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PS

HUMAN  
RIGHTS



Treaty Series No. 2 (1989)

# Convention

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

Adopted and opened for signature at the  
United Nations Headquarters, New York  
on 18 December 1979

[The United Kingdom instrument of ratification was deposited on 7 April 1986 and  
the Convention entered into force for the United Kingdom on 7 May 1986]

*Presented to Parliament  
by the Secretary of State for Foreign and Commonwealth Affairs  
by Command of Her Majesty  
March 1989*

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**CONVENTION  
ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION  
AGAINST WOMEN**

The States Parties to the present Convention,

Noting that the Charter of the United Nations<sup>1</sup> reaffirms faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women,

Noting that the Universal Declaration of Human Rights<sup>2</sup> affirms the principle of the inadmissibility of discrimination and proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind, including distinction based on sex,

Noting that the States Parties to the International Covenants on Human Rights<sup>3</sup> have the obligation to ensure the equal right of men and women to enjoy all economic, social, cultural, civil and political rights,

Considering the international conventions concluded under the auspices of the United Nations and the specialized agencies promoting equality of rights of men and women,

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

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

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

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

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

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

Affirming that the strengthening of international peace and security, relaxation of international tension, mutual co-operation among all States irrespective of their social and economic systems, general and complete disarmament, and in particular nuclear disarmament under strict and effective international control, the affirmation of the principles of justice, equality and mutual benefit in relations among countries and the realization of the right of peoples under alien and colonial domination and foreign occupation to self-determination and independence, as well as respect for national sovereignty and territorial integrity, will promote social progress and development and as a consequence will contribute to the attainment of full equality between men and women.

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<sup>1</sup> Treaty Series No. 67 (1946), Cmd. 7015.

<sup>2</sup> United Nations No. 2 (1949), Cmnd. 7662.

<sup>3</sup> Treaty Series No. 6 (1977), Cmnd. 6702.

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

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

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

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

Have agreed on the following:

## PART I

### ARTICLE 1

For the purposes of the present Convention, the term "discrimination against women" shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.

### ARTICLE 2

States Parties condemn discrimination against women in all its forms, agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women and, to this end, undertake:

- (a) To embody the principle of the equality of men and women in their national constitutions or other appropriate legislation if not yet incorporated therein and to ensure, through law and other appropriate means, the practical realization of this principle;
- (b) To adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women;
- (c) To establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination;
- (d) To refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation;
- (e) To take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise;
- (f) To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women;
- (g) To repeal all national penal provisions which constitute discrimination against women.

### ARTICLE 3

States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.

### ARTICLE 4

1. Adoption by States Parties of temporary special measures aimed at accelerating *de facto* equality between men and women shall not be considered discrimination as defined in the present Convention, but shall in no way entail as a consequence the maintenance of unequal or separate standards; these measures shall be discontinued when the objectives of equality of opportunity and treatment have been achieved.

2. Adoption by States Parties of special measures, including those measures contained in the present Convention, aimed at protecting maternity shall not be considered discriminatory.

### ARTICLE 5

States Parties shall take all appropriate measures:

- (a) To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women;
- (b) To ensure that family education includes a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children, it being understood that the interest of the children is the primordial consideration in all cases.

### ARTICLE 6

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

## PART II

### ARTICLE 7

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

- (a) To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;
- (b) To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;
- (c) To participate in non-governmental organizations and associations concerned with the public and political life of the country.

### ARTICLE 8

States Parties shall take all appropriate measures to ensure to women, on equal terms with men and without any discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organizations.

## ARTICLE 9

1. States Parties shall grant women equal rights with men to acquire, change or retain their nationality. They shall ensure in particular that neither marriage to an alien nor change of nationality by the husband during marriage shall automatically change the nationality of the wife, render her stateless or force upon her the nationality of the husband.
2. States Parties shall grant women equal rights with men with respect to the nationality of their children.

## PART III

### ARTICLE 10

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

- (a) The same conditions for career and vocational guidance, for access to studies and for the achievement of diplomas in educational establishments of all categories in rural as well as in urban areas; this equality shall be ensured in pre-school, general, technical, professional and higher technical education, as well as in all types of vocational training;
- (b) Access to the same curricula, the same examinations, teaching staff with qualifications of the same standard and school premises and equipment of the same quality;
- (c) The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging co-education and other types of education which will help to achieve this aim and in particular, by the revision of textbooks and school programmes and the adaptation of teaching methods;
- (d) The same opportunities to benefit from scholarships and other study grants;
- (e) The same opportunities for access to programmes of continuing education, including adult and functional literacy programmes, particularly those aimed at reducing, at the earliest possible time, any gap in education existing between men and women;
- (f) The reduction of female student drop-out rates and the organization of programmes for girls and women who have left school prematurely;
- (g) The same opportunities to participate actively in sports and physical education;
- (h) Access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning.

### ARTICLE 11

1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights, in particular:
  - (a) The right to work as an inalienable right of all human beings;
  - (b) The right to the same employment opportunities, including the application of the same criteria for selection in matters of employment;
  - (c) The right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to receive vocational training and retraining, including apprenticeships, advanced vocational training and recurrent training;
  - (d) The right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work;

- (e) The right to social security, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as the right to paid leave;
  - (f) The right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction.
2. In order to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work, States Parties shall take appropriate measures:
- (a) To prohibit, subject to the imposition of sanctions, dismissal on the grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital status;
  - (b) To introduce maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances;
  - (c) To encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child-care facilities;
  - (d) To provide special protection to women during pregnancy in types of work proved to be harmful to them.
3. Protective legislation relating to matters covered in this article shall be reviewed periodically in the light of scientific and technological knowledge and shall be revised, repealed or extended as necessary.

#### ARTICLE 12

1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health care services, including those related to family planning.
2. Notwithstanding the provisions of paragraph 1 of this article, States Parties shall ensure to women appropriate services in connexion with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation.

#### ARTICLE 13

States Parties shall take all appropriate measures to eliminate discrimination against women in other areas of economic and social life in order to ensure, on a basis of equality of men and women, the same rights, in particular:

- (a) The right to family benefits;
- (b) The right to bank loans, mortgages and other forms of financial credit;
- (c) The right to participate in recreational activities, sports and all aspects of cultural life.

#### ARTICLE 14

1. States Parties shall take into account the particular problems faced by rural women and the significant roles which rural women play in the economic survival of their families, including their work in the non-monetized sectors of the economy, and shall take all appropriate measures to ensure the application of the provisions of this Convention to women in rural areas.

2. States Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development and, in particular, shall ensure to such women the right:

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

- (b) To have access to adequate health care facilities, including information, counselling and services in family planning;
- (c) To benefit directly from social security programmes;
- (d) To obtain all types of training and education, formal and non-formal, including that relating to functional literacy, as well as, *inter alia*, the benefit of all community and extension services, in order to increase their technical proficiency;
- (e) To organize self-help groups and co-operatives in order to obtain equal access to economic opportunities through employment or self-employment;
- (f) To participate in all community activities;
- (g) To have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes;
- (h) To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.

## PART IV

### ARTICLE 15

1. States Parties shall accord to women equality with men before the law.
2. States Parties shall accord to women, in civil matters, a legal capacity identical to that of men and the same opportunities to exercise that capacity. In particular, they shall give women equal rights to conclude contracts and to administer property and shall treat them equally in all stages of procedure in courts and tribunals.
3. States Parties agree that all contracts and all other private instruments of any kind with a legal effect which is directed at restricting the legal capacity of women shall be deemed null and void.
4. States Parties shall accord to men and women the same rights with regard to the law relating to the movement of persons and the freedom to choose their residence and domicile.

### ARTICLE 16

1. States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women:
  - (a) The same right to enter into marriage;
  - (b) The same right freely to choose a spouse and to enter into marriage only with their free and full consent;
  - (c) The same rights and responsibilities during marriage and at its dissolution;
  - (d) The same rights and responsibilities as parents, irrespective of their marital status, in matters relating to their children; in all cases the interests of the children shall be paramount;
  - (e) The same rights to decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable them to exercise these rights;
  - (f) The same rights and responsibilities with regard to guardianship, wardship, trusteeship and adoption of children, or similar institutions where these concepts exist in national legislation; in all cases the interests of the children shall be paramount;
  - (g) The same personal rights as husband and wife, including the right to choose a family name, a profession and an occupation;

- (h) The same rights for both spouses in respect of the ownership, acquisition, management, administration, enjoyment and disposition of property, whether free of charge or for a valuable consideration.
2. The betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory.

