights Committee General Comment 28(68): On Equality of Rights between Men and Women (2000) UN Doc, A155/40, 133-139.

⁵¹The Human Rights Committee The Human Rights Committee in the Case of Araciel (a) to Del Avellana V. Peru (Communication No 202/1986), views adopted (28 Oct. 1988), UN Doc. A 144/40, 196

⁵²*International Covenant on Civil and Political Rights*, Article 28

⁵³UNHCR, *UN Human Rights Committee* <<https://www.refworld.org/publisher/HRC.html>>accesses 15 December 2018 ; International Justice Resource Centre, *Human Rights Committee*<<https://ijrcentre.org/un-treaty-bodies/human-rights-committee/>>accesses 15 December 2018 ; United Nations Human Rights Office of the High Commissioner, *Human Rights Committee* <<https://www.ohchr.org/EN/HRBodies/CCPR/Pages/CCPRIntro.aspx>>accesses 15 December 2018; UNESCO, *Right to Education Handbook* (UNESCO 2019) 221

There is a supplementary treaty to the ICCPR which is called the First Optional Protocol of the ICCPR. It is procedural and provides a process for a State Party to obtain and consider individual complaints against alleged violations of the Covenant. The First Optional Protocol was approved and made available for signing, ratification and accession by Resolution 2200A (XXI) of the General Assembly of 16 December 1966 and entered into effect on 23 March 1976.⁵⁴ As of January 2018, the ICCPR Optional Protocol had 35 signatories and 116 State Parties. In compliance with Article 1 of the Optional Protocol, a State Party to the ICCPR becomes a Party to the Protocol and “recognizes the competence of the Human Rights Committee to receive and consider communications from individuals subject to its jurisdiction who claim to be victims of a violation by that State Party of any of the rights set forth in the Covenant.”⁵⁵ According to the OP1-ICCPR, the Committee must be notified in writing by individuals who have lodged claims and exhausted all domestic remedy available under Article 2. Also, Articles 3 and 5(2) of the OP1-ICCPR lay down the rules for the admissibility of complaints by people, and the complaints accepted by the Committee are then brought to the attention of the State Party claimed to have infringed a provision of the Convention.

The State is obligated to present written statements or resolutions clarifying the matter to the Committee within six months and to indicate, if applicable, the remedy (Article 4). Accordingly, with all information provided to it by the person and the State Party concerned, the Committee for Human Rights considers these individual concerns and subsequently transmits its views to the State Party involved and to the individual(s) concerned (Article 5). The Protocol is, as its name indicates, not mandatory, but if a State Party to the Covenant is party to the Protocol, an individual subject to the competence of the State Party can, subject to approved reservations, submit a written complaint to the Human Rights Committee. Article 6 specifies that the Committee will report annually on its activities concerning complaints to the General Assembly, while Articles 7 through 14 include primarily specific provisions concerning the mechanisms by which States are parties to the Protocol. Article 10 states that the Protocol shall apply without exception to all areas of the federal States. Article 12 allows for the denunciation of the Optional Protocol by a State Party.

2.3.3 The International Covenant on Economic Social and Cultural Rights

The International Covenant on Economic, Social, and Cultural Rights (ICESCR) is a United Nations treaty based on the Universal Declaration of Human Rights. The ICESCR was adopted by the UN General Assembly in 1966 and entered into force ten years later, on 3 January 1976.⁵⁶ Member countries agree to guarantee, without discrimination based on race, colour, gender, language, religion, political or another status, the practice of the rights set out in the Convention.⁵⁷ Under Article 3, ICESCR countries have committed themselves to guaranteeing equal rights for both men and women applicable to all rights recognized under the Convention.⁵⁸ Moreover, the preamble and Article 2 of the ICESCR⁵⁹ also affirms equality and non-discrimination principles.⁶⁰

In general, the ICESCR is regarded as the principal international instrument that upholds the economic, social and cultural rights of women.⁶¹ According to Vesa, the ICESCR guarantees the provision to all men and women of the right to the equal enjoyment of cultural, economic and social rights as set out in the ICESCR convention and the rights to a decent life for themselves and families together with effective legal protection and remedies to all economic and social dilemmas that women will face.⁶²

Article 12 states that State Parties should have an obligation to protect the physical and mental health of women.⁶³ State Parties are required under the ICESCR to avoid interfering with the enjoyment of the economic,

⁵⁴UN General Assembly, *Optional Protocol to the International Covenant on Civil and Political Rights* (1966) <<https://www.ohchr.org/en/professionalinterest/pages/opccpr1.aspx>> accessed 15 December 2018

⁵⁵Arnold, R., and Quénivet, N., *International Humanitarian Law and Human Rights Law: Towards a New Merger in International Law* (Brill - Nijhoff 2008) 24

⁵⁶Alana Hartmann Matschulat, *The Tourism We Do not Talk About. A Study on Sexual Exploitation of Children in Tourism, with a Focus on Argentina and Brazil* (Anchor Academic Publishing 2018) 74

⁵⁷J C Aggarwal and S P Agrawal, *Documentation Encyclopaedia of UNESCO and Education* (Concept Publishing Company 1991) 125

⁵⁸Vesa (n 66) 9

⁵⁹International Covenant on Economic, Social & Cultural Rights (adopted 16 December 1966, entered in to force 3 January 1976) 993 UNTS 3/ [1976] ATS 5 / 6 ILM 360.

⁶⁰Eva Brems and others, *Human Rights and Development: Legal Perspectives from and for Ethiopia* (Leiden, Brill Nijhoff 2015) 367.

⁶¹Vesa (n 66) 8

⁶²Ibid9

⁶³Ibid8.

social and cultural rights of specific groups of individuals. States, for example, must stay away from measures preventing the enjoyment of women's rights, such as women's spousal authorisation, access to health care or women's inheritance.⁶⁴

The Covenant complies with some of the most important international laws establishing economic, social and cultural rights,⁶⁵ such as worker rights (Article 6); social protection; appropriate living standards, including apparel, food and housing;⁶⁶ education and the enjoyment of the benefits of cultural freedom and scientific advancement. Articles 16 to 25 require that all State Parties report to the Economic and Social Council regularly. In 1985, the Council established the Committee on Economic, Social and Cultural Rights to supervise the application of the provisions of the Covenant.⁶⁷ Article 21 also allows the supervisory body to make general recommendations to the General Assembly of the United Nations on adequate measures to implement the rights. Also, Articles 26 to 31 include the ratification, entry into force and amendment of the Covenant.⁶⁸ The State Parties under ICESCR has the fundamental obligation to take steps and to achieving the full realization of the rights.⁶⁹

The Covenant is overseen by the Economic, Social and Cultural Rights Committee of the United Nations. The CESCR is a human rights expert body responsible for monitoring the implementation of the Covenant. All State Parties are required to report to the Committee periodically. Within two years of ratifying the Covenant, the first report is due; subsequent reports are due every five years.