## PART V

### ARTICLE 17

1. For the purpose of considering the progress made in the implementation of the present Convention, there shall be established a Committee on the Elimination of Discrimination against Women (hereinafter referred to as the Committee) consisting, at the time of entry into force of the Convention, of eighteen and, after ratification of or accession to the Convention by the thirty-fifth State Party, of twenty-three experts of high moral standing and competence in the field covered by the Convention. The experts shall be elected by States Parties from among their nationals and shall serve in their personal capacity, consideration being given to equitable geographical distribution and to the representation of the different forms of civilization as well as the principal legal systems.
2. The members of the Committee shall be elected by secret ballot from a list of persons nominated by States Parties. Each State Party may nominate one person from among its own nationals.
3. The initial election shall be held six months after the date of the entry into force of the present Convention. At least three months before the date of each election the Secretary-General of the United Nations shall address a letter to the States Parties inviting them to submit their nominations within two months. The Secretary-General shall prepare a list in alphabetical order of all persons thus nominated, indicating the States Parties which have nominated them, and shall submit it to the States Parties.
4. Elections of the members of the Committee shall be held at a meeting of States Parties convened by the Secretary-General at United Nations Headquarters. At that meeting, for which two thirds of the States Parties shall constitute a quorum, the persons elected to the Committee shall be those nominees who obtain the largest number of votes and an absolute majority of the votes of the representatives of States Parties present and voting.
5. The members of the Committee shall be elected for a term of four years. However, the terms of nine of the members elected at the first election shall expire at the end of two years; immediately after the first election the names of these nine members shall be chosen by lot by the Chairman of the Committee.
6. The election of the five additional members of the Committee shall be held in accordance with the provisions of paragraphs 2, 3 and 4 of this article, following the thirty-fifth ratification or accession. The terms of two of the additional members elected on this occasion shall expire at the end of two years, the names of these two members having been chosen by lot by the Chairman of the Committee.
7. For the filling of casual vacancies, the State Party whose expert has ceased to function as a member of the Committee shall appoint another expert from among its nationals, subject to the approval of the Committee.
8. The members of the Committee shall, with the approval of the General Assembly, receive emoluments from United Nations resources on such terms and conditions as the Assembly may decide, having regard to the importance of the Committee's responsibilities.
9. The Secretary-General of the United Nations shall provide the necessary staff and facilities for the effective performance of the functions of the Committee under the present Convention.



#### ARTICLE 18

1. States Parties undertake to submit to the Secretary-General of the United Nations, for consideration by the Committee, a report on the legislative, judicial, administrative or other measures which they have adopted to give effect to the provisions of the present Convention and on the progress made in this respect:
  - (a) Within one year after the entry into force for the State concerned; and
  - (b) Thereafter at least every four years and further whenever the Committee so requests.
2. Reports may indicate factors and difficulties affecting the degree of fulfilment of obligations under the present Convention.

#### ARTICLE 19

1. The Committee shall adopt its own rules of procedure.
2. The Committee shall elect its officers for a term of two years.

#### ARTICLE 20

1. The Committee shall normally meet for a period of not more than two weeks annually in order to consider the reports submitted in accordance with article 18 of the present Convention.
2. The meetings of the Committee shall normally be held at United Nations Headquarters or at any other convenient place as determined by the Committee.

#### ARTICLE 21

1. The Committee shall, through the Economic and Social Council, report annually to the General Assembly of the United Nations on its activities and may make suggestions and general recommendations based on the examination of reports and information received from the States Parties. Such suggestions and general recommendations shall be included in the report of the Committee together with comments, if any, from States Parties.
2. The Secretary-General shall transmit the reports of the Committee to the Commission on the Status of Women for its information.

#### ARTICLE 22

The specialized agencies shall be entitled to be represented at the consideration of the implementation of such provisions of the present Convention as fall within the scope of their activities. The Committee may invite the specialized agencies to submit reports on the implementation of the Convention in areas falling within the scope of their activities.

### PART VI

#### ARTICLE 23

Nothing in this Convention shall affect any provisions that are more conducive to the achievement of equality between men and women which may be contained:

- (a) In the legislation of a State Party; or
- (b) In any other international convention, treaty or agreement in force for that State.

#### ARTICLE 24

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

#### ARTICLE 25

1. The present Convention shall be open for signature by all States.
2. The Secretary-General of the United Nations is designated as the depositary of the present Convention.
3. The present Convention is subject to ratification. Instruments of ratification shall be deposited with the Secretary-General of the United Nations.
4. The present Convention shall be open to accession by all States. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

#### ARTICLE 26

1. A request for the revision of the present Convention may be made at any time by any State Party by means of a notification in writing addressed to the Secretary-General of the United Nations.
2. The General Assembly of the United Nations shall decide upon the steps, if any, to be taken in respect of such a request.

#### ARTICLE 27

1. The present Convention shall enter into force on the thirtieth day after the date of deposit with the Secretary-General of the United Nations of the twentieth instrument of ratification or accession<sup>1</sup>.
2. For each State ratifying the present Convention or acceding to it after the deposit of the twentieth instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after the date of the deposit of its own instrument of ratification or accession.

#### ARTICLE 28

1. The Secretary-General of the United Nations shall receive and circulate to all States the text of reservations made by States at the time of ratification or accession.
2. A reservation incompatible with the object and purpose of the present Convention shall not be permitted.
3. Reservations may be withdrawn at any time by notification to this effect addressed to the Secretary-General of the United Nations, who shall then inform all States thereof. Such notification shall take effect on the date on which it is received.

#### ARTICLE 29

1. Any dispute between two or more States Parties concerning the interpretation or application of the present Convention which is not settled by negotiation shall, at the request of one of them, be submitted to arbitration. If within six months from the date of the request for arbitration the parties are unable to agree on the organization of the arbitration, any one of those parties may refer the dispute to the International Court of Justice by request in conformity with the Statute of the Court.
2. Each State Party may at the time of signature or ratification of this Convention or accession thereto declare that it does not consider itself bound by paragraph 1 of this article. The other States Parties shall not be bound by that paragraph with respect to any State Party which has made such a reservation.
3. Any State Party which has made a reservation in accordance with paragraph 2 of this article may at any time withdraw that reservation by notification to the Secretary-General of the United Nations.

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<sup>1</sup> The Convention entered into force on 3 September 1981.

**ARTICLE 30**

The present Convention, the Arabic, Chinese, English, French, Russian and Spanish texts of which are equally authentic, shall be deposited with the Secretary-General of the United Nations.

In witness whereof the undersigned, duly authorized, have signed the present Convention.

## SIGNATURES AND RATIFICATIONS

<i>State</i>	<i>Date of signature</i>	<i>Date of deposit of instrument of ratification</i>
Afghanistan	14 Aug. 1980	
Argentina*	17 July 1980	15 July 1985
Australia*	17 July 1980	28 July 1983
Austria*	17 July 1980	31 Mar. 1982
Barbados	24 July 1980	16 Oct. 1980
Belgium*	17 July 1980	10 July 1985
Benin	11 Nov. 1981	
Bhutan	17 July 1980	31 Aug. 1981
Bolivia	30 May 1980	
Brazil*	31 Mar. 1981	1 Feb. 1984
Bulgaria*	17 July 1980	8 Feb. 1982
Burundi	17 July 1980	
Byelorussian Soviet Socialist Republic*	17 July 1980	4 Feb. 1981
Cambodia*	17 Oct. 1980	
Cameroon	6 June 1983	
Canada*	17 July 1980	10 Dec. 1981
Chile*	17 July 1980	
China, People's Republic of*	17 July 1980	4 Nov. 1980
Colombia	17 July 1980	19 Jan. 1982
Congo, Republic of	29 July 1980	26 July 1982
Costa Rica	17 July 1980	4 Apr. 1986
Côte d'Ivoire	17 July 1980	
Cuba*	6 Mar. 1980	17 July 1980
Czechoslovakia*	17 July 1980	16 Feb. 1982
Denmark	17 July 1980	21 Apr. 1983
Dominica	15 Sept. 1980	15 Sept. 1980
Dominican Republic	17 July 1980	2 Sept. 1982
Ecuador	17 July 1980	9 Nov. 1981
Egypt, Arab Republic of*	16 July 1980	18 Sept. 1981
El Salvador*	14 Nov. 1980	19 Aug. 1981
Ethiopia*	8 July 1980	10 Sept. 1981
Finland	17 July 1980	4 Sept. 1986
France*	17 July 1980	14 Dec. 1983
Gabon	17 July 1980	21 Jan. 1983
Gambia, The	29 July 1980	
German Democratic Republic*	25 June 1980	9 July 1980
Germany, Federal Republic of*	17 July 1980	10 July 1985
Ghana	17 July 1980	2 Jan. 1986
Greece	2 Mar. 1982	7 June 1983
Grenada	17 July 1980	
Guatemala	8 June 1981	12 Aug. 1982
Guinea*	17 July 1980	9 Aug. 1982
Guinea-Bissau	17 July 1980	23 Aug. 1985
Guyana	17 July 1980	17 July 1980
Haiti	17 July 1980	20 July 1981
Honduras	11 June 1980	3 Mar. 1983
Hungary*	6 June 1980	22 Dec. 1980
Iceland	24 July 1980	18 June 1985
India*	30 July 1980	
Indonesia*	29 July 1980	13 Sept. 1984
Israel*	17 July 1980	
Italy*	17 July 1980	10 June 1985
Jamaica*	17 July 1980	19 Oct. 1984
Japan	17 July 1980	25 June 1985
Jordan*	3 Dec. 1980	
Korea, Republic of*	25 May 1983	27 Dec. 1984
Lao People's Democratic Republic	17 July 1980	14 Aug. 1981
Lesotho	17 July 1980	