3. The Legal Foundations of Equality 1945-1965

3.1 Women Universal Access to Political Rights

In early UN reports, discrimination against women was widespread in almost every region of the world.⁷⁰ Women were often not free to enter the same schools as men, own property, or receive equal pay for equal jobs in most nations. Discrimination was especially common in civil and political life. In 1945, only 30 of the original 51 Member States of the United Nations enabled or allowed women to hold a public office and equal voting rights with men.

During the period 1945-1962, the CSW focused on promoting women's rights and equality by setting standards and formulating international conventions to change discriminatory legislation and fostering global awareness of women's issues.⁷¹ However, the codification of the legal rights of women needed to be supported by data and analysis of the extent to which discrimination against women existed, not only in law but also in practice.

In the early years of its work, the CSW made the political rights of women a top priority. Women had the right to vote in only 25 member states of the UN, in 1945. While all United Nations human rights instruments specifically affirm the concept of non-discrimination against women, special human rights instruments have been introduced to ensure true equality. In 1952, the General Assembly adopted the Convention on the Political Rights of Women which entered into force on 7 July 1954.⁷² The main purpose of the Convention on the Political Rights of Women is to ensure the equality of political rights between men and women in accordance with the provision of the UN charter and the UDHR. The Convention sets forth important principles, stating that women, without any discrimination, "(a) shall be entitled to vote in all elections; (b) shall be eligible for election to all publicly elected bodies, established by national law; and (c) shall be entitled to hold public office and to exercise all public functions established by national law."⁷³

Although it did not go far enough in stating all the requirements for achieving political equality, it was nevertheless the first mechanism under which State Parties were made duty-bound to guarantee equal rights for

⁶⁴ Martin Scheinin and Markku Suksi, *Human Rights in Development* (Year book 2002) 168.

⁶⁵ UN Commission on Human Rights, *Commission on Human Rights resolution 2000/58 Situation in the Republic of Chechnya of the Russian Federation*, 25 April 2000, E/CN.4/RES/2000/58, 12

⁶⁶ *International Covenant on Economic, Social and Cultural Rights*, Article 11

⁶⁷ National Human Rights Commission, *A Handbook on International Human Rights Conventions* (AP India, D-15/1, Okhla Industrial Area, Phase-I, New Delhi 2012) 71

⁶⁸ Ibid.

⁶⁹ *International Covenant on Economic, Social and Cultural Rights*, Article 2(1)

⁷⁰ The United Nations Secretary General and others, *The United Nations and The Advancement of Women 1945-1996* (New York : Department of Public Information, UN 1996) 8

⁷¹ Ibid 4.

⁷² United Nations Treaty Collection, *Convention on the Political Rights of Women*

<https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg_no=XVI-1&chapter=16&lang=en> accessed 24 December 2018).

⁷³ Symonides and Volodin (n 47) x

women considering that it dealt with discrimination against women exclusively in the exercise of their political rights and opened the door to the adoption by the United Nations of a set of instruments designed to eradicate discrimination against women in each field of public and private life.⁷⁴

The Convention was the first tool of international law to acknowledge and safeguard women's political rights⁷⁵ by stating that both women and men are allowed to participate in any election, stand for election to any position, and hold any public office or exercise any public function under domestic law.

3.2 Removing Discrimination in Marriage

During the 1950s, the Commission focused on the issue of marriage discrimination. The UN reports showed discrimination against women as a result of variations in domestic laws on marriage, divorce and the family home. No law existed to safeguard the right of married women to maintain or renounce national citizenship in the manner that men could. Women's rights groups recognized a need to legally protect the citizenship rights of women who married someone from outside their country or nationality. Women who marry in most nations must immediately take the nationality of their husband. This issue was the result of the Commission's adoption on 29 January 1957 by drafting the Convention on the Nationality of Married Women that came into force in 1958, with 74 State Parties in 2013.⁷⁶

This was followed by the Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages (adopted on 7 November 1962),⁷⁷ and the Recommendation on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages (adopted on 1 November 1965).⁷⁸ Together these measures represent the first international agreements on women's rights in relation to marriage that were adopted by the UN.

3.3 The Convention against Discrimination in Education

The right to education, holds the key to the future not only as a means for personal development and fulfilment but also as a means of giving countries well-informed people able to play their part in the growing world economy.⁷⁹ The Convention against Discrimination in Education was approved in 1960 by the General Conference of the United Nations Educational, Scientific and Cultural Organisation (UNESCO)⁸⁰. The General Conference identified that discrimination in the education sector was an infringement of the UDHR's provisions and confirmed each individual's right to education.⁸¹ The General Conference recognized that it is the responsibility of UNESCO not only to prevent all forms of discrimination in education but also to promote the equality of all in terms of educational opportunities and dealings.⁸² Under Article 1 of this Convention, discrimination in education includes acts or omissions aimed at nullifying or impairing equal treatment in education, in particular: the impact of depriving any individual or group of individuals of any type or level of education; restricting any individual or group of individuals to substandard education; subject to Article 2 of this Convention, the establishment or maintenance of separate educational systems or institutions for individuals or groups; and the imposition of conditions on any individual or group incompatible with human dignity.⁸³

⁷⁴Ibid.

⁷⁵Feryal M Cherif, *Myths About Women's Rights: How, Where, and Why Rights Advance* (Oxford University Press 2015) 271

⁷⁶UN General Assembly, *Convention on the Nationality of Married Women: General Assembly Resolution 1040 (XI)* (29 January 1957) <<https://www.refworld.org/docid/3ae6b3708.html>>accessed 24 December 2018.

⁷⁷UN General Assembly Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages (7 November 1962) General Assembly resolution 1763 A (XVII).

⁷⁸United Nations Human Rights Office of the High Commissioner, *Recommendation on Consent to Marriage, Minimum Age for Marriage and Registration of Marriage: General Assembly resolution 2018 (XX)* (November 1965)<<https://www.ohchr.org/EN/ProfessionalInterest/Pages/RecommendationOnConsentToMarriage.aspx>>accessed 28 March 2019

⁷⁹Charles J. Russo 'Reflection on Education as a Fundamental Human Right' (2010) 20 *Education and Law Journal* 87, 88

⁸⁰Ian Brownlie and Guy S Goodwin-Gill, *Brownlie's Documents on Human Rights* (6 Ed, Oxford 2010) 64

⁸¹UNESCO, *Convention against Discrimination in Education 1960*, 429 UNTS 93 (entered into force 22 May 1962)

⁸²Indrani Sen Gupta (ed), *Human Rights of Minority and Women's: Women and Human Rights Development* (Isha Books 2005) 44.

⁸³Equal Rights Trust, *UNESCO Convention against Discrimination in Education* <<http://www.equalrightstrust.org/content/unesco-convention-against-discrimination-education>>accessed 31 August 2018

3.4 The International Convention on the Elimination of all forms of Racial Discrimination

The Convention on the Elimination of All Forms of Racial Discrimination (CERD) of the United Nations was based on the Resolution of 1963 on the Elimination of All Forms of Racial Discrimination. Accepted and approved by General Assembly Resolution 2106 (XX) of 21 December 1965, it came into force on 4 January 1969 for signature and ratification.

The CERD was one of the most important developments in international human rights law.⁸⁴ This Convention fights gender discrimination, xenophobia and racism as stated in Article 1. The Convention confirms the importance of equal involvement in decision-making for all people without distinction.⁸⁵ It has had a positive impact on states that have ratified the Convention, leading most significantly to constitutional amendments and the introduction of domestic legislation to ensure equality and eradicate all types of discrimination.⁸⁶ Under Article 5 of the CERD, state parties are expected to take measures to ensure that political, economic, social, cultural and civil rights are enjoyed and to eradicate racial discrimination to obtain gender equality. This Article further call for other freedoms and rights, including the right to equal treatment before the courts, to be exercised by all people living in a particular nation, and citizens' right to participate, vote and stand in elections.⁸⁷ To give greater impact to the Convention, the CERD Committee was created under Article 8 of the Convention. The CERD Committee is made up of 18 high-profile experts elected by the State Parties. The Committee observes the State Parties' implementation of the Convention and compliance with the duties thus assumed.⁸⁸ Article 9(1) obligates State Parties to submit a report one year after their ratification to explain how the Convention has been implemented through legislative, judicial, administrative or other measures. Each State Party should consequently submit a report every two years and whenever the Committee so requests. Article 11 of the CERD also provides for a State-to-State process, which requires the Committee to hear grievances as well. It allows State Parties to settle any conflicts occurring in respect of the results of their Convention obligations.

4. Promoting the Protection of Women's Rights 1967-1979

4.1 The Declaration on the Elimination of Discrimination against Women

The Declaration of 7 November 1967 on the Elimination of Discrimination against Women proclaimed by UN General Assembly Resolution 2263 (XXII)⁸⁹ marked a significant phase in the fight against all types of discrimination against women. The Declaration also calls for the abolition of existing laws, customs, regulations and practices which are discriminatory against women, by founding the principles of equality in constitutions and law. As significant as it was, though, it lacked the contractual force of a treaty.

The DEDAW sets fundamental principles and provisions for women to enjoy equal rights to men.⁹⁰ The Declaration meets the Universal Declaration of Human Rights format with a preamble accompanied by 11 articles. Article 1 state that discrimination against women is fundamentally unjust and constitutes an offence against human dignity. The DEDAW also calls for equality under the law to be recognized. Moreover, DEDAW demands the elimination of laws and practices that discriminate against women and the adoption and enforcement of established UN human rights instruments against discrimination.⁹¹

The Declaration even highlighted women's full political rights, such as right to vote and hold to elected offices.⁹² Articles 5 and 6 demands that State Parties recognize and implement women rights as equal to men in acquiring, altering and transferring nationality. It also calls for women to enjoy equal rights in civil law,

⁸⁴James Jennings, 'The International Convention on the Elimination of All Forms of Racial Discrimination: Implications for Challenging Racial Hierarchy', (1997) 40 *Howard Law Journal* 597, 598

⁸⁵United Nations Department of Public Information, 'World Conference Against Racism, Racial Discrimination Xenophobia and Related Intolerance' (Declaration and Programme of Action, Durban 2001)

⁸⁶Kwong-Leung Tang, 'Combating Racial Discrimination: The Effectiveness of an International Legal Regime' (2003) 33 *British Journal of Social Work* 17, 20

⁸⁷Committee on the Elimination of Racial Discrimination General Recommendation No. 20: Nondiscriminatory Implementation of Rights and Freedoms (Art. 5), 15th March 1995.

⁸⁸Tang (n 108)

⁸⁹UN General Assembly, *Declaration on the Elimination of Discrimination against Women* (7 November 1967) A/RES/22/2263 <<https://www.refworld.org/docid/3ae6b38734>> accessed 28 March 2019

⁹⁰Andrew Byrnes, 'Using Gender Specific Human Rights Instruments in Domestic Litigation : the Convention on the Elimination of All Form of Discrimination against Women' in Kirstine Adams and Andrew Byrnes (eds), *Gender Equality and the Judiciary: Using International Human Rights Standards to promote the Human Rights of Women and the Girl Child at the National Level* (Commonwealth Secretariat 1999) 55

⁹¹Declaration on the Elimination of Discrimination against Women ,Article 2

⁹²Declaration on the Elimination of Discrimination against Women ,Article 4

especially concerning marriage and divorce, and demands the outlawing of child marriages. The CEDAW confirms a fair right to education regardless of gender,⁹³ equal rights at work, including non-discrimination in employment, equal pay for equivalent jobs and compensated maternity leave.⁹⁴

Despite progress made in codifying women's rights in law, it was obvious that laws were not enough to promise the equal rights of women. There also had to be efforts to ensure that women could actually exercise these rights.⁹⁵ In 1970, the advancement of women and their role in development received new impetus when the General Assembly unveiled a comprehensive plan for better economic and social conditions throughout the International Development Strategy for the Second United Nations Development Decade. This measure was the first initiative to mention women explicitly, endorsing the full integration of women in the total development effort.⁹⁶

In developing countries, the United Nations responded by redirecting and reformulating its technical assistance programmes in order to support women. At that time, efforts continued to be made to establish women's legal equality with the consolidation of women's rights provisions in the Declaration on the Elimination of Discrimination against Women.

1972 marked 25 years since the first meeting of the Commission on the Status of Women. The Commission that year recommended to the Economic and Social Council and the General Assembly that 1975 be designated International Women's Year.⁹⁷

The aforementioned idea introduced by Romania on behalf of the Women's International Democratic Federation. Its observance was intended to remind the international community that discrimination against women, entrenched in law and deeply rooted cultural beliefs, was a persistent problem in much of the world. It would also encourage Governments, NGOs and individuals to increase their efforts to promote equality between men and women and to enhance their recognition of women's contributions to development.⁹⁸ In the follow-up to a recommendation from the World Conference of the International Women's Year in Mexico City, the UN declared 1976-1985 the United Nations Decade for Women: Equality, Development and Peace.⁹⁹ The very existence of the United Nations Decade for Women served to promote and legitimize the international women's movement.¹⁰⁰ Its various activities at the national, regional and international levels helped to bring women's issues to the forefront of world attention.¹⁰¹

The Decade for Women is known for its historical events, such as the 1979 CEDAW.¹⁰² During the decade, the most important change involved moving from confidence in the development of a new consensus that progress without the participation of women was not feasible.¹⁰³

4.2 The Adoption of the Convention on the Elimination of all Forms of Discrimination against Women

The text of the Convention on the Elimination of All Forms of Discrimination against Women was prepared by working groups within the Commission during 1976 and as one commentator said through "long and painful"¹⁰⁴ deliberations.¹⁰⁵ These efforts including the preparation of the draft were supported by the World

⁹³ Declaration on the Elimination of Discrimination against Women, Article 9

⁹⁴ Declaration on the Elimination of Discrimination against Women, Article 10

⁹⁵ The United Nations Secretary General (n 92)26

⁹⁶ Ibid 28-29.