<i>State</i>	<i>Date of signature</i>	<i>Date of deposit of instrument of ratification</i>
Luxembourg	17 July 1980	
Madagascar	17 July 1980	
Mali ...	5 Feb. 1985	10 Sept. 1985
Mexico*	17 July 1980	23 Mar. 1981
Mongolia*	17 July 1980	20 July 1981
Netherlands	17 July 1980	
New Zealand*	17 July 1980	10 Jan. 1985
Nicaragua	17 July 1980	27 Oct. 1981
Nigeria	23 Apr. 1984	13 June 1985
Norway	17 July 1980	21 May 1981
Panama	26 June 1980	29 Oct. 1981
Peru ...	23 July 1981	13 Sept. 1982
Philippines	15 July 1980	5 Aug. 1981
Poland*	29 May 1980	30 July 1980
Portugal	24 Apr. 1980	30 July 1980
Romania*	4 Sept. 1980	7 Jan. 1982
Rwanda	1 May 1980	2 Mar. 1981
Senegal	29 July 1980	5 Feb. 1985
Sierra Leone	21 Sept. 1988	11 Nov. 1988
Spain*	17 July 1980	5 Jan. 1984
Sri Lanka	17 July 1980	5 Oct. 1981
Sweden	7 Mar. 1980	2 July 1980
Switzerland ...	23 Jan. 1987	
Tanzania	17 July 1980	20 Aug. 1985
Trinidad and Tobago*	27 June 1985	
Tunisia*	24 July 1980	20 Sept. 1985
Uganda	30 July 1980	22 July 1985
Ukrainian Soviet Socialist Republic*	17 July 1980	12 Mar. 1981
Union of Soviet Socialist Republics*	17 July 1980	23 Jan. 1981
United Kingdom* ...	22 July 1981	7 Apr. 1986
United States of America ...	17 July 1980	
Uruguay	30 Mar. 1981	9 Oct. 1981
Venezuela* ...	17 July 1980	2 May 1983
Vietnam*	29 July 1980	17 Feb. 1982
Yugoslavia	17 July 1980	26 Feb. 1982
Zaire	17 July 1980	17 Oct. 1986
Zambia	17 July 1980	21 June 1985

\* For Declarations, reservations, statements and objections see pages 15-29.

#### ACCESSIONS

<i>State</i>	<i>Date</i>
Angola	17 Sept. 1986
Bangladesh*	6 Nov. 1984
Burkina Faso	14 Oct. 1987
Cape Verde	5 Dec. 1980
Cyprus*	23 July 1985
Equatorial Guinea	23 Oct. 1984
Iraq*	13 Aug. 1986
Ireland, Republic of*	23 Dec. 1985
Kenya	9 Mar. 1984
Liberia	17 July 1984
Malawi*	12 Mar. 1987
Mauritius*	9 July 1984
Paraguay ...	6 Apr. 1987
St. Christopher and Nevis	25 Apr. 1985
St. Vincent and the Grenadines	4 Aug. 1981
Thailand*	9 Aug. 1985
Togo	26 Sept. 1983
Turkey*	20 Dec. 1985
Yemen, People's Democratic Republic of*	30 May 1984

## DECLARATIONS, RESERVATIONS AND STATEMENTS

(Unless otherwise indicated, the declarations and reservations were made upon ratification or accession.)

### ARGENTINA

*Reservation:*

The Government of Argentina declares that it does not consider itself bound by article 29, paragraph 1, of the Convention on the Elimination of All Forms of Discrimination against Women.

### AUSTRALIA

*Reservations:*

"The Government of Australia states that maternity leave with pay is provided in respect of most women employed by the Commonwealth Government and the Governments of New South Wales and Victoria. Unpaid Maternity leave is provided in respect of all other women employed in the State of New South Wales and elsewhere to women employed under Federal and some State industrial awards. Social Security benefits subject to income tests are available to women who are sole parents.

The Government of Australia advises that it is not at present in a position to take the measures required by article 11(2) to introduce maternity leave with pay or with comparable social benefits throughout Australia.

The Government of Australia advises that it does not accept the application of the Convention in so far as it would require alteration of Defence Force policy which excludes women from combat and combat-related duties. The Government of Australia is reviewing this policy so as to more closely define 'combat' and 'combat-related duties.'

*Declaration:*

"Australia has a Federal Constitutional System in which Legislative, Executive and Judicial Powers are shared or distributed between the Commonwealth and the Constituent States. The implementation of the Treaty throughout Australia will be effected by the Commonwealth State and Territory Authorities having regard to their respective constitutional powers and arrangements concerning their exercise."

### AUSTRIA

*Reservation:*

"Austria reserves its right to apply the provision of article 7 (b), as far as service in the armed forces is concerned, and the provision of article 11, as far as night work of women and special protection of working women is concerned, within the limits established by national legislation."

### BANGLADESH

"The Government of the People's Republic of Bangladesh does not consider as binding upon itself the provisions of articles 2, 13(a) and 16, 1(c) and (f) as they conflict with Sharia law based on Holy Quran and Sunna."

### BELGIUM

*Reservations:*

*Article 7:*

The application of article 7 shall not affect the validity of the provisions of the Constitution as laid down in article 60, which reserves for men the exercise of royal powers, and in article 58, which reserves for the sons of the King or, where there are none, for Belgian princes of the branch of the royal family in line to the throne, the function of *ex officio* senators as from the age of 18 years, with entitlement to vote as from the age of 25 years.

*Article 15, paragraphs 2 and 3:*

The application of article 15, paragraphs 2 and 3, shall not affect the validity of the interim provisions enacted for couples married before the entry into force of the Act of 14 July 1976 concerning the reciprocal rights and duties of husbands and wives and their marriage contracts, in cases where, in accordance with the option available to them under the Act, they have declared that they are maintaining *in toto* their prior marriage contracts.

### BRAZIL

*Reservation made upon signature and confirmed upon ratification:*

"The Government of the Federative Republic of Brazil hereby expresses its reservations to article 15, paragraph 4 and to article 16, paragraphs 1 (a), (c), (g) and (h) of the convention on the Elimination of All Forms of Discrimination Against Women.

Furthermore, Brazil does not consider itself bound by article 29, paragraph 1, of the above-mentioned convention."

## BULGARIA

### *Reservation made upon signature and confirmed upon ratification:*

The People's Republic of Bulgaria does not consider itself bound by the provisions of article 29, paragraph 1, of the Convention.

## BYELORUSSIAN SOVIET SOCIALIST REPUBLIC

### *Reservation made upon signature and confirmed upon ratification:*

Pursuant to article 29, paragraph 2 of the Convention, the Byelorussian Soviet Socialist Republic does not consider itself bound by the provisions of article 29, paragraph 1, of the Convention, to the effect that any dispute between two or more States Parties concerning the interpretation or application of the Convention which is not settled by negotiation shall, at the request of one of them, be submitted to arbitration or referred to the International Court of Justice, and declares that for the submission of such a dispute to arbitration or its referral to the International Court of Justice the consent of all parties to the dispute must be obtained in each individual case.

## CANADA

### *Statement:*

"The Government of Canada states that the competent legislative authorities within Canada have addressed the concept of equal pay referred to in article 11 (1) (d) by legislation which requires the establishment of rates of remuneration without discrimination on the basis of sex. The competent legislative authorities within Canada will continue to implement the object and purpose of article 11 (1) (d) and to that end have developed, and where appropriate will continue to develop, additional legislative and other measures."

## CHILE

### *Upon signature:*

### *Declaration:*

The Government of Chile has signed this Convention on the Elimination of All Forms of Discrimination Against Women, mindful of the important step which this document represents, not only in terms of the elimination of all forms of discrimination against women, but also in terms of their full and permanent integration into society in conditions of equality.

The Government is obliged to state, however, that some of the provisions of the Convention are not entirely compatible with current Chilean legislation.

At the same time, it reports the establishment of a Commission for the Study and Reform of the Civil Code, which now has before it various proposals to amend, *inter alia*, those provisions which are not fully consistent with the terms of the Convention.

## CHINA

### *Declaration made upon signature and confirmed upon ratification:*

The People's Republic of China does not consider itself bound by paragraph 1 of article 29 of the Convention.

## CUBA

### *Reservation:*

The Government of the Republic of Cuba makes a specific reservation concerning the provisions of article 29 of the Convention inasmuch as it holds that any disputes that may arise between States Parties should be resolved through direct negotiations through the diplomatic channel.

## CYPRUS

### *Reservation:*

"... The Government of the Republic of Cyprus wishes to enter a reservation concerning the granting to women of equal rights with men with respect to the nationality of their children, mentioned in article 9 paragraph 2 of the Convention. This reservation is to be withdrawn upon amendment of the relevant law."

## CZECHOSLOVAKIA

### *Reservation made upon signature and confirmed upon ratification:*

"The Czechoslovak Socialist Republic, in accordance with paragraph 2 of article 29, of the Convention on the Elimination of All Forms of Discrimination Against Women, does not consider itself to be bound under paragraph 1 of its article 29. In the opinion of the Czechoslovak Socialist Republic any disputes concerning the interpretation or implementation of this Convention, should be solved by direct negotiations between the parties to the dispute or in another manner to be agreed upon by the parties to the dispute."

## EGYPT

### *Reservations made upon signature and confirmed upon ratification:*

#### *In respect of article 9:*

Reservation to the text of article 9, paragraph 2, concerning the granting to women of equal rights with men with respect to the nationality of their children, without prejudice to the acquisition by a child born of a marriage of the nationality of his father. This is in order to prevent a child's acquisition of two nationalities where his parents are of different nationalities, since this may be prejudicial to his future. It is clear that the child's acquisition of his father's nationality is the procedure most suitable for the child and that this does not infringe upon the principle of equality between men and women, since it is customary for a woman to agree, upon marrying an alien, that her children shall be of the father's nationality.