⁹⁷ Martha Alter Chen, 'Engendering World Conferences: The International Women's Movement and the United Nations' (1995) 16 *Third World Quarterly* 477, 478

⁹⁸ The United Nations Secretary General (n 92)26.

⁹⁹ Patricia L. Munhall and Virginia M. Fitzsimons, *The Emergence of Women into the 21st Century* (Boston: Jones and Bartlett, 1995) 16

¹⁰⁰ Janet Henshall Momsen, *Gender and Development* (Routledge 2008) 30

¹⁰¹ United Nations, *Public Information* (1979): *The United Nations blue books series, Volume 6, Dept. of Public Information*, (United Nations 1996) 37

¹⁰² Momsen (n 122).

¹⁰³ Institute of Human Rights, 'Human Rights and Women: With Emphasis on Protection Under International Conventions and Philippine Laws : a Public Forum' (University of the Philippines Law Centre 1999) 16

¹⁰⁴ Roberta Jacobson, 'The Committee on the Elimination of Discrimination against Women' in Philip Alston, *The United Nations and Human Rights: A Critical Appraisal* (Oxford University Press 1992) 446.

¹⁰⁵ UN Women, Short History of CEDAW Convention, United Nations Entity for Gender Equality and the Empowerment of Women <<http://www.un.org/womenwatch/daw/cedaw/history.htm>> accessed 12 March 2019

Plan of Action for the Implementation of the Objectives of the International Women's Year.¹⁰⁶ These efforts and the drafting were adopted by the World Conference of the International Women's Year held in Mexico City in 1975, which called for a convention on the elimination of discrimination against women, with effective procedures for its implementation.¹⁰⁷ The General Assembly took an active part in pressing the Commission on the Status of Women to finish its work by 1976, so that the Convention could be submitted to the 1980 Copenhagen mid-decade review conference (World Conference on the United Nations Decade for Women: Equality, Development and Peace).¹⁰⁸ Although suggestions were made to delay completion of the text for another year, the Convention on the Elimination of All Forms of Discrimination against Women was completed and adopted by the General Assembly in 1979 by 130 votes to none, with 10 countries refusing to vote.¹⁰⁹ In resolution 34/180, which presents the convention, the Assembly expressed its hope that the Convention would be implemented at an early date and requested the Secretary-General to present the text of the Convention to the mid-decade World Conference of the United Nations Decade for Women.¹¹⁰ At the Copenhagen Conference on 17 July 1980, 64 States signed the Convention and two States submitted their instruments of ratification.¹¹¹

There are different human rights instruments that have been adopted with the aim of governing the conduct of states in relation to the human rights of their own citizens and CEDAW is one of them. CEDAW provides the basic standards for the human rights of women. CEDAW calls for equality in the legal system and legislation as a basis for the elimination of discrimination.¹¹² The Convention also calls upon states to take proactive measures outside of the domain of law to ensure redress for past discriminatory practices.¹¹³

The goals of attaining equality and justice for women have driven the instruments adopted at different levels. All previous international human rights instruments that entered into force prior to CEDAW, were incapable of attaining and protecting women's rights. CEDAW therefore was outstanding in that it is the convention for the human rights of women. CEDAW affirms equality between men and women and is one of the international conventions for the protection of women.¹¹⁴

CEDAW, also known as the 'Women's Convention'¹¹⁵ described as an international bill of rights for women,¹¹⁶ entered into force thirty days after the twentieth member State had ratified it. Upon entering into force, the Convention could claim that it was implemented faster than any other human rights treaties up to that point.¹¹⁷

¹⁰⁶The World Conference of the International Women's Year, Mexico City (19 June-2 July 1975) United Nations publication, SalesNo. E.76.IV.1

¹⁰⁷UN Women (n 127).

¹⁰⁸Ibid.

¹⁰⁹Ibid.

¹¹⁰Ibid.

¹¹¹Ibid.

¹¹²Michael Kevane, *Ratification of CEDAW(Convention for the Elimination of Discrimination Against Women)* (Santa Clara Universit 2003) 4

¹¹³Ibid.

¹¹⁴Hanna Beate Schöpp-Schilling, 'The Role of the Convention on the Elimination of All Forms of Discrimination against Women and Its Monitoring Procedures for Achieving Gender Equality in Political Representation' (International Institute for Democracy and Electoral Assistance (IDEA)/CEE Network for Gender Issues Conference, Budapest, Hungary 22-23 October 2004).

¹¹⁵Maeve Taylor, 'Taking CEDAW Seriously – A Global Perspective' (Women's Human Rights Alliance Irish Centre for Human Rights, National University of Ireland Galway Irish Council for Civil Liberties, A Conference to promote, apply and enforce the UN CEDAW Convention 23rd March 2006) 4

¹¹⁶Hanna Beate Schöpp-Schilling, 'What is CEDAW? Introduction to the UN Convention on the Elimination of All Forms of Discrimination against Women' (Federal Chancellery-Federal Minister for Women, Media and Civil Service, Vienna 2007) 8

¹¹⁷Ann Warner 'Recognizing Rights Promoting Progress: The Global Impact of the Convention of the Elimination of All Forms of Discrimination Against Women' (International Centre for Research on Women 2010) 4; United Nations Progress Achieved in the Implementation of the Convention on the Elimination of all Forms of Discrimination against Women Report by the Committee on the Elimination of Discrimination against Women Beijing, China (4-15 September 1995) A/CONF.177/7.6; Vedna Jivan and ChristineForster, 'Challenging Conventions : in Pursuit of Greater Legislative Compliance with CEDAW in the Pacific' (2009) 10 *Melbourne Journal of International Law* 655,657

Since then CEDAW has been shaping national constitutions and laws in many states providing protection against sex discrimination.¹¹⁸ CEDAW sets out core principles for the protection of women's rights, requiring respect for the equality of rights of women with those of men.¹¹⁹ It further demands equal opportunities in all spheres of life regardless of gender. As of May 2015, 189 out of the 193 UN recognized countries had currently signed and ratified the CEDAW. CEDAW aims to provide guidelines for legal policy and the adoption of policies to promote equality as a means of justice.¹²⁰

The convention "included attempts to interpret and transform human rights in order to adapt it to women's diverse realities"¹²¹ CEDAW includes 30 articles divided into six parts that address various spheres of human experience; cultural, political, legal, educational, health and economic rights of women.¹²² It should be noted that the obligations created in the Convention are legally binding on the state parties that ratified the Convention. The preamble of CEDAW recognises 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." So CEDAW is not just about giving guidelines to make new laws, it also prescribes actions and identifies the sources of problems.¹²³ CEDAW represents a comprehensive approach to the problem of discrimination and inequality faced by women as it aims to eliminate discrimination in all aspects of life. CEDAW is a comprehensive convention, it codifies existing principles contained in general and gender specific human rights instruments and introduces new provisions.¹²⁴

Conclusion

The period from 1945 to 1965 witnessed significant advancements in the legal foundations of gender equality and women's rights. International efforts, including the establishment of the United Nations and its specialized agencies, led to the adoption of key legal instruments aimed at promoting gender equality and combating discrimination against women.

From the adoption of the Universal Declaration of Human Rights in 1948 to the development of specialized conventions addressing women's rights, such as the Convention on the Political Rights of Women and the Convention on the Nationality of Married Women, progress was made in recognizing and affirming women's rights as human rights.

However, despite these advancements, challenges remained, and gender inequality persisted in various forms. Discriminatory laws and practices continued to limit women's participation in political, economic, and social life, highlighting the need for ongoing advocacy and legal reform.

As we look to the future, it is essential to build upon the achievements of the past and continue working towards the realization of gender equality and the full enjoyment of women's rights. By addressing systemic discrimination, promoting equal opportunities, and empowering women and girls, we can create a more just and equitable world for all.

¹¹⁸Demos, *Women's Rights and the Arab Spring, Overview on the Middle East and North Africa* (1 November 2011) <<http://www.demos.org/publication/women%E2%80%99s-rights-and-arab-spring>> accessed 25 July 2018

¹¹⁹Rebecca J Cook, 'The Women Convention: Opportunities for the Common Wealth' (1990) 16 *Common Law Bulletin* 610, 619

¹²⁰Kerr Joanna, *Ours by Rights: Women's Rights as Human Rights* (Zed Book 1993) 93.

¹²¹Sari Kouvo, S., *Making Just Rights? – Mainstreaming Women's Human Rights and a Gender Perspective* (Lustu Forlag 2004) 16.

¹²²Seo- Young Cho, S.Y., *International Human Rights Treaty to Change Social Patterns – The Convention on the Elimination of All Forms of Discrimination against Women* (Centre for European Governance and Economic Development Research 2010) 7

¹²³Taylor (n 137) 4

¹²⁴Byrnes, A., Connors, J., and Bik, L., "Advancing The Human Rights of Women: Using International Human Rights Standards in Domestic Litigation", (1997) 43

References

Books

- [1]. Auth J, *To Beijing and Beyond: Pittsburgh and the United Nations Fourth World Conference on Women* (University of Pittsburgh Press 1997).
- [2]. Arnold R and Quéniwet N, *International Humanitarian Law and Human Rights Law: Towards a New Merger in International Law* (Brill - Nijhoff 2008).
- [3]. Aggarwal J C and Agrawal S P, *Documentation Encyclopaedia of UNESCO and Education* (Concept Publishing Company 1991).
- [4]. Beyani Ch, 'Towards a More Effective Guarantee of Women's Rights in the African Human Rights System' in Rebecca I. Cook. (ed.), *Human Rights of Women: National and International Perspectives* (University of Pennsylvania Press 1994).
- [5]. Byrnes A and others (eds), *Advancing The Human Rights of Women: Using International Human Rights Standards in Domestic Litigation* (London, Commonwealth Secretariat 1997).
- [6]. Byrnes A, 'Using Gender Specific Human Rights Instruments in Domestic Litigation : the Convention on the Elimination of All Form of Discrimination against Women' in Kirstine Adams and Andrew Byrnes (eds), *Gender Equality and the Judiciary : Using International Human Rights Standards to promote the Human Rights of Women and the Girl Child at the National Level* (Commonwealth Secretariat 1999)
- [7]. Blanchfield L, *The U.N. Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW): Issues in the U.S. Ratification Debate* (Congressional Research Service 2010).
- [8]. Brownlie I and Goodwin-Gil G, *Brownlie's Documents on Human Rights* (6Ed, Oxford 2010).
- [9]. Byrnes A, The Committee on the Elimination of Discrimination against Women, in Anne Hellum and Henriette Sinding Aasen (eds), *Women's Human Rights :CEDAW in International, Regional and National Law* (Cambridge University Press 2013).
- [10]. British Council and others, *A Training Manual on the Convention on the Elimination of all Forms of Discrimination Against: Action for Strengthening Institutions and Communities in Promoting Women's Rights* (British Council Uganda and Action for 2014).
- [11]. Brems E and others, *Human Rights and Development: Legal Perspectives from and for Ethiopia* (Leiden, Brill Nijhoff 2015).
- [12]. Berman P S, *The Globalization of International Law* (Routledge 2016).
- [13]. Crotty W, *Democratic Development and Political Terrorism: The Global Perspective (New England Democratization and Political Development)* (Northeastern University Press 2005).
- [14]. Cho S Y, *International Human Rights Treaty to Change Social Patterns – The Convention on the Elimination of All Forms of Discrimination against Women* (Center for European Governance and Economic Development Research 2010).
- [15]. Cherif F M, *Myths About Women's Rights: How, Where, and Why Rights Advance*(Oxford University Press 2015).
- [16]. Davidson S, *Human Rights* (Buckingham: Open University Press 1993).
- [17]. Dhiman O P, *Understanding Human Rights* (Kalpaz 2011)
- [18]. Das P K, *Protection of Women from Domestic Violence* (Universal Law Publishing 2011).
- [19]. Duggal G and others, *Milestones Social Science – 8 (History, Geography, Social and Political Life)* (Vikas Publishing House 2018)
- [20]. Freeman M A and others, *The UN Convention on the Elimination of All Forms of Discrimination against Women: A Commentary* (Oxford University Press 2012).
- [21]. Gaudart D, 'What are the origins of CEDAW? The history of the UN Convention on the Elimination of all Forms of Discrimination against Women' in Sylvia Kölbl (eds), *What is CEDAW? The UN Convention on the Elimination of all forms of Discrimination against Women: The Human Rights of Women and what they Mean* (Federal Chancellery-Federal Minister for Women, Media and Civil Service 2007).
- [22]. Gearon L, *Human Rights and Religion* (Edi., UK: Sussex Academic Press 2002).
- [23]. Gupta I S (ed), *Human Rights of Minority and Women's: Women and Human Rights Development* (Isha Books 2005).
- [24]. Haracoglou I, *Competition Law and Patents: A Follow-on Innovation Perspective in the Biopharmaceutical Industry (New Horizons in Competition Law and Economics)* (Edward Elgar Pub 2008).
- [25]. Hacker D, *Legalized Families in the Era of Bordered Globalization* (Cambridge University Press 2017).
- [26]. Islam K M B (ed), *Issues in Women's Rights: A Practitioners' Resource Book* (Allied Publishers Pvt. Ltd. 2016).
- [27]. Joyce JA, *The New Politics of Human Rights* (Macmillan 1978).