#### *In respect of article 16:*

Reservation to the text of article 16 concerning the equality of men and women in all matters relating to marriage and family relations during the marriage and upon its dissolution, without prejudice to the Islamic Sharia's provisions whereby women are accorded rights equivalent to those of their spouses so as to ensure a just balance between them. This is out of respect for the sacrosanct nature of the firm religious beliefs which govern marital relations in Egypt and which may not be called in question and in view of the fact that one of the most important bases of these relations is an equivalency of rights and duties so as to ensure complementarity which guarantees true equality between the spouses. The provisions of the Sharia lay down that the husband shall pay bridal money to the wife and maintain her fully and shall also make a payment to her upon divorce, whereas the wife retains full rights over her property and is not obliged to spend anything on her keep. The Sharia therefore restricts the wife's rights to divorce by making it contingent on a judge's ruling, whereas no such restriction is laid down in the case of the husband.

#### *In respect of article 29:*

The Egyptian delegation also maintains the reservation contained in article 29, paragraph 2, concerning the right of a State signatory to the Convention to declare that it does not consider itself bound by paragraph 1 of that article concerning the submission to an arbitral body of any dispute which may arise between States concerning the interpretation or application of the convention. This is in order to avoid being bound by the system of arbitration in this field.

### *Reservation made upon ratification:*

#### *General reservation on article 2:*

The Arab Republic of Egypt is willing to comply with the content of this article, provided that such compliance does not run counter to the Islamic Sharia.

## EL SALVADOR

### *Upon signature:*

... Upon ratification of the Convention, the Government of El Salvador will make the reservation provided for in article 29.

### *Upon ratification:*

#### *Reservation:*

With reservation as to the application of the provision of article 29, paragraph 1.

## ETHIOPIA

### *Reservation:*

In ratifying the said Convention, Socialist Ethiopia does not consider itself bound by paragraph 1 of article 29 of the Convention.

## FRANCE

### *Upon signature:*

#### *Declarations and reservation*

...<sup>7</sup>

5. The Government of the French Republic declares that article 9 of the Convention must not be interpreted as precluding the application of the second paragraph of article 96 of the code of French nationality.

...<sup>7</sup>

[The remaining declarations and the reservations were all confirmed in substance upon ratification.]

### *Upon ratification:*

#### *Declarations*

The Government of the French Republic declares that the preamble to the Convention—in particular the eleventh preambular paragraph—contains debatable elements which are definitely out of place in this text.

The Government of the French Republic declares that the term "family education" in article 5(b) of the Convention must be interpreted as meaning public education concerning the family and that, in any event, article 5 will be applied subject to respect for article 17 of the International Covenant on Civil and Political Rights and article 8 of the European Convention for the Protection of Human Rights and Fundamental Freedoms.



The Government of the French Republic declares that no provision of the Convention must be interpreted as prevailing over provisions of French legislation which are more favourable to women than to men.

*Reservations*

*Articles 5(b) and 16, 1(d)*

(1) The Government of the French Republic declares that article 5(b) and article 16, paragraph 1(d), must not be interpreted as implying joint exercise of parental authority in situations in which French legislation allows of such exercise by only one parent.

(2) The Government of the French Republic declares that article 16, paragraph 1(d), of the Convention must not preclude the application of article 383 of the Civil Code.

*Article 7*

*Article 14*

1. The Government of the French Republic declares that article 14, paragraph 2(c), should be interpreted as guaranteeing that women who fulfil the conditions relating to family or employment required by French legislation for personal participation shall acquire their own rights within the framework of social security.

2. The Government of the French Republic declares that article 14, paragraph 2(h), of the Convention should not be interpreted as implying the actual provision, free of charge, of the services mentioned in that paragraph.

*Articles 15, 2 and 3, and 16 1(c) and (h)<sup>7</sup>*

*Article 16 1(g)*

The Government of the French Republic enters a reservation concerning the right to choose a family name mentioned in article 16, paragraph 1(g), of the Convention.

*Article 29*

The Government of the French Republic declares, in pursuance of article 29, paragraph 2, of the Convention, that it will not be bound by the provisions of article 29, paragraph 1.

## GERMAN DEMOCRATIC REPUBLIC

*Declaration made upon signature and renewed upon ratification:*

Pursuant to article 29, paragraph 2 of the Convention, the German Democratic Republic declares that it does not consider itself bound by article 29, paragraph 1.

## FEDERAL REPUBLIC OF GERMANY

*Declaration:*

The right of peoples to self-determination, as enshrined in the Charter of the United Nations and in the International Covenants of 19 December 1966, applies to all peoples and not only to those living "under alien and colonial domination and foreign occupation". All peoples thus have the inalienable right freely to determine their political status and freely to pursue their economic, social and cultural development. The Federal Republic of Germany would be unable to recognize as legally valid an interpretation of the right to self-determination which contradicts the unequivocal wording of the Charter of the United Nations and of the two International Covenants of 19 December 1966 on Civil and Political Rights and on Economic, Social and Cultural Rights. It will interpret the 11th paragraph of the preamble accordingly.

*Reservation:*

Article 7(b) will not be applied to the extent that it contradicts the second sentence of Article 12a (4) of the Basic Law of the Federal Republic of Germany. Pursuant to this provision of the Constitution, women may on no account render service involving the use of arms.

## HUNGARY

*Reservation made upon signature and confirmed upon ratification:*

"The Hungarian People's Republic declares that it does not consider itself bound by the terms of article 29, paragraph 1, of the Convention."

## INDIA

*Upon signature:*

*Declarations*

"(i) With regard to articles 5(a) and 16(i) of the Convention on the Elimination of All Forms of Discrimination Against Women, the Government of the Republic of India declares that it shall abide by and ensure these provisions in conformity with its policy of non-interference in the personal affairs of any Community without its initiative and consent.

(ii) With regard to article 16(2) of the Convention on the Elimination of All Forms of Discrimination Against Women, the Government of the Republic of India declares that though in principle it fully supports the principle of compulsory registration of marriages, it is not practical in a vast country like India with its variety of customs, religions and level of literacy."

*Reservation*

"With regard to article 29 of the Convention on the Elimination of All Forms of Discrimination Against Women, the Government of the Republic of India declares that it does not consider itself bound by paragraph 1 of this article."

## INDONESIA

"The Government of the Republic of Indonesia does not consider itself bound by the provisions of article 29 paragraph 1 of this Convention and takes the position that any dispute relating to the interpretation or application of the Convention may only be submitted to arbitration or to the International Court of Justice with the agreement of all the parties to the dispute."

## IRAQ<sup>8</sup>

*Reservations:*

1. Approval of and accession to this Convention shall not mean that the Republic of Iraq is bound by the provisions of article 2, paragraphs (f) and (g), of article 9, paragraphs 1 and 2, nor of article 16 of the Convention, the reservation to this last-mentioned article shall be without prejudice to the provisions of the Islamic Shariah according to which the rights of women are equivalent to the rights of their spouses so as to ensure a just balance between them. Iraq also enters a reservation to article 29, paragraph 1, of this Convention with regard to the principle of international arbitration in connection with the interpretation or application of this Convention.

2. This approval in no way implies recognition of or entry into any relations with Israel.

## IRELAND

*Reservations:*

...<sup>9</sup>

*Articles 13(b) and (c)*

The question of supplementing the guarantee of equality contained in the Irish Constitution which special legislation governing access to financial credit and other services and recreational activities, where these are provided by private persons, organisations or enterprises is under consideration. For the time being Ireland reserves the right to regard its existing law and measures in this area as appropriate for the attainment in Ireland of the objectives of the Convention.

*Article 15*

With regard to paragraph 3 of this article, Ireland reserves the right not to supplement the existing provisions in Irish law which accord women a legal capacity identical to that of men with further legislation governing the validity of any contract or other private instrument freely entered into by a woman.

...<sup>9</sup>

*Articles 16, 1(d) and (f)*

Ireland is of the view that the attainment in Ireland of the objectives of the Convention does not necessitate the extension to men of rights identical to those accorded by law to women in respect of the guardianship, adoption and custody of children born out of wedlock and reserves the right to implement the Convention subject to that understanding.

*Articles 11(1) and 13(a)*

Ireland reserves the right to regard the Anti-Discrimination (Pay) Act 1974 and the Employment Equality Act 1977 and other measures taken in implementation of the European Economic Community standards concerning employment opportunities and pay as sufficient implementation of articles 11, 1(b), (c) and (d).

Ireland reserves the right for the time being to maintain provisions of Irish legislation in the area of social security which are more favourable to women than men.

...<sup>9</sup>

## ITALY

*Upon signature:*

*Reservation*

Italy reserves the right to exercise, when depositing the instrument of ratification, the option provided for in article 19 of the Vienna Convention on the Law of Treaties of 23 May 1969.

## JAMAICA

“The Government of Jamaica does not consider itself bound by the provisions of article 9, paragraph 2, of the Convention.

The Government of Jamaica declares that it does not consider itself bound by the provisions of Article 29, paragraph 1, of the Convention.”

## JORDAN

*Upon signature:*

1. Reservation with respect to article 9, paragraph 2;
2. Reservation with respect to article 15, paragraph 4 (a wife's residence with her husband);
3. A reservation to the wording of article 16, paragraph (1)(c), relating to the rights arising upon the dissolution of marriage with regard to maintenance and compensation;
4. A reservation to the wording of article 16, paragraph (1)(d) and (g).

## REPUBLIC OF KOREA

*Upon signature:*

*Reservation*

“1. The Government of the Republic of Korea does not consider itself bound by the provisions of article 9 of the Convention on the Elimination of All Forms of Discrimination against Women of 1979.

2. Bearing in mind the fundamental principles as embodied in the said Convention, the Government of the Republic of Korea has recently established the Korea Women's welfare and social activities. A committee under the chairmanship of the prime minister will shortly be set up to consider and co-ordinate overall policies on women.

3. The Government of the Republic of Korea will make continued efforts to take further measures in line with the provisions stipulated in the Convention.”

*Upon ratification:*

The Government of the Republic of Korea, having examined the said Convention, hereby ratifies the Convention considering itself not bound by the provisions of article 9 and sub-paragraphs (c), (d), (f) and (g) of paragraph 1 of article 16 of the Convention.

## MALAWI

“Owing to the deep-rooted nature of some traditional customs and practices of Malawians, the Government of the Republic of Malawi shall not, for the time being, consider itself bound by such of the provisions of the Convention as require immediate eradication of such traditional customs and practices.”<sup>10</sup>

“While the Government of the Republic of Malawi accepts the principles of article 29 paragraph 2 of the Convention this acceptance should nonetheless be read in conjunction with [its] declaration of 12th December 1966, concerning the recognition, by the Government of the Republic of Malawi, as compulsory the jurisdiction of the International Justice under article 36, paragraph 2 of the Statute of the Court.”

## MAURITIUS

“The Government of Mauritius does not consider itself bound by sub-paragraph (b) and (d) of paragraph 1 of article 11 and sub-paragraph (g) of paragraph 1 of article 16.

The Government of Mauritius does not consider itself bound by paragraph 1 of article 29 of the Convention, in pursuance of paragraph 2 of article 29.”

## MEXICO

*Upon signature:*

*Declaration*

In signing *ad referendum* the Convention on the Elimination of All Forms of Discrimination Against Women, which the General Assembly opened for signature by States on 18 December 1979, the Government of the United Mexican States wishes to place on record that it is doing so on the understanding that the provisions of the said Convention, which agree in all essentials with the provisions of Mexican legislation; will be applied in Mexico in accordance with the modalities and procedures prescribed by Mexican legislation and that the granting of material benefits in pursuance of the Convention will be as generous as the resources available to the Mexican State permit.

## MONGOLIA

*Reservation made upon signature and confirmed upon ratification:*

The Mongolian People's Republic does not consider itself bound by the provisions of paragraph 1 of article 29 of this Convention and states that for submission of any dispute concerning the interpretation or application of the Convention to arbitration or to the International Court of Justice, the consent of all the parties involved in the given dispute is necessary.

## NEW ZEALAND

### *Reservations:*

“The Government of New Zealand, the Government of the Cook Islands and the Government of Niue reserve the right not to apply the provisions of Article 11 (2)(b).

The Government of New Zealand, the Government of the Cook Islands and the Government of Niue reserve the right not to apply the provisions of the Convention in so far as they are inconsistent with policies relating to recruitment into or service in:

(a) the Armed Forces which reflect either directly or indirectly the fact that members of such forces are required to serve on armed forces aircraft or vessels and in situations involving armed combat or;

(b) the law enforcement forces which reflect either directly or indirectly the fact that members of such forces are required to serve in situations involving violence or threat of violence.

The Government of New Zealand, the Government of the Cook Islands and the Government of Niue reserve the right, to the extent the Convention is inconsistent with the provisions of the Convention concerning the Employment of Women on Underground Work in Mines of all Kinds (ILO Convention No. 45) which was ratified by the Government of New Zealand on 29 March 1938, to apply the provisions of the latter.

The Government of the Cook Islands reserves the right not to apply Article 2(F) and Article 5(A) to the extent that the customs governing the inheritance of certain Cook Islands chiefly titles may be inconsistent with those provisions.”

## POLAND

### *Reservation:*

The People's Republic of Poland does not consider itself bound by article 29, paragraph 1, of the Convention.

## ROMANIA

### *Reservation made upon signature and upon ratification:*

The Socialist Republic of Romania states that it does not consider itself to be bound by the provisions of article 29, paragraph 1, of the Convention, whereby any dispute between two or more States Parties concerning the interpretation or application of the Convention which is not settled by negotiation shall, at the request of one of them, be submitted to arbitration.

The Socialist Republic of Romania believes that such disputes shall be submitted to arbitration only with the consent of all States Parties to the dispute, for specific case.

## SPAIN

### *Declaration:*

The ratification of the Convention by Spain shall not affect the constitutional provisions concerning succession to the Spanish crown.

## THAILAND

### *Declaration:*

The Royal Thai Government wishes to express its understanding that the purposes of the Convention are to eliminate discrimination against women and to accord to every person, men and women alike, equality before the law, and are in accordance with the principles prescribed by the Constitution of the Kingdom of Thailand.

### *Reservations:*

1. In all matters which concern national security, maintenance of public order and service or employment in the military or paramilitary forces, the Royal Thai Government reserves its right to apply the provisions of the Convention on the Elimination of all Forms of Discrimination against Women, in particular articles 7 and 10, only within the limits established by national laws, regulations and practices.

2. With regard to article 9, paragraph 2, and article 11, paragraph 1(b), as far as night work of women and special protection of working women are concerned, the Royal Thai Government considers that the application of the said provisions shall be subject to the limits and criteria established by national law, regulations and practices.

3. The Royal Thai Government does not consider itself bound by the provisions of article 15, paragraph 3, article 16 and article 29, paragraph 1, of the Convention.

## TRINIDAD AND TOBAGO

### *Reservation made upon signature:*

“The Republic of Trinidad and Tobago declares that it does not consider itself bound by Article 29 of the said Convention, relating to the settlement of disputes which may arise concerning the application or interpretation of the Convention.”

## TUNISIA

### *Reservations:*

#### 1. *General declaration:*

The Tunisian Government declares that it shall not take any organization or legislative decision in conformity with the requirements of this Convention where such a decision would conflict with the provisions of chapter I of the Tunisian Constitution.

#### 2. *Reservation concerning article 9, paragraph 2:*

The Tunisian Government expresses its reservation with regard to the provisions in article 9, paragraph 2 of the Convention, which must not conflict with the provisions of chapter VI of the Tunisian Nationality Code.

#### 3. *Reservation concerning article 16, paragraphs (c), (d), (f), (g) and (h):*

The Tunisian Government considers itself not bound by article 16, paragraphs (c), (d), and (f) of the Convention and declares that paragraphs (g) and (h) of that article must not conflict with the provisions of the Personal Status Code concerning the granting of family names to children and the acquisition of property through inheritance.

#### 4. *Reservation concerning article 29, paragraph 1:*

The Tunisian Government declares, in conformity with the requirements of article 29, paragraph 2 of the Convention, that it shall not be bound by the provisions of paragraph 1 of that article which specify that any dispute between two or more States Parties concerning the interpretation or application of the present Convention which is not settled by negotiation shall be referred to the International Court of Justice at the request of any one of those parties.

The Tunisian Government considers that such disputes should be submitted for arbitration or consideration by the International Court of Justice only with the consent of all parties to the dispute.

#### 5. *Declaration concerning article 15, paragraph 4:*

In accordance with the provisions of the Vienna Convention on the Law of Treaties, dated 23 May 1969, the Tunisian Government emphasizes that the requirements of article 15, paragraph 4, of the Convention on the Elimination of All forms of Discrimination against Women, and particularly that part relating to the right of women to choose their residence and domicile, must not be interpreted in a manner which conflicts with the provisions of the Personal Status Code on this subject, as set forth in chapters 23 and 61 of the Code.

## TURKEY

### *Reservation:*

Reservations of the Government of the Republic of Turkey with regard to the articles of the Convention dealing with family relations which are not completely compatible with the provisions of the Turkish Civil Code, in particular, article 15, paragraphs 2 and 4, and article 16, paragraphs 1(c), (d), (f) and (g), as well as with respect to article 29, paragraph 1. In pursuance of article 29, paragraph 2 of the Convention, the Government of the Republic of Turkey declares that it does not consider itself bound by paragraph 1 of this article.

### *Declaration:*

"Article 9, paragraph 1 of the Convention is not in conflict with the provisions of article 5, paragraph 1, and articles 15 and 17 of the Turkish law on Nationality, relating to the acquisition of citizenship, since the intent of those provisions regulating acquisition of citizenship through marriage is to prevent statelessness."

## UKRAINIAN SOVIET SOCIALIST REPUBLIC

### *Reservation made upon signature and confirmed upon ratification:*

Pursuant to article 29, paragraph 2, of the Convention the Ukrainian Soviet Socialist Republic does not consider itself bound by the provisions of article 29, paragraph 1, of the Convention, according to which any dispute between two or more States Parties with respect to the interpretation or application of this Convention, which is not settled by negotiations, shall, upon the request of any one of the Parties, be referred to arbitration or to the International Court of Justice, and declares that the referral of any such dispute to arbitration or to the International Court of Justice shall in each case require the consent of all parties to the dispute.

## UNION OF SOVIET SOCIALIST REPUBLICS

### *Reservation made upon signature and confirmed upon ratification:*

In accordance with article 29, paragraph 2, of the Convention, the Union of Soviet Socialist Republics declares that it does not consider itself bound by the provisions of article 29, paragraph 1 of the Convention, which provides that any dispute between two or more States Parties concerning the interpretation or application of the present Convention which is not settled by negotiation shall, at the request of one of them, be submitted to arbitration or to the International Court of Justice, and that for such dispute to be submitted to arbitration or to the International Court of Justice in every case there must be agreement between all the parties involved in the dispute.