-
- [28]. Jacobson R, 'The Committee on the Elimination of Discrimination against Women' in Philip Alston, *The United Nations and Human Rights: A Critical Appraisal* (Oxford University Press 1992).
- [29]. Joanna K, *Ours by Rights: Women's Rights as Human Rights* (Zed Book 1993).
- [30]. Kevane M, *Ratification of CEDAW (Convention for the Elimination of Discrimination Against Women)* (Santa Clara Universit 2003).
- [31]. Kouvo S, *Making Just Rights? – Mainstreaming Women's Human Rights and a Gender Perspective* (Lustu Forlag 2004).
- [32]. Landsberg-Lewis I, *Bringing Equality Home: Implementing the Convention on the Elimination of All Forms of Discrimination Against Women* (United Nations Development Fund for Women 1998).
- [33]. Merry S E, *Human Rights and Gender Violence: Translating International Law into Local Justice* (University of Chicago Press 2006).
- [34]. Mc Quigg R J, *International Human Rights Law and Domestic Violence* (Routledge: Taylor and Francis Group 2011).
- [35]. Mc Quigg R J, *International Human Rights Law and Domestic Violence* (Routledge: Taylor and Francis Group 2011).
- [36]. Mutunga W, *The Third State of Human Rights Report: A Human Rights Assessment of Kenya Vision 2030* (Kenya National Commission on Human Rights 2011).
- [37]. Mariono C D and others, 'Violence against Young Women: A Human Rights Violation' (Paul Hastings LLP 2012).
- [38]. Matschulat A H, *The Tourism We Do not Talk About. A Study on Sexual Exploitation of Children in Tourism, with a Focus on Argentina and Brazil* (Anchor Academic Publishing 2018).
- [39]. Patricia L. Munhall and Virginia M. Fitzsimons, *The Emergence of Women into the 21st Century* (Boston: Jones and Bartlett, 1995).
- [40]. Persadie N R, *A Critical Analysis of the Efficacy of Law as a Tool to Achieve Gender Equality* (University Press of America 2012).
- [41]. O'flaherty M, *Human Rights and the UN: Practice Before the Treaty Bodies* (Nijhoff Law Specials 1996)
- [42]. OECD, 'Atlas of Gender and Development How Social Norms Affect Gender Equality in No-OECD Countries' (OECD Publishing 2010).
- [43]. Ramcharan B G, *the Fundamentals of International Human Rights Treaty Law* (Martinus Nijhoff 2011).
- [44]. Symonides J and Volodin V, *Human Rights of Women: A Collection of International and Regional Normative Instruments* (UNESCO 1999).
- [45]. Scheinin A and Suksi M, *Human Rights in Development* (Year book 2002).
- [46]. Schrijver N J and Weiss F, *International Law and Sustainable Development: Principles And Practice* (Martinus Nijhoff 2004).
- [47]. Sitaraman S, *State Participation in International Treaty Regimes* (Farnham Ashgate 2009).
- [48]. Smith R K M, *Text and Materials on International Human Rights* (3rd ed, Abingdon, Routledge 2013).
- [49]. Tomasevski, K., *Women and Human Rights: Women and world development series* (Zed Books; Illustrated 1993).
- [50]. Tiefenbrun S W, *Women's International and Comparative Human Rights* (Carolina Academic Press 2012).
- [51]. Tugendhat Hand Dictaan-Bang-oa E, *Realizing Indigenous Women's Rights: A Handbook on the CEDAW* (Tebtebba Foundation 2013).
- [52]. Tatu D S, *Violence against Women: With an overview of the European Court of Human Rights' Case-Law* (Edizione Marzo 2019)
- [53]. United Nations, *Public Information (1979): The United Nations blue books series, Volume 6, Dept. of Public Information* (United Nations 1996).
- [54]. UNESCO, *Right to Education Handbook* (UNESCO 2019).

Journals

- [1]. Alter Chen M, 'Engendering World Conferences: The International Women's Movement and the United Nations' (1995) 16 *Third World Quarterly* 477.
- [2]. Afsharipour A, 'Empowering Ourselves: The Role of Women's NGOs in the Enforcement of the Women's Convention' (1999) 99 *Columbia Law Review* 129.
- [3]. Bydoon M, 'Reservation on the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)\ Based on Islam and its Practical Application in Jordan: Legal Perspectives' (2011) 25 *Arab Law Quarterly* 51.

-
- [4]. Cook R, 'The Women Convention: Opportunities for the Common Wealth'(1990) 16 *Common Law Bulletin* 610.
 - [5]. Creamer C D and Simmons, B A 'The Proof is in the Process: Self-Reporting Under International Human Rights Treaties' (2020)114 *American Journal of International Law* 1.
 - [6]. Jennings J, 'The International Convention on the Elimination of All Forms of Racial Discrimination: Implications for Challenging Racial Hierarchy', (1997) 40*Howard Law Journal* 597.
 - [7]. Jivan V, and Forster C, 'Challenging Conventions: in Pursuit of Greater Legislative Compliance with CEDAW in the Pacific' (2009) 10 *Melbourne Journal of International Law* 655.
 - [8]. Keller L M, 'The Impact of States Parties' Reservations to the Convention on the Elimination of All Forms of Discrimination against Women' (2014) *Michigan State Law Review* 309.
 - [9]. Morsink, J., 'Women's rights in the Universal Declaration' (1991) 13 *Human Rights Quarterly* 229 -256.
 - [10]. Monasky H, 'What's Law Got To Do With It?: An Overview Of Cedaw's Treatment Of Violence Against Women And Girls Through Case Studies'(2014)327 *Michigan State Law Review* 327.
 - [11]. Russo C J 'Reflection on Education as a Fundamental Human Right' (2010) 20*Education and Law Journal* 87.
 - [12]. Sokhi-Bulley B, 'The Optional Protocol to CEDAW: First Steps'(2006)6*Human Rights Law Review* 143.
 - [13]. Sim-Fahouman C, 'CEDAW and Afghanistan' (2009) 11 *Journal of International Women's Studies* 136.
 - [14]. Tinker C, 'Human Rights for Women: The U.N. Convention on the Elimination of All Forms of Discrimination against Women' (1981) 3 *Human Rights Quarterly* 32.
 - [15]. Trueblood L, 'Female Genital Mutilation: A Discussion of International Human Rights Instruments, Cultural Sovereignty and Dominance Theory' (2000) 28*Denver Journal of International Law and Policy* 437.
 - [16]. Tang K I, 'Combating Racial Discrimination: The Effectiveness of an International Legal Regime' (2003) 33 *British Journal of Social Work* 17.
 - [17]. Taylor M, 'Taking CEDAW Seriously – A Global Perspective' (Women's Human Rights Alliance Irish Centre for Human Rights, National University of Ireland Galway Irish Council for Civil Liberties, A Conference to promote, apply and enforce the UN CEDAW Convention 23rd March 2006).
 - [18]. Vesa A, 'International and Regional Standards for Protecting Victims of Domestic Violence' (2004)12 *Journal of Gender, Social Policy and the Law* 309.