## UNITED KINGDOM

### *Upon signature:*

“The Government of the United Kingdom of Great Britain and Northern Ireland declare that it is their intention to make certain reservations and declarations upon ratification of the Convention.”

### *Upon ratification:*

#### *A. On behalf of the United Kingdom of Great Britain and Northern Ireland:*

(a) The United Kingdom understands the main purpose of the Convention, in the light of the definition contained in Article 1, to be the reduction, in accordance with its terms, of discrimination against women, and does not therefore regard the Convention as imposing any requirement to repeal or modify any existing laws, regulations, customs or practices which provide for women to be treated more favourably than men, whether temporarily or in the longer term; the United Kingdom's undertakings under Article 4, paragraph 1, and other provisions of the Convention are to be construed accordingly.

(b) The United Kingdom reserves the right to regard the provisions of the Sex Discrimination Act 1975, the Employment Protection (Consolidation) Act 1978, the Employment Act 1980, the Sex Discrimination (Northern Ireland) Order 1976, the Industrial Relations (No. 2) (Northern Ireland) Order 1976, the Industrial Relations (Northern Ireland) Order 1982, the Equal Pay Act 1970 (as amended) and the Equal Pay Act (Northern Ireland) 1970 (as amended), including the exceptions and exemptions contained in any of these Acts and Orders, as constituting appropriate measures for the practical realisation of the objectives of the Convention in the social and economic circumstances of the United Kingdom, and to continue to apply these provisions accordingly; this reservation will apply equally to any future legislation which may modify or replace the above Acts and Orders on the understanding that the terms of such legislation will be compatible with the United Kingdom's obligations under the Convention.

(c) In the light of the definition contained in Article 1, the United Kingdom's ratification is subject to the understanding that none of its obligations under the Convention shall be treated as extending to the succession to, or possession and enjoyment of, the Throne, the peerage, titles of honour, social precedence or armorial bearings, or as extending to the affairs of religious denominations or orders or to the admission into or service in the Armed Forces of the Crown.

(d) The United Kingdom reserves the right to continue to apply such immigration legislation governing entry into, stay in, and departure from, the United Kingdom as it may deem necessary from time to time and, accordingly, its acceptance of Article 15 (4) and of the other provisions of the Convention is subject to the provisions of any such legislation as regards persons not at the time having the right under the law of the United Kingdom to enter and remain in the United Kingdom.

#### *Article 1:*

With reference to the provisions of the Sex Discrimination Act 1975 and other applicable legislation, the United Kingdom's acceptance of Article 1 is subject to the reservation that the phrase “irrespective of their marital status” shall not be taken to render discriminatory any difference of treatment accorded to single persons as against married persons, so long as there is equality of treatment as between married men and married women and as between single men and single women.

#### *Article 2:*

In the light of the substantial progress already achieved in the United Kingdom in promoting the progressive elimination of discrimination against women, the United Kingdom reserves the right, without prejudice to the other reservations made by the United Kingdom, to give effect to paragraphs (f) and (g) by keeping under review such of its laws and regulations as may still embody significant differences in treatment between men and women with a view to making changes to those laws and regulations when to do so would be compatible with essential and overriding considerations of economic policy. In relation to forms of discrimination more precisely prohibited by other provisions of the Convention, the obligations under this Article must (in the case of the United Kingdom) be read in conjunction with the other reservations and declarations made in respect of those provisions including the declarations and reservations of the United Kingdom contained in paragraphs (a) — (d) above.

With regard to paragraphs (f) and (g) of this Article the United Kingdom reserves the right to continue to apply its law relating to sexual offences and prostitution; this reservation will apply equally to any future law which may modify or replace it.

#### *Article 9:*

The British Nationality Act 1981, which was brought into force with effect from January 1983, is based on principles which do not allow of any discrimination against women within the meaning of Article 1 as regards acquisition, change or retention of their nationality or as regards the nationality of their children. The United Kingdom's acceptance of Article 9 shall not, however, be taken to invalidate the continuation of certain temporary or transitional provisions which will continue in force beyond that date.

The United Kingdom reserves the right to take such steps as may be necessary to comply with its obligations under Article 2 of the First Protocol to the Convention for the Protection of Human Rights and Fundamental Freedoms signed at Paris on 20 March 1952 and its obligations under paragraph 3 of Article 13 of the International Covenant on Economic, Social and Cultural Rights opened for signature at New York on 19 December 1966, to the extent that the said provisions preserve the freedom of parental choice in respect of the education of children; and reserves also the right not to take any measures which may conflict with its obligation under paragraph 4 of Article 13 of the said Covenant not to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject to the observation of certain principles and standards.

Moreover, the United Kingdom can only accept the obligations under paragraph (c) of Article 10 within the limits of the statutory powers of central Government, in the light of the fact that the teaching curriculum, the provision of textbooks and teaching methods are reserved for local control and are not subject to central Government direction; moreover, the acceptance of the objective of encouraging co-education is without prejudice to the right of the United Kingdom also to encourage other types of education.

*Article 11:*

The United Kingdom interprets the "right to work" referred to in paragraph 1(a) as a reference to the "right to work" as defined in other human rights instruments to which the United Kingdom is a party, notably Article 6 of the International Covenant on Economic, Social and Cultural Rights of 19 December 1966.

The United Kingdom interprets paragraph 1 of Article 11, in the light of the provisions of paragraph 2 of Article 4, as not precluding prohibitions, restrictions or conditions on the employment of women in certain areas, or on the work done by them, where this is considered necessary or desirable to protect the health and safety of women or the human foetus, including such prohibitions, restrictions or conditions imposed in consequence of other international obligations of the United Kingdom; the United Kingdom declares that, in the event of a conflict between obligations under the present Convention and its obligations under the Convention concerning the employment of women on underground work in mines of all kinds (ILO Convention No. 45), the provisions of the last mentioned Convention shall prevail.

The United Kingdom reserves the right to apply all United Kingdom legislation and the rules of pension schemes affecting retirement pensions, survivors' benefits and other benefits in relation to death or retirement (including retirement on grounds of redundancy), whether or not derived from a Social Security scheme.

This reservation will apply equally to any future legislation which may modify or replace such legislation, or the rules of pension schemes, on the understanding that the terms of such legislation will be compatible with the United Kingdom's obligations under the Convention.

The United Kingdom reserves the right to apply the following provisions of United Kingdom legislation concerning the benefits specified:

- (a) social security benefits for persons engaged in caring for a severely disabled person under section 37 of the Social Security Act 1975 and section 37 of the Social Security (Northern Ireland) Act 1975;
- (b) increases of benefits for adult dependants under sections 44 to 47, 49 and 66 of the Social Security Act 1975 and under sections 44 to 47, 49 and 66 of the Social Security (Northern Ireland) Act 1975;
- (c) retirement pensions and survivors' benefits under the Social Security Acts 1975 to 1982 and the Social Security (Northern Ireland) Acts 1975 to 1982;
- (d) family income supplements under the Family Income Supplements Act 1970 and the Family Income Supplements Act (Northern Ireland) 1971.

This reservation will apply equally to any future legislation which may modify or replace any of the provisions specified in sub-paragraphs (a) to (d) above, on the understanding that the terms of such legislation will be compatible with the United Kingdom's obligations under the Convention.

The United Kingdom reserves the right to apply any non-discriminatory requirement for a qualifying period of employment or insurance for the application of the provisions contained in Article 11(2).

*Article 13:*

The United Kingdom reserves the right, notwithstanding the obligations undertaken in Article 13, or any other relevant article of the Convention, to continue to apply the income tax and capital gains tax legislation which:

- (i) deems for income tax purposes the income of a married woman living with her husband in a year, or part of a year, of assessment to be her husband's income and not to be her income (subject to the right of the husband and the wife to elect jointly that the wife's earned income shall be charged to income tax as if she were a single woman with no other income); and
- (ii) requires tax in respect of such income and of chargeable gains accruing to such a married woman to be assessed on her husband (subject to the right of either of them to apply for separate assessment) and consequently (if no such application is made) restricts to her husband the right to appeal against any such assessment and to be heard or to be represented at the hearing of any such appeal; and
- (iii) entitles a man who has his wife living with him, or whose wife is wholly maintained by him, during the year of assessment to a deduction from his total income of an amount larger than that to which an individual in any other case is entitled and entitles an individual whose total income includes any earned income of his wife to have that deduction increased by the amount of that earned income or by an amount specified in the legislation whichever is the less.

*Article 15:*

In relation to Article 15, paragraph 2, the United Kingdom understands the term "legal capacity" as referring merely to the existence of a separate and distinct legal personality.

In relation to Article 15, paragraph 3, the United Kingdom understands the intention of this provision to be that only those terms or elements of a contract or other private instrument which are discriminatory in the sense described are to be deemed null and void, but not necessarily the contract or instrument as a whole.

*Article 16:*

As regards sub-paragraph 1(f) of Article 16, the United Kingdom does not regard the reference to the paramountcy of the interests of the children as being directly relevant to the elimination of discrimination against women, and declares in this connection that the legislation of the United Kingdom regulating adoption, while giving a principal position to the promotion of the children's welfare, does not give to the child's interests the same paramount place as in issues concerning custody over children.