Documents

- [1]. Australian Human Rights Commission, 'United Nations Convention on the Elimination of All Forms of Discrimination: What is the United Nations?'(Commonwealth of Australia and the Human Rights and Equal Opportunity Commission 2008).
- [2]. Committee on the Elimination of Racial Discrimination General Recommendation No. 20: Non discriminatory Implementation of Rights and Freedoms (Art. 5), 15th March 1995.
- [3]. International Covenant on Economic, Social & Cultural Rights (adopted 16 December 1966, entered in to force 3 January 1976) 993 UNTS 3/ [1976] ATS 5 / 6 ILM 360.
- [4]. Institute of Human Rights, 'Human Rights and Women: With Emphasis on Protection Under International Conventions and Philippine Laws: a Public Forum' (University of the Philippines Law Center 1999).
- [5]. International Women's Rights Action Watch Asia Pacific, 'Our Rights Are Not Optional! Advocating for the implementation of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) through its Optional Protocol' (Kuala Lumpur 2008).
- [6]. Krause, K., and Berma, E., 'Small Arms Survey 2014: Women and Guns' (Graduate Institute of International and Development 2014).
- [7]. Khanna P and others, 'Convention on the Elimination of all forms of Violence against Women for Youth' (UN Women, Planet 50-50 by 2030 Step It Up for Gender Equality)
- [8]. National Human Rights Commission, *A Handbook on International Human Rights Conventions* (AP India, D-15/1, Okhla Industrial Area, Phase-I, New Delhi 2012).
- [9]. Schöpp-Schilling H B, 'The Role of the Convention on the Elimination of All Forms of Discrimination against Women and Its Monitoring Procedures for Achieving Gender Equality in Political Representation' (International Institute for Democracy and Electoral Assistance (IDEA)/CEE Network for Gender Issues Conference , Budapest, Hungary 22–23 October 2004).
- [10]. The World Conference of the International Women's Year, Mexico City (19 June-2 July 1975) United Nations publication, Sales No. E.76.IV.1.
- [11]. The Human Rights Committee General Comment 28(68): On Equality of Rights between Men and Women (2000) UN Doc, A155/40.

- [12]. The Human Rights Committee The Human Rights Committee in the Case of Araciél (a) to Del Avellana V. Peru (Communication No 202/1986), views adopted (28 Oct. 1988), UN Doc. A 144/40.
- [13]. UN General Assembly Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages (7 November 1962) General Assembly resolution 1763 A (XVII).
- [14]. UNESCO, *Convention against Discrimination in Education* 1960, 429 UNTS 93 (entered into force 22 May 1962).
- [15]. United Nations Secretary General and others, *The United Nations and The Advancement of Women 1945 1996* (New York: Department of Public Information, UN 1996).
- [16]. UN Commission on Human Rights, *Commission on Human Rights resolution 2000/58 Situation in the Republic of Chechnya of the Russian Federation*, 25 April 2000, E/CN.4/RES/2000/58.
- [17]. United Nations Department of Public Information, 'World Conference Against Racism, Racial Discrimination Xenophobia and Related Intolerance' (Declaration and Programme of Action, Durban 2001).
- [18]. United Nations Progress Achieved in the Implementation of the Convention on the Elimination of all Forms of Discrimination against Women Report by the Committee on the Elimination of Discrimination against Women Beijing, China (4-15 September 1995) A/CONF.177/7,6.
- [19]. United Nations Report of the Committee on the Elimination of Discrimination Against Women (Eighteenth and nineteenth sessions) General Assembly Official Records Fifty-third Session Supplement No. 38 (1998) A/53/38/Rev.1.
- [20]. United Nations Committee on the Elimination of Discrimination against Women, Report of the Committee on the Elimination of Discrimination against Women Official records (United Nations. General Assembly) (Supplement 2002).
- [21]. United Nations International Human Rights Instruments, Guidelines on Initial and Periodic Reports Prepared by the Committee (HRI/GEN/2/Rev.1/Add.2-5 May 2003).
- [22]. United Nations Report of the Committee on the Elimination of Discrimination Against Women, Committee on the Elimination of Discrimination 40th Session, *Official Records of the General Assembly, Sixty-Third Session*(2008) Supplement No. 38 A/63/38.
- [23]. UN Official Records of the Session of the General Assembly: Supplement, Issues 36-40 University of Iowa (1947).
- [24]. United Nations Report of the Committee on the Elimination of Discrimination against Women (2-20 July 2001) General Assembly Official Records Fifty –Six Session Supplement No 38 (A/56/38).
- [25]. Warner A, 'Recognizing Rights Promoting Progress: The Global Impact of the Convention of the Elimination of All Forms of Discrimination Against Women' (International Center for Research on Women 2010).

Official Online Sources

- [1]. Charles worth H and Chinkin C, The creation of UN Women (2013) RegNetResearch Paper series 7/2013,5
<http://eprints.lse.ac.uk/53605/1/_libfile_repository_Content_Chinkin%2C%20C_Creation%20UN%20Women_Chinkin_Creation%20UN%20Women_2013.pdf> accessed 18 November 2018.
- [2]. Demos, *Women's Rights and the Arab Spring, Overview on the Middle East and North Africa* (1 November 2011)
<<http://www.demos.org/publication/women%E2%80%99s-rights-and-arab-spring>> accessed 25 July 2018.
- [3]. Division for the Advancement of Women and Department of Economic and Social Affairs, *The United Nations Commission on the Status of Women: 60 Years of Work for Equality*
<<http://www.un.org/womenwatch/daw/CSW60YRS/index.htm>, > accessed at 23, August 2018.
- [4]. Equality and Human Rights Commission, *International Covenant on Civil and Political Rights*
<<https://www.equalityhumanrights.com/en/our-human-rights-work/monitoring-and-promoting-un-treaties/international-covenant-civil-and>>accessed 1 December 2018.
- [5]. Equal Rights Trust, *UNESCO Convention against Discrimination in Education*
<<http://www.equalrightstrust.org/content/unesco-convention-against-discrimination-education>>accessed 31 August 2018.
- [6]. Engender, *The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)*
<<https://www.engender.org.uk/content/cedaw/>>accessed 12 March 2019.