The United Kingdom's acceptance of paragraph 1 of Article 16 shall not be treated as either limiting the freedom of a person to dispose of his property as he wishes or as giving a person a right to property the subject of such a limitation.

*B. On behalf of the Isle of Man, the British Virgin Islands, the Falkland Islands, South Georgia and the South Sandwich Islands, and the Turks and Caicos Islands:*

*[Same reservations as the one made on behalf of the United Kingdom under paragraphs A(a), (c), and (d) except that in the case of (d) it applies to the territories and their laws.]*

*Article 1:*

*[Same reservation as the one made in respect of the United Kingdom except with regard to the absence of a reference to United Kingdom legislation.]*

*Article 2:*

*[Same reservation as the one made in respect of the United Kingdom except that reference is made to the laws of the territories, and not the laws of the United Kingdom.]*

*Article 9:*

*[Same reservation as the one made in respect of the United Kingdom.]*

*Article 11:*

*[Same reservation as those made in respect of the United Kingdom except that a reference is made to the laws of the territories, and not to the laws of the United Kingdom.]*

Also, as far as the territories are concerned, the specific benefits listed and which may be applied under the provisions of these territories' legislation are as follows:

- (a) social security benefits for persons engaged in caring for a severely disabled person;
- (b) increases of benefit for adult dependants;
- (c) retirement pensions and survivors' benefits;
- (d) family income supplements.

This reservation will apply equally to any future legislation which may modify or replace any of the provisions specified in sub-paragraphs (a) to (d) above, on the understanding that the terms of such legislation will be compatible with the United Kingdom's obligations under the Convention.

The United Kingdom reserves the right to apply any non-discriminatory requirement for a qualifying period of employment or insurance for the application of the provisions contained in Article 11(2).

*Article 13, 15 and 16*

*[Same reservations as those made on behalf of the United Kingdom.]*

## VENEZUELA

*Made upon ratification confirming in substance the reservation made upon signature:*

*Reservation:*

Venezuela makes a formal reservation with regard to article 29, paragraph 1, of the Convention, since it does not accept arbitration or the jurisdiction of the International Court of Justice for the settlement of disputes concerning the interpretation or application of this Convention.

## VIETNAM

*Reservation:*

In implementing this Convention, the Socialist Republic of Vietnam will not be bound by the provisions of paragraph 1 article 29.

## DEMOCRATIC YEMEN

The Government of the People's Democratic Republic of Yemen declares that it does not consider itself bound by article 29, paragraph 1, of the said Convention, relating to the settlement of disputes which may arise concerning the application or interpretation of the Convention.



## OBJECTIONS

(Unless otherwise indicated, the objections were received upon ratification, accession, acceptance, approval or definitive signature.)

### FEDERAL REPUBLIC OF GERMANY

10 July 1985

The Federal Republic of Germany considers that the reservations made by Egypt regarding article 2, article 9, paragraph 2, and article 16, by Bangladesh regarding article 2, article 13(a) and article 16, paragraph 1, (c), and (f), by Brazil regarding article 15, paragraph 4 and article 16, paragraph 1(a), (c), (g) and (h), by Jamaica regarding article 9, paragraph 2, by the Republic of Korea regarding article 9 and article 16, paragraph 1(c), (d), (f) and (g), and by Mauritius regarding article 11, paragraph 1(b) and (d), and article 16, paragraph 1(g), are incompatible with the object and purpose of the Convention (article 28, paragraph 2) and therefore objects to them. In relation to the Federal Republic of Germany, they may not be invoked in support of a legal practice which does not pay due regard to the legal status afforded to women and children in the Federal Republic of Germany in conformity with the above-mentioned articles of the Convention.

This objection shall not preclude the entry into force of the Convention as between Egypt, Bangladesh, Brazil, Jamaica, the Republic of Korea, Mauritius and the Federal Republic of Germany.

Objections, identical in essence, *mutatis mutandis*, were also formulated by the Government of the Federal Republic of Germany in regard to reservations made by various states, as follows:

(i) 15 October 1986: In respect of reservations formulated by the Government of Thailand concerning article 9, paragraph 2, article 10, article 11, paragraph 1(b), article 15, paragraph 3 and article 16; (The Federal Republic of Germany also holds the view that the reservation made by Thailand regarding article 7 of the Convention is likewise incompatible with the object and purpose of the Convention because for all matters which concern national security it reserves in a general and thus unspecific manner the right of the Royal Thai Government to apply the provisions only within the limits established by national laws, regulations and practices).

(ii) 15 October 1986: In respect of reservations and some declarations formulated by the Government of Tunisia concerning article 9, paragraph 2 and article 16, as well as the declaration concerning article 15, paragraph 4.

(iii) 3 March 1987: In respect of reservations made by the Government of Turkey to article 15, paragraphs 2 and 4, and article 16, paragraph 1(c), (d), (f) and (g); in respect of reservations made by the Government of Iraq with regard to article 2, paragraphs (f) and (g), article 9 and article 16.

### MEXICO

11 January 1985

The Government of the United Mexican States has studied the content of the reservations made by Mauritius to article 11, paragraph 1(b) and (d), and article 16, paragraph 1(g), of the Convention and has concluded that they should be considered invalid in the light of article 28, paragraph 2, of the Convention, because they are incompatible with its object and purpose.

Indeed, these reservations, if implemented, would inevitably result in discrimination against women on the basis of sex, which is contrary to all the articles of the Convention. The principles of equal rights of men and women and non-discrimination on the basis of sex, which are embodied in the second preambular paragraph and Article 1, paragraph 3, of the Charter of the United Nations, to which Mauritius is a signatory, and in articles 2 and 16 of the Universal Declaration of Human Rights of 1948, were previously accepted by the Government of Mauritius when it acceded, on 12 December 1973, to the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. The above principles were stated in article 2, paragraph 1, and article 3 of the former Covenant and in article 2, paragraph 2, and article 3 of the latter. Consequently, it is inconsistent with these contractual obligations previously assumed by Mauritius for its Government now to claim that it has reservations, on the same subject, about the 1979 Convention.

The objection of the Government of the United Mexican States to the reservations in question should not be interpreted as an impediment to the entry into force of the 1979 Convention between the United Mexican States and Mauritius.

Objections, identical in essence, *mutatis mutandis*, were also formulated by the Government of Mexico in regard to reservations made by various states, as follows:

(i) 21 February 1985: In respect of reservations by Bangladesh concerning article 2, article 13(a) and article 16 paragraph 1(c) and (f). (Bangladesh not being a party to the Convention, its participation in the said Convention was not invoked by Mexico in its objection.)

(ii) 21 February 1985: In respect of the reservation by Jamaica concerning article 9(2).

(iii) 22 May 1985: In respect of reservations by New Zealand (those which are also applicable to the Cook Islands) concerning article 2(f) and article 5(a).

(iv) 6 June 1985: In respect of reservations by the Republic of Korea concerning article 9 and article 16, paragraph 1(c), (d), (e), (f) and (g).

(v) 29 January 1986: In respect of the reservation made by Cyprus to article 9, paragraph 2.

(vi) 7 May 1986: In respect of the reservations made by Turkey to paragraphs 2 and 4 of article 15 and paragraphs 1(c), 1(d), 1(f) and 1(g) of article 16.

(vii) 16 July 1986: In respect of reservations made by Egypt to articles 9 and 16.

In the case of the last two objections (paras (iv) and (v)), Mexico stated the principles of the equal rights of men and women and of non-discrimination on the basis of sex are embodied in the second preambular paragraph and article 1, paragraph 3, of the Charter of the United Nations, and in articles 2 and 16 of the Universal Declaration of Human Rights of 1948, and were previously accepted by the Government of New Zealand and Cyprus respectively when they ratified the International Covenant on Civil and Political Rights and the International Covenant on Economic Social and Cultural Rights of 1966.

(viii) 16 October 1986: In respect of reservations by Thailand concerning article 9, paragraph 2, article 15, paragraph 3 and article 16.

(ix) 4 December 1986: In respect of reservations by Iraq concerning article 2, paragraphs (f) and (g), article 9, paragraphs 1 and 2 and article 16.

## SWEDEN

17 March 1986

[Same objection, *mutatis mutandis*, as the one made by Mexico with regard to reservations made by the following States]:

Thailand: on 9 August 1985 regarding article 9, paragraph 2, article 15, paragraph 3 and article 16.

Tunisia: on 20 September 1985 regarding article 9, paragraph 2, article 15, paragraph 4, and article 16, paragraph 1(c), (d), (f), (g) and (h).

Bangladesh: 6 November 1984 regarding article 2, article 13(a) and article 16, paragraph 1(c) and (f).

Brazil: 1 February 1984 regarding article 15, paragraph 4 and article 16, paragraph 1(a), (c), (g) and (h).

Egypt: on 18 September 1981 regarding article 2, article 9, paragraph 2, and article 16.

Mauritius: on 9 July 1984 regarding article 11, paragraph 1(b) and (d), and article 16, paragraph 1(g).

Jamaica: on 19 October 1984 regarding article 9, paragraph 2.

Republic of Korea: on 27 December 1984 regarding article 9 and article 16, paragraph 1(c), (d), (f) and (g).

New Zealand: on 10 January 1985, in respect of the Cook Islands regarding article 2, paragraph (f) and article 5, paragraph (a).