-
- [7]. FAO, 'Convention on the Elimination of All forms of Discrimination against Women (CEDAW): Guidelines for reporting on Article 14' (Food and Agriculture Organization of the United Nations Rome 2005) 25<<http://www.fao.org/3/a-y5951e.pdf>>accessed 15 February 2019.
- [8]. Gender Equality, CEDAW <<http://www.genderequality.gov.ky/resources/cedaw>>accessed 12 March 2019.
- [9]. HumanRights.ch, *Universal Declaration of Human Rights* (2011)<<https://www.humanrights.ch/en/standards/udhr/>>accesses 22 August 2018.
- [10]. Inter- Parliamentary for democracy for everyone, *Women's Rights :Commission on the Status of Women* , <<https://www.ipu.org/our-work/gender-equality/womens-rights/commission-status-women-csw>>accessed at 25 August 2018.
- [11]. International Planned Parenthood Federation, *Delivering Sexual and Reproductive Healthcare Services Around the World, Fighting for Sexual Rights: Commission on the Status of Women* <<https://www.ippf.org/our-approach/advocacy/un/commission-status-women>>accessed at 25 August 2018.
- [12]. International Justice Resource Centre, *Human Rights Committee*<<https://ijrcentre.org/un-treaty-bodies/human-rights-committee/>>accesses 15 December 2018.
- [13]. LSE Centre for Women and Peace, *The Convention on the Elimination of All Forms of Discrimination against Women* <<http://blogs.lse.ac.uk/vaw/int/cedaw/>>accessed 12 March 2019.
- [14]. Miles T, *Northern Ireland abortion laws violate women's rights, U.N. body says* (February 23, 2018) <<https://www.reuters.com/article/us-britain-rightsabortion/northern-ireland-abortion-laws-violate-womens-rights-u-n-body-saysidUSKCN1G71CQ> >accessed 23 January 2019
- [15]. Seventh Generation Fund for Indian Development and American Indian Law Alliance, *CEDAW and Women's Rights: History, Purpose, and Application Within Indigenous Communities* <<http://www.7genfund.org/sites/default/files/helpfulresources/CEDAW%20and%20Women%27s%20Rights%20-%20EN.pdf>> 23February 2019.
- [16]. The People's Movement for Human Rights Education, *The Human Right to Freedom from Discrimination*<<https://www.pdhre.org/rights/discrimination.html>>accessed 23 January 2019.
- [17]. The point for Freedom and Democracy, *From Invisibility To Visibility With a Voice-the Evolution and Trend of Women's Rights and CSW 1945 to March 2009* (2009) <<http://thepoint.gm/africa/gambia/article/from-invisibility-to-visibility-with-a-voice-the-evolution-and-trend-of-womens-rights-and-csw-1945-t>>accessed at 25, August 2018.
- [18]. United Nations Human Rights Office of the High Commissioner, *Human Rights Treaty Bodies*<<https://www.ohchr.org/EN/HRBodies/Pages/TreatyBodies.aspx>>accessed 23 January 2019.
- [19]. United Nations, *Human Rights Day 10 December: 70 Years Universal Declaration of Human Rights*<<http://www.un.org/en/events/humanrightsday/>>accesses 22 August 2018.
- [20]. UN General Assembly, *Convention on the Nationality of Married Women: General Assembly Resolution 1040 (XI)* (29 January 1957) <<https://www.refworld.org/docid/3ae6b3708.html>>accessed 24 December 2018.
- [21]. UN Women, *Reservations to CEDAW: United Nations for Gender Equality and the Empowerment of Women* <<http://www.un.org/womenwatch/daw/cedaw/reservations.htm>>accessed 23 January 2019.
- [22]. United Nations, *Universal Declaration of Human Rights 1948* <http://www.ohchr.org/EN/UDHR/Documents/UDHR_Translations/eng.pdf>accessed 29 November 2018.
- [23]. UNHCR, *UN Human Rights Committee* <<https://www.refworld.org/publisher/HRC.html>>accesses 15 December 2018.
- [24]. United Nations Human Rights Office of the High Commissioner, *Human Rights Committee* <<https://www.ohchr.org/EN/HRBodies/CCPR/Pages/CCPRIntro.aspx>>accesses 15 December 2018.
- [25]. UN General Assembly, *Optional Protocol to the International Covenant on Civil and Political Rights* (1966)<<https://www.ohchr.org/en/professionalinterest/pages/opccpr1.aspx>> accesses 15 December 2018.
- [26]. UN General Assembly, *Declaration on the Elimination of Discrimination against Women* (7 November 1967) A/RES/22/2263 <<https://www.refworld.org/docid/3ae6b38734>> accessed 28 March 2019.
- [27]. United Nations Treaty Collection, *Convention on the Political Rights of Women*<https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg_no=XVI-1&chapter=16&lang=en>accessed 24 December 2018)
- [28]. United Nations, *Charter of the United Nations*<<https://www.un.org/en/charter-united-nations/>>accesses 3 June 2020.
-

-
- [29]. UN Women, *Commission on the Status of Women* <<http://www.unwomen.org/en/csw>> accessed 25 August 2018.
- [30]. United Nations Human Rights Office of the High Commissioner, *Recommendation on Consent to Marriage, Minimum Age for Marriage and Registration of Marriage: General Assembly resolution 2018 (XX) (November 1965)* <<https://www.ohchr.org/EN/ProfessionalInterest/Pages/RecommendationOnConsentToMarriage.aspx>> accessed 28 March 2019.
- [31]. UN Women, Short History of CEDAW Convention, United Nations Entity for Gender Equality and the Empowerment of Women <<http://www.un.org/womenwatch/daw/cedaw/history.htm>> accessed 12 March 2019.
- [32]. United Nations International Human Rights Instruments, Guidelines on Initial and Periodic Reports Prepared by the Committee (HRI/GEN/2/Rev.1/Add.2-5 May2003) <http://www.fao.org/docrep/008/y5951e/y5951e05.htm#fn3> accessed 25 January 2019.
- [33]. United Nations, *Convention on the Elimination of All Forms of Discrimination against Women: Overview of the Current Working Methods of the Committee on the Elimination of Discrimination against Women*, A/59/38 <<https://www.un.org/womenwatch/daw/cedaw/wk-methods/Overview-English.pdf>> accessed 14 February 2019
- [34]. United Nations Human Rights Office of the High Commissioner, *Committee on the Elimination of Discrimination against Women: General Recommendations* <<https://www.ohchr.org/en/hrbodies/cedaw/pages/recommendations.aspx>> accessed 14 February 2019.
- [35]. Women's Aid Organisation Pertubuhan Pertolongan Wanita, *The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)* [http://www.wao.org.my/Convention+on+the+Elimination+of+All+Forms+of+Discrimination+Against+Women+\(CEDAW\)_52_5_1.htm#cedaw1](http://www.wao.org.my/Convention+on+the+Elimination+of+All+Forms+of+Discrimination+Against+Women+(CEDAW)_52_5_1.htm#cedaw1) accessed 23 January 2019.