Iraq: 12 March 1987, in respect of article 2, paragraph (f) and (g), article 9, paragraph 1, and article 16.

The Government of Sweden added the following comments:

"In this context the Government of Sweden wishes to take this opportunity to make the observation that the reason why reservations incompatible with the object and purpose of a treaty are not acceptable is precisely that otherwise they would render a basic international obligation of a contractual nature meaningless. Incompatible reservations, made in respect of the Convention on the elimination of all forms of discrimination against women, do not only cast doubts on the commitments of the reserving States to the objects and purpose of this Convention, but moreover, contribute to undermine the basis of international contractual laws. It is in the common interest of states that treaties to which they have chosen to become parties also are respected, as to object and purpose, by other parties."

## NOTES:

<sup>1/</sup> *Official Records of the General Assembly of the United Nations, Thirty-fourth Session, Supplement No. 46 (A/34/46)*, p.193.

<sup>2/</sup> The Secretary-General received several objections to the signature of the above Convention by Democratic Kampuchea. These objections are identical in matter, *mutatis mutandis*, as those reproduced in note 3 in chapter IV. 3. Following is the list of States who have notified their objection with the date of receipt of the notifications:

Participant	Date of receipt
German Democratic Republic...	11 Dec 1980
Hungary ... ..	19 Jan 1981
Bulgaria ... ..	29 Jan 1981
Union of Soviet Socialist Republics ... ..	13 Feb 1981
Byelorussian Soviet Socialist Republic ... ..	18 Feb 1981
Czechoslovakia ... ..	10 Mar 1981

<sup>3/</sup> In a note accompanying the instrument, the Government of the Federal Republic of Germany declared that the Convention shall also apply to Berlin (West) with effect from the date on which it enters into force for the Federal Republic of Germany.

In this regard, the Secretary-General received on 15 April 1986 from the Government of the Union of Soviet Socialist Republics, the following objection:

The declaration made by the Government of the Federal Republic of Germany upon ratification of the Convention on the Elimination of All Forms of Discrimination against Women, adopted on 18 December 1979, regarding the extension of the said Convention to West Berlin directly contradicts the Quadripartite Agreement of 3 September 1971. This Agreement, as is known, clearly established that international agreements entered into by the Federal Republic of Germany may be extended to West Berlin only provided that such agreements do not affect matters of security and status. The said Convention, by virtue of its content, directly affects such matters.

In particular, it governs matters relating to the adoption of legislation, including amendments to national constitutions, by States Parties, to their use of sanctions or other coercive measures, and to the provision by means of the competent national courts or other State institutions of effective legal protection for citizens.

The rights and duties referred to in the Convention are a manifestation of State sovereignty. Such rights and duties cannot be exercised by a State in a territory which does not fall within its jurisdiction.

In view of the foregoing, the Soviet Union considers the declaration made by the Government of the Federal Republic of Germany regarding the extension of the Convention on the Elimination of All Forms of Discrimination against Women to West Berlin to be unlawful and not legally valid.

Accordingly, the declaration and reservation made by the Government of the Federal Republic of Germany upon ratification are unlawful and not legally valid with respect to West Berlin.

Subsequently, the Secretary-General received on 20 March 1987, from the Governments of France, the United Kingdom of Great Britain and Northern Ireland and the United States of America the following communication:

"In a communication to the Government of the Union of Soviet Socialist Republics, which is an integral part (annex IV A) of the Quadripartite Agreement of 3 September 1971, the Governments of France, the United Kingdom and the United States, without prejudice to the maintenance of their rights and responsibilities relating to the representation abroad of the interests of the western sectors of Berlin, confirmed that, provided that matters of security and status are not affected and provided that the extension is specified in each case, international agreements and arrangements entered into by the Federal Republic of Germany may be extended to the western sectors of Berlin in accordance with established procedures.

The Government of the Union of Soviet Socialist Republics, in a communication to the Governments of the three powers which is similarly an integral part (annex IV B) of the quadripartite agreement, affirmed that it would raise no objections to such extension.

The established procedures referred to above, which were endorsed in the quadripartite agreement are designed *inter alia* to afford the authorities of the three powers the opportunity to ensure that international agreements and arrangements entered into by the Federal Republic of Germany which are to be extended to the Western sectors of Berlin are extended in such a way that matters of security and status are not affected.

When authorizing the extension of the Convention on the elimination of all forms of discrimination against women to the Western sectors of Berlin, the authorities of the three powers took such steps as were necessary to ensure that matters of security and status were not affected. Accordingly, the Berlin declaration made by the Federal Republic of Germany in accordance with established procedures is valid and the Convention will apply to the Western sectors of Berlin, subject to allied rights and responsibilities."

Subsequently, the Secretary-General received on 22 April 1987, from the Government of the German Democratic Republic the following objection:

With regard to the application to Berlin (West) of the Convention on the Elimination of All Forms of Discrimination against Women the German Democratic Republic notes, in accordance with the Quadripartite Agreement of 3 September 1971, that Berlin (West) is not a constituent part of the Federal Republic of Germany and is not to be governed by it. The Federal Republic of Germany's declaration that the said Convention was to be extended to Berlin (West) is contradictory to the Quadripartite Agreement which provides that agreements concerning matters of the security and status of Berlin (West) must not be extended to the latter by the Federal Republic of Germany. Consequently, the Federal Republic of Germany's declaration can have no legal effect.

<sup>4/</sup> An instrument of accession had been deposited on 14 March 1980 with the Secretary-General. The signature was affixed on 17 July 1980 and was accompanied by the following declaration:

... The People's Revolutionary Republic of Guinea wishes to sign the Convention ... with the understanding that this procedure annuls the procedure of accession previously followed by Guinea with respect to the Convention.

<sup>5/</sup> The instrument of ratification indicates that in accordance with the special relationships which exist between New Zealand and the Cook Islands and between New Zealand and Niue, there have been consultations regarding the Convention between the Government of New Zealand and the Government of the Cook Islands and between the Government of New Zealand and the Government of Niue; that the Government of the Cook Islands, which has exclusive competence to implement treaties in the Cook Islands, has requested that the Convention should extend to the Cook Islands; that the Government of Niue which has exclusive competence to implement treaties in Niue, has requested that the Convention should extend to Niue. The said instrument specifies that accordingly the Convention shall apply also to the Cook Islands and Niue.

<sup>6/</sup> The instrument of ratification specifies that the said Convention is ratified in respect of the United Kingdom of Great Britain and Northern Ireland, the Isle of Man, British Virgin Islands, Falkland Islands, South Georgia and the South Sandwich Islands and Turks and Caicos Islands.

<sup>7/</sup> In a notification received on 26 March 1984, the Government of France informed the Secretary-General of its decision to withdraw the reservation to article 7 of the Convention made upon ratification. The reservation had read as follows:

The Government of the French Republic declares that article 7 must not preclude the application of the second paragraph of article LO 128 of the electoral code.

The notification specifies that the withdrawal was effected because Organic Law No. 83-1096 of 20 December 1983 has abrogated article LO 128 of the electoral code relating to temporary disqualifications of persons who have obtained French nationality.

Subsequently, in a notification received on 21 July 1986, the Government of France informed the Secretary-General that it decided to withdraw its reservation relating to article 15, paragraphs 2 and 3, and article 16, paragraphs 1(c), (d) and (h) of the Convention, made upon ratification. The text of the reservation had read as follows:

The Government of the French Republic declares that article 15, paragraphs 2 and 3, and article 16, paragraphs 1(c) and 1(h), of the Convention must not preclude the application of the provisions of Book Three, Part V, chapter II of the Civil Code.

The notification specified that the withdrawal was effected because the existing discriminatory provisions, against women, in the rules governing property rights arising out of matrimonial relationship and in those concerning the legal administration of the property of children were abrogated by Act No. 85-1372 of 23 December 1985 concerning equality of spouses in respect of property rights arising out of a matrimonial relationship and equality of parents in respect of the property of minor children, which entered into force on 1 July 1986.

<sup>8/</sup> On 12 December 1986, the Secretary General received from the Government of Israel the following objection:

... In the view of the Government of the State of Israel, such declaration which is explicitly of a political character is incompatible with the purposes and objectives of the Convention and cannot in any way affect whatever obligations are binding upon Iraq under general international law or under particular conventions.

The Government of the State of Israel will, in so far as concerns the substance of the matter, adopt towards Iraq an attitude of complete reciprocity.

<sup>9/</sup> On 19 December 1986, the Government of Ireland notified the Secretary General of its withdrawal of the following reservations made upon accession:

*Article 9(1)*

Pending the proposed amendment to the law relating to citizenship, which is at an advanced stage, Ireland reserves the right to retain the provisions in its existing law concerning the acquisition of citizenship on marriage.

*Article 15*

With regard to paragraph 4 of this article, Ireland observes the equal rights of women relating to the movement of persons and the freedom to choose their residence; pending the proposed amendment of the law of domicile, which is at an advanced stage, it reserves the right to retain its existing law.

*Article 11(1) and 13(a)*

... and pending the coming into force of the Social Welfare (Amendment) (No. 2) Act, 1985, to apply special conditions to the entitlement of married women to certain social security schemes.

<sup>10/</sup> On 5 August 1987, the Secretary-General received from the Government of Mexico the following communication:

The Government of the United Mexican States hopes that the process of eradication of traditional customs and practices referred to in the first reservation of the Republic of Malawi will not be so protracted as to impair fulfilment of the purpose and intent of the Convention.